January 27, 2020

Secretary Betsy Devos  
US Education Department  
Office of Postsecondary Education  
400 Maryland Avenue SW  
Washington, D.C. 20202-2241

RE: Comments on Total and Permanent Disability Discharge of Loans Under Title IV of the  

Dear Secretary DeVos:

The undersigned organizations, collectively representing millions of members, veterans, military  
families, and survivors, wish to thank President Donald J. Trump for signing, and you for putting  
into action, a Presidential Memorandum that will significantly streamline the process to erase  
federal student loan debt for totally and permanently disabled veterans. Through the Total and  
Permanent Disability (TPD) Discharge process, veterans who have been determined by the  
Department of Veterans’ Affairs (VA) to be 100 percent service-connected disabled or deemed  
Individually Unemployable (IU) will now have their student loan debt automatically discharged  
by the U.S. Education Department (ED) unless they decide to opt-out.

We appreciate ED’s collaboration with VA to identify the approximately 25,000 veterans  
currently eligible for automatic loan forgiveness, and for continuing the review on a quarterly  
basis.

We are aware of recent media reports about unexpected delays faced by implementing the  
Presidential Memorandum. In order to stay fully up to date on the status of the program, we  
would appreciate quarterly in-person meetings to help us better inform our members and to  
identify any potential problems before they can negatively impact those who we represent.

Also, we ask that ED make it clear to these severely disabled veterans what the state tax  
implications might be. In December of 2018, only 9 states did not follow the federal rule on the  
discharge of student loan indebtedness due to death or disability. It would be a minimal task for  
ED to have a subject matter expert stay on top of state tax implications and convey that  
information to veterans so they can make an informed decision.

Further, we ask you to work with the Treasury Department and VA to “make whole” the  
veterans who were wrongly put in default, in violation of their legal rights. In November of  
2018, ED’s records indicated that over half of TPD-eligible veterans were wrongly put in default  
of federal student loans that they were eligible to have forgiven. Being put in default on federal  
student loans caused these veterans to suffer damaged credit scores, the impact of which makes  
life far more expensive for many necessities of 21st-century life: housing, telecommunications,  
automobiles, insurance and more. Worse, defaulting on federal student loans can result in the  
garnishment or offsetting of a veteran’s much-needed VA disability payments and tax returns.
We understand you plan to reach out to credit reporting agencies with updated information regarding the status of now-forgiven loans, and we understand that the ultimate resolution will depend on whether or not the loans went into default before or after the veterans’ effective date of disability, as is fair. We thank you for those steps.

However, we also urge you to return any wrongly garnished or offset payments to those who desperately need them and who wrongly lost them. These veterans, who by virtue of their service to our nation have become severely disabled, were eligible to have these loans forgiven. Instead, a mistake by ED that wrongly put them into default resulted in them losing the very payments that Congress and VA intended to make up for the lost use of their bodies and minds.

When they raised their right hands to take an oath to defend this nation, these veterans with 100 percent service-connected disability ratings or IU designations wrote a check payable up to and including their life. For that, we owe it to them to do the right thing.

We look forward to your reply.

Sincerely,

Air Force Sergeants Association

James T. Currie
Commissioned Officers Assn. of the US Public Health Service, Inc

Fleet Reserve Association

Iraq and Afghanistan Veterans of America

Jewish War Veterans of the USA

Association of the United States Navy

Edward R. Bart, Jr.
Disabled American Veterans

High Ground Veterans Advocacy

Ivy League Veterans Council

Military Officers Association of America
Douglas J. Grunen
Military Order of the Purple Heart

Non Commissioned Officers Assn. of the United States of America

Lydia Weitz
Service Women's Action Network

Swords to Plowshares

Tragedy Assistance Program for Survivors

VetsFirst, a program of United Spinal Association

National Military Family Association

Carl Blake
Paralyzed Veterans of America

Student Veterans of America

The Retired Enlisted Association

Veterans Education Success

Veterans for Common Sense