February 14, 2019

The Honorable Robert Wilkie
Secretary of Veterans Affairs
810 Vermont Avenue, NW
Washington, DC 20420

Dear Secretary Wilkie:

Thank you for your diligent work on behalf of America’s veterans. We write to alert you to a continuing problem at VA and request your leadership in addressing it.

On December 3, 2018, the VA Inspector General issued a report, “VA’s Oversight of State Approving Agency Program Monitoring for Post-9/11 GI Bill Students,” concluding that VA will waste an estimated $2.3 billion over the next 5 years in Post-9/11 GI Bill “improper payments to ineligible colleges,” including colleges with deceptive advertising and recruiting prohibited under 38 U.S.C. § 3696.

The Inspector General’s concerns are not new. In 2016, Yale Law School published a report, “VA’s Failure to Protect Veterans from Deceptive College Recruiting Practices,” specifying VA’s failure to abide by 38 U.S.C. § 3696. Also in 2016, VSOs and MSOs wrote to the VA Secretary, requesting VA quickly come into compliance with 38 USC § 3696.

It appears from the Inspector General’s report that VA remains out of compliance with the statute, despite numerous federal and state law enforcement actions against colleges for deceiving veterans. This has resulted in significant ramifications to VA and student veterans.

In one recent example, 49 state attorneys general – representing nearly every state in the nation – sued Career Education Corporation (CEC), following a 5-year investigation, according to the Attorneys General, “revealed evidence demonstrating that CEC deceived prospective students about the total costs of enrollment, the transferability of credits between CEC and other institutions, the potential to obtain employment in their field, and CEC graduates’ employment outcomes. As a result of these unfair and deceptive practices, students enrolled in CEC who would not have otherwise enrolled, could not obtain professional licensure, and were saddled with substantial debts that they could not repay nor discharge.” CEC paid the highest fine to date, $500 million, to settle the suit, without admitting guilt. CEC has the third highest number of veteran complaints brought to VA, and, in June of 2018, a CEC whistleblower flew to Washington to describe a litany of deceptive practices to VA staff. This is just one example of ineligible colleges receiving improper GI Bill payments that could be avoided with proper VA oversight.
We would appreciate the opportunity to meet with you and the Inspector General to discuss a positive solution for this ongoing challenge. We would bring positive suggestions. We look forward to your leadership on this issue.

Sincerely,

Keith W. Zega
Air Force Association

Carole S. Case
Association of the U.S. Navy

Air Force Sergeants Association

Blue Star Families

Patricia R. Wrubel
Air Force Women Officers Associated

Chief Warrant and Warrant Officers, U.S. Coast Guard

The American Legion

Fleet Reserve Association

Joe C. Conley
AMVETS

High Ground Veterans Advocacy

Stephen M. Atkinson
Army Aviation Association of America

Iraq & Afghanistan Veterans of America
Ivy League Veterans Council

Jewish War Veterans of the USA

Paralyzed Veterans of America

Reserve Officers Association

Service to School

Service Women’s Action Network

Student Veterans Of America

Military Order of the Purple Heart

Swords to Plowshares
The Mission Continues

The Retired Enlisted Association

Tragedy Assistance Program for Survivors

United States Army Warrant Officers Association

U.S. Coast Guard Chief Petty Officers Association & Enlisted Association

Veterans Education Success

San Diego University Veterans Law Clinic

Veterans Student Loan Relief Fund

Veterans For Common Sense

Vietnam Veterans of America

VetsFirst, a program of United Spinal Association