

NATIONAL VETERANS EMPLOYMENT & EDUCATION COMMISSION

TOPIC 1: ECONOMY

Small Businesses Seek More Time to Apply for PPP Loans

Small-business advocates call on the federal government to extend the March 31 deadline to apply for a loan from the Paycheck Protection Program, citing recent changes to the program and delays in processing applications. “Time is not on our side. These businesses need a little more help, and they’re willing to do the work,” Hilda Kennedy, president of the PPP lender AmPac Business Capital, said Wednesday during a House Small Business Committee hearing focused on the future of the program. Ms. Kennedy was speaking of the very most minor firms, such as those owned by sole proprietors. “We need more time to serve them,” she added.

As of March 7, the Small Business Administration had approved 2.4 million loans totaling roughly \$165 billion, or nearly 60% of available funds, for loans to first-time and returning borrowers under the reopened program, according to agency data. Lenders issue the loans, and the SBA guarantees them. Advocates say a deadline extension would give lenders more time to implement the administration’s recently announced changes and



In November 2020, it was estimated that 6.1 percent of all business in the United States are Veteran-Owned Businesses

inform small businesses about how the revisions could benefit them. “I think the need is out there,” said John Arensmeyer, chief executive of the Small Business Majority, an advocacy group. “I just think it takes time, particularly for people who aren’t well-banked and who aren’t well-connected to the system, to navigate it,” he added.

The Biden administration’s recent program revisions aimed to boost the funds’ uptake, especially by the smallest businesses and those owned by women, minorities, and rural residents. The tweaks included a 14-day window during which the SBA approved loans only for firms with fewer than 20 employees. The SBA also revamped the loan calculation formula for sole proprietors, independent contractors, and self-employed business owners, potentially allowing them to receive larger loans. But lenders weren’t able to submit borrower applications to the SBA using the revised method until March 5, leaving less than a month for applicants to take advantage.

Chris Hurn, chief executive at Fountainhead Commercial Capital, said Congress should extend the program “to make sure it’s going to have the impact you want it to.” “You can’t bake an amazing cake if you don’t give it enough time to cook,” he said. Fountainhead has processed about 3,600 PPP loans totaling \$154 million this year, according to Mr. Hurn. Lisa Simpson, vice president of firm services at the American Institute of Certified Public Accountants, said during Wednesday’s hearing that the recent changes were well-intentioned, but that “changing the program midstream has caused anxiety, confusion, and delays in the process.”

AICPA has called on Congress to extend the program for at least 60 days. The U.S. Chamber of Commerce has said the program should be extended through the end of the year. A separate coalition of lenders, advocacy groups, and service providers to small firms called for an extension

through at least June 30. Rep. Nydia Velázquez (D., N.Y.), chairwoman of the House Small Business Committee, said she is “working diligently with leaders in the Senate and administration to agree on extending PPP in a way that meets the needs of small-business owners.”

A spokeswoman for Republicans on the panel said late Wednesday that ranking member Rep. Blaine Luetkemeyer (R., Mo.) and Ms. Velázquez had reached an agreement to introduce legislation that would extend the program for two months. “This bipartisan legislation will provide a targeted, commonsense extension to the Paycheck Protection Program.” Mr. Luetkemeyer said. It wasn’t immediately clear how such a proposal would be received in the Senate. Sen. Ben Cardin (D., Md.), chairman of the Senate Committee on Small Business and Entrepreneurship, would be “open to a bipartisan agreement to extend PPP beyond the current March 31 deadline if it’s clear that small businesses still need access to the program,” said spokesman Fabion Seaton earlier Wednesday.

Meanwhile, the White House said it would be open to working with lawmakers should they decide to pursue an extension, adding that the administration was focused on the recently passed \$1.9 trillion stimulus package. It includes additional small-business support, such as a new grant program for restaurants. The Biden administration has said that its PPP changes are working well. Officials pointed to SBA data showing that loan approvals to minority- and women-owned businesses were up 20% and 14%, respectively, during the exclusive application window for smaller firms through March 7 compared with the ten previous days. The comparisons rely on daily averages.

The calls for a deadline extension come as some large banks have already begun to wind down their PPP application periods. The top program lenders by dollar volume set a deadline for small businesses to apply for new loans weeks in advance of the program’s official end to create a buffer, should any issues arise. JPMorgan Chase & Co. will stop accepting PPP applications on March 19, and Bank of America Corp. stopped accepting new PPP applications Tuesday night. According to SBA data, the two banks extended nearly 192,000 PPP loans this year worth \$12.4 billion.

In addition to recent changes, lenders have cited ongoing challenges processing borrower applications because of earlier measures that the SBA used to mitigate fraud in the program. Those measures have resulted in the agency placing holds on borrower applications for issues ranging from clerical errors to signs of potential ineligibility. The issue is affecting less than 2% of applicants, according to Michael Roth, a senior adviser in the office of the administrator at the SBA.

Still, lenders have reported that resolutions can take up to several weeks. Mr. Roth said the SBA is working with lenders to clear holds quickly, adding that the agency was exploring administrative ways to address any applications that may still be pending approval on March 31.

[Reported by Ariel De Jesus]

HOUSEHOLD DATA

Table A-5. Employment status of the civilian population 18 years and over by veteran status, period of service, and sex, not seasonally adjusted

[Numbers in thousands]

Employment status, veteran status, and period of service	Total		Men		Women	
	Feb 2020	Feb 2021	Feb 2020	Feb 2021	Feb 2020	Feb 2021
Unemployed	329	497	286	427	43	70
Unemployment rate	3.6	5.5	3.6	5.4	3.7	6.1

The national unemployment rate is 6.7 percent (February 2020). Gulf War II veterans' unemployment rate is 6.3 percent. Currently, Gulf War II women veterans' unemployment rate is 3.8 percent (down from 5.0 percent in November).

In February 2021, the veteran unemployment rate was 5.5%. The comparable non-veteran unemployment rate was 6.5% in February.

TOPIC 2: VIRTUAL MEETINGS & CONFERENCE CALLS

On Monday, March 8, the National Veterans Employment & Education Division had a conversation with Risk-Based Survey (RBS) Project Manager Woodall on the latest pilot rollout challenges. Most questions center around advertising and pre-visit requests.

On Monday, March 8, the National Veterans Employment & Education Division teleconferenced with Montana State Approving Agency (SAA) and issues surrounding its support and placement in the State.

On Monday, March 8, the National Veterans Employment & Education Division had conversations with Legion Leadership on Higher Education challenges and role of credentialing in the days ahead as well on 90/10 provision.

On Monday, March 8, the National Veterans Employment & Education Division had a conversation with Senate Veterans Affairs Committee staff.

On Tuesday, March 9, the National Veterans Employment & Education Division spoke with Liza Gonzalez, Chief Operating Officer (COO) for SkillMil. Discussed opportunities for collaboration in the area of "Military Translation" for those leaving the military. Further conversations have been scheduled.

On Tuesday, March 9, the National Veterans Employment & Education Division had a conversation with Veterans Education Success (VES), SVA (Student Veterans of America), and Tragedy Assistance Program for Survivors (TAPS) on 90/10 and our path forward.

On Tuesday, March 9, the National Veterans Employment & Education Division had a conversation with Bush Institute on ways to market our report (Joe Wescott chaired the Policy Work Group for the Institute) and continue our work in the future.

On Tuesday, March 9, the National Veterans Employment & Education Division had discussions with the Council of College and Military Educators (CCME) President E. Silva on CCME presentation.

On Tuesday, March 9, the National Veterans Employment & Education Division discussed with DOD for an RBS at an American Intercontinental Campus in Houston, conversation on RBS requirements.

On Wednesday, March 10, the National Veterans Employment & Education Division participated in a conference call with the US Chamber of Commerce Foundation, Hiring Our Heroes. Discussed their upcoming career fairs focused on military installations.

On Wednesday, March 10, the National Veterans Employment & Education Division had conversations with RBS Project Manager on RBS forms and requirements and how we can adjust as needed during the pilot.

On Wednesday, March 10, the National Veterans Employment & Education Division discussed with Jesse McConnell at Lumina on the National Association of State Approving Agencies (NASAA) grant, an extension of the same to allow for national implementation and presentations to Congress.

On Wednesday, March 10, the National Veterans Employment & Education Division attended VES/AV monthly meeting. All parties very happy about the passage of 90/10 and now taking time to reflect on the next steps and what advocacy is needed for Veterans.

On Wednesday, March 10, the National Veterans Employment & Education Division hosted a webinar on The American Legion's forthcoming credentialing report "The Future of Credentialing of Servicemembers and Veterans: Leveraging Partners, Policies and Resources." Over 370 attendees attended the webinar.

On Thursday, March 11, the National Veterans Employment and Education Division spoke with Michael Ferrell, Executive Director, Coalition for the Homeless, District of Columbia. We discussed the current issue of ensuring that our most vulnerable veteran population has access to resources such as medical treatment and employment opportunities.

On Thursday, March 11, the National Veterans Employment and Education Division had a meeting in Raleigh with NC General Assembly Leadership to discuss veteran's needs in the State and across the nation.

On Thursday, March 11, the National Veterans Employment and Education Division met with Rules Committee Chair Bill Rabon, Speaker of the House Tim Moore and his staff, and Senate Pro Tem Phil Berger's staff. Also met with PM Woodall on the RBS project and next steps to assure the pilot's success, which began officially this month.

On Thursday, March 11, the National Veterans Employment and Education Division met with NC Department of Military and Veterans Affairs (NCDMVA) Senior Leadership to discuss new national legislation and Veterans' needs in NC.

On Thursday, March 11, the National Veterans Employment and Education Division had conversations with VA Education Service leadership on veteran needs and SAA challenges.

On Friday, March 12, the National Veterans Employment & Education Division discussed with NC Senators Staff on veterans' needs in NC and their path forward on 90/10.

On Friday, March 12, the National Veterans Employment & Education Division met with MJ Woodall on a no-cost extension of the RBS Grant and plans and work.

On Friday, March 12, the National Veterans Employment & Education Division reviewed credentialing report and communication with Indianapolis on higher education work and plans.

On Friday, March 12, the National Veterans Employment & Education Division had a conversation with SVAC on Carper-Cassidy Bill and introduction plans. Also, we met with NASAA and EdCounsel on the RBS project.

GLOSSARY OF FREQUENTLY USED ABBREVIATIONS

ACE: American Council on Education

ACP: American Corporate Partners, a veteran's support organization

ATLAS: Accessing Telehealth through Local Area Stations, a V.A. telehealth initiative

BLS: Labor Department's Bureau of Labor Statistics

C&P: V.A.'s Compensation and Pension exam

CAVC: Court of Appeals for Veterans Claims

CCME: Council of College and Military Educators

COLA: Cost-of-living adjustment

CSAAVE: California State Approving Agency for Veterans Education

DIMO: Defense Security Cooperation Agency/Defense Institute for Medical Operations

DOD: Department of Defense

DOL-VETS: Department of Labor, Veterans Employment and Training Services

EdCounsel: Higher education consulting firm

EIDL program. SBA's Economic Injury Disaster Loans

EIDL: Economic Injury Disaster Loan

GAO: Government Accountability Office

GPD: V.A.'s Grant and Per Diem Program for homeless veterans

GWB: George W. Bush Higher Education Policy Work Group

HEROES ACT of 2003: Higher Education Relief Opportunities for Students Act of 2003. Grants the Secretary of Education the authority to waive requirements that impede military borrowers' access to critical repayment protection during the war, military operation, or national emergency.

HVAC: House Veterans Affairs Committee

MCAI: American Legion's Military Credentialing Advancement Initiative

MSLP: The Federal Reserve's Main Street Lending Program

MSO: Military Support Organization

NAICU: National Association of Independent Colleges & Universities

NASAA: National Association of State Approving Agencies. Responsible for approving school funding for GI Bill

NAVPA: National Association of Veterans Program Administrators

NCA: V.A.'s National Cemetery Administration

NDAA: National Defense Authorization Act

NLD: American Legion's National Legislative Division
OPM: Office of Personnel Management
PPP: Paycheck Protection Program
RBS: Risk-Based Survey Model
RPIC: Rural Placemaking Innovation Challenge
S2S: Service to School, a veteran's organization
SAA: State Approving Agency, responsible for approving school funding for GI Bill
SBA: Small Business Administration
STEM: Science, Technology, Engineering, Medical
SVA: Student Veterans of America, a veteran's organization
SVAC Senate Veterans Affairs Committee
TAPS: Transition Assistance Program for Survivors, a nonprofit for Gold Star Families
TEAM Act: Senate Bill 4393, to improve the provision of health care for veterans who were exposed to toxic substances from burn pits
TFA: American Legion's Temporary Financial Assistance program
USAID: United States Agency for International Development
USDA: United States Department of Agriculture
USERRA: Uniformed Services Employment and Reemployment Rights Act
VA&R: American Legion's Veterans Affairs and Rehabilitation Division
VACO: Veterans Affairs Central Office
VBA: V.A.'s Veterans Benefits Administration
VE&E: Veterans Employment and Education Division
VES: Veterans Education Success, a veteran's organization
VSO: Veterans Service Organization

TOPIC 3a: TRACKING LEGISLATION

GI Bill Repair Act of 2020: To extend to black veterans of World War II, their surviving spouses, and direct descendants eligibility for specific housing and educational assistance programs administered by the Secretary of Veterans Affairs

[Resolution No.: None on file](#)

Status: Currently on hold, has not been introduced

Homeless Veteran Coronavirus Response Act: The bill allows V.A. to use existing funds for a broader range of services; authorizes the Department to collaborate with outside organizations to facilitate shelters on its properties; loosens restrictions on Grant and Per Diem (GPD) payments and requires V.A. to ensure veterans participating in V.A. homeless programs have access to V.A. telehealth services.

[Resolution No. 326: Support Funding for Additional Housing for Homeless Veterans with Families](#)

H.R.492 - To amend title 38, United States Code, make permanent the Secretary of Veterans Affairs's authority to provide financial assistance for supportive services for very low-income veteran families in permanent housing.

[Resolution No. 340: Support Permanent Authorization for the Supportive Services for Veteran Families \(SSVF\) Program](#)

HR 1615: The American Legion supports legislation that would streamline and improve the verification process for veteran-owned small businesses and veteran-owned small businesses.

Status: Passed House Vote, received in the Senate and referred to the Committee on Veterans' Affairs. It did not pass by the end of the 116th Session, will need to be reintroduced.

HR 2224: To direct the Secretary of Labor to prioritize services to homeless veterans with dependent children in carrying out homeless veterans' reintegration programs and for other purposes.

Status: Did not pass by the end of the 116th Session.

HR 1196, Jobs for Veterans Act of 2019: This bill allows an increased work opportunity tax credit for employers who hire veterans who have been certified as discharged or released from active duty in the Armed Forces after September 11, 2001, and who begin working for the employer after December 31, 2019, and before January 1, 2024. This increased credit is in addition to any work opportunity tax credit allowed to a veteran with a service-connected disability.

[Resolution No. 354: Work Opportunity Tax Credit Program](#)

HR 7010, Paycheck Protection Program Flexibility Act of 2020: This bill significantly changes the PPP loans' terms to be more advantageous to small businesses. Including more flexibility in applying the loan to other expenses besides payroll and benefits and extending the time frame for expending the loan.

Status: Became Public Law No: 116-142.

HR 4625: To require education programs to be approved by the V.A. to abide by the Principles of Excellence to include a ban on deceptive or misleading recruiting, clear information about total costs and program requirements, accommodation for deployments, ensuring a point of contact for veterans, and not being under a punitive action by an accreditor.

[Resolution No. 318: Ensuring the Quality of Servicemember and Veteran Student's Education at Institutions of Higher Education](#)

Status: Became Public Law No: 116-315

HR 6957: To direct the Secretaries of Defense and Veterans Affairs to treat a period of full-time National Guard duty, performed in response to the national emergency declared on March 13, 2020, by the President concerning COVID-19, as not shorter than 90 days.

[Resolution No.: Currently studying for appropriate resolution.](#)

HR 4920 Department of Veterans Affairs Contracting Preference Consistency Act of 2020: is a bill that would allow AbilityOne companies to keep their preferential treatment at the Department of Veteran Affairs after 2016 with some compromises. The Senate initially sent it back to the House after it was passed for changes. Those changes have been reconciled, and the bill cleared its last hurdle before it is sent to the White House.

S. 2594: To amend title 5, United States Code, to modify specific requirements concerning service and retirement for veterans' Preference for federal hiring.

S. 3745, Coronavirus Emergency Borrower Defense (E-BD) Act: to require the Department of Education to grant total student loan discharges to three specific emergency categories of defrauded borrowers—specifically borrowers covered by:

- (1) Department of Education findings against Corinthian.
- (2) Department of Education findings against ITT Tech; and
- (3) State attorneys general group discharge applications made before the date of enactment.

[Resolution No. 82: Preserve Veteran and Servicemember Rights to Gainful Employment and Borrower Defense Protections](#)

Status: Did not pass 116th Session.

TOPIC 3b: ACTION TAKEN ON LEGISLATION

Building Credit Access for Veterans Act: A bill to require the Secretary of Veterans Affairs to carry out a pilot program to establish an automated process for obtaining alternative credit rating information and other purposes.

Status: Draft Bill / Letter of Support submitted on October 13

HR 8426: Protecting Apprenticeship Training for Veterans Act: Currently, veterans must meet a minimum number of apprenticeship hours to receive their Housing Allowance. Due to pandemic work shortages, veterans in those programs now face a reduction or suspension in their stipend. This would allow veteran apprentices who were laid off to roll over excess hours from a previous month to meet the hourly requirement.

[Resolution: Resolution No. 25: Support and Expand Apprenticeship Opportunities for Servicemembers](#)

Status: Letter of Support drafted

HR 4941: Veteran Employment Transition Act” or the “VET Act” was sponsored by Representative Andy Kim. The bill's last action was in the House on 12/02/2019; it was referred to the Subcommittee on Economic Opportunity. The bill's goal is to improve the Transition Assistance Program. The bill would allow certain veterans' service organizations to contact veterans regarding benefits and better inform veterans of employment opportunities. The Service groups would inform veterans of the benefits and employment opportunities with the Federal, State, and local governments. The groups inform veterans of events in the area.

[Resolution No. 70: Improve Transition Assistance Program](#)

Status: Letter of Support submitted

HR 7003: is a bill sponsored by Rep. Takano, Mark D-CA-41, and was introduced 05/22/2020. The bill would authorize a pilot program in the Department of Defense to enhance efforts to provide job placement assistance and related employment services directly to the National Guard, Reserves, and veterans of the Armed Forces. The last action on the bill was 05/22/2020 and referred to the Committee on Armed Services.

[Resolution No. 81: Transition Assistance Program Employment Workshops for National Guard and Reserve Members](#)

Status: Pending Letter of Support

Draft Bill: Veterans Educational Assistance Transparency and Accountability Improvement Act, improve the G.I. Bill Comparison Tool ensures veterans, servicemembers, and their families are better informed when choosing what educational institution is best for them.

Status: Letter of Support submitted

Draft Bill: JSF - To amend title 38, United States Code, to clarify the scope of procedural rights of members of the uniformed services concerning employment and reemployment rights and other purposes.

Status: We submitted written testimony for the July 23, 2020 hearing.

Draft Bill: USERRA Protections for State Active Duty - To amend title 38, United States Code, extend particular employment and reemployment rights to members of the National Guard who perform State active duty. Submitted written testimony to the Legislative Division.

Status: We submitted written testimony for the July 23, 2020 hearing.

HR 7111: Veterans Economic Recovery Act of 2020: Require the Secretary of V.A. to carry out a rapid retraining program that provides eligible veterans up to 12 months of retraining assistance for in-demand occupations. These 12 months of benefits would be equivalent to students' and schools' payments through the Post 9/11 GI Bill.

[Resolution No. 316: Support Employment of Veterans in the Public and Private Workforce](#)

Status: This bill was submitted for the July 23, 2020 testimony.

HR 7445: To expand eligibility for home loans from the Secretary of Veterans Affairs to individual members of the Armed Forces reserve components.

[Resolution No. 329: Support Home Loan Guaranty Program](#)

Status: This bill was submitted for the July 23, 2020 testimony.

TOPIC 4: EMPLOYMENT

Advocates pushing for a significant overhaul to the federal veterans' preference hiring rules insisted Tuesday that broadening eligibility but limiting program use could benefit both job seekers and department managers looking for military talent.

“We can’t nibble around the edges; we need to make comprehensive changes,” argued Joe Heck, chairman of the National Commission on Military, National, and Public Service, before a Senate Homeland Security and Government Affairs hearing.

“The preference (program) has become inequitable; Not all veterans are preference eligible, and even those eligible for preference are treated differently so that many veterans receive little or no practical benefit.”

The idea of changing veterans' preference rules has been controversial in recent years, with many outside groups arguing that the erosion of hiring policies could cut off a key employment opportunity for thousands of separating service members. Veterans make up about one-third of all federal posts.



President Roosevelt signing into law the Veterans' Preference Act.

But the public service commission, established in 2017 and charged with finding ways to engage citizens in government better, said that reforming federal agency hiring processes is a critical step in that effort and that changes to veterans' preference rules must be included.

“A veteran who tries to use veterans preference, even if judged as minimally qualified, can float to the top of the qualified list and be hired over better candidates,” Heck said. “And that’s probably putting them into a job they aren’t qualified for.”

The commission, which released a 245-page report in March recommending items like including women in the draft and expanding public service opportunities, is pushing to make federal veterans preference a “tie-breaker” between equally qualified applicants, which Heck argued was the original intent of the rules.



Veterans would no longer be automatically upgraded to the best-qualified category under the plan.

Panel members also recommended limiting veterans' preference to 10 years after an individual's separation from the military to better target service members trying to transition to civilian careers.

Heck argued that applicants should only invoke the preference twice to avoid already-established federal workers from forcing promotions and job changes simply because of past military service.

But he also said that officials should expand the eligibility pool to include more veterans and extend programs like Veterans Recruitment Appointment to longer terms after military service to encompass veterans who opt to return to school before searching for jobs. Whether those changes will be enough to win over veterans advocates remain unclear.

In an opinion piece last year on the issue of federal veteran hiring, American Legion National Commander James Oxford said that veteran status should not be “the only factor in federal hiring. But it should be an important factor.”

He argued against watering down current programs but voiced support for the idea of veterans' preference as a tie-breaker among worthy job candidates.

Military service often hurts veterans' entry into the civilian job market, but “when their military obligation ends, the experienced veterans are more often than not physically fit, highly disciplined, professional and equipped with a skill set obtained through some of the best training in the world.”

Sen. James Lankford, R-Okla. and chairman of the committee's federal management panel, called the commission proposals “interesting” and acknowledged the potential for controversy. “We want a better workforce, but also to honor our veterans,” he said. “We're not trying to block someone from a job, but it may not be the right position. So, we need to figure out the best place to put them.”

The American Legion has always been a champion of veterans' preferences. We will continue to oppose any legislation or administrative changes that will circumvent or water down this well-deserved and earned benefit.

Resolution No. 317: Enforcing Veterans' Preference Hiring Practices in Federal Civil Service

[Reported by Ariel De Jesus]

TOPIC 5: EDUCATION



New Law Finally Closes GI Bill Loophole Allegedly Used to Scam Veterans

After years of American Legion advocacy, the GI Bill 90-10 loophole has finally been closed through the stimulus bill.

Behind the scenes, as the stimulus was being debated on the floors of Congress, there was a flurry of activity. Senator Rick Scott had introduced an amendment to kill the 90-10 amendment. He ostensibly needed only one Democrat to switch sides for the amendment to pass as Republicans pledged to vote as a party for amendments. Adding to the tension, the two Democrats who would be targeted to flip - Senator Manchin and Senator Sinema- both faced rigid home states from

the country's largest for-profit schools, with Arizona being home to the University of Phoenix and West Virginia home to American Public University System.

We knew we couldn't afford to have to close the loophole turned into a partisan affair and launched our countermeasures- when the dust settled, Senator Rick Scott's amendment failed. Senator Moran from Kansas said on the floor: "My colleagues, I arrive here at the request of many veteran service organizations and veterans across the country who have called for a long time for us to protect our military and veteran students and close the 90/10 loophole. What was once a partisan discussion is becoming a bipartisan discussion."

The New York Times published a full breakdown of closing the 90-10 loophole in this article by Stacy Cowley below:

Military veterans have long been prized recruits at for-profit schools. The \$1.9 trillion stimulus bill signed by President Biden on Thursday may change that.

For more than a decade, former service members who predatory institutions defrauded have pushed to close a loophole that incentivized for-profit schools to enroll veterans. After a bipartisan deal last week, Congress included that change in the stimulus bill, handing veterans' groups a major legislative victory.

"This is amazing," said Tasha Burkhalter, an Army veteran who met with lawmakers last year. "They heard our voices, for once, and they righted the wrong. It felt like we mattered."

The change involved revising just a few critical words in the text of the Higher Education Act. A longstanding mandate, the so-called 90/10 rule, requires for-profit schools to take in at least 10 percent of their revenue from funding other than federal student loans. The intention was to force schools to prove that they could attract other sources of support.

But the law's text allowed schools to count student aid from the Defense Department and Department of Veterans Affairs, including G.I. Bill funds, toward their 10 percent threshold. That turned veterans into "dollar signs in uniform," in the words of Hollister Petraeus, the former head of service member affairs at the Consumer Financial Protection Bureau.

Chains like ITT Technical Institute and Corinthian Colleges — which both collapsed in recent years after a crackdown on schools that acted fraudulently — hounded veterans with recruiting pitches so aggressive that former students said they bordered on harassment. Those who enrolled often received subpar educations that left them with dim career prospects and mountains of debt.

The bill signed on Thursday changed the Higher Education Act’s wording to specify that for-profit schools must take at least 10 percent of their funding from “nonfederal” sources. This tiny tweak permanently closes the loophole.

Schools will no longer be able to “cheat veterans and service members out of their education benefits while providing them with a low-quality education, useless degrees, and burdening them with student loan debt,” said Representative Mark Takano, a California Democrat and chairman of the House Veterans Affairs Committee. He pushed for the new rule to be included in the pandemic relief package.

The change won’t be effective until 2023, a delay that Carrie Wofford, the president of Veterans Education Success, an advocacy group, called “a bitter pill to swallow.” But the delay was necessary to reach a bipartisan deal. “It was the right decision,” she said.

Career Education Colleges and Universities, the trade group of for-profit schools, said it supported the change.

“We are thrilled to finally see a bipartisan consensus develop around the controversial 90/10 rule,” said Jason Altmire, the group’s chief executive. The delay, he said, “will allow time for a fair, rational, and permanent solution for an issue that partisan politics have driven for far too long.”

For-profit schools are already preparing. This week, American Public Education, which operates a collection of schools and training programs explicitly marketed to former service members, told investors on an earnings call that it would have enough time to adjust its business model in various ways, including through acquisitions, to stay compliant.

Although for-profit schools have long been criticized for skirting federal rules, the revision takes a target off service members’ backs. “Schools might find ways to get around the rule, but at least they won’t be financially incentivized to pursue veterans,” Ms. Wofford said. “That’s a big win.” Ms. Berkhalter said she was delighted that future veterans would be protected from the kind of financial harm she suffered. After leaving the Army in 2005, she enrolled at ITT and earned a bachelor’s degree in criminal justice. She came close to landing her dream position — a case management role at a mental health treatment center — but when the employer discovered that her degree was from ITT, the offer vanished.

ITT consumed her \$75,000 in G.I. Bill funds and still left her with nearly \$100,000 in student loan debt. Ms. Berkhalter hopes to have her federal loans eliminated through an Education Department program intended to wipe out the debt of students who were victims of fraud. Her application languished during the Trump administration, as Education Secretary Betsy DeVos strongly opposed the program and resisted approving applicants’ claims.

Ms. Berkhalter hopes the Biden administration will be more forgiving. “I’m excited for all those service members ahead who this will help,” she said. “But they still need to do something about those of us who have been going through this for so long.”

[Reported by John Kamin]

TOPIC 6: CAREER FAIRS

ALL IN-PERSON CAREER FAIRS SCHEDULED THROUGH MAY HAVE BEEN CANCELLED, SUSPENDED, OR POSTPONED.

The American Legion is working on future virtual workshops and career fairs.

Newly discharged veterans claiming benefits totaled 9,721, an increase of 650 from the prior week.

The American Legion's National Veterans Employment & Education Commission's Mission is to take actions that affect veterans' economic well-being, including issues relating to veterans' education, employment, home loans, vocational rehabilitation, homelessness, and small business.

[Reported by Ariel De Jesus]

**Joseph C. Sharpe, Jr., Director
Veterans Employment & Education Division
202.861.2700 ext. 2989
Week Ending: 3/12/2021**