



January 7, 2022

U.S. Department of Veterans Affairs
Education Service
810 Vermont Avenue NW
Washington, DC 20420
Via electronic submission

Re: Agency Information Collection Activity: Record Keeping at Flight Schools, 86 FR 61855

Dear Sir or Madam,

On behalf of Veterans Education Success, we are pleased to submit comments on the Department of Veterans Affairs' (VA) [reinstatement](#) of the collection of records at flight schools. Veterans Education Success is a nonprofit organization that works on a bipartisan basis to advance higher education success for veterans, service members, and military families, and to protect the integrity and promise of the GI Bill® and other federal postsecondary education programs. We also provide free counseling and legal assistance to students using their GI Bill and military benefits.

We strongly believe that maintenance of proper records and the continued collection of relevant information from flight schools are necessary to ensure that State Approving Agencies have access to the critical information that they need in order to determine whether these programs are eligible to participate in VA educational programs. In addition, VA needs access to such relevant information to determine the accuracy of payments made to or on behalf of VA-supported students at flight schools. As has been well documented, concerns about inflated cost of some flight school programs have been raised dating as far back as 2015.¹ Disturbingly, a number of private flight schools have attempted to circumvent the GI Bill benefit cap on private institutions by contracting with public institutions because those public institutions are not subject to the monetary cap, thereby enabling flight schools to charge exorbitant fees to veterans – with documented cases of over \$500,000 per student veteran.²

The collection of records from flight schools is also necessary for VA's proper implementation of the 85/15 Rule, which prohibits VA benefits at a program at which more than 85 percent of

¹ Alan Zarembo, *U.S. taxpayers stuck with the tab as helicopter flight schools exploit GI Bill Loophole*, Los Angeles Times (Mar. 15, 2015), <https://www.latimes.com/nation/la-me-adv-gibill-20150315-story.html>.

² *Id.*; Letter from Senators Thomas Carper and Joni Ernst to VA Secretary Robert McDonald regarding Flight Schools (Sept. 30, 2015), <https://vetsedsuccess.org/wp-content/uploads/2019/02/carper-ernst-letter-to-secretary-mcdonald-9-3-2015.pdf>.

students have their tuition paid in whole or in part by the school or VA.³ In the past, VA has allowed flight schools to skirt the 85% cap on veteran enrollment by allowing them to count non-veterans enrolled in “aviation” programs that did not require flight training, such as airport management.⁴ Given VA’s recent changes to 85/15 reporting requirements, we want to highlight the history of this practice for VA and underscore its negative impact on student veterans and taxpayers.

In light of these observations, we strongly support the reinstatement of this previously approved information collection and the continued maintenance of this requirement as critically necessary for proper administration of the programs overseen by VA.

Ensuring VA has a robust program approval process so that student veterans receive a worthwhile education without being charged excessive fees devised to bilk taxpayers is vital to the integrity and continued availability of these benefits. We urge VA to consider the history of abuse as it exercises its regulatory and enforcement authority to approve schools to participate in VA educational benefits. We stand ready to assist VA in its continued efforts to serve the nation’s veterans and provide them with multiple pathways to educational success.

Sincerely,



William Hubbard
Vice President for Veterans & Military Policy



James Haynes
Federal Policy Manager

³ Walter Ochinko, *The 85-15 Rule and Related GI Bill Safeguards*, Veterans Education Success (Oct. 2019), <https://vetsedsuccess.org/the-85-15-rule-and-related-gi-bill-safeguards>.

⁴ *Supra* note 1.