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COMMITTEE ON
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COMMITTEE ON
EDUCATION AND LABOR

Congress of the United States
House of Representatives

Washington, DC 20515
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The Honorable Betsy DeVos
Secretary
United States Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Secretary DeVos,

We write with strong concerns about the Department of Education's ("Department") handling of the discharge of federal student loans for totally and permanently disabled veterans. While we are pleased to learn that the Department is taking steps to carry out the President's August Memorandum¹ to automatically discharge the federal student loan debts of our nation's disabled veterans, the delay in implementation has resulted in the garnishment of veterans' federal disability benefits and tax returns by your department.²

Between August and November 2019, when the Department was directed by the memorandum to begin automatically forgiving the loans of totally and permanently disabled veterans, only 3,300 of the nearly 27,000 veterans eligible for forgiveness had their loans discharged.³ However, it is our understanding that the total number of veterans is unclear and may in fact be higher. This is an unacceptable delay for fully disabled veterans who are unable to work, as well as their families, while their financial security hangs in the balance. These veterans have made enormous sacrifices for our country, and they deserve the best we have to offer.

Prior to the August memorandum, the Higher Education Act allowed disabled veterans to apply for discharge of their student loans through the Department. While new regulations implemented automatic loan forgiveness to remove an additional barrier for the veteran, these regulations took far too long to be developed and hurt thousands of veterans by causing many to default on their loan payments. Even more egregious was the fact that veterans' other benefits were being garnished to cover the defaulted loan debts that you were already required by the memorandum to forgive.

This is not the first time your department has failed to serve student loan borrowers. We see a clear pattern of incompetence and malice towards borrowers, underscored by these instances of wrongfulness and the Department's collection on loans from former Corinthian Colleges students, even after a preliminary injunction ordered the Department to halt those collections.

¹ <https://www.whitehouse.gov/presidential-actions/presidential-memorandum-discharging-federal-student-loan-debt-totally-permanently-disabled-veterans/>

² <https://www.politico.com/news/2019/11/21/trump-disabled-veterans-student-loans-072750>

³ *Id* 2

In light of the glaring missteps by your department and the documented damage it has caused to more than 20,000 fully disabled veterans, we respectfully request answers to the following questions:

1. What protocols and processes will the Department implement to ensure this negligence will not occur again?
2. What is the total number of totally and permanently disabled veterans seeking a discharge of their federal student loans and how many claims has the Department approved?
3. What is the total number of disabled veterans that had their benefits and tax returns garnished due to defaulting on their student loans?
4. What is the Department's plan and timeframe for reimbursing the veterans' whose benefits and tax returns were erroneously garnished?

While your Department has taken steps to remedy this error and ensure disabled veterans are on track to receive full forgiveness of their federal student loan debt, this does not undo the damage already caused to thousands of veterans. We request a response by January 15, 2020, and continued updates on your plan to make these veterans' whole. We look forward to your response and to working with you to ensure this does not occur again.

Sincerely,



Josh Harder

United States Representative (CA-10)



Mark Takano

United States Representative (CA-41)