

DEPARTMENT OF EDUCATION
OFFICE OF POSTSECONDARY EDUCATION
90/10 PUBLIC HEARING
SESSION 1, DAY 1, AFTERNOON
October 26, 2021

On the 26th day of October, 2021, the following meeting was held virtually, from 2:00 p.m. to 4:00 p.m.

P R O C E E D I N G S

MR. MARTIN: Good afternoon. Thank you for your attendance at our virtual hearing today. My name is Greg Martin. I am the director of the policy development group in the office of postsecondary education. I'm pleased to welcome you to today's public hearing. This is one of two public hearings that we are convening this week. Our purpose is to gather input regarding regulations on the 90/10 provisions, amended by the American Rescue Plan Act of 2021, under modification of revenue requirements for proprietary institutions of higher education. I'm joined on camera today by Steve Finley from the Office of General Counsel. And joining us with welcoming remarks this afternoon is Antoinette Flores, who is a senior advisor with the Office of postsecondary education. Antoinette?

MS. FLORES: Thank you, Steve. Thank you and good afternoon to everyone joining us. Thank you for your interest in providing input on the Department of Education's rulemaking agenda for postsecondary education. The hearings today and tomorrow we'll focus on our 90/10 regulations. The current 90/10 rule caps the percentage of revenue that a proprietary institution can receive from federal Financial Aid from the Title IV Higher Education Act programs at 90%. The other 10% must be come from other sources. As you know, the American Rescue Plan Act of 2021, modified the 90/10 provision of the HEA to require that a

proprietary institution derive at least 10% of its revenue from sources that are not federal education assistance funds, or federal funds dispersed or delivered to or on behalf of a student. This has implications for education funds across the federal Government. Your comments are an important part of our negotiated rulemaking process, we held hearings in June to obtain input on a number of other key regulatory provisions that reflect our commitment to serving students and protecting them from harmful practices that may derail their education. We are now adding this topic to obtain additional feedback. In addition to the oral comments that we will hear during these hearings, you can also submit written comments by November 3. We hope that your feedback today and over the next week will help to inform a strong proposal that better protects students and taxpayers and promotes increased program integrity. After the hearings and the review of comments, we will further develop our rulemaking agenda. We will bring selected issues before a rulemaking committee that we intend to begin this winter. As with our current committee, we will conduct those rulemaking sessions virtually. We will notify the public of the schedule and topics in the Federal Register and we will also seek nominations for negotiators. We hope that you will consider serving in this capacity and welcome those who are new to the role as well as those who have served in the past. Through the rulemaking

process, we hope to strengthen the rules that we have and develop others that serve our students in the best way possible. Thank you each for your time and for your interest in the regulatory process. We look forward to your ideas.

MR. MARTIN: Thank you, Antoinette. With respect to logistics for today's hearing, I will call your name to present when it is time for you to speak. We ask speakers to limit their remarks to three minutes. If you get to the end of your time, I will ask you to wrap up and ask that you do so within 15 seconds. If you exceed your time you may be muted. Speakers have the option to turn on their cameras presenting but that is not required. We do ask speakers to turn off the sound for the main meeting site to avoid any interference. We hope that you can be in an area free from background noise while presenting as much as you can. Perhaps most importantly, we asked that speakers remain on mute before being called and leave the Microsoft Teams meeting after speaking to join or rejoin the public Microsoft meeting. If you are a speaker and did not mute yourself when not presenting or speak when it is not your turn, we will administratively mute you from the Microsoft Teams meeting and may remove you from the speaker line. You can always join the Microsoft Live team meeting as an attendee where you can listen to the hearing. When you are called to speak, please provide your name and your affiliation. This hearing is being transcribed and the

transcription will be posted to our website within the next few weeks. The department will also provide a recording of the hearings with audio and video. This is a public hearing, and it is possible that a member of the public may record your remarks and post edited clips of them before or after the department post the full unedited hearing. Closed captioning is also available in real time during the hearing. Live captions in a meeting, go to your meeting control, to for live captions, go to your meeting controls, select options, then turn on live captions. If you are submitting written comments, we encourage you to do so through the right through regulations.gov. If you may rather submit comments through postal mail, commercial delivery or hand delivery, but please do not submit your comment more than once. If you wish to hand deliver comments, please email Vanessa Gomez, that's vanessa.gomez@ed.gov. She will coordinate with the front desk staff at the Department of Education's building at 400 Maryland Avenue, SW Washington, D.C. so that you can leave your comments there. We will not accept comments by fax. In addition, please indicate the Docket ID, which is ED 2021 OPE 0077-1311 at the top of your comments. You will also use that number to quickly access the place to submit your comments using the regulations.gov website. I'd like to offer one final reminder today, and that is that this opportunity for public comment is little limited to 90/10. If the speakers' remarks do not appear to

be related to 90/10, we'll ask the speaker to redirect those remarks to the topic at hand. I will call names as it's time for you to speak, but please restate your name and indicate the organization that you represent. So, with that, let's go to our first speaker for today and our first speaker will be Amy Laitinen. Ms. Laitinen.

MS. LAITINEN: Good afternoon. Oh, how exciting to be the first speaker, I didn't realize I was. My name is Amy Laitinen, and I'm with the Higher Education Program at New America, and we are so pleased that Congress has finally taken some steps which the department is now taking steps to implement towards closing a loophole that has propped up financially unviable schools and encourage them to prey on students, and particularly veterans and active service members. As others are likely to note throughout the course of these hearings, the 90/10 rule was designed to make sure that for-profit colleges got even a tiny tiny amount, 10%, of their revenue from nonfederal sources. Unfortunately, nonfederal sources of aid included many things including the federal GI Bill benefits and federal DOD tuition assistance benefits, which means that predatory colleges have seen veterans and service members as prime targets for recruitment to help them get the 10% of the nonfederal but absolutely federal revenue. As you begin thinking about regulating in this space, we would encourage you to be vigilant against attempts that will be made at the

negotiating table, in the public comments before Neg Reg starts, during Neg Reg, after Neg Reg, that, by the regulated sector to create new loopholes, waivers and exceptions to the intent of the statutory language, which is intended to close, not create, new loopholes. The Department must pay close attention to the 10% of nonfederal revenues. Given the multibillion dollar industry that is for-profit education, higher education, it is not just likely, but a certainty that a whole industry of creative financial arrangements will pop up to circumvent the intent of the law. The Department needs to design a strong rule on the front end and vigorously enforce it on the back end but it can't just be set it and forget it. In the words of favorite Harry Potter character, Mad-Eye Moody, the the Department needs to have constant vigilance to ensure that the spirit and the letter of the law are met so that federal dollars are not propping up failing schools on the backs of military connected students, or of any students. That's it for me, I thank you for having this hearing and for all that you're doing on the current Neg Reg and planning to do for the next one. I can't imagine how overwhelming it is, and I'm glad it's not me. But I'm glad for students that you are taking all of these steps to ensure that current and future students and borrowers are protected. Thank you so much.

MR. MARTIN: Thank you, Ms. Laitinen. Our next speaker today will be Aaron Shenck. Mr. Shenck. Mr. Shenck you appear to be on mute.

MR. SHENCK: Can you hear me?

MR. MARTIN: We can now, yes.

MR. SHENCK: Thank you. Thank you. Thank you for this opportunity to speak today, my name is Aaron Shenck, and I'm the director of The Mid-Atlantic Association of Career Schools, which is a regional association representing approximately 100 Career Technical Colleges in several Northeastern states. Our association represents both private nonprofit institutions and private for-profit institutions. Our association generally looks at any regulation with two leading questions. One, does the regulation makes sense by providing a positive outcome, and two, is it applied consistently and fairly? Unfortunately, the 90/10 rule fails both tests. On the test of whether 90/10 provides a positive outcome this regulation does the exact opposite. It is counterproductive to students, institutions, and taxpayers. First, no matter who tries to label 90/10 an accountability measure, it is not. 90/10 does not measure anything to do with academics or student outcomes. Let me repeat that, 90/10 does not measure anything to do with academics or student outcomes. 90/10 is nothing more than a mathematical test with two basic variables. The income level of your student population and

how much financial aid they need, and two, your tuition costs. Schools located in low-income communities educating poor students have a tougher time passing 90/10. Furthermore, schools with lower tuition rates have a tougher time passing 90/10. (Inaudible) made punish schools educating poor populations, furthermore, schools who may want to lower tuition could be placed at risk of failure to meet their 90/10 calculation. At a time when many higher ed policymakers talk about access inclusion and affordability, the 90/10 rule is in direct conflict with those policy goals. In 2018, US Senate Education Committee released a white paper on 90/10 and it concluded and I quote, "what 90/10 really measures is the socio economic status of students enrolled school, not the quality of the institution." Now for the second test, is this regulation applied consistently and fairly? The answer is simply no. The schools I work with include institutions with different tax statuses. Some of my members have to comply with 90/10, while others are exempt. You can theoretically have two very similar schools teaching the same programs in the same neighborhood, and one of them has to comply with the regulation, while the other does not have to comply. In the 2018 Senate white paper, a national study shows 90/10 was applied to all higher ED institutions, it estimated 80% of public two-year institutions would fail the rule and 40% of public four-year institutions would fail the rule. Does this

mean the schools are bad? No, it means the 90/10 regulation is bad public policy. Simply put, 90/10 should be abolished, however, I understand that's not what Congress has asked the committee to do. As you proceed with determining how to define federal education assistance funds, and therefore what federal funds should be counted in the formulas and how, I plead you to act very cautiously and not make this counterproductive rule any worse than it already is. Thanks again for your time. I appreciate it.

MR. MARTIN: Thank you, Mr. Shenck, we appreciate your comments. Our next speaker will be Dan Gormley. Mr. Gormley. Mr. Gormley. Alright, we can go we'll return to Mr. Gormley. We're going to move on to our next speaker who is Jeff Arthur. Mr. Arthur.

MR. ARTHUR: Yes, thank you. I'm Jeff Arthur, Vice President of Regulatory Affairs and CIO for ECPI University. I've managed federal student aid programs for 37 years and thank you for the opportunity to provide comments and supportive Negotiated Rulemaking. My institution served the Hampton Roads area of Virginia for 55 years, which is the densest military community of its size in the United States. We have an outstanding record of successful with veterans, military personnel, and partnerships with military branches and defense contractors. Last year, we had 1500 persons using military benefits earn their degrees, nearly all of them and Computer Science,

Engineering Technologies, and nursing. Military Times ranks our institution as the number one best for vets in the Career and Technical College category. Given our performance and importance to the military focused communities we serve is of grave importance that this rulemaking process carefully craft regulations that will comply with the language of the bill, and do not result in unintended and avoidable consequences for quality institutions. Regarding the negotiated rulemaking committee, given that this regulation applies only to for-profit colleges. It's important that committee in negotiating this rule be weighted to for-profit institutions, and the entities that have oversight and support for their compliance including business officers, auditing firms, and of course, financial aid staff that have decades of experience with this rule. Other colleges would not have an adequate understanding the application or regulatory language being considered. And therefore I do believe it would be very important for the department to use a subcommittee to tackle the highly focused scope of this regulation. What are the federal educational assistance funds? First, I think the regulation should clearly and concisely identify sources of funding that are to be considered federal education funding disbursed to or on behalf of a student. It's important that institutions clearly understand how every source of funding will be

counted given the dire consequences of a misunderstanding. It's very clear what Title IV fund sources are and even at that, there are complications that make this less than a straightforward calculation. Only education assistance programs where the funding source is entirely federal funding, with funds flowing directly from the federal government should count. There are various state and local administered assistance programs where the source of the funding is indirect and often not clear to institutions. Some of these programs may apply for and receive federal support to varying degrees. The administrators of these programs have considerable expert influence selecting quality programs and institutions, which is what the 90/10 rule was intended to identify quality institutions, sources of funds to deliver to or behalf of students. Our institution occasionally contracts for training for various military agencies and contractors under a training agreement. Whenever you have a process where your institution is selected on behalf of a government employer, the regulation should make it clear that this is not funding delivered on behalf of a student if the primary beneficiary or the primary initiator of it is an employer. While the employee students certainly benefits from any training and certificates they receive, it was not an independent decision of theirs to attend the institution. And I appreciate the opportunity to make these remarks.

MR. MARTIN: Thank you, Mr. Arthur, we appreciate your comments. I'm going to go back and see if Mr. Gormley is has joined us. Dan Gormley. Mr. Gormley. Okay, I will, I'm going to move on to our next speaker, who is, Cyndie Shadow. Ms. Shadow. Ms. Shadow? Feeling very alone here, Okay, I'll go. Let's go and again, we're gonna come back to these people so they're not being they're not being skipped. Well they're being skipped for now, but when they're not being, you know, obviously we'll go back. So let me proceed on to see if our next speaker is prepared. That would be David Proferes. Mr. Proferes.

MR. PROFERES: Yes, Thank you. Can you hear me?

MR. MARTIN: I can, thank you very much.

MR. PROFERES: Wonderful. On behalf of the National Commander, Paul Diller, and the nearly 2 million members of the American Legion, we thank the Department of Education for inviting us to speak on the 90/10 rule, at this public hearing today. We have worked tirelessly for years to highlight the targeting of service members, veterans, and their families by exploitative institutions for the earned educational benefits. We had hoped that Congress would act and were or were rewarded when the 90/10 loophole was closed earlier this year by the signing of the American Rescue Plan Act of 2021. However, the fight for student veterans is not over. The law must be

implemented such that veterans and their families are safeguarded. In that vein, the American Legion urges the Department of Education to ensure that the law which closed the 90/10 loophole is translated accurately, and explicitly into subsequent rules and regulations using both clear and strong language. According to the old interpretation of the 90/10 rule, Title IV federal student aid programs counted as taxpayer dollars on the 90 side the 90/10 calculation. Department of Defense educational benefits such as tuition assistance, and Department of Veterans Affairs, GI Bill, and educational benefits counted as private dollars on the 10 side of the 90/10 calculation. This has been defined as the 90/10 loophole, allowing schools to collect federal funds classified as private revenue. Schools that are allowed to operate on budgets funded entirely by taxpayers are incentivized to target student veterans for their benefits and often do so using deceptive practices. As private sector revenue is regarded as an important benchmark for institutional quality and health, we find these practices concerning. We encourage the Department of Education to ensure service members, veterans, and their families can enjoy high quality education and positive student outcomes. We thank the Department of Education for their diligence in this matter. Thank you.

MR. MARTIN: Thank you, Mr. Proferes.

We'll now move on to well, I'm going to go back and see if

we can pick up Mr. Gormley again, so I'm going to ask if Mr. Gormley, Dan Gormley is available speak. And I will again ask if Ms. Shadow, Cyndie shadow is available to speak at this time. Okay, then, I'll continue on the list and then we'll go back and try to pick up those individuals later. So our next speaker is Justin Hauschild. Mr. Hauschild, are you available?

MR. HAUSCHILD: I am, can you hear me?

MR. MARTIN: I can. Thank you very much.

MR. HAUSCHILD: Excellent. Thank you.

Good afternoon. My name is Justin Hauschild and I represent Student Veterans of America. On behalf of more than 1500 chapters in all 50 states, SBA thanks the Department for the opportunity to comment on closing the 90/10 loophole. For student veterans and service members, the upcoming rulemaking is nothing short of momentous. It is the culmination of nearly a decade of work by many groups, including leading organizations in the veteran and military serving community, to close the 90/10 loophole in order to protect student veterans and taxpayers from bad actor schools desperately trying to evade the intent of federal law. The department can and must seal this disturbing chapter in higher education by promulgating strong 90/10 regulations. The 90/10 rule was originally meant to serve as a market viability test to ensure proprietary schools were fit enough to attract healthy at first sources of revenue.

In other words, to prevent bad actor schools from subsisting entirely off federal taxpayer money. To that end, Congress crafted a rule requiring that proprietary schools obtain a minimal amount of their revenue now just 10% from sources other than the federal government. Unfortunately, the law suffered from a critical oversight, it excluded Department of Veterans Affairs and Department of Defense Education benefits like the GI Bill and tuition assistance. The result has been alarming. For every one VA or DOD education benefit dollar bad actor schools have taken from service members and veterans, they can take it another \$9 in federal financial aid, providing these schools the pathway to operate entirely off taxpayer funds. This turned service members and veterans into the linchpin of a scheme by low quality, bad actors schools to evade the intent of the 90/10 rule. Many of these schools employed well documented, deceptive, aggressive, and downright fraudulent recruitment tactics to enroll student veterans, causing a measurable harm to the academic and financial futures of 10s of 1000s of students. Fortunately, Congress saw fit to close the loophole, an effort which had recently garnered bipartisan support evidence for example, by the aptly named Protect Vets Act championed by Senators Carper, Cassidy, Lankford, and Tester. Students will benefit from the loopholes closure but so too will taxpayers. Hundreds of millions of dollars and likely more federal taxpayer money has been squandered by bad actor schools

dodging the 90/10 rule. As if validating the rules intended purpose, a troubling number of these schools closed over the last decade, leaving students with worthless degrees, nontransferable credits, and mountains of debt. Students and taxpayers have been left holding the bag for these institutions' empty promises for far too long. I want to speak briefly about how closing the 90/10 loophole improves student choice. Opponents of this effort decried it as somehow limiting student's ability to choose the school that will serve them best. This is incredibly misleading. Students' choices are only as good as the options available to them and the most dangerous and proprietary schools of the last decade have showed that they are some of the most dangerous option to students. No student should face the risk of bad schools leaving them worse off than if they had never attended. Closing the 90/10 loophole enhances the quality of choices available to students. Finally, on a more technical note, SBA respectfully requests the department ensure statutory language referring to federal education assistance funds, be appropriately interpreted to include all VA and DOD education aid to the fullest extent practicable. The statutory language here is unambiguous. Thank you for your time and for your devotion to veterans in higher education.

MR. MARTIN: Thank you, Mr. Hauschild. We are now going to go back I believe that Ms. Shadow, Cyndie

Shadow is now available, so I Ms. Shadow, the floor is yours. Ms. Shadow, you appear to be on mute.

MS. SHADOW: My apologies, thank you so much.

MR. MARTIN: I can hear you fine now, thank you.

MS. SHADOW: Thank you. I would like to respectfully request that the committee thoroughly consider the impact that changing the 90/10 legislation might have on students who are currently using for-profit institutions as their primary means of exiting a place where they do not have very much career mobility and moving into a place where they can have great career mobility. These students typically are unable to find enough fund sources to meet the demands of the programs that they want to enter into. And by putting 90/10 in place specifically for veterans and changing it for any other students, you're reducing the availability of appropriate career education for students who really need it. If it's an important factor to consider the source of funds for educational institutions, I believe that there should be parity and all institutions should be considered in this decision. It's unfair to discriminate against those schools that are providing important and greatly needed career education support to people who are looking for new and different career avenues based upon the way that they are deriving those funds. The source of funds

has no impact whatsoever on the quality and caliber of education that students receive. And changing any sort of legislation as it relates to the source of funds for students is having a negative impact or could potentially have a negative impact on students who are looking for new careers. It's also important to note that schools that are for-profit institutions frequently are filled with students who are students of color and/or students who are women, and adjusting the way that the funds that they receive is counted for could possibly have a negative impact on their ability to obtain the education that they need. These schools, particularly ones that are for-profit schools already are required to provide proof of graduation rates, of retention rates, and of career placement rates. So looking at specifically 90/10 as a means of determining quality and/or deciding who should be able to attend these schools is providing an unfair burden for students who really need this sort of education in order to advance their career opportunities. I respectfully submit my information and hope that you would consider it as you're looking at this information.

MR. MARTIN: Thank you Ms. Shadow. And, now we're going to I just want to make sure I catch up again with our, our list. So I think we are now at Will Hubbard. Mr. Hubbard are you available? Mr. Hubbard?

MR. HUBBARD: Hi, can you hear me now?

MR. MARTIN: I can, yes. The floor is yours.

MR. HUBBARD: Great, thanks so much. And thank you for the time present here today. I'm grateful for the opportunity to speak with the hard working staff and leadership of the department. Unfortunately, I have some bad news to share. Over the last several months, multiple schools have collapsed. And worse yet, students and taxpayers were left wondering, what do we do now? And even worse news still, this trend will continue as there is no meaningful and comprehensive disincentive that exists today to stop it. My name is Wil Hubbard, I'm a proud Marine Corp Veteran and I serve as the Vice President of Veterans & Military Policy with a group called Veterans Education Success. And indeed, that is our mission. The situation as I highlighted for you is that critical status. While there may be no alarm bells, or flashing red lights, let this conversation here and now be just that. The next two years will be some of the best, for some of the worst schools in America. Yeah, the 90/10 loophole has been legally closed but while this door may be shut, it is not yet locked. As a Department that is the task ahead of you. Schools so entirely reliant upon federal funding to survive, are by definition, unable to succeed on the merits of what they offer. This reliance breeds fraud, deception, and inevitable collapse. Last week, I spoke with a veteran who faithfully

served our country as a Chemical Specialist in the Army. They showed up to their school recently, not too far from graduation, only to find out that it had collapsed. The building? Totally intact., The students and their futures? Left in the dust. If ever there was a time for a strong 90/10 rule, it's in making sure that veterans do not face the scenario. That pit in the stomach of realizing the unforgiving truth. The promises were hollow, emptier than the suits who deliver them. Today and tomorrow, you may hear some presenters talk about the importance of veterans having their choice of schools, but they do so in bad faith. When you're serving garbage, calling it choice, and finishing it with a heavy side of fraud, there's really no choice in that at all. We should instead call what it is, a scam. I'm tired of seeing veterans, lied to, cheated, defrauded, and left holding the bag. All while school executives continue to dine for free. There must be a clean closure of the loophole, no extra waivers, no special carve outs, no exceptions. Either schools meet the standard or they're in violation. It really is as simple as that. Veterans from all walks of life have for years called for closing this loophole. They've done their part, they fought for each other, and they fought for you. Will you fight for them? I sure hope so, thank you.

MR. MARTIN: Thank you, Mr. Hubbard. We will now move on to our next speaker who is Emily DeVito. Ms. DeVito. Ms. DeVito?

MS. DEVITO: Good afternoon. Can you hear me?

MR. MARTIN: I can.

MS. DEVITO: Hello, my name is Emily DeVito, I am with the Veterans of Foreign Wars. VFW was very pleased when the decision was finally made to close the 90/10 loophole that has for decades negatively affected the military and veteran community. The federal education benefits provided to service members and veterans are in and of themselves make a target for predatory recruiting. For too long, this target has only been amplified by the 90/10 loophole, making service members and veterans a financial bottom line to predatory schools at risk of falling out of compliance. As a veteran myself, and having worked in military outreach in higher ED as a civilian, I know accounts of predatory behavior to be factual from firsthand experience, witnessing institutions who go to extreme and desperate measures to secure enrollments for military federal benefits. I've seen recruiters physically block entryways as junior service members try to leave education fairs on military bases. I've heard recruiters tell young service members their open enrollment institution is comparable to Harvard. I've heard recruiters tell service

members they can take internet-based coursework while deployed overseas with limited or no internet access. I've heard recruiters persuade veterans not to pursue their degree of interest if their institution doesn't happen to offer it. I've heard recruiters peddle untruths about the importance of their accreditation or lack thereof. I've seen recruiters consistently take active-duty service member contact information in violation of Department of Defense Policy, which they will then use to contact that service member over and over and over. In these examples the success of military students was inconsequential to these institutions, and the only matter of consequence was gaining dollars towards the 10%. I share this with an understanding that not all actors are bad actors, but that the need for regulation in this space is not unfounded and predatory tactics are not imagined. The VFW is resolved to close all financial loopholes which exploit service members and veteran education benefits. As the rulemaking begins for 90/10, we urge the Department of ED and negotiators to take a close look at a possible loophole with the use of for-profit education management companies. There's an increasing occurrence of for-profit education service companies continuing to wholly manage online students following the sale of for-profit subsidiary. More frequently, these for-profits are those with some of the largest populations of military connected students nationwide and with long

histories of predatory behavior. In the case of these online students continue to be primarily marketed to, recruited by, enrolled by, and academically and financially advised by, the for-profit education service, it's important these companies are not permitted to escape regulation to include 90/10 through tuition sharing models. If this is not addressed, it may begin to disproportionately affect the large populations of military connected students attending. For decades, the exclusion of DOD and VA tuition towards 90/10 federal dollars has at best been an oversight and at worst, an open invitation to prey on service members, veterans, and their families. With at last an end in sight through the closure of this loophole, we urge the Department of Education to ensure there's adequate oversight and the intent of this closure is met. Thank you for your time.

MR. MARTIN: Thank you Ms. DeVito. I do not know if Mr.- our next speakers identified as Luis Vasquez. Mr. Vasquez, are you available? Okay, we'll proceed then to our next speaker who is Kenneth Greenberg. Mr. Greenberg, are you available? Mr. Greenberg, you appear to be on mute.

MR. GREENBERG: Can you hear me now sir?

MR. MARTIN: I can, you may begin.

MR. GREENBERG: Okay, thank you. Thank you to the officials and staff at the Department of Education, we appreciate the opportunity to testify on the

90/10 rule. My name is Ken Greenberg and I'm the National Executive Director of the Jewish War Veterans of the United States of America. We are a congressionally chartered Veteran Service Organization. I'm here to speak today as the voice of 1000s of veterans, service members, survivors, and families from across the US who have served in uniform services and sought the education they were promised and deserve. I, and JWV, call on the Department of Education to ensure strong implementation of the new law to close the loophole for 90/10. We all know that the 90/10 loophole resulted in some unfair targeting of veterans community-- veterans in the community by aggressive and deceptive for-profit college salespersons. Countless service members, veterans, family members and survivors were viewed as nothing more than a dollar sign, and many had their lives ruined because of the loophole. Jewish War Veterans thanks to the bipartisan list of members of Congress for acting and closing the loophole. We call on the Department of Education to regulate that loophole closure in the strongest possible way. We remain concerned that veterans will still have two years to be targeted, as the final closure of the loophole was delayed, and schools still have time to adjust to the new requirements. We objected to the delay, but there's absolutely no reason to regulatory weaken the law. VSOs view any attempt to undermine the closure of the loophole as troubling. There already is a built-in mechanism included in

giving schools the chance and plenty of time to meet the requirements. We trust veterans to use their GI Bill benefits where they want. What we don't trust are the schools who have lied to veterans repeatedly and as a pattern of fraud, failed to deliver what they promised. It is because of this kind of behavior that the 90/10 rule even exists. Veterans were called to service and did their duty. Industries all across the country now look to veterans to be strong leaders. As veterans answered their call, for our nation, they will do it again. Their quality of education and value of their education is imperative. At Jewish War Veterans, we we've reached this conclusion very strongly. And we thank you for the opportunity to comment on the rule and we look for your unwavering support to continue to implement the rule in the strongest possible way. Thank you for the opportunity to present.

MR. MARTIN: Thank you, Mr. Greenberg. Our next speaker is and I apologize if I don't do justice to the name, Jonathan Banasihan. Mr. Banasihan.

MR. BANASIHAN: Thank you. Good afternoon and thank you thank you to the Department of Education for allowing me to comment. My name is Jonathan Banasihan, I'm a Navy veteran with deployments and operations supporting Iraq and Afghanistan. And I'm here to express my support for the closure of the 90/10 loophole. I urge this department to take all appropriate action to end this menace to veterans.

I was fortunate to have guidance on how to best utilize my GI Bill when the time came to transition. It helped me to attain an education I could not afford on my own and to secure a job that is a significant improvement from the possibilities I had using just my service. And that's what the GI Bill is. It's a promise deferred, an investment in future opportunities for servicemembers from a grateful nation and to that nation, the GI Bill in return a well-educated and highly skilled contributor to the workforce, but for the veteran so much more. It empowers their futures. But this is contingent on finding an education and institutions that act in good faith to create these powerful outcomes. The institutions that targets veterans, that market themselves on every base and on every media, do not act in good faith. Most graduates of these institutions are drained of their precious time and resources, pursuing degrees that do not enable their success. These kinds of institutions do not offer opportunities, they rob from the future. Allowing these institutions to continue the practice of accounting the GI Bill outside of federal funding, the federal dollars, money from the people of the United States used to pad office margins and leave their students all the work. Every veteran that walks through those doors with a degree worth less than the paper it's printed on diminishes the GI Bill promised. Today I ask this department to take

the steps necessary to ensure that this promise is honored in full. Thank you.

MR. MARTIN: Thank you Mr. Banasihan and I'm sorry for mispronouncing your name originally, but hope I got it right on the second try. Thank you very much. Our next speaker is Kyle Southern, Mr. Southern. Mr. Southern, you appear to be on mute. Okay. Great.

MR. SOUTHERN: Good afternoon. I'm Kyle Southern, Director of Accountability at the Institute for College Access and Success. At TICAS, we welcome the Department of Education actions to close the 90/10 loophole that for far too long, has put student veterans at risk of being seen as dollar signs in uniform by exploitative and deceptive for-profit colleges. Congress's bipartisan agreement to correct the statutory oversight the opened the loophole followed nearly a decade of advocacy by veteran service organizations and other student focus groups. Now's the time to solidify this important protection for student veterans. As the department moves forward, we know some voices from the for-profit college sector will urge flexibility and exemptions that would effectively dilute the law's advocacy. We urge you not to heed those calls. As passed in the American Rescue Plan Act, the 90/10 language provides a two year on ramp for institutions out of line with its financial expectations to come into compliance. Moreover, schools will not face consequences for

noncompliance until 2024. Schools without a nonfederal revenue source at that point should face serious questions about their value, viability, and ability to provide students with meaningful educational opportunities. Closing the 90/10 loophole should be a straightforward process. It is basic arithmetic that should not be watered down by carve outs and exemptions, rather than regulations that simply ensure that all federal benefits provided to advance the education of students are counted correctly as federal education assistance funds. We know the students most at risk of being taken advantage of by for-profits, eager to reap their educational assistance funds, and provide little to nothing in return. But often first generation and low-income students, many are student veterans of color. The department has an opportunity to seal a loophole that makes these students particularly vulnerable to deceptive marketing and aggressive recruitment, perpetuating cycles of exploitation and exacerbating inequities in the postsecondary sector. This process will also protect taxpayers' investment and financial aid programs and benefits designed to honor the service of veterans who go on to pursue higher education. Taxpayers' investments in these important opportunity programs should not be at risk because of perverse incentives for predatory schools to draw down veterans benefits. Thank you for the opportunity to share these comments and for your work to implement the law with

fidelity to its intent that reflects the fidelity with which student veterans have served our country.

MR. MARTIN: Thank you, Mr. Southern. Our next speaker is Krisztina Pusok. Ms. Pusok, are you available?

MS. PUSOK: Yes. Can you hear me?

MR. MARTIN: I can.

MS. PUSOK: Okay, perfect. Good afternoon, and thank you for this opportunity to speak to you today. My name is Krisztina Pusok, and I'm a Director at the American Consumer Institute, a nonprofit nonpartisan research and educational institute, with a mission to identify, analyze, and project the interests of consumers in selected legislative and rulemaking proceedings. As advocates for quality education and school choice for all Americans, we commend the Department's efforts to safeguard the quality of education, educational options available to students. When it comes to considering any changes to the 90/10 rule, we urge you to consider the full extent of ramifications that could potentially be at odds with the intended goals and would instead negatively affect the education outcome and school choice for the 1000s of students that chose to enroll in proprietary colleges. At the Institute, we studied the role that these institutions have in the American education system and analyze the effects regulatory proposals, including changes to the 90/10

rule would have on the students that seek education at these institutions. We found that the net result of further reforming the 90/10 rule would include eliminating school choice for veterans and military students and forcing them into the worst performing education institutions. And I do want to highlight that many of the military students and veterans sign up for service because of the benefits that they are promised: education, housing, health insurance, and as such, they should have the right to choose how they use the benefits they have earned. Based on our findings, which we will discuss this extensively in our written comments, to enhance educational equality and opportunity for all students, we do recommend the department takes into consideration the following. First, quality assurance policies meant to protect veterans, military, and minority students should be based on student outcome metrics, and not on sources of revenue metrics. Second, the student outcome metrics should reflect the wide range of demographic and socioeconomic background of the students. And third, regulation should apply equally to all types of institutions of higher education, whether public or private. Currently, there's uneven regulatory playing field that preferences certain methods of education over others, that should not be the case. Emphasis should be placed again on student outcomes that reflect their diverse backgrounds and not the

kind of school that they attend. And with that, thank you for this opportunity to provide this testimony today.

MR. MARTIN: Thank you, Ms. Pusok. Our next speaker is David Tandberg. Mr. Tandberg.

DR. TANDBERG: Good afternoon and thank you for allowing me to provide comments. My name is David Tandberg, I serve as Senior Vice President of Policy Research and Strategic Initiatives at the State Higher Education Executive Officers Association, more commonly known as SHEEO. SHEEO serves the Chief Executives of statewide governing policy and coordinating boards of postsecondary education and their staff. The announced negotiated rulemaking process focused on the 90/10 rule provides an excellent opportunity to advance a stronger consumer protection framework for students attending proprietary colleges and universities. As policy organization representing one leg of the regulatory triad with expertise and consumer protection, SHEEO welcomes the opportunity to participate in this effort. State higher education leaders have a stake in ensuring that postsecondary institutions operate in their state that operate in their state are high quality and provide value to students states are pursuing an ambitious efforts to improve educational attainment and workforce outcomes of their students. States however, cannot act alone in protecting students, the federal Government, along with accreditors

need to be key partners in creating a higher education marketplace that provides quality educational opportunities for students and value to taxpayers. The 90/10 rule is a key provision in helping the marketplace work for students and taxpayers. SHEEO was pleased to see reforms to the 90/10 rule in the American Rescue Plan of 2021, closing the 90/10 loophole and hopes to see continued legislative and rulemaking efforts to strengthen this law and implement the revisions as quickly as possible and with fidelity. We applaud the US Department of Education for quickly initiating the negotiated rulemaking process and working to get this law implemented as soon as possible. We hope the Department rigorously enforces the new law and welcome the opportunity to partner in a broader effort to provide students with access to a marketplace of high quality college opportunities while protecting taxpayer investment in higher education. We look forward to engaging with you on this important work, thank you.

MR. MARTIN: Thank you, Dr. Tandberg.

Our next speaker is Kenny Golden. Mr. Golden.

MR. GOLDEN: Good afternoon, can you hear me?

MR. MARTIN: I can, yes.

MR. GOLDEN: I'm Kenny Golden, I'm a 31 year Navy veteran and I've enjoyed both the benefits of the GI Bill and all the benefits of tuition assistance for both

the the folks that have worked for me in the United States Navy, and and different services. And I don't want to see anything that restricts or harms the ability of people that have served their country that have raised their right hand and decided that they would accept the obligation of defending the Constitution of the United States. And I don't want to see anything that was going to harm their ability to choose the schools that they go to, and keep them from having to pay for any of the educational capabilities that they've been promised. When they join the service. I think that any restrictions on that should be lifted. And that this, we need to make sure that schools do the right thing. There are two sides of this thing, to make sure that the schools that they actually are going to do what they say they're going to do, and also that the volunteers that have served their country get the education that they have asked for. So I'm asking the Department to do the right thing as far as the veterans are concerned and make sure that both the schools comply with the laws and that veterans don't have to reach into their pocketbooks when they're trying to take care of the families, their children, to pay for any of these educational benefits. So thank you very much for your time.

MR. MARTIN: Thank you, Mr. Golden. Our next speaker is Jesse Cruz. Mr. Cruz.

MR. CRUZ: Hello. Good afternoon, my name is Jesse Cruz and I'm a US Army veteran from Atascosa, Texas and I decided to use my GI Bill to pursue a college degree in Electronic Engineering. I went to ITT, they recruited me, ITT Tech recruited me right out of the Army telling me that my GI Bill would cover my tuition. They also told me that if I went to school there, I would have a guaranteed job in my field with a salary starting at 50 to 60k. They also told me that their credits would transfer to any other program. I'm here today to tell you that none of this is true. I am a first-generation college student, and pretty much pursued this path all on my own. I worked hard for my degree, only to learn it wasn't worth much. I graduated in 2003 and to this day, I haven't found a decent job that pays what I went to school for. The only job I have, the only reason I have a job now is because I went out on my own and I went out to learn on my own. And I tried to pursue a higher degree but I was not able to because none of my credits transferred. Something that ITT Tech told me I would be able to do. And today, I still have 17k and student debt. That that debt I did not expect to have, since ITT told me that my GI Bill would cover my education. Pretty much, ITT, I felt that ITT Tech recruiters lied to me and I I know I am one of many, that the 90/10 loophole has been had been back when I was in school, I probably wouldn't be in this situation. I am thankful to Congress for recently working to

close the loophole because it harmed many student veterans over the years. I hope that you keep my story and others in mind as you continue your rulemaking in the coming days and weeks and thank you for your time.

MR. MARTIN: Thank you, Mr. Cruz. Our next speaker is Billy Clark. Mr. Clark.

MR. CLARK: Thank you. In 1992, Congress passed the 85/15 rule now known as 90/10, designed to protect students from bad schools. The theory was that any legitimate school would be able to attract enough cash bank students to generate at least 15% of their tuition revenue. Over the past 19 years, has the 90/10 rule driven schools out of business or lessened student debt? The answer is a resounding no. As a matter of fact, the 90/10 rule has had just the opposite effect. Instead of lessening student debt, student debt has increased and now includes not only maximum Title IV debt, and in many cases 1000s of dollars in gap loans as third party private student loans. The 90/10 rule has removed competition, students no longer receive stipends from Title IV funds, it has driven up tuition cost, it has increased student loan debt burden on many students, virtually created the gap funding industry, and the 90/10 rule created some very wealthy folks on the backs of those students who can least afford it. Yes, it is the 90/10 rule that has been a major factor in creating the wealth and political power of the private career college sector. So if

not 90/10, what? Gainful employment. Gainful employment went into effect in 2015. Colleges were penalized if too many of their graduates landed in low paying careers with excessive student debt. The GE rule brought accountability to the for-profit sector and accomplished what the 90/10 rule could not. The GE[Audio] oversight, the closing of over 1000 for-profit campuses. By contrast, in the 17/18 school year, only one proprietary school closed due to not meeting the 90/10 rule. Today, many prominent politicians are championing free college, arguing that students should not have to pay for their degrees. However, most of the same politicians believe that some students in for-profit colleges should be willing to pay. That's the 90/10 rule and there's a disconnect somewhere. But with the upcoming reimplemention of the gainful employment rule and the push for free college, it is time for 90/10 to go away. The 90/10 rule actually accomplished the opposite of what was intended. Students are not protected, student debt skyrocket, and if we truly want to safeguard students' financial futures, Congress needs to abolish this harmful 90/10 regulation. I have a whole lot more to say but only have three minutes. To see the evidence and how the removal of 90/10 would affect the students at our schools please see the full version of these comments submitted through the website. I hope to continue this conversation with fewer time constraints so there can be

open honest discussion that find solutions that are in the best interest of the students. Thank you so much.

MR. MARTIN: Thank you Mr. Clark. Our next speaker is James Marks. Mr. Marks. You appear to be on mute Mr. Marks. Mr. Marks looks like your feed may be frozen. Okay, I'll tell you what, Mr. Marks, why don't we proceed to the next speaker and then when that individual is done with his or her remarks, then we'll return to you. We'll move down to, I'm sorry, I was on mute, that's I think we'll move down to Ms. Harfeld next on the list. Is Ms. Harfeld available?

MS. HARFELD: I am, thank you.

MR. MARTIN: Thank you Ms. Harfeld, and I apologize for being on mute and only talking to myself.

MS. HARFELD: That's okay.

MR. MARTIN: Maybe doing the world a favor, but thank you very much.

MS. HARFELD: My name is Amy Harfeld and I'm here on behalf of the Children's Advocacy Institute, a children's rights nonprofit based at the University of San Diego School of Law. I'm here to lift up the impact of the 90/10 rule and rule changes on foster youth and former foster youth using Chafee and educational training vouchers. Over the last decade, we have encountered countless transition age foster youth who have suffered poor educational outcomes as a result of being targeted by

private for-profit colleges, because the benefits that they use were excluded from the 90/10 rule. We have heard endless stories of recruiters coming into group homes and institutions making false promises about employment outcomes and opportunities, filling out loan forms, and then failing to provide academic supports or follow up to students. These predatory practices have disproportionately impacted youth of color and have served as an insidious barrier to economic mobility and educational success for those youth who need the most support. Evidence is clear that when provided with supports, foster youth can fulfill their ambitions and achieve success just as well as their peers. But they face an uphill battle with high rates of homelessness, chronic unemployment and underemployment, justice system involvement, and very poor engagement in postsecondary education. The Chafee Foster Care Program and educational training vouchers, allow them to receive up to \$5,000 a year for up to five years to fulfill their educational ambitions. Now, thanks to the legislative change, there is an opportunity to issue strong regulations that ensure specific attention to foster youth and former foster youth using these benefits and to make sure that no additional barriers are placed in their way as they work to achieve their dreams. We implore you to adopt a strong set of regulations without carve outs, waivers, or exceptions to any vulnerable youth that would skirt the

legislative intent. Please keep these young people who have aged out of foster care without a forever family into your considerations as you issue these regulations. Thank you.

MR. MARTIN: Thank you Ms. Harfeld. We will now return to Mr. Marks. Mr. Marks. You still appear to be on mute, Mr. Marks. Still on mute. Still on still on mute. I still cannot hear you Mr. Marks. Okay let's see here, while we're waiting for Mr. Marks, I'll ask my my team if there is anybody else that that is scheduled to speak. Okay, I'm being told that Mark Diaz is ready to speak so Mr. Marks, we're going to go ahead with Mr. Diaz and then allow you to come back and see if you can resolve that problem with your with your with your microphone. Okay, Mr. Diaz.

MR. DIAZ: Hello, can you hear me?

MR. MARTIN: I can.

MR. DIAZ: Excellent. Good afternoon and thank you very much for your time. My name is Mark Diaz, and I'm a Full Sail University graduate and a US Navy veteran. I served from 2006 to 2010. And after I separated, I worked as a civilian contractor for the US Army. At 23 years old, I was making close to six figures utilizing my skill set and a top-secret clearance that I received in the Navy. I eventually kind of came to the realization that I wasn't passionate about what I was doing, wasn't fulfilled or excited about my work or the future, despite being in a secure industry making good money. So I chose to walk away

from that and pursue a dream career making video games. I made that choice after attending one of Full Sail's behind the scenes tours where I got to see the campus and learn about their past graduates and their careers. I understood that it was a big leap of faith, but I enrolled with full confidence the school would put me in a position to achieve my goals. Going back to school as a veteran is uniquely challenging, you've already signed over years of your life, and it can feel like losing a bit of progress and starting over again. Our time becomes that much more valuable to us and being able to complete a four-year degree in 24 months at Full Sail, is a massive benefit. I started school at 24 and I earned my bachelor's degree as valedictorian at 26. I had an industry job lined up months before I graduated, and I was able to start my career just three weeks later. Since then, I have worked on some of the most critically acclaimed games of the last decade. The GI Bill was something that I paid for and earned not just with my time, but with my money. I don't hear it talked about much. But for the first year of my service, I had to give up money every paycheck, you know, to receive those GI Bill benefits. To limit the opportunities it can provide would mean that people like me wouldn't have the chance to pursue the same kind of informed, life changing education that I got. I have no idea where I would be today without the opportunity provided to me by the GI Bill and its flexibility to allow me to pursue

the unique environment and education provided by Full Sail. I'm currently a Senior Gameplay Programmer going on eight years in the industry. I've worked on several of the most critically acclaimed games of the last decade as I said before. It's no exaggeration when I say that it's a dream come true for me. And I know that my story is not unique in that many of the people that I went to school with are now my industry peers who are out there doing like, mind blowing work in creative entertainment. So with that, I just want to thank you for your time and consideration.

MR. MARTIN: Thank you, Mr. Diaz. And now I'm going to get back to Mr. Marks and see if those issues have been resolved. Mr. Marks. Okay, unfortunately, Mr. Marks we still have you on mute. I'm not certain but the issue is, but we still have you as appearing on mute. Mr. Marks, we still we still can't hear Mr. Marks. We're going to move on, we're gonna move on to to our next speaker and then again, we'll try to we'll try to come back. So, our next speaker is I'm told Victor Victor Inzunza. Mr. Inzunza? Are you ready to speak?

MR. INZUNZA: Yes, I'm here.

MR. MARTIN: Thank you. You may begin whenever you're prepared.

MR. INZUNZA: Okay. So good afternoon, to the officials, staff with the Department of Education. I'd like to thank you for having me here. My name is Victor

Inzunza, I'm a Marine Corps veteran and I serve as a policy analyst at Swords to Plowshares, out in San Francisco. Our agency was established in 1974 to heal the wounds of war, restore dignity, hope and self-sufficiency to all veterans in need, and prevent and end homelessness and poverty among veterans. We offer employment and job training, supportive housing, programs, permanent housing placement, counseling and case management and legal services. One of the most significant life changing opportunities for veterans and their time in college is made possible by benefits that they've earned during their time in service. Policy department at Swords to Plowshares has spent over five years researching and advocating on behalf of military connected students. We've developed we've developed partnerships with students and leadership across the country to determine why institutional support systems matter. Institutions must have integrity and they must have a commitment to support the students who come through their doors to provide quality education and a reputable degree. Our work with military connected students has revealed inconsistencies in support systems, leading many to seek outside resources in their communities. For example, in many of our recent studies we have found that students often struggled with financial issues, causing housing instability and food insecurity. The reality is that our military communities already faced multiple challenges in their efforts to assimilate back into

society. Predatory colleges exacerbate that unfortunate situation and can and can derail features entirely. Our agency administers VA Supportive Services for Veterans Families, which is also known as SSVF, ones that help veterans on the verge of financial disaster and homelessness. Student veterans come to us for help. Meanwhile, the 90/10 loophole allows predatory colleges to rob veteran students of their educational benefits and deny them the promise of future careers which require a college degree. Today, we ask the Department of Education to ensure strong implementation of the new law to close the 90/10 loophole. As you know, the 90/10 loophole resulted in the targeting of our community by aggressive and deceptive colleges. Countless service members, veterans, family members and survivors were seen as nothing more than dollar signs in uniform, and had their lives ruined because of this loophole. We thank bipartisan members of Congress for listening to us and finally closing the 90/10 loophole. The closure of the 90/10 loophole does not take effect for several years. This means veterans, service members, their families, and survivors will continue to be targeted due to a bipartisan compromise to give the schools time to readjust to requirements. This compromise and delay in implementation mean any request from these schools to weaken the department's implementation of the law in any way would be in bad faith, as their demands were already considered by

Congress, and they were already given a mechanism built in to account for the upcoming changes. Veterans deserve to spend their hard earned benefits at an institution of their choice and any attempts from these schools to say closing the loophole limit that choice is another false argument. When bad schools target veterans for the purpose of scamming them out of the GI Bill, there's nothing honorable about standing by to watch the scam occur in plain sight. If these for-profits were relying on their merits, they would not resort to predatory marketing to veterans that misleads and jeopardizes their academic career. Any executives college can improve its quality enough to attract at least 10% funding from employer sponsors or students who see enough value that they are willing to pay. At Swords to Plowshares, our commitment to veterans comes first. Any institution of higher learning must make that same commitment by providing a quality curriculum for student veterans, a supportive resource system, and by making every dollar spent there worth all the time they spent in military service earning them. Thank you for your time to present our views and please reach out to us if you have any clarifying questions.

MR. MARTIN: Thank you, Mr. Inzunza.

We're now going to go back to Mr. Marks. Mr. Marks.

MR. MARKS: Thank you very much. Can you hear me?

MR. MARTIN: I absolutely can hear you now. Yes, you may begin.

MR. MARKS: Touch touch down. We're on. We're on. This is great. Thank you. Everybody, thanks very much, my name is Major General Spider Marks. I'm a retired Army General and serve as an Advisor to the Centurion Military Alliance Alliance, which provides support to veterans as they transition from a military commitment back to their individual civilian sectors. So, thanks very much for this opportunity to testify before you today to share my perspective about an issue that's very important to me, that is recognizing and meeting the educational needs of veterans as a nontraditional learner. The following testimony is based on a written testimony that I submitted earlier public hearing for your public hearing session in July. As a retired Army General, I now have the great opportunity to help service members successfully transition out of the military find their next task and purpose in various efforts working against the well-being of our veterans. That's why I'm so committed to urging our nation's lawmakers to work together to defend veterans' earned benefits that they have earned through service and sacrifice. The fact is, veteran learners have different needs than traditional learners and that's why our organization operates with a focus on end results, not if a degree is earned from traditional university, community college or proprietary university.

Veterans are well equipped to choose the school that works best for them. And that's why so many choose innovative, flexible programs that can be tailored to meet their individual needs, at different phases in their transitions back into their civilian lives. Colleges and universities across the globe recognized that veterans student needs are different. Yet some adversaries are now calling to limit their options restricting where veterans can attend or take courses. Any academically rigorous institution regardless of funding mechanism should be considered viable, and should be subjected to arbit should not be subjected to arbitrary rules, limiting veteran student enrollment, arbitrary rules like 90/10 mistakenly equate veterans earned benefits with need based entitlements. They're often mischaracterized as a loop in a way that only offends veterans, many of whom put themselves in harm's way and joined the military because of these very benefits. If a veterans right, for example, to choose their house that meets their individual needs, is not under attack, then why are their educational choices? I don't get it. Let's give our nation's veterans the respect they deserve and educational opportunities they've earned by treating their schools of choice as equals among more traditional schools, rather than working to degrade their earned benefits. I want to thank everybody very much for this opportunity to speak.

MR. MARTIN: Thank you General Marks. I'm going to go back to my my team here and ask if there are any if there's anybody else that we have missed, that I should be calling on. So I'm just going to give them an opportunity to respond to me to see if there's anyone else we we are going to try and pick up. So Dan Gormley, Dan Gormley, are you available? Mr. Gormley. If you're available and would like to comment you may do so at this time. Okay, I don't believe Mr. Gormley is is on right now so our next individual would be Luis Vasquez. So I'll ask Mr. Vasquez is with us. Okay, I don't see any further speakers for today. In closing out, first of all, I want to thank all of our speakers for the for their comments, all of which were concise. And I want to thank everybody for respecting the time limits as well. It was, it was our pleasure to hear from all of you representing all of the entire scope of opinion today. I do want to remind everybody that if you weren't if somebody's listening, and was not able to speak today, but wants to speak to this issue, we do have a hearing tomorrow, tomorrow morning, we published the Federal Register Notice on 4th of October 2021, which provides registration info on that. So if you would like to, if you would like to speak tomorrow, speak tomorrow, do look for our Federal Register Notice. You can find that on-- you can just type into your search either partner connect partner connect or IFAP and through either of those mechanisms, you

should be able to find that that announcement. I also want to thank everybody on today's call that supported me. That would be a Mr. Finley from Office of General Counsel and Ms. Flores from our Senior Advisor and also all the people behind the scenes today. So with that, I wish you all a very good afternoon and say goodbye. Thank you very much. So, before I sign off, oh, let me respond to this. So, again, I was some discussion here as to whether we should, whether we should have to whether we should wait or not, but we've had every speaker there is today, so again, if you want to speak and you have not had that opportunity, there is a there is the opportunity to do so to do so tomorrow. So if anybody has any trouble with registration or finding where that is, you can you can also I gave you some information, you can also go to the Federal Register website if barring any of that if you're if you're stuck you can you can feel free to email me at Gregory.Martin@ed.gov. That's Gregory.Martin@ed.gov so failing any other opportunities to register that should be enough. Okay again I'd like to wish you all the best and thank you again for joining us today. Goodbye.