

August 7, 2025

**The Honorable Linda McMahon
Secretary of Education
400 Maryland Ave, S.W.
Washington, D.C. 20202**

RE: Negotiated Rulemaking on Implementation of Changes to Title IV, HEA Programs, Docket ID ED-2025-OPE-0151

Dear Secretary McMahon

The Veterans Education Project (VEP) is a nonprofit Veteran Service Organization that aims to highlight innovation within higher education and to support veteran and military students. The Veterans Education Project is committed to nonpartisan research, engagement, and policy implementation in our efforts to support institutions that meet the needs of student veterans and guarantee the benefits and support systems necessary for veteran and military students to succeed.

The Veterans Education Project (VEP) supports the broad regulatory vision laid out in the One Big Beautiful Act and applauds the shift toward an accountability system grounded in measurable student outcomes. Reforms that focus on whether students are better off economically after completing a program are both fair and common sense. Outcome-based accountability incentivizes institutions to support students throughout their education and holds them responsible for producing real value, not merely enrolling students or meeting financial thresholds.

While VEP supports the reconciliation bill's move toward these direct measurements, we believe the existing regulatory environment can still better reflect those same values. The 90/10 rule is one such example of a regulation that is out of sync with these new standards. The rule remains an inputs-based metric with little relevance in today's data-rich landscape, where more direct and reliable tools exist to measure program quality and outcomes. In fact, studies have shown that the rule may inflate tuition costs or discourage institutions from enrolling high-need students, such as Veterans who have an Effective Family Contribution (EFC) index of \$0.

Rather than the blanket removal of the 90/10 rule, we propose a system of targeted waivers that could address the above-mentioned setbacks of 90/10 while preserving accountability. Provided an institution can demonstrate strong student outcomes and maintain affordability, such as keeping costs below the Pell Grant maximum, they could become eligible for exemption from 90/10. For schools with a 60-75% high-need student population, a targeted waiver could exempt such students from 90/10 calculations. This approach would disincentivize cost inflation to meet 90/10 requirements while ensuring regulation better meets the bill's intent on student outcomes and postsecondary accessibility.

VEP is also concerned about proposed timelines for measuring earnings among graduates of Master's and professional degree programs. Many such programs, especially in healthcare fields critical to the Veteran population, require post-graduate licensing, certification, or residency periods that will often depress graduate earnings up to 6 years following post-graduation, leading to inaccurate assessments of program value. As written, current benchmarks risk penalizing institutions that provide high-quality training for essential Veteran-serving professionals and may discourage the continuation of these programs. Given

that more than a quarter of Veterans experience mental health or substance use challenges, continued access to qualified behavioral and healthcare professionals is essential.

We recommend that final regulations extend the earnings measurement window for Master's and professional degree programs, where earnings typically take longer to stabilize. We also urge the Department to establish waiver mechanisms that protect access to quality programs serving high-need student populations. Flexibility in these areas will help ensure a regulatory framework that balances accountability with both accessibility and quality.

Finally, we want to emphasize the value of the negotiated rulemaking process. Over the years, this process has been a vital forum for incorporating the perspectives and needs of Veteran students. VEP believes that these proposals are grounded in both data and experience and are faithful to the intent of the One Big Beautiful Act as well as the education goals that this forum serves to achieve. We remain committed to working collaboratively with all stakeholders to build a system that is transparent, outcomes-driven, and supportive of those who serve.

We thank the Department for the opportunity to provide public comment and for its continued commitment to improving higher education policy through inclusive, evidence-based rulemaking. As an organization dedicated to advancing the educational opportunities of those who have served, the Veterans Education Project urges the Department to consider the practical implications of these regulations on Veteran students and the institutions that serve them. We look forward to continued engagement and collaboration throughout this process.

Sincerely,

Donald Franklin
Executive Director
Veterans Education Project