

Testimony of David Apperson
U.S. Education Department's Negotiated Regulatory Rulemaking Panel
December 2021

Good afternoon. My name is David Apperson, and I'm a former firefighter, law enforcement officer, and U.S. Army veteran from Lindale, Texas.

Today, as our nation honors the service of Bob Dole who the New York Times calls the 'Linchpin' in the passing of the Americans With Disabilities Act, I hope this committee can build on the work he started many years ago to help veterans and other disabled individuals.

At 17 years of age, I enlisted to serve on the Korean DMZ because I hoped the GI Bill would pay my way through college.

After leaving the Army, I went to the Computer Career Institute and Oregon Polytechnic.

I assumed my GI Bill would cover everything, so I was surprised to later learn that some of the financial aid documents I signed were actually student loans.

I got a job in computer technology, at first detailing heating and plumbing systems using AutoCAD, and later worked with Internet design protocols and gateways.

However, injuries from my military service began to catch up with me, and in August of 2003, I woke up and couldn't move my arm and soon after, the left side of my face caved in, and my head hurt so bad I couldn't even recognize those I served with.

By 2005 I couldn't even work.

But I didn't let my disabilities stop me from giving back to others. In 2009, I founded "Vets Helping Vets," which helps build community awareness among military and veteran families throughout the nation and around the world. I was honored by Grapevine Texas VFW post 10454 in December 2013 for completing 10,000 hours of community service.

However, my disabilities got worse.

In 2015, I was approved for a Social Security TPD discharge of my loans. I also received a 100% service-connected disability rating in 2020 and in 2021 an individual unemployability rating from the VA dating back to 2009, which should have automatically discharged my loans.

In 2015, I was heavily medicated with morphine, which made it difficult for me to complete basic tasks and I was counting on the Department of Education, the Social Security Administration, and the VA to work together to discharge my loans.

But there was a problem. When I was finalizing a VA home loan in November, the mortgage underwriter said I had over \$10,000 in student loan default debt. If I didn't get a discharge, I would lose the home and could lose my earnest money.

I found out that Nelnet sent a letter to a bad address as part of the 3-year monitoring period for standard TPD discharges, so my loans had not been discharged.

They were also not discharged based on my VA service-connection and unemployability rating.

In 2020 I worked with the VA to correct an error in my legal name, but since name changes are common, I do not understand how that could have prevented an automatic discharge.

I submitted a TPD discharge application to the Department of Education a few weeks ago, and thankfully it was approved in time for me to get my home loan and I was able to close on my new house on Tuesday which was Pearl Harbor Day.

For the sake of others, I hope the Department of Education will make TPD discharges as simple as possible for those with disabilities.

I believe new regulations should improve information sharing between agencies, so it is not up to disabled veterans like myself to navigate the bureaucracy of several federal agencies to receive a student loan discharge that disabled veterans deserve and desperately need.