

MEMORANDUM

TO: ASAHP

FROM: Kristen Truong

DATE: May 1, 2024

RE: Senate Appropriations Committee, Labor, Health and Human Services, Education and Related Agencies Subcommittee, Hearing on “A Review of the President’s Fiscal Year 2025 Budget Request for the Department of Education”

April 30, 2024, 10:00 AM, 138 Dirksen

[\[HEARING LINK\]](#)

Overview:

The Senate Appropriations Committee, Labor, Health and Human Services, Education and Related Agencies Subcommittee held a hearing on “A Review of the President’s Fiscal Year 2025 Budget Request for the Department of Education” with Education Secretary Miguel Cardona.

The FAFSA rollout and implementation was at the forefront of the hearing. Senators from both sides of the aisle questioned Sec. Cardona for the poor rollout and how it has affected the number of applicants. Subcommittee Chair Tammy Baldwin pressed Secretary Cardona for a commitment to have an on-time FAFSA rollout on October 1 which he agreed. Senators expressed concerns about the lack of financial literacy provided to first time postsecondary students when taking out student loans and Sen. Chris Murphy asked how the Department is working on chronic absenteeism and the relation to at-risk behaviors.

The hearing also touched on topics including mental health resources and grants, college campus protests and antisemitism, Fostering Diverse Schools program demonstration grants status, student gender reporting requirements, and transgender athletes.

A summary of the Q&A is available below.

Opening Statements

Subcommittee Chair Tammy Baldwin (D-WI) [\[Full Statement\]](#)

- Career and technical education is not as widely available as it should be, and employers are often unable to find the workers with the skills they need for available jobs. These are some of the concerns I hear across Wisconsin. All said, we have some challenges. Mr. Secretary, the investments proposed in the president’s budget would help tackle many of these issues head on. There is so much we need to do to improve the quality and affordability of post-secondary education.
- The president’s budget request contains investments to continue this important work, including investments in the cornerstone of our financial aid system, the Pell Grant program. I look forward to working with you to protect and sustain the Pell Grant program so it can continue to provide this critical assistance to millions of students around this country.

Subcommittee Ranking Member Shelley Moore Capito (R-WV) [\[Full Statement\]](#)

- Federal education spending should support states and policies that afford the greatest opportunity for kids to learn and achieve academically. Formula grant programs like Title one, IDEA, and Career and Technical Education grants put education decisions as close to local schools, teachers, and parents as possible and provide crucial flexibility that local communities need to best meet the needs of their students. I am pleased that the budget prioritizes these essential programs.
- However, your budget also proposes to slash other funding intended to help public school students succeed—the Charter School Program. Secretary Cardona, this is your fourth appearance before this subcommittee so it shouldn’t be a surprise that a cut to charter school spending does not go over well in a bipartisan environment. This \$40 million cut is based on false claims of declining demand for the program when really the department’s own actions are to blame. The department’s imposition of burdensome new program rules and failure to adequately staff the program office are the real reasons for any challenges in this program. When enrollment in traditional public schools declined following the pandemic, charter school enrollment increased. I think that’s a pretty clear indication of increased demand.

Full Committee Vice Chair Susan Collins (R-ME) [[Full Statement](#)]

Witness Testimony

The Honorable Miguel Cardona, Secretary, Department of Education [[Full Testimony](#)]

Q&A Summary

Subcommittee Chair Tammy Baldwin (D-WI)

- [FAFSA implementation issues](#)
- [Commit to on-time launch for next year of October 1](#) ([Cardona response: yes, that is our expectation](#))

Subcommittee Ranking Member Shelley Moore Capito (R-WV)

- [FAFSA – decreased number of applicants due to poor rollout](#)
- [Forgiving student debt rather than focus on first time postsecondary students](#)

Sen. Chris Murphy (D-CT)

- [Chronic absenteeism and at-risk behaviors – new \\$8 billion in FY25 budget](#)

Full Committee Vice Chair Susan Collins (R-ME)

- [FAFSA – why wasn't it ready when ED had more than 3 years](#)
 - [Did you test before it went live?](#)

Sen. Joe Manchin (D-WV)

- [Inundated with people concerned about FAFSA](#)
- [Promote Smarter Debt Act to aid in loan forgiveness, debt repayment, and financial literacy](#)

Sen. John Boozman (R-AR)

- [FAFSA rollout – unintended consequence of question 22, farm and small business reporting requirement](#)
- [Student financial literacy and responsibility of colleges](#)

Q&A

SUBCOMMITTEE CHAIR TAMMY BALDWIN (D-WI):

We're going to now begin rounds of five-minute questioning and I will start that out. Secretary Cardona, like many of my colleagues, I am troubled by the ongoing FAFSA implementation issues, and I'm also deeply concerned that the number of our high school seniors who have fully completed their FAFSA is down nearly 30 percent from last year, and even lower among students in low-income schools?

I know that your staff is working hard to fix this, but as I said earlier, the department has to get this right and fast. Can you briefly describe what you and your staff are doing right now to get FAFSA back on track, including increasing completion rates this year so students don't lose access to financial aid?

MIGUEL CARDONA:

Yes, thank you, Senator. I can assure you that this issue is something that I take very seriously, very personally, and I acknowledge the frustration and challenges that families and schools are facing. Yeah, 30 years ago, when I was ready to make decisions about higher education, I never filled out the FAFSA. I was probably eligible, but it was such a big task that I was intimidated by it and I didn't want to put that pressure on my family to go through that process.

It felt too difficult. And for far too long in this country, too many students that have potential have missed out on federal aid dollars to chase their dreams. So, I recognize the frustration and the challenge, but the problem that has been -- hasn't been touched in 40 years. The rollout of the better FAFSA has been riddled with delays and challenges and it's been something that we've prioritized at the Department of Education and we're doing everything every day to make it right.

We are holding FAFSA clinics. We are providing daily communication to colleges. We have sent information out over a month ago to schools and we are on daily calls with college presidents, financial aid directors, hundreds of webinars in different languages. We are visiting states and helping with clinics for families.

We have -- if you visit ed.gov and there's a spot right there where you can see resources for better FAFSA. Just yesterday, I was on the call with national community-based organizations who've signed up to hold clinics to make sure that they're connecting the dots with schools. And we're providing day-to-day support to educators, parents, students.

Based on what we're hearing, we recognize the importance of this and we're doing everything in our power to make sure we're providing more opportunities for students to fill out the better FAFSA. At the end of the day, we're expecting the better FAFSA can open the doors to an additional 600,000 students for higher education.

And that's a huge difference for the potential of our country and the potential of our students.

SUBCOMMITTEE CHAIR TAMMY BALDWIN (D-WI):

Thank you for that answer. While we are still working on FAFSA this cycle, we know that next year is right around the corner and students cannot bear another year of delays. So, can you commit to an on-time launch for the 2025-2026 FAFSA by October 1 of this year? And will you commit that colleges will get all the data that they need from the FAFSA as soon as the FAFSA is launched?

MIGUEL CARDONA:

Thank you. Yes, this is something that we've been focusing on while we're rolling out this year's FAFSA thinking about next year's FAFSA. And I commit to make sure that we're moving all of our resources to make sure that we adhere to the timelines and do everything in our power to make sure not only that we're staying true to the timelines, but also communicating with parents, students and schools.

SUBCOMMITTEE CHAIR TAMMY BALDWIN (D-WI):

OK, so will you be able to reach the October 1 deadline?

MIGUEL CARDONA:

That is our expectation to reach the October 1 deadline.

SUBCOMMITTEE CHAIR TAMMY BALDWIN (D-WI):

OK. Mr. Secretary, I appreciate the work of the department and administration on increasing access to mental health services for children and youth and related proposals in the president's budget. While you've made some progress -- while we've made some progress, certainly more needs to be done to overcome challenges that I hear about in Wisconsin, frankly, every day.

What I hear about is kids -- getting kids the support they need. And I'm also aware of the interest back home in the department's school-based mental health programs funded out of the School Safety National Activities Program. We provided \$216 million for that program in the budget that we just passed and directed the department to use any funds not needed for current activities for new school-based mental health grants.

Do I have your commitment to use every available dollar from the School Safety National Activities Program for new mental health grants just as we directed in the recently passed budget?

MIGUEL CARDONA:

Yes, we are committed to adhering to that.

SUBCOMMITTEE CHAIR TAMMY BALDWIN (D-WI):

Thank you. And can you describe how this budget request would expand and improve school-based mental health services for kids?

MIGUEL CARDONA:

Absolutely. I have to tell you that one of the things that I feel pretty strongly about as an educator who has had experience even before the pandemic addressing mental health needs in our schools. That if the disruption of the pandemic results in us going back to the systems that we had for providing mental health for our students, we're failing our students.

We are in a youth mental health crisis and, unfortunately, across the country we have emergency room models of mental health support, meaning after the trauma. We are committed to ensuring that funding and support for schools are available to make sure that students have the proactive support that they need.

I have to say thanks to the bipartisan Safer Communities Act. We've invested already \$571 million in mental health services for students in K-12. We are committed to continuing to provide support funding for -- in our budget proposal that is geared toward community -- full-service community schools. We'll also bring in community providers to help students and families with mental health needs.

There's a \$40 million grant to K-12 mental health services. What we're seeing is that some of it is proactive, just helping students understand how they're feeling and communicate emotions. And we're also seeing an increase in support providers. There's been a 40 percent increase in school social workers.

That's significant given where we are as a country. We've seen an increase of 25 percent in school nurses, which is again something that I know for the families and students that benefit from that, they're thankful. So, we're committed to keeping that trajectory moving, recognizing that a strong system of mental health support for students is a foundation for academic progress and students reaching their potential.

SUBCOMMITTEE CHAIR TAMMY BALDWIN (D-WI):

Thank you. Senator Capito.

SUBCOMMITTEE RANKING MEMBER SHELLEY MOORE CAPITO (R-WV):

Thank you. Mr. Secretary, I mentioned in my opening statement that Title 6 of the Civil Rights Act of 1964 prohibits discrimination on race, color or national origin in programs and activities that receive federal financial assistance. No student should feel unsafe on their campus. Yet just last week, Columbia University had to move classes online and Jewish students were told by a campus rabbi to go home because it was no longer safe for them on their campus.

And late last night, protesters took over Hamilton Hall on campus and the university is locked down today with access limited to only residential students if they're -- whoever's left there, I would imagine some parents have said you must leave -- and essential personnel. This is just totally unacceptable.

So, Secretary Cardona, do you believe what is happening to Jewish students at Columbia and other colleges and universities across this country is OK?

MIGUEL CARDONA:

Absolutely not. I think what's happening on our campuses is abhorrent. Hate has no place on our campuses, and I'm very concerned with the reports of antisemitism. I've spoken to Jewish students who have feared going to class as a result of some of the harassment that they're facing on campuses. It's unacceptable and we're committed as a Department of Education to adhering to Title 6 enforcement.

We have 137 open cases. We take this very seriously. We've increased the number of communications to college campuses to make sure that they have what they need in terms of the law and best practices on how to make sure they're protecting students. Look, as an educator -- lifelong educator, protecting students is our number one responsibility.

We take that seriously and, you know, the antisemitism that we've seen on campus is unacceptable.

SUBCOMMITTEE RANKING MEMBER SHELLEY MOORE CAPITO (R-WV):

Unacceptable, we agree. So, you have 136 cases, you said. How long does a case take? I mean, by the time this goes through the system, quite frankly, it's either going to be all over or one way or the other. To me that's sort of an -- I mean, that's good, I'm glad you're doing that. But you have more immediate means at your disposal, for instance, removing federal funds from institutions that get federal funds, which I imagine most all of them.

Well, they all do -- if they're in violation of Title 6.

MIGUEL CARDONA:

You're absolutely right.

SUBCOMMITTEE RANKING MEMBER SHELLEY MOORE CAPITO (R-WV):

Are you intending to do that?

MIGUEL CARDONA:

You're absolutely right, investigating the cases is the enforcement part of it. But we do have on our website, ed.gov, there's a button there supporting campus safety with guidance and regulations around how to do that. And this is why in our budget we're proposing a \$22 million increase to increase the number of investigators, so we can move on those investigations that are open.

And ultimately, if a school refuses to comply with Title 6, yes, we would remove federal dollars.

SUBCOMMITTEE RANKING MEMBER SHELLEY MOORE CAPITO (R-WV):

Well, I mean a school can refuse -- I mean can go ahead and say they're going to abide by Title 6, but they're not doing anything. I would commend to you our former member of the Senate who's now the president at the University of Florida. He is not taking a light touch here. I mean he is saying for many days, we have patiently told protesters, many of whom are agitators or outsiders, that they were able to exercise their right to free speech and free assembly.

We also told them that clearly prohibited activities will result in trespassing order from the university police. This is not complicated. The University of Florida is not a daycare and we do not treat protesters like children. They know the rules. They break the rules, and they'll face the consequences.

I mean, I would recommend this. Put this on the front of your page on the best way to deal with antisemitism on campus.

MIGUEL CARDONA:

We do have a statement that I updated after the campus protests that make it very clear that being unsafe on campus is not going to be tolerated, and that we do not condone, and we definitely reject any calls for genocide or any calls for antisemitism or any antisemitism on campus. And that's something that I've been pretty adamant about even before October 7.

SUBCOMMITTEE RANKING MEMBER SHELLEY MOORE CAPITO (R-WV):

Do you have people at the at Columbia right now on the scene to see what's going on there? Do you have staff there to watch?

MIGUEL CARDONA:

I do not have staff --

SUBCOMMITTEE RANKING MEMBER SHELLEY MOORE CAPITO (R-WV):

Does the Civil Rights office have somebody up there?

MIGUEL CARDONA:

I do not have staff at the -- Columbia University. And I should share with you that we do have an open investigation at Columbia University.

SUBCOMMITTEE RANKING MEMBER SHELLEY MOORE CAPITO (R-WV):

Right, OK. I want to move to the FAFSA because I brought that up in my opening statement. The data that I used I put up here on a chart just for -- so everybody could see, 36 percent down among freshmen nationally; in West Virginia down 40 percent. And I can tell you, Sarah Tucker, who heads up our higher education is -- has been a wonderful resource for me on data, but also trying to help us find a way to get this going.

This is disturbing as well. I talked to somebody who works at a career and technical. She has more adult students. They're totally confused. So, students that are among West Virginia students age 25 and up, down 25 percent. Now, you said we're going to get 600,000 more students because of the simplification.

You've lost all these students this year. Think about that in terms of what that does going forward for the next -- chances are for the next four years those -- those students may not, some of them, maybe the majority of them. You're already going to lose students in that year and maybe life gets in the way and they decide, I can't move forward on this.

I'm not even going to fill this out. It took too long. I don't understand it. I don't know what's going on. We've got to be more aggressive here. And I honestly get tired, I'm on the Appropriations Committee and it's all about money. But it seems like the only solution we ever hear is I need more money for staff.

Well, this could have been done a lot better. We should have heard -- from what you said today, we should have been hearing that a year ago so that we could have been prepared for where we are. And I'm sure you feel the same way, that you would have liked to have had that conversation a year ago. Is there any way -- I mean is there -- Senator Collins asked for an apology, have you apologized?

Have you said, we know we've really screwed this up and we need to -- we need to make it better for not just the students but the institutions as well. I'll give you a chance to do that.

MIGUEL CARDONA:

Yes, absolutely, I've spoken to parents and students directly. I've sat with them while they're filling out FAFSA. We at the FSA have worked to return 28 million borrowers to repayment. We changed servicers and this FAFSA -- better FAFSA.

SUBCOMMITTEE RANKING MEMBER SHELLEY MOORE CAPITO (R-WV):

You've also worked on forgiving a whole lot of student debt that's diverted a lot of your resources into this while you -- not focusing on the fundamentals of people trying to go to college for the first time.

MIGUEL CARDONA:

I would welcome an opportunity to engage with folks in West Virginia to share the strategies that we're doing. And I'd love to work together with you to make sure that the West Virginians have access to higher education. The form is now about 15 minutes. We are processing if a student in West Virginia applies today, by Friday, the colleges are going to have the information.

We've processed over 8.2 million --

SUBCOMMITTEE RANKING MEMBER SHELLEY MOORE CAPITO (R-WV):

Are you accurately processing now?

MIGUEL CARDONA:

Yes, we are accurately processing.

SUBCOMMITTEE RANKING MEMBER SHELLEY MOORE CAPITO (R-WV):

That was an issue too.

MIGUEL CARDONA:

We made those corrections, and we are accurately processing information. And to be very frank, I've been hearing students are getting their letters. Look, we're on the same team here. We want to get as many students connected, and I look forward to working with you to make sure we can do that in your state.

SUBCOMMITTEE RANKING MEMBER SHELLEY MOORE CAPITO (R-WV):

Thank you.

MIGUEL CARDONA:

Thank you.

SUBCOMMITTEE CHAIR TAMMY BALDWIN (D-WI):

Senator Murphy.

SEN. CHRISTOPHER MURPHY (D-CT)

Thank you very much, Madam Chair. Secretary, good to see you. Meriden says hello. I want just to take a moment to thank members of this committee for the work that they put in, now almost two years ago, to make the bipartisan Safer Communities Act a reality. We've already referenced it a number of times in this hearing.

\$13 billion, much of it going to our schools to help build in-school mental health resources and build support services around children in need. But the data, the numbers are really compelling. Since we passed the bipartisan Safer Communities Act, we have seen a stunning drop in gun crime in this country.

From 2022, when we passed the bill, to 2023, we saw a 12 percent reduction in urban gun homicides. That's the biggest one-year drop in the history of the country. While we're still collecting information on 2024, it looks as if there's going to be another massive drop in gun crime in 2024 in the 200 biggest cities in the country. The first three months of this year compared to the first three months of last year have seen a 20 percent average drop in crime. That's really something to celebrate. But I want to talk to you, Mr. Secretary, about a concerning development in our schools that, if unaddressed, potentially threatens to interrupt some of this really tremendous progress, and that's the increasing amounts of chronic absenteeism that we're seeing. There is a direct line between kids who are chronically out of school and at risk behaviors. And so we want to continue to build on this remarkable success because the story of this drop in crime is connected to the work that we're doing in our schools.

You have \$1 billion in BSCA to use for building positive school climates, and then you've got a new \$8 billion initiative in this budget. That amongst other things, is dedicated to trying to attack chronic absenteeism and try to build increasing safer and welcoming schools. Can you just talk a little bit about the importance of reversing this post-pandemic trend?

MIGUEL CARDONA:

Absolutely. Thank you, Senator. Throughout my career, whether it was a fourth grade teacher or a school principal, we would track the absenteeism of our students and it was a clear correlation between students who were missing school and students who were struggling to get ahead academically. So we often referred to absenteeism as a symptom of something greater.

So the work that we're doing in this budget reflects the priority that we're taking that we're making with addressing chronic absenteeism and introducing additional strategies across the country, because after the pandemic, it has gotten worse. In many states, they're much worse now than they were before the pandemic.

We're holding a convening at the White House in a bipartisan fashion May 15th to address strategies to improve chronic absenteeism. We recognize that if we don't address chronic absenteeism, all the strategies and the tutoring and the supports that we provide in school won't have the effect that it's supposed to have.

It's all hands on deck. We're working with state chiefs. We're working with superintendents, teachers' groups to make sure that this message is one that we can all get behind. Students need to be in school. Part of this

strategy is also increasing full-service community schools, because as I said earlier, attendance is a symptom of something else.

When we have full-service community schools that are meeting the needs of the students and families, they're more likely to attend school.

SEN. CHRISTOPHER MURPHY (D-CT)

Let me ask one additional question. You have a really interesting demonstration grant program that you've used Title 4A funds for and this is the Fostering Diverse Schools program. Listen, I'm a believer that we should be in the business of helping give our students more access to diverse schools. The data just tells us that if you're in a diverse school, racially and economically diverse school, you are going to be more ready to succeed as an adult.

Do you have data yet to understand how those demonstration grants are succeeding? I think you've made about 10 two-year planning grants and four five-year implementation grants. And if you don't, when are we going to know the impact that those grants have had?

MIGUEL CARDONA:

Sure. Let me just comment. As someone who grew up in an environment where I was able to attend diverse schools and really learn how to navigate people from different cultures and understand people with different perspectives, I think that helped me in my career and I do believe all students benefit from that.

So this is something that we do stand behind, and I'd be happy to follow up with you, have my team follow up with you on some data to support that, whether it's through our grants or programs that we've seen across the country.

SEN. CHRISTOPHER MURPHY (D-CT)

I always tell the story and I'll turn it back to you, Madam Chair. The Meriden Public Schools are -- Connecticut does not have as many diverse school districts as we should. Meriden is one of them and the level of engagement from those students, they know what they have. They know how special their experience is and you feel it when you walk into any of these Meriden schools.

So appreciate that context that you bring. Thank you, Madam Chair.

SUBCOMMITTEE CHAIR TAMMY BALDWIN (D-WI):

Thank you. Vice Chair Collins.

FULL COMMITTEE VICE CHAIR SUSAN COLLINS (R-ME):

Thank you, Madam Chair. Mr. Secretary, I want to ask you a very basic question and that is, after all the time the department had to implement the bill that congress enacted to simplify the federal financial aid forms, why wasn't it ready when it went live? I just don't understand why given that the department had more than three years, given the fact that congress was very specific on what should be done, no more 100 questions on the form, for example.

What happened?

MIGUEL CARDONA:

Yeah. Thank you for that. And congress -- Senator, I do share the frustration you share. Our kids deserve better, and we are working around the clock to make sure it improves. We've had delays. We had issues with some of the coding that we had to make changes to, and it is an overhaul. It's not just a new website.

It's an overhaul of a new formula. It required engaging with tax information differently. So look, there's no excuse. Our students deserve better, and I'm committed to making sure the process works to make sure that more students have access to higher education And to a simpler FAFSA, a FAFSA process that encourages families to engage and gives students an opportunity for higher ed.

FULL COMMITTEE VICE CHAIR SUSAN COLLINS (R-ME):

I worked at a college in Maine, Husson University in Bangor, and I know how critical federal financial aid and other support are for students. In many cases, it makes a difference between whether they go to college or not. And this is particularly true with first generation college students. And back when I worked at Husson, the majority of students were first generation.

One reason that I wanted to help Lamar Alexander and others simplify the process is I heard so many complaints about it. And the statistics that Senator Capito showed you about what's happening in West Virginia, I'm sure could be applied to the state of Maine. So the problem is that the ineptitude here has real life consequences.

And I'm curious whether you considered testing the new system with a small group of schools to ensure that it worked before it went live?

MIGUEL CARDONA:

Yeah. Thank you for that and thank you for sharing that perspective. I'm in agreement with you. We have to get it right for our students and this is going to have an impact for generations. And yes, the process did involve testing and getting information from colleges. We've been in constant communication with financial aid directors across the country, with college presidents, hundreds of -- I've been in those conversations myself, to test out processes, to hear from them what needs adjustments and we've been adjusting.

So I recognize the strain it's put on colleges and financial aid offices, and they've bent over backwards to really meet students' needs and we are appreciative of that and we're listening to them as we're making decisions moving forward.

FULL COMMITTEE VICE CHAIR SUSAN COLLINS (R-ME):

I want to turn to the issue of the incidents of antisemitism on far too many of our college campuses. The Anti-Defamation League has said that in the country as a whole, that antisemitic incidents are up 360 percent since October 7th. So it isn't just our college campuses. It's a problem nationwide and a very disturbing one.

But you do have the authority to investigate these incidences and I am curious what specific communications you've had with institutions of higher education regarding antisemitism, regarding Jewish students not feeling safe, not feeling like they can attend classes? And when did you post any communications on this issue?

MIGUEL CARDONA:

OK. Thank you for that. And we're in agreement, Senator. It's unacceptable. I've spoken to Jewish students who have shared with me that they've had to take a different route to class or that their parents don't feel safe sending them to school. And while safe and peaceful protests are protected by the First Amendment right, not when they're unsafe, violent or they're attacking students on campus.

Look, I have a student in college, myself, my child. I wouldn't want to send my child to a campus if I feel that they're not safe. That's the most important thing to me, to make sure that our kids are safe on campus. If you look on Ed.gov, there's a safer -- supporting campus safety. I repeat it because I want people to look at it. We have over 100 resources and tools that many of them were put up after October 7th. But as you mentioned, this was an issue before October 7th. There was a rise in antisemitism before, and I've met with Jewish leaders at the Department of Education.

I've met with students. I've been on college campuses talking to students, professors, presidents who are struggling with it and I've been on campuses where they're doing it well. So if you look on that website, you'll see examples of that. And as recently as this week or late last week, we've put up updated information to address the issues that college campuses are facing.

It's of utmost importance. I agree with you. We need to do better for our students on campus to make sure that they're safe.

FULL COMMITTEE VICE CHAIR SUSAN COLLINS (R-ME):

And again, there's a big difference between peaceful, legitimate protest and what we're talking about, harassment, intimidation that cannot be allowed. Thank you.

SUBCOMMITTEE CHAIR TAMMY BALDWIN (D-WI):

Senator Manchin.

JOE MANCHIN (D-WV):

Thank you, Madam Chairman, and thank you, Secretary, for being here. I reiterate what my colleague Senator Capito from West Virginia. We are very much getting inundated on people concerning a FAFSA. Another problem that I have is the student debt forgiveness. First of all, we have a bill out called the Smarter Debt Act and when people call my office, we give them 50 different variations of how they can reduce their debt without being given away.

They can work it off. They get paid, but they can work their debt off. I'll give you a perfect example. All these smart, young people that work in our offices, when they come here and they have a one-year contract, they get -- basically, we pay, since they're working. We need them here. They get paid when they're working, but then we pay also their debt commitment.

After 10 years, it's totally forgiven, but no one's doing anything. You know how long it took us to find all 50 categories, whether it be in health professions, whether it's in public service? There are so many ways, scientific research, general repayment -- everything. There's so many things, but yet we end up giving \$620 billion of debt cancellation, has already been implemented, including \$275 billion from President Biden's new income driven repayment and then we're talking about doing another \$750 billion.

We're spending more on giving money away than we ever did on education. It makes no sense to me at all. And you all have done nothing as the Department of Education showing me how I can take this burden off of me while I still get paid and I'm contributing to society. We have no financial requirements whatsoever -- literacy.

When a student goes into the college, as I'm understanding it, please correct me if I'm wrong. They'll go there and they say how much -- what is your family's income? And you get the Stafford loan. So you can borrow, they said, well, you can borrow up to \$12,000 with your family income. They might only need six, but they'll take all \$12,000, and then most of them, majority fall out in two years.

They think it's all free money because they have no payments at all. There's no accrued interest whatsoever. But when it comes time to pay the piper, it hits them hard because we don't require any financial literacy on the front end. This is stupid, and we just keep piling it on like there's no end to it. Your debt is \$34.5 trillion and growing every day.

And we're not going to be able to burden this. And we're dumbing down on top of that. Students aren't getting any better and how about the kids that don't go to school. In our little state, there's an awful lot of kids that can't go to school. They come to us, and says, you mean I'm working and paying my taxes and you're giving it away to people who went to college and had a good time and now they don't want to pay it back?

Had a better chance for an opportunity, don't want to pay it back. We've got to answer, and you want to know why the urban and rural America is getting further and further apart is because rural America is being left behind and getting screwed. That's exactly why. So sir, I don't know what in the hell you all are doing, but this makes no sense to me. If you would just take a look at our Smarter Debt Act, we put it all together for you.

It will be able -- you can put it on your website tomorrow and start showing people how to take the burden of high student loan debt off of their back by giving services back that we need in so many areas of our government, so many areas of our country. Everyone needs it, every state, but you all don't do it. Did you know about what we're talking about, the smarter?

MIGUEL CARDONA:

Thank you for your comments, sir. And I think we share the opinion that higher education has been out of reach for too many people and that we have a broken system. We're proud of the work that we're doing to provide teachers who are making \$35,000 a year debt relief after 10 years of service in public service.

So we're committed to working with you and others. This, to me, is about that teacher that I spoke to recently who has \$60,000 in loans because the interest compounded it. She took out a \$30,000 loan and is now owing \$60,000, making under \$40,000. The system is broken and what we're trying to do is fix it. The bipartisan bill --

JOE MANCHIN (D-WV):

Why don't we just educate a person that basically, when they take --

MIGUEL CARDONA:

I agree.

JOE MANCHIN (D-WV):

When they take the debt out, when they sign up for the Stafford loan that they think is free money, it's not free money. Explain to them what their budget. They have a budget when they go to college. This is your budget, but you tell a kid that they get \$12,000, I guarantee you, they'll have a nice apartment and end up buying a car.

MIGUEL CARDONA:

The folks that we're providing debt relief to, sir, are public servants. They're veterans that have served our public and have done it not to become rich, but to make their community better, people who have been taken advantage of by universities or colleges.

JOE MANCHIN (D-WV):

I agree with all that.

MIGUEL CARDONA:

So we're trying to fix a system to make higher education more affordable.

JOE MANCHIN (D-WV):

You're an education department. You have to educate people on what's available.

MIGUEL CARDONA:

Right.

JOE MANCHIN (D-WV):

The education of basically, the congressionally authorized student loan forgiveness programs. It's out there, 50 different categories where a student can say, oh, I'm going to go in this education. I'm going to work over here. I'm going to go in health. I'm going to go in scientific research, and I'll go work over there because that takes care of my debt.

They're paying for my college tuition, but no, they go out and whatever happens because they have no idea. It comes back to roost on them, and I don't know. I'm done.

SUBCOMMITTEE CHAIR TAMMY BALDWIN (D-WI):

Senator Hyde-Smith.

SEN. CINDY HYDE-SMITH (R-MS):

Thank you, Chairwoman Baldwin, and ranking member. I want to talk to you today, Mr. Secretary, and thank you for being here.

MIGUEL CARDONA:

Of course.

SEN. CINDY HYDE-SMITH (R-MS):

On something that's very near and dear to me and the state of Mississippi. On April the 19th, the Department of Education released its omnibus Title 9 rule, which frankly flies in the face of the original intent for Title 9. I've been around a long time. I have followed this and it is amazing what this new rule is doing.

There are many troubling aspects of it, like its weakening of due process protections. In your own comments, in your own words that you said here today, you said protecting students is number one priority for you. Then you said the most important thing for me is student safety, so I'm glad to know that you've stated that for us today.

Redefining the word sex to include gender identity and compelling speech is part of this. You're redefining the definition of sex. Does the rule require schools to share information with parents regarding their children's gender status?

MIGUEL CARDONA:

As an educator, I can tell you that engaging with families and communicating with families regularly is an important part of the work.

SEN. CINDY HYDE-SMITH (R-MS):

But does it require the schools to share information with parents? Does this rule require schools to share the information with parents regarding their children's gender status? Does it require it?

MIGUEL CARDONA:

Whether this rule does or not, parents and schools should be working together and that is an expectation of educators and that's what they've been doing. I have to tell you, the rule strengthens protections for students. It's about keeping students safe in school.

SEN. CINDY HYDE-SMITH (R-MS):

I don't necessarily agree with that and only have five minutes, so I'm going to continue on. Do you investigate schools that socially transitioned children without notifying students' parents? Do you investigate those schools?

MIGUEL CARDONA:

I do not investigate schools that do that.

SEN. CINDY HYDE-SMITH (R-MS):

So if they don't follow the rule, there's no consequences and there's no investigation.

MIGUEL CARDONA:

If there's a Title 9 investigation request, we look at the merits of the request.

SEN. CINDY HYDE-SMITH (R-MS):

So you do investigate schools that socially transition children without their parents' knowledge?

MIGUEL CARDONA:

Depending on what the request is, I defer that to the investigators at OCR whether or not to take a case.

SEN. CINDY HYDE-SMITH (R-MS):

With the new rule redefining the word sex, what does your department have to say about how this rule will impact biological females? I'm thinking specifically about how it will allow transgender students to choose any bathroom, any locker room they wish, therefore eliminating the safe spaces for women and even pushing women out of athletics altogether.

Do you agree that they're eliminating those safe spaces when they allow transgenders to choose the bathroom in the locker room that they want to go in?

MIGUEL CARDONA:

I don't and I'll tell you why. I've been an educator for about 25 years and it's the role of educators to make sure that students have the safety and privacy that they need and that we take into account the perspectives of different students. Senator, we cannot pick and choose which students we want to protect.

All students deserve protection in our schools and what this Title 9 rule does is ensure that all students, including our LGBTQI students, are protected.

SEN. CINDY HYDE-SMITH (R-MS):

So when a biological male goes into the locker room with the biological females, you think that that is a safe space for those young girls?

MIGUEL CARDONA:

When girls walk into bathrooms -- you may not be recognizing students who are transgender, but because you don't recognize them, doesn't mean that I don't protect them.

SEN. CINDY HYDE-SMITH (R-MS):

But biological males going into a girls locker room and a girls bathroom, you have no problem with that whatsoever and you consider them being safe in all circumstances?

MIGUEL CARDONA:

Again, I think the line of questioning is trying to create division. What we're trying to do is protect all students.

SEN. CINDY HYDE-SMITH (R-MS):

We're not trying to create division. You just said protecting students is my number one priority.

MIGUEL CARDONA:

It is, all students.

SEN. CINDY HYDE-SMITH (R-MS):

So do you feel like that those biological females are protected in that setting? To the best of your ability, you're protecting them?

MIGUEL CARDONA:

The Title 9 regulations that we have protect all students and give them access to the same opportunities that all other students have in our schools. As I said before, we can't pick and choose which students we want to protect and for far too long --

SEN. CINDY HYDE-SMITH (R-MS):

I totally agree, all students need protecting, but there's a difference in boys and girls and where they change clothes and undress. Do you agree with that?

MIGUEL CARDONA:

Schools make rules on how to make sure students are safe and have privacy in our schools. We've been doing this. Educators have been doing this and the Title 9 rules just reinforce the work that they have to do to also protect students who are LGBTQ, who have unfortunately, historically in our country been under attack and we need to protect --

SEN. CINDY HYDE-SMITH (R-MS):

No one is attacking anyone right now. We are talking about school safety and girls locker rooms and bathrooms. Nobody's trying to attack anyone. We want all students safe.

MIGUEL CARDONA:

We do.

SEN. CINDY HYDE-SMITH (R-MS):

So you don't need to change the conversation that somebody's attacking someone. So your position is that they still have the safe spaces that they deserve when biological girls are undressing? That is your position?

MIGUEL CARDONA:

It is my honor as an educator to protect students who have been marginalized in our community and because of that, require additional mental health supports. These students -- I'm not saying you're attacking them. I'm saying they are under attack in this country and as secretary of Education, it's my responsibility to protect all students, not just some.

SEN. CINDY HYDE-SMITH (R-MS):

In the same breath that you say safety is number one. Thank you, Madam. Chairman.

SUBCOMMITTEE CHAIR TAMMY BALDWIN (D-WI):

Senator Boozman.

SEN. JOHN BOOZMAN (R-AR):

Thank you, Madam Chair. Thank you, Mr. Secretary, for being here. I want to associate myself again with the problems of the FAFSA rollout. You've heard so much about that and it truly is a huge problem. One of the things that that has come up is the farm and small business reporting requirement, question 22 of the form.

This question requires students to report the net worth of the family's business or for-profit agriculture operations. Given the fluctuation in revenue year-over-year operating a farm, question 22 misunderstands how farm families operate. Farm assets cannot be cashed out to support a loan in the same capacity as traditional investments.

Throughout the process of drafting this requirement, and I understand this is not something you've done, this is something congress did, OK? But it has unintended consequences that nobody realized. Has the department engaged in conversations with farming stakeholders to understand the impacts of such a requirement?

I think it's going to be very, very difficult for any farm family to actually be able to get the student aid that they have in the past, in the future under this requirement.

MIGUEL CARDONA:

Thank you for sharing that, Senator, and I'm committed to making sure we're talking. And yes, to answer your question, our team has talked to farm families, and we recognize the challenge that they're under, we're committed to working with them and to making sure that they have access. I was in Arkansas recently, in the last two weeks, working on increasing FAFSA completion.

I want to work with you and everyone in Arkansas to get those numbers up. I think one of the things that we don't really talk about a lot is that across our country we've normalized a 60 percent completion, 70 percent completion of FAFSA. It is our expectation as we work together to get those numbers closer to 90, 95 percent of students filling it out.

And we recognize that in rural communities and farm families have challenges and concerns with it, and we're committed to working with them and you to identify those issues and support them in the process.

SEN. JOHN BOOZMAN (R-AR):

No, and that's exactly what we want you to work with us, work with congress to make sure that this really isn't going to be a very, very negative thing. Surveys tell us that over 50 percent of the Jew students feel threatened. You've got lots of levers and the only thing I would say is that we really do expect you to use those levers.

Nobody needs to be bullied. Everyone needs to be safe, not only Jewish students, but students in general. And again, you're going to need to step up and use some of those levers. Some of them you can do it outwardly, others -- you've got a lot of ability to put pressure on institutions. And then transparency, identifying these institutions that we're hearing report after report about.

People need to understand what's going on. The other thing is in listening to Senator Manchin, I think what he was saying really is really important. You have students that simply are not financially literate when they get out of high school. I'd be interested in -- you gave the example of the lady that had the \$30,000 loan that ballooned to \$60,000. The question is, does she know that was going to happen?

And I suspect she didn't. I suspect that she had no idea that what she was signing -- there's no incentive for the higher ed institutions to provide that knowledge because this is a cash cow form. It's to their advantage for students to take these loans out. They don't care if they pay them back or not. They don't have any really advantage of explaining that this is money that's going to need to be paid back.

The interest rate is going to be a burden and looking at their potential income in the future, how are you going to cash flow all this out? So I would really encourage you, let us help you with that, but that's something that I think would really -- we can debate the student loan thing. I agree with Senator Manchin on that also, but regardless of that, as far as eliminating the problem in the future, if you want to have a real impact on people's lives and not getting them in this situation going forward, that really would have a tremendous impact.

MIGUEL CARDONA:

Thank you.

SEN. JOHN BOOZMAN (R-AR):

Thank you, Madam Chair.

SUBCOMMITTEE CHAIR TAMMY BALDWIN (D-WI):

Thank you. Senator Britt.

SEN. KATIE BRITT (R-AL)

Thank you, Madam Chair. Mr. Secretary, thank you for being here today. I greatly appreciate it. As you are aware and have heard from a number of my colleagues, the large antisemitic demonstration and encampments that have broken out on college campuses nationwide are simply unacceptable. This has become -- some of our elite institutions, quote-unquote.

To me, it's just a national disgrace and it's a disservice to America's future. Going back to November, Republican senators, myself included, have written multiple letters urging you to uphold Title 6 of the Civil Rights Act and ensure that a safe learning environment exists for Jewish students. I know the department has opened investigations and I've heard you reference that today, and to some of these institutions including Columbia.

However, things have clearly not gotten better over the last five or six months. And in fact, in recent weeks and even days, it's proven that they've gotten significantly worse. So Mr. Secretary, does the Biden administration really believe that it is effectively upholding Title 6 and ensuring a safe learning environment for Jewish students right now?

Just a simple yes or no.

MIGUEL CARDONA:

Thank you. First of all, Senator, because I agree with you. The antisemitism that students are experiencing on campus is unacceptable.

SEN. KATIE BRITT (R-AL)

Thank you.

MIGUEL CARDONA:

We're committed to making sure we investigate Title 6.

SEN. KATIE BRITT (R-AL)

And so investigation is one thing, but do you think right now that this administration is upholding Title 6?

MIGUEL CARDONA:

We are with the resources that we have. We're here to request additional investigators. In 2009 -- the number of cases has tripled since 2009 and we have 58 less people investigating.

SEN. KATIE BRITT (R-AL)

But how long does this have to go on? I mean, if you look at these, the absurdity of some of this just rhetoric on these campuses when they're saying we are Hamas. I mean, do you think that is acceptable for a Jewish student to have to hear that or from the river to the sea or go back to Poland or kill the Jews?

My question is, do you think that that type of rhetoric is acceptable? And do you think that that allows for Jewish students to feel safe on campus, yes or no? Yes or no?

MIGUEL CARDONA:

Absolutely not.

SEN. KATIE BRITT (R-AL)

Thank you. I really appreciate that. Do you think that it's okay to link arms and keep Jewish students from attending class? Do you think that's okay?

MIGUEL CARDONA:

Absolutely not.

SEN. KATIE BRITT (R-AL)

Thank you. I am afraid that this administration is not learning the lessons from the past. When you look at the history, it wasn't okay to do that in the 1960s. Do you understand? And it is not okay to do that now. This is the United States of America. We have to uphold the laws in front of us. We have to make sure that different groups based on their race or ethnicity are not discriminated against.

We have to have safe learning environments and it is my thought that the Biden administration is utterly failing the American people right now and failing the Jewish community across this nation. And I ask you to do more. I don't know what investigation it takes. I don't know where the bar is, but to me, all of the things I just referenced are enough and I hope that you hold these institutions accountable, and I hope you create a safe space across this nation for Jewish students to learn, to grow and to be fostered on these college campuses.

And anything less is unacceptable. I'd like to ask you about your new Title 9 proposal. So this weekend I set at track sectionals watching my daughter run, was so proud of her. She wanted to get her PR, which I've had to learn what that meant. But when I saw the difference and the disparities between the top female athletes and then the top male athletes, they were significant.

SEN. KATIE BRITT (R-AL)

I am reminded as we look back over history here. And I want to make it very clear, I believe we are all made in the image of God, and I believe each and every person should be treated with dignity and respect. But Title 9 was created to create fairness, to create a level playing field, to give young women the opportunity to strive, to grow, and to succeed.

And when I look at the reality of your new Title 9 proposal, it clearly shows that that playing field is about to be tilted. You can look back to 1988 when you had Ms. Joyner, known as Flo-Jo, who created a record in both the 100 and 200 meter dash that still stands today. You can look in 2019, though, that very record that stands would have been beaten by 76 high school biological males.

And my question to you is, how are we going to continue to create fairness if you are tilting the playing field? And underneath this current proposal, is it true that a biological man could receive a scholarship designated for a woman for collegiate athletics?

MIGUEL CARDONA:

Thank you for your passion. And I just want to clarify the Biden administration has over three times the number of investigations on Title 6 than the Trump administration in four years. So, we are committed --

SEN. KATIE BRITT (R-AL)

Sir, an investigation, though, is very different than action. And I appreciate the opportunity to look into it, but now is the time for --

MIGUEL CARDONA:

We've closed more cases also.

SEN. KATIE BRITT (R-AL)

And so, what are you doing right now on Columbia's campus?

MIGUEL CARDONA:

On the campus situation --

SEN. KATIE BRITT (R-AL)

Yeah. Um-hmm.

MIGUEL CARDONA:

We're doing a lot. You know, we have updated guidance. We have a letter in draft right now. We have increased Title 6 investigations. We have open investigations that are now --

SEN. KATIE BRITT (R-AL)

So, when you see what happens on GW's campus -- and -- and Madam Chairwoman, I understand my time is expired -- and you see that they have actually asked for, you know, public safety, have asked the mayor to -- to -- to send in police to help them with that situation and she's refused, do you stand by the mayor or do you stand by GW?

MIGUEL CARDONA:

I want to make -- I stand by the students, who deserve to be safe on campus. As a father, that's what I expect for my children.

SEN. KATIE BRITT (R-AL)

Absolutely.

MIGUEL CARDONA:

All across -- I agree with you on that. Let's work together to make sure that the message is clear that, while the First Amendment is their freedom, when it crosses the line and makes students feel unsafe or harmed on campus, that's where we draw the line. I've spoken to Jewish students who have had antisemitic comments made at them.

It's unacceptable.

SEN. KATIE BRITT (R-AL)

It's disgusting and despicable.

MIGUEL CARDONA:

It's unacceptable. I agree with you.

SEN. KATIE BRITT (R-AL)

Absolutely. Well, let's work together. And let's not just talk about it, let's do something now. Thank you.

SUBCOMMITTEE CHAIR TAMMY BALDWIN (D-WI):

Thank you, Mr. Secretary. Thank you for your presence here today. This will end our hearing. I'd like to thank my fellow committee members and thank you, Secretary Cardona. For any senators who wish to ask additional questions, questions for the record will be due on May 7th. The hearing record will also remain open until then for members who wish to submit additional materials for the record.

And our committee will now stand in recess.

MIGUEL CARDONA:

Thank you.

Opening Statements

Subcommittee Chair Tammy Baldwin (D-WI)

The Appropriations Subcommittee on Labor, Health and Human Services, Education, and Related Agencies will come to order. I'm going to start by recognizing myself for an opening statement, followed by Ranking Member Senator Capito, before turning to you, Secretary Cardona, for your testimony. Good morning. Today we are having a hearing on the Biden administration's fiscal year 2025 budget request for the Department of Education, and I'm happy to welcome Secretary Cardona to our subcommittee once again. Mr. Secretary, I'm looking forward to working in a bipartisan manner again this year with Senator Capito to help develop an LHHS bill that can pass the Senate, pass the House, and be signed into law by the president. We did our job last year, but House Republicans insistence on partisan policy riders and draconian cuts to essential programs that set our children and young people up for success led to repeated shutdown -- showdowns and CRs. That culminated in passing final appropriations bills in March that we should have passed months before.

That kind of chaos does nothing to help ensure our federal resources are used most effectively to serve the people we represent. It causes federal agencies to waste time and money instead of working to ensure every dollar we appropriate serves our constituents. We cannot play politics with our children's future. We need to do better. And Mr. Secretary, this budget is a first -- a good first step in that direction. It outlines important investments that are necessary to ensure that all students receive the education and support they need to fulfill their potential and move our nation forward. Mr. Secretary, you are aware of the opportunities and challenges across the education spectrum.

Child care and preschool are often unaffordable or simply unavailable. There are efforts by lawmakers to ban books from classroom shelves. We are seeing young kids getting bullied and discriminated against in schools and on social media just because of who they are. Post-secondary education costs too much for too many families and leaves some students saddled with insurmountable debt.

Career and technical education is not as widely available as it should be, and employers are often unable to find the workers with the skills they need for available jobs. These are some of the concerns I hear across Wisconsin. All said, we have some challenges. Mr. Secretary, the investments proposed in the president's budget would help tackle many of these issues head on. There is so much we need to do to improve the quality and affordability of post-secondary education.

The president's budget request contains investments to continue this important work, including investments in the cornerstone of our financial aid system, the Pell Grant program. I look forward to working with you to

protect and sustain the Pell Grant program so it can continue to provide this critical assistance to millions of students around this country.

I am pleased the budget request supports student parents and activities to help students complete a post-secondary education to further their careers. A growing number of post-secondary students are nontraditional students, and our colleges need to adapt to help ensure that they can succeed. The president's budget request for the child care access means Parents in Schools Program would help parents from low income backgrounds afford child care so that they can attend post-secondary education.

Additional proposed investments in the Post-Secondary Student Success Program would support evidence-based activities to improve post-secondary persistence and completion rates, particularly among nontraditional students. The budget also rightly invests in our nation's HBCUs, minority serving institutions, and tribal colleges.

I have seen firsthand the important educational opportunities tribal colleges provide to native students and -- in Wisconsin, and know how important it is that we continue to invest in tribal colleges, HBCUs and MSIs including, vitally, their research infrastructure. This budget also proposes additional investments for administering federal student financial aid programs.

This year, a very challenging rollout of the new simplified FAFSA has upended the financial aid application process around the country, leading to much uncertainty for students and their families. I am deeply concerned about low FAFSA completion rates, particularly given the promise of FAFSA simplification to make it easier for students to apply and ultimately help more students pursue post-secondary education.

I know you and your staff are working hard to fix these issues, but I cannot emphasize enough how important it is that we get this right. Accessing this aid can mean the difference between someone being able to go to college or not. I'm committed to working with you to correct any ongoing issues and improve completion rates of the FAFSA this year.

At the same time, we also need to be working to ensure that next year's FAFSA is available on time this fall and rolled out smoothly to students and their families. Mr. Secretary, because not every student will choose a four year pathway, I know you share my interest and passion in career and technical education and the important role that high quality CTE can play in preparing students for both college and for careers. The budget's proposed increase in CTE would help states, school districts, and colleges improve the quality of CTE programs and better ensure CTE programs educate students for jobs of the future. Mr. Secretary, I'm also pleased to see that this budget continues support for important investments in key federal elementary and secondary education programs building on the increases we've been able to provide in recent years. The budget doubles down on our commitment to Title 1A programs to provide additional funding to schools serving students from low income families, and it also builds on our investment in the IDEA state grants to boost the federal share of the additional cost of meeting the needs of students with disabilities.

I'm pleased that your budget also proposes extra investments for school-based mental health programs that will increase access to support students in need. The budget also proposed -- proposes increased funding for the Full Services Community Schools Program, which can also increase access to needed mental health programs.

While Wisconsin marked 2023 as the year of mental health, we know that much work needs to be done to address the significant mental health challenges facing too many of our youth. A few alarming statistics from Wisconsin's Office of Children's Mental Health 2023 annual report make that clear. The report indicates that 34 percent of high school students reported feeling sad or hopeless.

18 percent of teens reported seriously considering suicide, and 48 percent of LGBTQ youth reported seriously considering suicide. Each indicator is going in the wrong direction. National reporting tells the same tragic story. We need to do more to ensure that all students receive the support they need to succeed.

Finally, I would be remiss if I did not address the ongoing protests on college campuses across the United States, including in my home state of Wisconsin. Peacefully protesting is a fundamental right that all people in this country are entitled to. It is an important tool for people to have their voices heard and one I support. However, when these protests turn to threats, intimidation, violence, and in recent cases anti-Semitism, they must be called out and condemned in no uncertain terms. Hate has no place in any educational institution in America, full stop. I'm glad to see that the president's budget helped address this head on and rightly request an increase in funding for education's Office of Civil Rights.

Every student, from early childhood education to our college campuses, deserve a safe place to learn free from hate, bullying, or discrimination. This is a fundamental idea that I'm committed to through and through. A key tool in helping make that a reality for educational institutions receiving federal assistance is the Office of Civil Rights.

In recent months, some have called for increased efforts to root out anti-Semitism in educational institutions, which I fully agree we must do, but they have then paradoxically called for cutting of funding for the very office that leads that work. To help eliminate all forms of discrimination, we have to put our money where our mouth is. We need to provide OCR, the Office for Civil Rights, with the additional resources it needs to get the job done.

In a moment I will turn it over to Ranking Member Capito for her opening remarks. Following Senator Capito's opening statement, we will hear from you, Senator -- or Secretary Cardona. And after that, senators will each have five minutes for rounds of questions. I will now turn it over to Ranking Member Senator Capito.

Full Committee Vice Chair Susan Collins (R-ME)

Thank you. Thank you, Madam Chair. I'm just going to make a few comments because Senator Capito has raised many of the issues as has the chair. But I have to tell you, Secretary Cardona, how disappointed I am in your leadership. What happened with the FAFSA system is simply inexcusable and inexplicable. As our ranking member Senator Capito has said, the department had three years to implement the revisions and then another year to simplify the revisions to the federal financial aid application.

And I have heard from countless families, students, financial aid counselors and administrators who have expressed their extreme frustration with the system. And I believe the department owes them an apology. This was inexcusable. This wasn't something that was dropped on the department at the last moment, it goes back four years.

So, there was plenty of time to get this right. And the fact is that students in my state have been up in the air about what do they do. They don't know what package of assistance they're going to receive. And as Senator Capito points out, May 1 is usually decision day, yet the colleges just got the information they needed yesterday.

This is just inexcusable. I am also extremely concerned about the treatment of some Jewish students and faculty. On far too many of our college campuses, as has been pointed out, under the Civil Rights law, the department has the authority to act on the complaints and there are more than 100 investigations that have been filed since October 7 of last year.

Every day we hear from Jewish students who tell me that they're frightened on campus. I just cannot believe the rise of antisemitism on our college campuses. That is not to say that people don't have the right to peacefully protest, they do. But that is not what is happening in far too many areas. I'm very concerned about the budget for rural education.

In Maine, the majority of our schools are small and rural, which is why back in 2002, I coauthored the Rural Education Achievement Program known as REAP. We got a \$5 million increase in the program in the last fiscal year, but the administration's budget level funds it back -- actually doesn't level fund it, that would be OK. Instead, the department is going back to fiscal year 2023 levels.

And finally, although there are so many other issues that I would love to touch on in my opening statement, including the TRIO program, which is a wonderful program, and I am pleased there's an increase there. IDEA, what -- what we need to start getting those numbers up. But a concern that I have is the return to a single investigator model under your new Title 9 regulations, when that model has been ruled by multiple courts as unlawful.

So, I just don't understand why the department would ignore those court rulings and go back to a model that has been so heavily criticized. Again, I think there are a lot of issues to cover today, and I very much appreciate the opportunity to touch on some of them. Thank you.