

January 21, 2026,

U.S. HOUSE OF REPRESENTATIVES

COMMITTEE ON EDUCATION & WORKFORCE

The Honorable Chairman

Rep. Tim Walberg

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The Honorable Ranking Member

Rep. Bobby Scott

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Dear Chairman Walberg and Ranking Member Scott,

The undersigned veterans and military-serving organizations write to express serious reservations with the current 90/10 framework and the broader persistence of sector-based higher education policy. The One Big Beautiful Bill Act of 2025 (OBBBA) has made clear, accountability should apply to all programs across all postsecondary institutions, without regard to the institutional sector. Yet current statute, most notably the 90/10 rule, remains anchored to outdated sector-based distinctions and assumptions that no longer reflect how students enroll, how institutions operate, or how federal education benefits are used by servicemembers, veterans, and their families.

Despite the enactment of OBBBA and repeated bipartisan recognition that accountability should be driven by performance and student outcomes, federal statute and regulation continue to punish or favor institutions based primarily on tax status rather than on whether military-affiliated students' interests are being best served. This structural mismatch remains unresolved and increasingly misaligned with modern accountability principles.

Recent congressional and administrative actions demonstrate that a different approach is both possible and already underway. The enactment of the Senator Elizabeth Dole 21st Century Veterans Healthcare and Benefits Improvement Act (Public Law No. 118-210) reflects a meaningful shift toward outcomes-driven policy by strengthening interagency coordination and improving data sharing on military-affiliated student outcomes. That same philosophy as directed by Congress in OBBBA has also been reflected in the Department of Education's recent negotiated rulemaking on higher education accountability, where consensus was reached on a historic, sector-neutral framework focused on performance, transparency, and student outcomes.

The undersigned respectfully request the opportunity to share our concerns in greater detail and to discuss concrete, workable reforms Congress can pursue. We believe there is a clear path forward and we look forward to meeting with you and your staff to discuss these issues further and to continue working collaboratively toward a fair, performance-based higher education accountability framework.



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Acting Executive Director
The Independence Fund



Stephen Patterson
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