

MEMORANDUM

TO: ASAHP Members

FROM: Kristen Truong

DATE: April 11, 2019

RE: House Education & Labor Committee Hearing on “Examining the Policies and Priorities of the U.S. Department of Education”

April 10, 2019, 9:00 AM, 2175 Rayburn

[\[HEARING LINK\]](#)

Overview:

The House Education & Labor Committee held a hearing on “Examining the Policies and Priorities of the U.S. Department of Education” in which Education Secretary Betsy DeVos discussed the Department’s priorities.

CTE, apprenticeships, and Pell grants for short-term programs received bipartisan and Administration support. Democrats questioned why Education Freedom Scholarships are a 100% tax credit and how they are not actually contributions. Republicans disagreed stating that the scholarships are a voluntary contribution that can be used to create new school programs or even transportation to CTE programs. Democrats also disagreed with the \$60 million proposed for charter schools instead of increasing funds for public schools.

The high cost of attending 4-year institutions and the large amount of student debt concerned both parties.

Sec. DeVos discussed the NextGen plan, which includes helping high school students learn more about program costs and earning potential through the College Scorecard and the Administration’s support for various pathways. Republicans emphasized Congress’ responsibility in creating PSLF and how the Department is only responsible to carry out what Congress outlined. The Department is looking to phase out PSLF, which greatly concerned Democrats.

There was disagreement on the Department’s negotiated rulemaking process with **Ranking Member Virginia Foxx** defending the Department and **Rep. Pramila Jayapal** noting the lack of student advocates and state attorney generals on the panel. Democrats asked about the Department’s plan for schools with crumbling infrastructure, and **Sec. DeVos** believes that is a state and local issue.

Opening Statements:

Committee Chairman Bobby Scott (D-VA) [\[Full Statement\]](#)

The President’s budget proposes a 12.5 percent cut to the Department of Education. These cuts are spread across vital programs that serve communities across the country. The budget, for example, weakens Title I-A support for schools in low-income areas, eliminates funding for afterschool programs, and seeks a 40 percent cut to adult education. Despite the rising cost of college and increasing burden of student debt, the budget seeks to slash over \$200 billion over 10 years from student loan assistance.

Today’s hearing is an opportunity to discuss the Department’s actions – and the justification for those actions – under the present leadership. This hearing is especially important given the Department’s lack of transparency. But on multiple occasions, across several issues, the Department has refused to answer reasonable questions about its work and failed to provide adequate, fact-based justifications for its actions.

Starting in September 2017, we repeatedly raised questions about the Department’s failure to demonstrate effective oversight regarding the implementation of the Every Student Succeeds Act. Specifically, the Department has approved state education plans that violate the law’s requirements for schools to measure and address achievement gaps using subgroup performance. We have not yet received a substantive response to address these concerns.

Students, parents, educators, and taxpayers deserve to know why the Department is not acting in their best interests, faithfully executing the law, or taking seriously the federal government’s responsibility to ensure all Americans have access to a quality education, from child care and early learning to college and career.

Ranking Member Virginia Foxx (R-NC) [[Full Statement](#)]

During the Obama administration, the Department handed down a slew of regulations and federal red tape that hampered programs. Since assuming office in 2017, Secretary DeVos has worked to reduce the regulatory burden on state and local leaders and has also worked to help provide flexibility where she can to help connect students with in-demand jobs.

There's a pervasive stigma around skills-based education, and my colleagues know it's long been a priority of mine to end this misconception. A baccalaureate degree is not the only way to a good-paying job. There are a multitude of pathways to lifelong success, and we need to work to make skills-based education a viable and valuable path for people again.

So, I am eager to hear about the Department's ongoing implementation of the *Strengthening Career and Technical Education for the 21st Century Act*, this committee's bipartisan legislation to reform career and technical education, which the President signed into law last July. The law will empower state and local leaders to engage with employers and connect more Americans with on-the-job learning opportunities, like apprenticeships.

I'm also interested to hear about the Department's continued efforts to expand school choice for students, families, and teachers. Every student is different, and families should be empowered to choose the learning environment that best suits their child's strengths. Committee Republicans will always believe that a one size-fits-all approach does more harm than good, and that's true most of all in education.

Witness Testimony

The Honorable Betsy DeVos, Secretary, U.S. Department of Education [[Full Testimony](#)]

Q&A

Rep. Brett Guthrie (R-KY): Education Freedom Scholarships – Louisville, for example, has a robust private school system. A lot of my counties are rural, and the only option are public schools. How would this help students in rural America?

Sec. DeVos: States and communities can tailor make options. Students can take online courses or several students could form a micro school if they have a certain type of learning. In CTE, several communities could join together to offer robust CTE opportunities; transportation scholarships to get to that opportunity along with that CTE.

Rep. Brett Guthrie (R-KY): I think everyone here wants apprenticeship programs to succeed. Could you talk about the Department's view on apprenticeships and how you could help with legislation to help with this?

Sec. DeVos: I think there's unanimity that students should be able to earn and learn. The President's budget proposes a pre-apprenticeship opportunity at \$60 million. Perkins reauthorization helps move more opportunities into apprenticeship programs, and DOL is working on introducing some new opportunities around apprenticeships.

Rep. Tim Walberg (R-MI): Education Freedom scholarships are tax credits, not vouchers?

Sec. DeVos: Federal tax credit that individuals or corporations can contribute to. States could participate or not. If they did, they can craft their own programs.

Rep. Tim Walberg (R-MI): I was delighted to hear your answer about CTE. Came from earlier hearing whether Associated General Contractors said there's 286,000 shortage of construction workers this past February. Average wage in construction is now \$30/hr. These professional trades are truly professions that can have wonderful careers without student debt. Our colleges and universities are coming up with ideas to reduce 30% of tuition costs as a result of working with business and industry and allowing them to set up curriculum programs and pay for them to meet for real world jobs. That doesn't happen without flexibility. We still have student finance issues. I introduced FAFSA Act with **Rep. Suzan DelBene (D-WA)** last year to stream line financial aid process. In March, this committee held a hearing on college affordability, president of Western Carolina University said how FAFSA can be an insurmountable challenge to students in obtaining federal aid, especially for first gen and low income families. How would FAFSA Act improve the process?

Sec. DeVos: Its goal is to dramatically shorten the form. We introduced My Student Aid mobile app – students can complete FAFSA on their phone. If 6103 exemption/legislation passed by Senate and then passed by the House, it will dramatically shorten questions. Your legislation would also eliminate unnecessary questions.

Rep. Raul Grijalva (D-AZ): Charter schools are incorporated as privately owned and nearly all funding is from federal and state dollars. Charter schools (BASIS) try to expand as quickly as possible despite the red flags. In my state, BASIS had a \$49 million deficit. Story played out in AZ, CA, TX, and DC. Lack of oversight on charter school finances demonstrates taxpayer dollar wastes. Despite cuts to GEAR UP and impact aid, you're requesting \$60 million for charter school program. How do you justify that?

Sec. DeVos: There are over 1 million students on waiting lists for charter schools. 1 in 8 students in DC want to get into a charter school and cannot.

Rep. Raul Grijalva (D-AZ): Charter schools receive most of their funding, if not all, from federal government. How is your Department monitoring charter schools, such as those that never open or close within an academic year?

Sec. DeVos: Charter schools are authorized by their states. The Department has oversight over particular pieces of their programs. If charter schools can't serve students well, they should close, but the same should be said about public schools.

Rep. Rick Allen (R-GA): On Strengthening the Career and Technical Education for the 21st Century Act, we need to accelerate movement of students into the workplace. Anything you'd like to comment more?

Sec. DeVos: It's a great opportunity for states and communities to look anew at their needs and for employers to really partner with educators to collectively design programs to meet the needs of their region.

Rep. Phil Roe (R-TN): We need to pass that Senate bill to simplify FAFSA. With CTE, I have three numbers: 77, 97, and 0. One President of our technical schools at home graduate 77% on time while 19% of college students at 4 year schools graduate on time and 59% graduate within 6 years with huge debt. 97% of the CTE graduates get a job. 100% graduate with 0 debt. We need to encourage students to look at this career path. Comments?

Sec. DeVos: This Administration is very supportive of a multitude of career paths to a great adult future. Acknowledges that we have to raise these opportunities and give them equal credence to going to a 4 year college.

Rep. Marcia Fudge (D-OH): Education Freedom scholarships are another voucher program. I've never heard of a 100% tax credit. AL and FL have state tuition tax programs and have shown no improvement on academic achievement.

Sec. DeVos: They have shown improvement.

Rep. Elise Stefanik (R-NY): When I visited colleges, universities, and community colleges, the traditional student is now non-traditional. We need to modernize opportunities in higher education to make it available for non-traditional students. Dept has proposed an expansion of Pell grants to shorter-term programs. How will this help contemporary students gain skills and CTE that is very impactful in finding jobs in today's economy?

Sec. DeVos: We have proposed to expand Pell for high-quality, short-term programs, certifications, and certificates. There are many jobs available that require only short-term programs, yet we've been rigid on the use of Pell funds. We believe expanding that and want to work with Congress for appropriate guardrails.

Rep. Elise Stefanik (R-NY): I agree and think it's a real opportunity for bipartisan modernization of the Pell program. We know when looking at historical amount of student loan debt that a large percentage are students who did not complete. 60% of those who obtain bachelor's degree do so in 6 years with more debt. One proposal that we've discussed is utilizing Pell for dual enrollment programs.

Sec. DeVos: Many high school students want to pursue college level courses and have completed their high school requirements. Expansion of Pell into that is another way to modernize.

Rep. Elise Stefanik (R-NY): I think it'll help ensure that completion rate increases and students are graduating at a faster rate so they take out less student loans. Each year Congress appropriates over \$1 billion to the federal work study program. This largely goes to finance student jobs on campus and those jobs aren't necessarily aligned to student's career/academic interest. Your budget proposes reforms to this, can you expand?

Sec. DeVos: Allowing students to have an internship or apprenticeship in jobs or business related to interested careers would be very compatible with their formal learning. We proposed to allow employers host students as part of their academic studies through work study.

Rep. Elise Stefanik (R-NY): I agree. Businesses near local colleges, they are eager to partner.

Rep. Suzanne Bonamici (D-OR): I'm disappointed the budget zeroes out Title IV-A, and all students benefit from this. These grants are essential and have bipartisan support. You said Title IV-A is spread too thin.

Rep. Lloyd Smucker (R-PA): Education Freedom Scholarships – similar program in PA. [EITC program](#) has been in effect for a number of years and has broad bipartisan support. Almost every year, we've been increasing tax credit programs. Both sides see benefits to students who could potentially not have the opportunity to go to a better school.

Chairman Bobby Scott (D-VA): You mention the importance of federal work-study to better align with student career goals but fail to mention that you propose to cut the program by more than half.

Rep. Mark Walker (R-NC): With your support, we were able to get Pell year-round. How does the Dept's budget expand access to these Pell grants?

Sec. DeVos: Budget proposes expanding Pell to short-term, high-quality programs that don't take a full year/semester.

Rep. Alma Adams (D-NC): We expanded Pell to year-round, but we need to expand the money year round.

Rep. Ron Wright (R-TX): We had a hearing on higher education. I was disappointed that the answer from the panel was more federal money. There was a reluctance to discuss how higher education can lower its cost, especially when the federal government is guaranteeing all these loans. How can we entice institutions to lower cost?

Sec. DeVos: In 1980, \$7,000 for a college degree to now \$19,000 in public universities. We start by helping students with more info and tools when making a decision. NextGen will add info to College Scorecard for students to compare at a program level for cost and likelihood of earning potential.

Rep. Ron Wright (R-TX): To prepare the next generation of workforce, we have at least 2 school districts that have career centers, really cutting edge and innovative. High school students are graduating with state certifications to go right into jobs. What is your Dept/budget doing for these students who are not going to college?

Sec. DeVos: One is Education Freedom Scholarships initiatives to create CTE programs and provide new ways to do that – could provide transportation dollars. \$1.3 billion for Perkins V to support continued implementation of these opportunities at high school and post high school level. Pre-apprenticeship program proposed for \$60 million to help students who need to come back to school before being considered for an apprenticeship. States have begun to address CTE and there are many more opportunities for students and for employment – cooperative, regional effort between employers and educators to address needs of that region.

Rep. Pramila Jayapal (D-WA): If accreditation standards aren't good enough, it hurts everyone. Accreditation agencies are funded through fees from the institutions they regulate. There is potential for real conflicts of interest. That's why it's important for DoED to set standards to hold them in account. You convened a committee to rewrite these standards called the negotiated rulemaking. Out of 17 voting members, how many slots were allocated to representatives of students?

Sec. DeVos: Negotiators were selected by a career team.

Rep. Pramila Jayapal (D-WA): 2 out of 17. How many slots to state AGs? The answer is zero. State AGs are some of the biggest players in protecting students from low-quality institutions. As I look at the list, the remaining slots were owners of several for-profit colleges, 2 major accreditors of for-profit colleges, and other industry reps. Under the new rules, if a school stops living up to its accreditors' standards, in many cases because it's providing a subpar education, how long would the accrediting agency have to take action and inform students that there's a problem?

Sec. DeVos: Negotiated rulemaking process requires public comment.

Rep. Pramila Jayapal (D-WA): The answer is 4 years. Another rule is it makes it easier for schools to buyout campuses that shut their doors while leaving taxpayers on the hook for outstanding debt. Wall Street investors could take over a struggling campus and make a profit from the buyout and then face limited consequences to actually educate students. We have to make sure the DoED is protecting students and tax payer dollars.

Rep. Glenn Grothman (R-WI): Dual enrollment programs – we need to get people in the world of work without excessive student loan debt. Do you think an advanced degree can guarantee students receive high-quality education that can lead to a good job? How can we facilitate dual enrollment?

Sec. DeVos: This Administration supports more robust dual enrollment opportunities and various career paths.

Rep. Steve Watkins (R-KS): Career education colleges, like [Wichita Technical Institute](#), represent pathways for so many student veterans to achieve their American dream. Every day we hear employers seeking to hire more workers but unable to find them. Many are looking to apprenticeships. What are common questions from employers who are interested in starting an apprenticeship or workforce development programs?

Sec. DeVos: Most employers ask, “How can we engage with educators to make sure students are prepared for the opportunities we have right now?” That is my continued urging to break down their silos and work together. Opportunities vary by region and state so there’s no one size fits all.

Ranking Member Virginia Foxx (R-NC): President’s budget request asked for increase of \$133 million over last year’s funding levels to administer the student aid programs. Stated reason is to help implement your NextGen vision, which will update your technical and operational infrastructure. Your agency has been met with lawsuits with every step of the procurement including now. These disputes will likely delay your ability to proceed forward before the current student loan servicers contract expires. There are over 34 million direct loan borrowers owing over \$1.1 trillion who will be affected by your agency’s decision. Students and their families deserve to know how this will impact their lives. I expect regular updates from you and your staff. I appreciate NextGen as a prospective solution, but Congress needs to know our programs will be carried through without interruption while working on implementation.

Rep. Dan Meuser (R-PA): We do need to assure there is an effective plan for students to make choices. Your Department has demonstrated a commitment to this goal by strengthening CTE and implementing short-term Pell. In my district, the Conrad Weiser School District created the Ben Franklin Science Research Institute to foster STEM education. I appreciate your support of this program. The program currently uses non-profit funding. They are in the process of applying for the Educational Improvement Tax Credit. PA’s EITC will help this program grow.

Ranking Member Virginia Foxx (R-NC): I’d like to follow up. My colleagues on the other side of the aisle seem to believe that people’s income belong to the government and should be “public money”. I couldn’t disagree more. We as a people have agreed to pay taxes but the government is not entitled to anyone’s income. The Secretary’s proposal gives taxpayers greater freedom in how their income/property is used to support education. If a state chooses to establish a program and a tax payer chooses to support it with their income, we should support that choice. We shouldn’t claim ownership of that taxpayer’s hard-earned money.

Sec. DeVos: I concur. These are voluntary contributions made to scholarship granting organizations to benefit kids.

Rep. Josh Harder (D-CA): About 1/3 of elementary and middle schools kids are able to read at grade level. Why does your budget eliminate every single dedicated federal literacy program, including the [Innovative Approaches to Literacy](#) and the LEARN program?

Sec. DeVos: We chose to focus on programs that most broadly benefit those most vulnerable.

Rep. Susan Wild (D-PA): Education Freedom Scholarships would be a federal tax credit. This creates another hole in the federal budget. ESSA – you oversee ESSA. The Department recently released 2018 performance reports for 6 states. All 6 were flagged to take immediate action to address significant compliance and quality concerns relating to ESSA implementation. I was concerned that states were not implementing their approved ESSA plans. How is the oversight?

Sec. DeVos: We are committed to ensure states are implementing their ESSA plans according to the law. We've had attrition Department wide. Those positions that need to be replaced are being replaced.

Rep. Russ Fulcher (R-ID): What's in the budget that could help students in rural areas?

Sec. DeVos: ESSA has a provision (no local districts have applied for) that would allow 5% of Title I funding for a student-centered pilot. Education Freedom Scholarships proposal would give flexibility to provide transportation for students to get from a rural school to a CTE center or to enhance a CTE center.

Ranking Member Virginia Foxx (R-NC): ESSA – you assured us the Department is carrying out its role appropriately. State plans have been approved. States are identifying their first batch of schools for improvement and issuing national report cards on student and school performance. Could you update the support you're offering state and school districts as implementation of the law continues?

Sec. DeVos: We've begun to receive waiver requests in addition to their regular monitoring and updating ESSA plans and implementation. We've received the 72 waiver requests. 50 have been approved; most related to the 1% alternative assessment cap based on regulation finalized under the previous Administration. We're continuing to work with states as they have amendments and waiver requests.

Rep. Kim Schrier (D-WA): This committee recently marked up [HR 865 - Rebuild America's Schools Act](#). This supports public school repairs and modernization, like protecting from black mold, temperature extremes, lead in the water. Your own Department estimates it would cost \$150 billion per year to bring schools into good condition. Rural schools always seem to have the greatest need but least resources.

Rep. Ben Cline (R-VA): Federal student aid loan portfolio is the largest in America at almost \$1.5 trillion. I'm concerned about the 43% at-risk. Unlimited loaning, lending, and granting needs to be coupled with accountability and responsibility by all parties, students, lenders, federal government, and institutions. Market competition needs to open up more options that are straight forward. What are we doing to ensure students, institutions, private sector, and federal government are all partners in making higher education accessible and affordable?

Sec. DeVos: We share the goal of accessibility and affordability for students. Purdue University for the 8th straight year tuition was held steady and income share agreements have been introduced. Institutions need a vested interest in seeing their students succeed and complete.

Rep. Ben Cline (R-VA): There should be a tie back to how much institution is charging relating to how much students can borrow.

Chairman Bobby Scott (D-VA): School infrastructure and hundreds of billions of need – is that a problem? If so, what is your plan?

Sec. DeVos: After billions invested at the federal level trying to engineer improvement in student outcomes and achievements that we need to pivot and do something different and empower students.

Chairman Bobby Scott (D-VA): You don't have a plan for infrastructure?

Sec. DeVos: We know there are schools that have been empty for years and underutilized schools. It's not about building, but it's about helping support students to find their path.

Chairman Bobby Scott (D-VA): In the areas with crumbling schools, do you see that as a problem?

Sec. DeVos: Those are state and local issues to deal with. States and communities are investing over 90% of funding to education.

Chairman Bobby Scott (D-VA): You have no plan for infrastructure.

Ranking Member Virginia Foxx (R-NC): PSLF – is it true that Congress set the terms and conditions borrowers must meet PSLF?

Sec. DeVos: Yes

Ranking Member Virginia Foxx (R-NC): Is it true the previous administration had 8 years to clarify guidance to students and contractors about PSLF?

Sec. DeVos: Correct

Ranking Member Virginia Foxx (R-NC): Is it true the previous administration had 8 years to spread the word about PSLF requirements?

Sec. DeVos: Correct

Ranking Member Virginia Foxx (R-NC): During your tenure at the Dept, Congress has made available hundreds of millions of dollars to temporarily expand PSLF to those borrowers in the wrong repayment plan. Can you confirm that you did not set those terms and conditions, but that Congress determined those qualifications?

Sec. DeVos: Correct

Ranking Member Virginia Foxx (R-NC): Now that we've clarified who exactly is and was responsible for the PSLF program, I'd like to hear from you to make borrowers aware of the program and help them navigate the application process.

Sec. DeVos: Congress set up a difficult to qualify for program. We've had nearly 50,000 applications. 30,000 do not meet program requirements. 12,000 had missing information. We've communicated with them. We're addressing every application. For those who do qualify, we're proceeding with their loan forgiveness. As you know, our budget proposes phasing out PSLF. We don't think one type of role should be incentivized over another. You have used the example of a nurse who goes to work in a not-for-profit hospital has a chance to qualify while a nurse who goes to work as a for-profit doing the same work does not qualify. We believe we should equally incentivize all students to pursue direction that's right for them.

Ranking Member Virginia Foxx (R-NC): Our colleagues have pointed out lots of places we'd like to spend more money. PSLF which is projected to cost \$24 billion over the next 10 years. Moving to neg reg, is it accurate that the neg reg process was established by Congress?

Sec. DeVos: Correct

Ranking Member Virginia Foxx (R-NC): Panel included both student rep, state rep, and a consumer advocate each with their own vote?

Sec. DeVos: Correct

Ranking Member Virginia Foxx (R-NC): State AG did get a chance to weigh in through participation in a subcommittee?

Sec. DeVos: Correct

Ranking Member Virginia Foxx (R-NC): Whole purpose of neg reg is to ensure the voices of stakeholders are at the table?

Sec. DeVos: Yes

Ranking Member Virginia Foxx (R-NC): That's how Congress wrote it into the law?

Sec. DeVos: That's correct

Ranking Member Virginia Foxx (R-NC): The Secretary was skewered on this issue. I want to make it clear that if anyone wants to skewer anyone on the neg reg process, it ought to be us because we set it up, not the Secretary.

Rep. Mark DeSaulnier (D-CA): PSLF – Congress appropriated \$2.3 million for 2018 and 2019 to help with the problems the Ranking Member alluded to. I respectfully disagree with her. The first cohort that qualified for this program came about when your Administration took place. Congress authorized this Act; it's a statute. You indicated that you didn't think it was the best thing to decide what professions people go into. How have you expended this \$2.3 million? Are you going to implement the recommendations in the GAO report? Given only 1% of those who apply qualify.

Sec. DeVos: We process applications diligently. \$2.3 million we'll answer on the record. Temporary program doesn't take care of the fact that it's difficult to qualify for. We've implemented all of the recommendations.

Rep. Haley Stevens (D-MI): You found \$60 million for federal charter school program. Are charter schools the answer here? Recent report by Network for Public Education found that more than \$1 billion have gone to support charter schools that never opened or closed. Since 2010, 25 schools in MI that received \$1.7 million in charter school funding never opened. IG found waste and fraud. Can you justify proposed increase for charter schools?

Sec. DeVos: I'm not sure we could call that study. That study was funded by and promoted by those who have a political agenda against charter schools.

Other questions asked by the committee included disparate impact analysis, equity for minority students, the Department's stance on transgender students, the Department's reinstatement of ACICS, the Department's role in for-profit college oversight, when the Department will approve borrower defense claims, accountability

and transparency for loan servicers, underpaid teachers, teacher shortage, and teacher professional development voucher program.

Closing Statements

Ranking Member Virginia Foxx (R-NC)

It's clear on the Republican side of the aisle that you're committed to implementing the laws as Congress wrote. You're doing everything in your power to help students and families understand and pursue the education opportunities they choose. In the higher ed accountability hearing, **Rep. Alma Adams (D-NC)** gave us all the definition of bipartisan. This hearing could use a working definition of accountability since that's the entire premise behind having a Cabinet official testimony.

Accountability is asking an agency official a tough question and listening for the answer before deciding they're wrong. It's not grilling the witness and talking over them the moment you don't hear what you wanted to hear. My Democrats colleagues have tried for the better part of 4 hours to twist your words out of context. After doing so, they didn't allow you to respond and filled the time with what they wanted to hear. **Chairman Scott** has tried to correct this on a few occasions this afternoon, and I thank him. This is a gotcha hearing, not an honest attempt to learn how the government can better serve students. The arrogance exhibited in this committee today has been breathtaking.

Indeed, rarely, have I heard so many people tell you how to do your job and say they know how to do it better than you do. In your opening comments, you reminded us of Congress' commitment when the DoED was created 40 years ago. You reminded us that at that time Congress vowed that it would "not increase the authority of the federal government over education or diminish the responsibility for education which is reserved for the states". I promise you that I'm going to start quoting that a lot. I have to tell you a lot of what my Democratic colleagues try to get you to commit to doing. It sounds like a setup. They want you to commit to doing what we all agreed decades ago, which was not the mission of DoED. They argued that you're not doing your job because you haven't overstepped your authority or don't agree with their priorities.

Madame Secretary, you said today that if a school does not serve the best interests of students, it should not continue to operate. I couldn't agree with you more. This is especially important when overseeing higher education institutions. Republicans are equally committed to holding all institutions accountable for the education outcomes of their students. I look forward to working with you to reform the HEA to make sure all students at all institutions get the service they deserve. When we bring out other statistics, I think we will see the need to hold all institutions accountable. You have a number of tools at your disposal to come down on bad actors. As I said, any institution that does not serve students should not continue to exist. I want to thank you for your commitment to implement policies in the best interest of students and taxpayers. You should know that Republicans look forward to standing with you to protect students' access to educational opportunities to make a better life for themselves. I welcome our Democratic colleagues to make the same commitment.

Chairman Bobby Scott (D-VA)

You should expect questions. One area is the reinstatement of ACICS. We've asked questions about this before, particularly in light of the fact that they seem not to qualify under the reinstatement rules. Also, questions about the subsequent firing and reinstatement of the IG which appeared part of that same process. You were asked about Obama guidance that was rescinded on racial diversity, K-12 and higher education. You seem to be unclear on that. We'll be following through to see what you've been doing, particularly in light of the GAO report. There are 2 court orders. One on equity and IDEA rule; court ordered that's implemented immediately. Second on borrower defense; court order – over 100,000 students waiting on relief. Question on waivers and what info is being published. It appears to me that what is being published is the fact of the waiver, not the application to see what was being waived or the rationale for the decision.

implementation – you indicated that you're following the rules ,but we're informed that several states are failing to disaggregate data by race which would make it impossible to ascertain achievement gaps or if anything is being done. We'll be following through on that. Finally, tax credit program where you said it's contributions with

100% tax credit. It's not a contribution because it's 100% reimbursed as a tax credit. You've also indicated you can find \$5 billion in the tax expenditure. At the same time, we're cutting the education budget \$8 billion. Frequently referred that you were required to cut 10% but the budget was cut 12%, which meant some of those literacy programs would not have to cut.