

## MEMORANDUM

**TO: ASAHP**

**FROM: Kristen Truong**

**DATE: May 8, 2024**

**RE: House Education and Workforce Full Committee Hearing on “Examining the Education Department’s Policies, Priorities, and FY 2023 Financial Audit Failure”**

May 7, 2024, 10:15 AM, 2175 Rayburn

[\[HEARING LINK\]](#)

### Overview:

The House Education and Workforce Full Committee held a nearly four hour hearing on “Examining the Education Department’s Policies, Priorities, and FY 2023 Financial Audit Failure” with Education Secretary Miguel Cardona.

The hearing was highly contentious, with a central focus on the FAFSA rollout, student loan forgiveness, Title IX rule, and college campus protests. Both sides of the aisle expressed their disappointment in the FAFSA rollout and many shared how it impacted their constituents. Secretary Cardona committed to having FAFSA ready by October 1 this year. There was praise for career and technical education programs (CTE), which has been an area of bipartisan support. When asked about Pell, Secretary Cardona emphasized the President’s support for double Pell.

Full Committee Chair Virginia Foxx and her fellow Republicans stood firm on their stance against student loan forgiveness, often questioning the Department of Education’s Constitutional authority. Similar to the Department of Labor hearing, Republicans raised concerns about additional regulations coming from the Department of Education, including Perkins and distance education. When asked about the \$40 million cut to the charter school program, Secretary Cardona stated that the cut won’t have an impact on charter schools currently under the grant and that demand has decreased.

A significant portion of the hearing focused on the protests on college campuses and the new Title IX rule. Other topics included federal workforce return to office, foreign influence on college campuses, transgender athletes, oversight on closed or merge colleges, mental health, illegal immigrants in the school system, homeless students, and IDEA.

A summary of the Q&A is available below. The Majority hearing recap is available [here](#).

### Opening Statements

**Full Committee Chair Virginia Foxx (R-NC-05)** [\[Full Statement\]](#)

**Full Committee Ranking Member Bobby Scott (D-VA-03):** [\[Full Statement\]](#)

### Witness Testimony

**Secretary Miguel Cardona**, Secretary, Department of Education [\[Full Testimony\]](#)

### Q&A Summary

**Full Committee Chair Virginia Foxx (R-NC-05)**

- [No student loan forgiveness for protestors](#)
  - [Cardona: I believe that students who are breaking the law and are disrupting the educational environment should be held to account.](#)
- [FSA COO replacement with experience](#)
- [Senior FSA staff performance bonuses which have been delayed – was this a result of financial audit?](#)

**Full Committee Ranking Member Bobby Scott (D-VA-03)**

- [Do Republicans complain at Trump tax cuts/PPP loans like they do with loan forgiveness?](#)
- [Pandemic disrupted ESSA implementing – how are you getting back on track?](#)

**Rep. Joe Courtney (D-CT-02)**

- [Progress of Career Connected High School program](#)
  - [Cardona: proposing \\$57 million increase](#)
- [PSLF progress since last Administration](#)

**Rep. Gregorio Kilili Camacho Sablan (D-NMI)**

- [School based mental health grants](#)
- [FAFSA implementation obstacles – 100% of NMI students could not complete FAFSA](#)
  - [Cardona: committed to resolving this before next school year](#)

**Rep. Glenn Thompson (R-PA-15)**

- [CTE programs graduate at least 96% of students compared to high school graduate rate at 87% and have higher completion and placement rates compared to non CTE postsecondary programs](#)
- [CTE programs align with local labor markets](#)
- [Expansion and improvement of CTE through Perkins has been major success](#)
- [Perkins regulations on regulatory agenda – NPRM scheduled for August](#)
  - [Cardona: Make sure Perkins is being utilized for its intention](#)
- [Perkins up for reauth soon – hope ED will provide recommendations](#)

**Rep. Suzanne Bonamici (D-OR-01)**

- [Thank you for demonstration program for high quality public preschools](#)
- [ED support for student loan repayments and percentage of borrowers qualified for loan forgiveness \(SIMPLE Act\)](#)
  - [Cardona: SAVE Plan – affordable IDR plan that caps interest](#)
- [ED communication with students/families about FAFSA to increase completion](#)
  - [Cardona: processed over 9 million applications. Working with community partners \(YMCA, Boys and Girls Club, etc\) and moved \\$50m to accelerate process](#)

**Rep. Tim Walberg (R-MI-05)**

- [Disappointment FAFSA rollout](#)

**Rep. Glenn Grothman (R-WI-06)**

- [ED broke FAFSA, which Congress intended to be timely and error free](#)
- [Consequences at ED for FAFSA rollout?](#)
- [Lack of guidance from ED for CTE students wanting to access financial aid](#)
- [How to respond to constituents who paid off loans and now hearing about Biden's goal to forgive loans](#)

**Rep. Alma Adams (D-NC-12)**

- [Sufficient funding for MSIs](#)
- [Economic significant of Pell](#)
  - [Cardona: President has been pushing for doubling Pell](#)
- [Impact of programmatic cuts to Pell](#)

**Rep. Rick Allen (R-GA-12)**

- [Distance education as flexible option for working students](#)
- [ED's proposed requirement regarding distance education](#)
- [Canceling student loans concerns](#)

**Rep. Pramila Jayapal (D-WA-07)**

- [ED's proposed rules for student debt relief](#)
- [Prevent students from spending more than needed on books/hidden fees](#)
  - [Cardona: this is in negotiated rulemaking](#)

**Rep. Erin Houchin (R-IN-09)**

- [Delayed and ineffective FAFSA rollout](#)
- [What is ED doing for those unable to submit FAFSA?](#)
- [Will FAFSA be ready by Oct 1 this year?](#)
- [ED time spent on student loan bailout instead of FAFSA](#)

**Rep. Mark DeSaulnier (D-CA-10)**

- [TANF - Wraparound services](#)

**Rep. Lucy McBath (D-GA-07)**

- [Postsecondary student success grants – budget request increase of \\$55 million](#)

**Rep. Bob Good (R-VA-05)**

- [Who is responsible to pay back student loans? and Who pays for federal spending?](#)
- [Draft proposal to determine whether a borrower is in economic hardship](#)

**Rep. Lisa McClain (R-MI-09)**

- [ED Secretary does not have authority for student debt relief](#)

**Rep. Teresa Leger Fernandez (D-NM-03)**

- [Authority under HEA to forgive student loans](#)

**Rep. Susan Wild (D-PA-07)**

- [Incorrect ISIRs \(Institutional Student Information Record\) from FAFSA resulting in higher award amounts to students](#)
  - [Cardona: issue has been corrected](#)

**Rep. Michelle Steel (R-CA-45)**

- [Biden proposal to cut \\$40m to federal charter school program, a program with excellent results](#)
  - [Cardona: cut won't have impact on any charter schools currently under the grant. Demand has decreased.](#)

**Rep. Frederica Wilson (D-FL-24)**

- [FAFSA rollout disrupted thousands of students – any updates?](#)

**Rep. Aaron Bean (R-FL-04)**

- [DoED does not have authority to forgive students loans](#)

**Rep. Ilhan Omar (D-MN-05)**

- [Mohela transition for borrowers](#)

**Rep. Haley Stevens (D-MI-11)**

- [Another adjustment to FAFSA \(AID Act\)](#)

**Rep. Lori Chavez-DeRemer (R-OR-05)**

- [Failure in FAFSA rollout and unable to connect with someone at ED](#)

**Rep. Lloyd Smucker (R-PA-11)**

- [ED failed 2 financial audits 2 consecutive years – why should ED be treated differently than private institution?](#)
  - [Cardona: not a failure, it was a disclaimer of opinion. Errors are being corrected.](#)
- [ED reversed Clock Hour rule for programs at community colleges and career colleges](#)
- [Delay rule implementation until Jan 2025, instead of July 2024](#)

**Rep. Brandon Williams (R-NY-22)**

- [Will FAFSA be fixed by Oct 1?](#)
- [Budget request increase of \\$3b and also \\$40m cut to charter schools](#)

**Q&A**

**FULL COMMITTEE CHAIR VIRGINIA FOXX (R-NC-05):**

Thank you, Mr. Secretary. Under Committee Rule 9, we'll now question the witness under the five minute rule. I ask members to keep your questions succinct so the witness has time to answer. I now recognize myself for five minutes of questioning. Mr. Secretary, you've been proudly volunteering the taxpayers to take on the student loan debt of largely wealthy college graduates.

Do you believe that students who spend their time in college calling for the destruction of an ethnic or religious group or spend their time preventing students of particular ethnic or religious groups from walking around campus freely or spend their time occupying campus buildings deserve to have their education paid for by taxpayers?

**HONORABLE MIGUEL CARDONA:**

[off-mic] Couldn't hear you that well, but if you're making reference to the student debt relief plan that we've done, I'm really proud of the work that we're doing to provide a lifeline for students who chose to go to college and are living --

**FULL COMMITTEE CHAIR VIRGINIA FOXX (R-NC-05):**

Well, I'm talking about the students who are being antisemitic and stopping Jewish students from being able to go to class and threatening them. Do you want to have the taxpayers pay their loans off?

**HONORABLE MIGUEL CARDONA:**

I believe that students who are breaking the law and are disrupting the educational environment should be held to account. I believe it's important that all students have access to their higher education classes and graduation and --

**FULL COMMITTEE CHAIR VIRGINIA FOXX (R-NC-05):**

Well, then will you commit to ensuring that no student who's harassed other students or prevented other students from going to class or broken laws receives any form of student loan forgiveness?

**HONORABLE MIGUEL CARDONA:**

We are committed to making sure that campuses are safe. I can -- condemn any form of hate or any violence on campus. I've spoken to students and educators who have experienced that and it's our response --

**FULL COMMITTEE CHAIR VIRGINIA FOXX (R-NC-05):**

We'd like you to follow through on those who do break the law and make sure they don't receive student loan forgiveness. Mr. Secretary, the COO at FSA needs to have a deep and vast knowledge of how loan operations work given FSA is de facto the largest consumer bank in the country. Indeed, the performance based organization statute contemplates high expectations of the COO. The COO needs to be an operational and lending expert and have a keen understanding of massive lending operations.

Will you commit to finding a replacement for Richard Cordray who has real world experience leading a massive lending operation so that we can be assured that the financial interests of the taxpayers are protected?

**HONORABLE MIGUEL CARDONA:**

Thank you for the question. I am committed to making sure we have a chief operating officer that has experience and I look forward to working with you on a process to select.

**FULL COMMITTEE CHAIR VIRGINIA FOXX (R-NC-05):**

Thank you. In a similar vein, since September 19th, 2023, I've been asking for the performance bonus for FY '22 of COO Cordray and FY '23 for senior FSA staff, including COO Cordray. This has been met with delay

after delay after delay. This should not be hard as these bonuses are required to be made public. If I do not receive the information requested by noon on the 14th, you will be facing a subpoena. As I mentioned earlier, FSA is a performance based organization and has the ability to award bonuses to select employees including the chief operating ofc. Did the errors that KPMG found in 20 -- FY 2022 and FY 2023, in conducting the department's financial audits, result in a reduction or elimination of bonuses paid to senior department and FSA staff?

**HONORABLE MIGUEL CARDONA:**

Thank you for the question.

**FULL COMMITTEE CHAIR VIRGINIA FOXX (R-NC-05):**

Simple answer -- question -- answer, yes or no.

**HONORABLE MIGUEL CARDONA:**

Thank you for the question, chair -- Chairwoman Foxx. We take, uh, responding to your request very seriously. And we'll continue to share information with you. We'll make sure that we're communicating with your team on a timeline for, uh, providing you the information.

**FULL COMMITTEE CHAIR VIRGINIA FOXX (R-NC-05):**

Did the audit have an impact on the bonuses, yes or no?

**HONORABLE MIGUEL CARDONA:**

Uh, within the communication, I would make sure that the answer to your question is there. I can tell you that we take, uh, you know, the -- the audit information that we receive very seriously. And --

**FULL COMMITTEE CHAIR VIRGINIA FOXX (R-NC-05):**

OK, what are the practical consequences of the department's failure to obtain a clean audit for each of the last two years?

**HONORABLE MIGUEL CARDONA:**

Well, you know, we recognize how important it is to work with our auditors. And we've gotten disclaimers of opinions in the past. And we're continuing to work with our auditors to make sure that the information they provide us is used as we continue to improve practices every year.

**FULL COMMITTEE CHAIR VIRGINIA FOXX (R-NC-05):**

Good. On March 16th -- on March 6th, I transmitted a letter to you voicing my concerns about the department's 16 percent occupancy rate. It's been two months since I wrote to you about and three and a half months since the White House chief of staff requested you and other federal department leaders submit a return to office action plan.

Will you commit to me today you will provide the information and documents that I requested no later than May 17th?

**HONORABLE MIGUEL CARDONA:**

I absolutely commit to providing you that information as quickly as possible. I -- I hope, before, uh, May 17th. And I know that the -- we've increased those numbers significantly, so I'm proud of the progress we're making.

**FULL COMMITTEE CHAIR VIRGINIA FOXX (R-NC-05):**

Thank you. Thank you, Mr. Secretary. I now recognize Mr. Courtney for five minutes.

**REP. JOE COURTNEY (D-CT-02):**

Thank you. Thank you, Madam Chairwoman. And Secretary Cardona, thank you for your service and your presence here today. So last Friday, the US Department of Labor issued its monthly jobs report. It showed that the US economy added 175,000 new jobs defying again all of the skeptics and naysayers. We are now at a

place where for 27 consecutive -- 27 consecutive months the US unemployment rate has been below four percent.

That has never happened in the history of this country. But even with those numbers, we still have 8.5 million job openings in the US economy. You know one of the things that I think is so unique about your life experience and what you bring to the job is that you are a graduate of a career in technical high school, Wilcox Tech in Meriden, Connecticut.

Who today along with career and technical schools all over the country are on fire in terms of making sure that young people are able to take advantage of these record number of job openings. And one of your initiatives at the Department of Education has also been the Career Connected High School program, which again is about getting not just trade schools but comprehensive high schools into the act as far as connecting young people to the right skills and closing the skills gap.

**HONORABLE MIGUEL CARDONA:**

Right.

**REP. JOE COURTNEY (D-CT-02):**

Can you again talk about, you know, progress with that program? And certainly, I've seen it in my district.

**HONORABLE MIGUEL CARDONA:**

Sure. Thank you very much, Congressman. You know, I talk about common ground in my remarks. This is something that we should really be coming together. For far too long in this country, we've had a four year college or bust mentality that I believe, um, has underserved our students, our communities and our country.

I am unapologetically in support of making sure that all of our high schools, not just our technical schools have pathway programs for students to explore careers, apprenticeships, internships, um, dual credit programs so these students could get those credentials that they need to um pursue a four year degree which is what I did after a technical high school or go into the workforce or get a credential to get a high skill, high paying career.

Um, we are committed to that at the Department of Education. I often talk about an evolution of our schools. The Career Connected Learning Grant, which is something that we're proposing a \$57 million increase would do just that. I visited schools that have done a really good job, K-12 schools that are connected with two year colleges, oftentimes four year colleges and then industry partners or labor partners for our students to have better access earlier to the trades to the careers that exist now.

This is something that I believe there's a lot of common ground on. Our budget reflects interest in that. And we're committed to supporting it.

**REP. JOE COURTNEY (D-CT-02):**

So I completely agree. I have visited, um, a high school in my district Tourtellotte High School. It's a public school up in Thompson Connecticut where again because of the career pathways approach which your program encourages, employers are getting into the game in terms of helping fund these programs, particularly in the health care sector.

**HONORABLE MIGUEL CARDONA:**

Right.

**REP. JOE COURTNEY (D-CT-02):**

Because right now in that 8.5 million job openings in health care, that is probably one of the most acute absolutely shortfalls that exist.

**HONORABLE MIGUEL CARDONA:**

Absolutely.

**REP. JOE COURTNEY (D-CT-02):**

And these kids are getting a chance to get certified as CNAs along with their diploma when they graduate from high school. Some will go right into work. Others are actually going to go into nursing programs.

**HONORABLE MIGUEL CARDONA:**

Absolutely.

**REP. JOE COURTNEY (D-CT-02):**

And so it's not like an either or for higher education or going into -- into the workforce. But either way you're really actually getting a meaningful, um, sort of stimulus to students in terms of just, you know, showing up for - for school, which again helps attendance, which by the way is something we all should be encouraging.

I want to again just for the last minute talk about the fact that when you took office, the Department of Education was under numerous court orders for failure to obey the law for public service loan forgiveness. The prior administration had denied 98 percent of the applications for loan discharge under the Public Service Loan Program, which was created with a bipartisan vote in the House in 2007. I was there and remember when George Bush, President Bush signed that into law.

Again as we again are going back into um, you know the -- the recovery mode in terms of these programs. Can you talk about PSLF in terms of just again the progress that you've made?

**HONORABLE MIGUEL CARDONA:**

Thank you for that question. So just broad -- broadly speaking, the Public Service Loan Forgiveness program was one of the programs that was broken that wasn't being implemented the way you intended it to be in a bipartisan fashion. Seven thousand people got it in the last administration, a 98 percent denial rate.

In three years, we've provided 875,000 borrowers. These are teachers, nurses, veterans, uh, with almost \$62 billion in debt relief. And I'll bring attention to a teacher that I spoke to in New York who took out a loan for \$30,000. Ended up having to pay \$60,000 because of interest. Well, she received debt relief and now she's able to buy a home.

These are the stories that are happening with public service loan forgiveness.

**REP. JOE COURTNEY (D-CT-02):**

Because you're obeying the law. I yield back.

**HONORABLE MIGUEL CARDONA:**

Thank you.

**FULL COMMITTEE CHAIR VIRGINIA FOXX (R-NC-05):**

Thank you, Mr. Courtney. Mr. Wilson, you're recognized for five minutes.

**REP. JOE WILSON (R-SC-02):**

Thank you, Madam Chairman. And Mr. Secretary, I -- my wife's a teacher. I just have such a high regard for the education profession. That's why I want it to be local. I believe in local elected school boards. I, uh, did not favor the creation of the Department of Education every effort of devolution back to the states.

We've got a great superintendent, Ellen Weaver, in my home state of South Carolina. Uh, every way to send it back to elected school boards is what should be done. Every school district is different and every community is -- they are different within the school districts. And so the federal government just can't not possibly understand or address the issues properly.

With that in mind, another issue of course that you've just referenced with Section 117 of the Higher Education Act requires institutions of higher education that receive federal financial assistance to disclose semiannually to

the US Department of Education any gifts received and any contracts with a foreign source that alone or combined are valued at \$250,000 or more in a calendar year.

Your administration has decided to remove this Section 117 enforcement to the Federal Student -- Office of Federal Student Aid, which has already overworked. Um, what is the status of these reports? And this is really critical because we've got dictatorships today, uh, whether it be war criminal Putin, it could be the Chinese Communist Party.

It could be, uh, we know the regime in Tehran, um, all are trying to through disinformation, uh, destroy our country. Uh, and so what's being done to try to stop any disinformation?

**HONORABLE MIGUEL CARDONA:**

Thank you for that question, uh, Congressman. And first of all, um, happy Teacher Appreciation Week to your wife and to all the teachers across the country. Um, you know, Section 117 is a very important section and we take the responsibility of communicating gifts very seriously. We've reported close to 39,000 foreign gifts worth \$21 billion already.

We believe that transparency is critical. Um, and having it move under FSA, uh, allows us to do that more succinctly. As you know, we're a member of the FBI's National Counterintelligence Task Force. We communicate regularly to ensure that the, uh, law enforcement arm or the investigation arms are informed with information that we have.

So that system is working well. And I agree with you that we need to protect our schools from foreign influence.

**REP. JOE WILSON (R-SC-02):**

And you don't have to do this right now, but I would like -- a question I would like for the record, if you could get back with me as to what is the status of maintaining these quarterly reports?

**HONORABLE MIGUEL CARDONA:**

OK.

**REP. JOE WILSON (R-SC-02):**

This is just critically important because it's so sad. Uh, at Yale, Stanford, and Harvard, uh, in particular, there've been countless examples of raging antisemitism on the campus. These schools also had Section 117 investigations under the Trump administration. Your department is open Title 6 of the Civil Rights Acts investigations into these schools in the last few months.

And we -- we again see, uh, dictatorships trying to impact the American people as they're trying to promote their totalitarian authoritarian view of the world. And we've just got to be prepared. And are you coordinating the open 117 investigations with the open Title 6 investigations?

**HONORABLE MIGUEL CARDONA:**

Thank you for that question. We have, as you know, a significant increase in Title 6 investigations. Since October 7th attacks alone over 100 new cases, um, that we have, which is why we're asking for, uh, an increase to make sure that we have enough investigators to move on these cases. We take into account depending on the investigation, uh, request, um, we take into account many different factors.

So while not speaking generically, I can tell you that our Office for Civil Rights does take into account different factors when, uh, requests come in for investigation.

**REP. JOE WILSON (R-SC-02):**

Well, I'm really greatly concerned. The FBI, uh, Commissioner Wray -- Director Wray has warned that an attack is imminent here or attacks are imminent across our country. And they can be facilitated by not acting against these antisemites who, hey, from the river to the sea, that's just a code for, uh, murder of the people of Israel.



And we know that the Hamas covenant of August 18th, 1988, provides Section 7 that you chase every Jew behind a rock and tree until you find the last Jew and then with the last Jew behind a rock you --

And -- and let -- and -- and -- and let me make -- let me restate and make clear because all of God's children should know and that is that Section 7 of the Hamas covenant calls for chasing every Jew behind a rock or tree until you find the last Jew behind a rock and you kill him. And so it should be known by all Americans and this should not be misunderstood.

With that, I yield back.

**FULL COMMITTEE CHAIR VIRGINIA FOXX (R-NC-05):**

Thank you, Mr. Wilson. Mr. Sablan you're recognized for five minutes.

**REP. GREGORIO KILILI CAMACHO SABLAN (D-NMI):**

Thank you, Madam Chair. Uh, Secretary Cardona, welcome.

**HONORABLE MIGUEL CARDONA:**

Thank you.

**REP. GREGORIO KILILI CAMACHO SABLAN (D-NMI):**

And thank you for your service, sir. I appreciate it. Thank you for continuing the PL -- PLSF program. Yeah, the student loan program, I appreciate that. You mentioned in your testimony, Mr. Secretary, um, you mentioned mental health for schools. Um, May is -- as you know, May is Mental Health Awareness Month which provides a good opportunity to raise awareness about the importance of access to mental health services, especially for our students and school communities.

We must also fight this month and every month to erase all stigma around seeking treatment for mental health concerns. I have heard firsthand from parents, teachers, school administrators and students themselves about their concerns for the well-being, their well-being. And I share this concern with you, Mr. Secretary.

Um, one transformation -- transformational step, uh, towards addressing this growing need was the bipartisan Safer Communities Act. Uh, let me -- may I ask you, um, Mr. Secretary, um, can you tell me the status of different programs? Uh, also, uh, stronger connections, grant program school based mental health services grant and the Mental Health Service professional demonstration grant, how do these programs help meet the demand, meet the mental health needs of today's students?

Uh --

**HONORABLE MIGUEL CARDONA:**

Yeah, thank -- thank you for the question. Uh, you're absolutely right. As Dr. Vivek Murthy, uh, identified, we are in a youth mental health crisis. And if we go back to the schools that we had in 2019, we are failing our children. We need to do better. I'm proud that the bipartisan Safer Communities Act provided an education, \$2 billion for mental health supports for professional development for staff, for, uh, stronger connections dollars to help ensure that school safety plans are appropriate and up to date.

Those dollars have made a significant difference. We've seen a 40 percent increase during that time of school social worker availability. We've seen close to 30 percent more school nurses available to our students in our schools.

**REP. GREGORIO KILILI CAMACHO SABLAN (D-NMI):**

I -- I know.

**HONORABLE MIGUEL CARDONA:**

It's -- it's sad to hear that we've normalized schools not having school nurses. And we have to do better. Our -- our current budget asks for \$40 million in mental health supports for our K through 12 schools, knowing that students are six times more likely to access mental health supports if they're provided in our schools.

So we're proud of that work and we ask you to support that budget.

**REP. GREGORIO KILILI CAMACHO SABLAN (D-NMI):**

All right, thank you. Thank you very much. Um, Mr. Secretary, um, on a small item that's very, very huge and looms large in my district. Um, you know the department's implementation of the FAFSA, uh, Simplification Act, um, has, uh, regrettably, uh, produced uncertainties for students in my district. From the Northern Mariana Islands, in particular, have faced numerous obstacles throughout this application cycle.

And it must have been in the -- when they were designing engineering, designing the -- the -- the system because you kept the one place in the United States out from the system. My district. The only place in the United States, which couldn't access the FAFSA unless they declared themselves as foreign students, foreign schools.

So, um, the -- your department was notified of this in January. And today, four months, sir, and the issue remains. Um, you have provided a workaround, but I hope this is -- and I know this is unacceptable even for you, sir. But um, could you tell me what the department needs in order to ensure a smooth application process for the next cycle?

What would you do differently?

**HONORABLE MIGUEL CARDONA:**

Yeah, thank you very much for that. And you know, I can assure you that our team will follow up with you to make sure that the students that you represent get the best support and make sure that they have what they need to fill out FAFSA. Let me just tell you, you know, 30 years ago I didn't fill out FAFSA. It was an intimidating process.

I didn't want to give it over to my parents to fill it out. It was an hour long process and I knew the system was broken. Two years ago when I filled it out for my son, it was an hour long process. Um, and I can see why, you know, we're hovering around 60 percent completion rate before the simplification.

The --

**REP. GREGORIO KILILI CAMACHO SABLAN (D-NMI):**

Mr. Secretary --

**HONORABLE MIGUEL CARDONA:**

Rolling out the plan has been a challenge. And I can --

**REP. GREGORIO KILILI CAMACHO SABLAN (D-NMI):**

Mr. Secretary?

**HONORABLE MIGUEL CARDONA:**

Yes.

**REP. GREGORIO KILILI CAMACHO SABLAN (D-NMI):**

It's 100 percent in my district, no student can complete the FAFSA application. And I understand it's one of the items that you know outstanding issues that needs to be resolved. I'm just asking you, could I please have your commitment that this will be resolved before the next school year?

**HONORABLE MIGUEL CARDONA:**

Absolutely.

**REP. GREGORIO KILILI CAMACHO SABLAN (D-NMI):**

Thank you.

**HONORABLE MIGUEL CARDONA:**

Yeah, we're going to --

**REP. GREGORIO KILILI CAMACHO SABLAN (D-NMI):**

That's it, Mr. Secretary. Thank you very much for your service, sir.

**HONORABLE MIGUEL CARDONA:**

Thank you. Thank you.

**REP. GREGORIO KILILI CAMACHO SABLAN (D-NMI):**

Um, this will be my last time before you on this kind of hearing, but I know you'll be back. Thank you.

**HONORABLE MIGUEL CARDONA:**

Thank you.

**FULL COMMITTEE CHAIR VIRGINIA FOXX (R-NC-05):**

Thank you, Mr. Sablan. Mr. Thompson, you're recognized for five minutes.

**GLENN THOMPSON:**

Thank you, Madam Chair. Um Secretary Cardona, my line of questions has to do with learn and earn. And as you know, I'm a strong advocate for career and technical education. I've co-chaired a bipartisan Career and Technical Education Caucus for over a decade. I am immensely proud of the CTE programs throughout the country, but especially those in my district like the secondary CTE programs at Saint Mary's Area School District I had the privilege of visiting just a few weeks ago.

Mr. Secretary, were you aware that while the overall high school graduation rate around the country is 87 percent, secondary CTE programs graduate at least 96 percent of their students according to the president's budget justification for fiscal Year 2025?

**HONORABLE MIGUEL CARDONA:**

Yes.

**GLENN THOMPSON:**

Yeah. And are you aware that post-secondary CTE programs, on average, have higher completion and placement rates than non CTE post-secondary programs?

**HONORABLE MIGUEL CARDONA:**

Yeah.

**GLENN THOMPSON:**

As you know, CTE programs help students gain credentials in in-demand sectors throughout the economy. For example, in the most recent program year, there were nearly 1.8 million post-secondary CTE concentrators. Over a quarter of those were enrolled in CTE programs within the health science cluster. And we're all keenly aware of the shortage of health care workers throughout the country.

Do you agree that CTE programs, particularly in the wake of the pandemic, have aligned with local labor markets, responded to employers and met local demands?

**HONORABLE MIGUEL CARDONA:**

Yes.

**GLENN THOMPSON:**

Uh, Mr. Secretary, I know you've visited a number of programs in your time as secretary. That's much appreciated. Um, given all this information, those visits and the -- and the record enrollment in these programs, do you agree that the expansion and improvement of CTE programs through Perkins V has been a major success?

**HONORABLE MIGUEL CARDONA:**

I believe that the evolution of Perkins to include CTE is where we need to go. And it has been successful to get states to look at it differently.

**GLENN THOMPSON:**

Um, When Congress passed Perkins V with unanimous support in both chambers, we included language stipulating the Department of Education may only issue regulations to the extent quote, "to the extent necessary to administer and ensure compliance with the specific requirements," end quote, of the law. Perkins V has been successfully implemented now for six years.

And my colleagues on both sides of the aisle have recognized that successful implementation and impact of these programs on students. With this in mind, what exactly is your department planning to regulate regarding Perkins V? And why has this administration decided it is critical to do so at this particular time despite the law having been implemented successfully for six years and states currently submitting new four year plans this month?

**HONORABLE MIGUEL CARDONA:**

Thank you for the question, uh, Congressman. And I agree with you wholeheartedly that, uh, earning, while you learn, is not only good for students to stay engaged, but it's better pedagogy. Students learn better. I visited across the country programs that -- uh, you know, hearing from students directly where they feel like they have an opportunity to be successful.

So I'm totally in agreement with you. This is one of those areas that I believe we have a lot of common ground. As an educator as a former school principal district leader commissioner of education, I think the Perkins is underutilized. I think we need to do a better job making that the rule, not the exception that we provide pathways for students.

And I look forward to working with you on how we can do that because I know we have common ground here where we can move the needle on this and make sure that all schools take advantage of it.

**GLENN THOMPSON:**

What -- and I appreciate that wholeheartedly, but your department has Perkins regulations on the regulatory agenda with a notice of proposed rulemaking scheduled to be issued in August of this year. Can you explain what aspect of the law your department is suddenly not able to administer after six years of successful enactment and having never issuing regulations on Perkins prior?

**HONORABLE MIGUEL CARDONA:**

Thank you. So again, you know, this process of making sure the Perkins grant is, uh, being utilized for what the intention was and opening access to earn to learn programs and apprenticeships is more readily available is what we're, I think collaboratively want to do across the country. We believe that, um, we have an opportunity here to make sure that the Perkins grant does that.

Unfortunately, in many districts, it's relegated to very small programing and doesn't really touch the mainstream programing of our high schools. So the goal here is to really get to what you and I both agree is necessary for our country, which is more access to career and technical education programs.

**GLENN THOMPSON:**

Well, it will soon be time for reauthorization, so I certainly encourage any thoughts, um, that the department may have on aspects of the law that could be updated based on the -- the six years of implementation and

feedback from CTE programs as it seems you all do. Will -- and I would hope you'll provide these recommendations to the Committee so they can be considered during that legislative process.

**HONORABLE MIGUEL CARDONA:**

Thank you.

**GLENN THOMPSON:**

So thank you.

**FULL COMMITTEE CHAIR VIRGINIA FOXX (R-NC-05):**

Thank you, Mr. Thompson. Ms. Bonamici, you're recognized for five minutes.

**REP. SUZANNE BONAMICI (D-OR-01):**

Thank you and thank you Secretary Cardona. I want to join my CTE caucus, co-chair Representative Thompson in thanking you for making career and technical education a priority.

**HONORABLE MIGUEL CARDONA:**

Yeah.

**REP. SUZANNE BONAMICI (D-OR-01):**

I also support so many of the budget priorities you've proposed, including Title 1, IDEA, behavioral health, bilingual education, preserving Title 4(a) funding. You even have a demonstration program to incentivize high quality public preschools. Really very much appreciate that. I also want to say thank you to the department for the work that you've done updating the Title 9 rule.

The updated rule is going to better protect and empower students and employees who are victimized by discrimination, including LGBTQI+ individuals who have been often excluded from protection in the past. So thank you for that work. I also appreciate the department's work to support borrowers as student loan repayments resumed following the COVID pause.

As of January, the share of borrowers making payments officially returned to the same repayment level as January of 2020 prior to the pandemic. However, I also remain concerned about vulnerable borrowers who may be at risk of default or delinquency. So I've reintroduced my SIMPLE Act, streamlining income-driven manageable payments on loans for education to automatically enroll struggling borrowers in income driven -- borrowers in income driven repayment plans.

So Mr. Secretary, can you please talk about what steps the department is taking to help borrowers as they restart payments including communicating with borrowers about their repayment options? And also connected with that, we've heard some allegations that loan forgiveness is essentially a free ride for students.

Will you please talk about sort of in general numbers what percentage of borrowers who qualify for loan forgiveness have actually been making payments on their loans?

**HONORABLE MIGUEL CARDONA:**

Thank you for that question. And you know, I just want to kind of preface this by saying we have a broken higher education system. And everything we've done from day one is intended to make higher education, more affordable and more accessible. From providing debt relief that was passed in a bipartisan fashion here to going after institutions that are taking advantage of first generation students.

**REP. SUZANNE BONAMICI (D-OR-01):**

Right.

**HONORABLE MIGUEL CARDONA:**

Um, we introduced the SAVE Plan which is an affordable income driven repayment plan that caps interest. Oftentimes it's the interest that makes people go into default. We must remember we had over a million people

going into default every year. And we're fixing that. And even the better FAFSA, which is frustrating and as challenging as it has been, uh, and delays, and I apologize to the students and families that have had to deal with delays.

I know how frustrating that is. This is all intended to fix a system that for too long has kept people out. With regard to repayment, um, we had the Fresh Start program which allows folks to get back on without hurting their credit. I mentioned the SAVE program which allows you to pay based on your income.

We have teachers, um, I mentioned before, teachers who are starting salary at \$38,000 a year having to pay seven -- \$700 a month on their old loan plans. But if they sign up for SAVE, it's going to be more affordable. They're going to be more successful in paying their loans. Specifically with regard to your question, I would love to have my team get back to you on that.

But I can tell you right now, the folks who are, I don't call it a scheme, I call it a lifeline.

**REP. SUZANNE BONAMICI (D-OR-01):**

Right.

**HONORABLE MIGUEL CARDONA:**

For millions of Americans who are trying to get back on their feet. And we're proud that not only are we helping them get back on their feet, but we're opening the door to higher education to so many students who right now think it's --

**REP. SUZANNE BONAMICI (D-OR-01):**

OK. I'm going to try to get another question in.

**HONORABLE MIGUEL CARDONA:**

Yes.

**REP. SUZANNE BONAMICI (D-OR-01):**

But you're absolutely right, the people I've spoken with who have had their balance forgiven actually owed more than they borrowed originally. So -- so just on -- on FAFSA and we appreciate your apology, but it has been really struggling. Families have been struggling. We know that the number of high school seniors who have completed the form is down significantly, uh, particularly with communities of color and students from low income high schools.

So what is the department doing? How are you informing students and families about the process?

**HONORABLE MIGUEL CARDONA:**

Sure.

**REP. SUZANNE BONAMICI (D-OR-01):**

Do you have any strategies to quickly increase FAFSA completion, especially as many high school students lack access to counselors, for example, during this time?

**HONORABLE MIGUEL CARDONA:**

Thank you for that question. I want to give you a quick update. We have over 9 million processed applications. Uh, if a student applies today on Studentaid.gov and we're encouraging students to -- to fill it out. If you apply today, by Friday, the colleges will have the information. Two thirds of the colleges have communicated with us that letters have gone out already.

So the system while delayed is working. We have a strategy, a nationwide strategy to get students to fill it out. We're working with superintendents, teachers, school principals, YMCAs, Boys and Girls Club to have an all hands on deck approach. And we've just used -- we've moved \$50 million to help accelerate that process to make sure that we're giving students and families the support that they need.

**REP. SUZANNE BONAMICI (D-OR-01):**

And are you seeing the applications increased now with that push?

**HONORABLE MIGUEL CARDONA:**

Absolutely, absolutely.

**REP. SUZANNE BONAMICI (D-OR-01):**

Terrific. Please, please keep up that work. It's really important.

**HONORABLE MIGUEL CARDONA:**

Thank you.

**REP. SUZANNE BONAMICI (D-OR-01):**

Thank you, Madam Chair. I yield back.

**FULL COMMITTEE CHAIR VIRGINIA FOXX (R-NC-05):**

Thank you, Ms. Bonamici. Uh, Mr. Walberg, you're recognized for five minutes.

**REP. TIM WALBERG (R-MI-05):**

Thank you, Madam Chairwoman and thank you, secretary, for being here. The title of this hearing is Examining the Policies and Priorities of the Department Of Education. And I have to say I'm deeply concerned about how the department is choosing to prioritize its efforts. Um, the department has since 2020 to prepare for the new FAFSA rollout.

And yet the political leadership chose to spend time canceling student debt, rewriting Title 9. And I would say to the detriment and endangerment of female athletes and females in general. And making it harder for proprietary schools to exist. Schools that are preparing individuals for real world jobs with tremendous success.

And now we're witnessing an explosion of antisemitic incidents on college campuses. And I'm concerned the department is not living up to its obligation of upholding Title 6 of the Civil Rights Act. And so Secretary Cardona, as -- as of this morning, the Department of Education's website listed 145 open investigations based on shared ancestry under Title 6 of the Civil Rights Act. On average -- let me ask this question. On average, how long does it take the Office of Civil Rights to conclude title 6 shared ancestry investigations on average?

**HONORABLE MIGUEL CARDONA:**

Thank you. So the antisemitism and shared ancestry cases have increased. We've had over 100 since the attacks on October 7th.

**REP. TIM WALBERG (R-MI-05):**

145 as of this morning.

**HONORABLE MIGUEL CARDONA:**

Right, but just since October 7th, so we have 145 open cases, on average, it's hard to give an average because every case is different. But roughly six to eight months.

**REP. TIM WALBERG (R-MI-05):**

Currently, how many investigators does the Department of Education have on Columbia's campus?

**HONORABLE MIGUEL CARDONA:**

I cannot comment specifically on one case, but I can tell you that we have investigators looking into the cases that we have open, which is why, sir, we're asking for an increase. We have 60 -- approximately 60 less investigators than we did in 2009 and triple the number of cases --

**REP. TIM WALBERG (R-MI-05):**

Well, then it ought to be easy to tell me how many investigators you have on Columbia's campus, on UCLA's campus, on George Washington's campus.

**HONORABLE MIGUEL CARDONA:**

I'm sure you know, sir, I cannot speak on open cases. What I can tell you is that we're taking these cases very seriously. We condemn antisemitism in any forms of hate on campus and we're moving as quickly as we can. Your support of our budget proposal, sir, would help us move that along.

**REP. TIM WALBERG (R-MI-05):**

Well, let me go this direction then. How many investigations has the department closed And how many of those investigations have resulted in resolutions and policy changes? We can't comment on the investigations that are open, how many have we closed?

**HONORABLE MIGUEL CARDONA:**

Right. There have been two cases that have been closed around antisemitism.

**REP. TIM WALBERG (R-MI-05):**

Two cases?

**HONORABLE MIGUEL CARDONA:**

Correct, two cases. And we are vigorously attending to the open cases now. As you know, when Congress passed this regulation here or this law, we have to make sure that we're negotiating with universities on a compliance and how they're going to address the issue.

**REP. TIM WALBERG (R-MI-05):**

Well, you know, as I understand it, the Office of Civil Rights' Case Processing Manual indicates that the Office of Civil Rights has the authority to launch its own investigations, can launch that with your own decision making process. You don't have to wait for specific complaints. Have you launched any proactive investigations into antisemitism?

**HONORABLE MIGUEL CARDONA:**

What I can tell you is, as recently as this morning, we have provided guidance to all colleges, not just the ones where we might have issues. So yet -- Friday, I sent communication to over 5,000 university leaders. This morning we have a letter and --

**REP. TIM WALBERG (R-MI-05):**

So you haven't launched any investigations.

**HONORABLE MIGUEL CARDONA:**

We have, as I said earlier, 145 open cases, which are -- we're woefully understaffed to handle the existing cases and I'm asking for a budget increase so that we can continue to get to those cases, sir.

**REP. TIM WALBERG (R-MI-05):**

Let me put it this way, will you commit to launching compliance reviews of campuses within the next 30 days?

**HONORABLE MIGUEL CARDONA:**

We -- we have a process where we're providing information to campuses. We've done more in the last six, seven months than the previous administration has done.

**REP. TIM WALBERG (R-MI-05):**

It's not working. It's not working --

**HONORABLE MIGUEL CARDONA:**

If you fund us, sir --



**REP. TIM WALBERG (R-MI-05):**

From what we've seen in the last two weeks. You know, I appreciate the fact that University of Michigan did not negotiate, ended up going on with their commencement, speaking parochially here, but Jewish students are still in fear of their lives and their academic success on that campus and many other campuses.

And the opportunity that you have to launch these reviews, you have solely, it doesn't take Congress or anyone else to ask you. I certainly hope you'll make this a priority because it's for the future and present of students and universities and colleges under your priority supervision. I yield back.

**FULL COMMITTEE CHAIR VIRGINIA FOXX (R-NC-05):**

Thank you, Mr. Walberg. Mr. Takano, you're recognized for five minutes.

**MARK TAKANO:**

I have a question for my colleague from -- it's a question. Mr. Walberg, Mr. Walberg, your concern for the Office of Civil Rights is well taken. Would you support a supplemental appropriation or authorization to fund the Office of Civil Rights?

**REP. TIM WALBERG (R-MI-05):**

I think we have a -- if I'm --

**MARK TAKANO:**

I yield for a question, so yes or no, I don't have much time.

**REP. TIM WALBERG (R-MI-05):**

We have -- we have the secretary here for --

**MARK TAKANO:**

Mr. Walberg, you're not -- I mean, I asked you --

**REP. TIM WALBERG (R-MI-05):**

I would suggest you ask him --

**MARK TAKANO:**

This committee has on the majority side continually tried to lower and decrease the funding for Office of Civil Rights. And as, Mr. Secretary, you could do more if you had more money. Is that right?

**HONORABLE MIGUEL CARDONA:**

Yes.

**MARK TAKANO:**

Thank you. Mr. Secretary, welcome. Can you describe the newly finalized Title 9 rule, what it does and why your department felt it was important to create it?

**HONORABLE MIGUEL CARDONA:**

Thank you for that question. For us, it was really important to make sure that we're being very explicit about protecting students. It's really about keeping our students safe in school. It strengthens -- strengthens protections for students and sex based harassment. It promotes accountability and fairness.

It empowers students and families and requires schools to respond promptly to all complaints. It doesn't require multiple incidents for a school to respond.

**MARK TAKANO:**

Great, well, thank you. This rule -- this rule represents the most comprehensive expansion of Title 9 since its original passage. It significantly bolsters Title 9's protections and strengthens its core tenet that all students are entitled to participate in educational programs and activities free from all forms of sex discrimination.

A lack of explicit protections and enforcement powers have long excluded many women, LGBTQ, pregnant and parenting students from the full freedom to pursue a quality education. So Mr. Secretary, how will this rule impact students?

**HONORABLE MIGUEL CARDONA:**

Thank you. You mentioned pregnant students. Historically, there have been cases where students who are pregnant were encouraged to leave school or not -- accommodations not be made. This protects them. In the past, we've had students who have been afraid to come forward after experiencing sexual violence because the process put them out there in a way that they were vulnerable to more attacks.

So what we've done is make the provisions now safer for students to come forward and protect students who have been marginalized or under attack in our country, including LGBTQI students.

**MARK TAKANO:**

Thank you. So is it safe to say this rule will better protect female and LGBTQ students also across the board?

**HONORABLE MIGUEL CARDONA:**

Yes.

**MARK TAKANO:**

Great. Since several states have filed suit enjoining the rule from going into effect. At least one state governor has suggested that his state will simply not follow the rule. Republicans claim that the rule's interpretation of sex discrimination infringes on women's rights. Mr. Cardona, is that true?

**HONORABLE MIGUEL CARDONA:**

The -- no, that is not true. It does not infringe on rights. It protects more students.

**MARK TAKANO:**

How would such blatant disregard for a rule put the educational program of such a state in jeopardy?

**HONORABLE MIGUEL CARDONA:**

Well, federal rules trump state rules and it's unacceptable for leaders to pick and choose which students they choose to protect. That's unacceptable.

**MARK TAKANO:**

So it's unacceptable for a governor to say we're only going to protect some students, but not all students?

**HONORABLE MIGUEL CARDONA:**

Correct.

**MARK TAKANO:**

And that you take your role as Secretary of Education very seriously to make sure that all students have the right to pursue an education.

**HONORABLE MIGUEL CARDONA:**

Absolutely.

**MARK TAKANO:**

What tools of discrimination of -- of implementation -- of implementation is the department offering to schools to understand the parameters of the new rule and to ensure that they're in compliance successfully?

**HONORABLE MIGUEL CARDONA:**

We developed almost like plug and play materials more so with this than any other rule we've rolled out because we want to support schools in the implementation of this.

**MARK TAKANO:**

Mr. Secretary currently -- thank you -- currently 83 percent of LGBTQ+ students face -- face victimization at schools, including bullying, harassment and assault. How would the new rule impact LGBTQ students?

**HONORABLE MIGUEL CARDONA:**

It provides protections for these students to have access to programming that all other students will have and prevents schools from discriminating on them because they're LGBTQI.

**MARK TAKANO:**

I -- and is it accurate to say that a lack of protections and enforcement could result in higher rates of absenteeism for these students?

**HONORABLE MIGUEL CARDONA:**

Absolutely.

**MARK TAKANO:**

Well, thank you. As you may be aware, last Friday the University of California Riverside, which I represent, became the first school in the University of California system to reach a peaceful resolution with student protesters. Students had set up an encampment on Monday, April 29th, following negotiations between college administration and the leadership of the protest.

The encampment -- the encampment was dissolved peacefully by the Friday of that same week without a single arrest. UC Riverside Chancellor Kim Wilcox announced the terms of the agreement in a letter to the UCR community along with a list of frequently asked questions about the terms. And I'm thrilled that UCR is leading by example and peaceful resolution.

Secretary Cardona, is there anything we might be able to take away from this example?

**HONORABLE MIGUEL CARDONA:**

Yes, thank you. That it's critically important that college leaders engage in communication and model by discussing with students how to get to a peaceful resolution. All -- they should preserve the -- the safety on campus and make sure that students are able to go to class without fear.

**MARK TAKANO:**

I'm sorry, my time is up. Thank you. I yield back.

**HONORABLE MIGUEL CARDONA:**

Thank you.

**FULL COMMITTEE CHAIR VIRGINIA FOXX (R-NC-05):**

Thank you, Mr. Takano. Mr. Grothman, you're recognized for five minutes.

**REP. GLENN GROTHMAN (R-WI-06):**

Thank you. One of my colleagues had a question on public service loan forgiveness. And you felt the program was broken because it was quote not being implemented the way you in Congress intended. By the same logic, will you admit that you broke the FAFSA, which Congress intended to be implemented in a timely and error free fashion?

**HONORABLE MIGUEL CARDONA:**

Yes, we have had significant delays that we're working tirelessly to implement correctly.

**REP. GLENN GROTHMAN (R-WI-06):**

Thank you. Across the US, the number of students who successfully submitted the FAFSA was down 29 percent from this time last year, which is very significant. Has the department owned up to your mistakes, I

guess you are, and taken responsibility? Should any employee, I guess, should any employees at the Department of Education, political or otherwise, lose their jobs over the FAFSA rollout?

**HONORABLE MIGUEL CARDONA:**

So let me just clarify, sir. The -- the difference is -- is less, we're about 15 percent. We've reduced the number from 30 percent to 15 percent, given our nationwide strategy that we're using. So we're seeing over 9 million students apply. The information is being processed and students are receiving letters.

So I just wanted to give you that update on that.

**REP. GLENN GROTHMAN (R-WI-06):**

OK. Did anything -- did you chastise anybody or was there any consequences for the?

**HONORABLE MIGUEL CARDONA:**

Yeah, thank you for that question. You know, we take this very seriously and it's concerning to us that there were delays and yes, there will be opportunities for not only accountability, but restructuring to make sure that this doesn't happen again. As a parent of a high school senior and a student in college, I know how important this is for our families, and we're committed to getting it right and making sure we open doors to access to higher education for more students across our country.

**REP. GLENN GROTHMAN (R-WI-06):**

OK, Wisconsin has an impressive tech college system and more and more people are going there all the time. We wish still more were going there as opposed to our traditional university. These colleges offer flexible -- flexible scheduling options, summer classes, and these are popular among the students. However, due to the obvious inefficiencies within your department, numerous students interested in summer courses this year are unable to access timely financial aid.

During my conversations with my local tech schools in my district reveal a lack of guidance from the Department of Education on how to proceed and advise students. Can you offer immediate guidance to these institutions?

**HONORABLE MIGUEL CARDONA:**

Absolutely, sir. I'm committed to working with you and those institutions to get them the information that they need, the resources, and if necessary ensure that where we're funding FAFSA clinics for those students in that community. I think, you know, one thing that I want to share, sir, is, you know, in Wisconsin there was a 61 percent completion rate of FAFSA prior to the simplification.

Together, I know we -- we work together, we're going to do better than that. More students deserve an opportunity to access FAFSA and achieve their goals through higher education.

**REP. GLENN GROTHMAN (R-WI-06):**

OK. One of the major goals of President Biden has been some of the student loan forgiveness. And probably when I get back in my district, that's one of the major topics. And of course the topic is brought up by people who have paid their student loans. You know, it's not unusual for people to say do two jobs at one time.

They're going to get that -- clear the decks, get that loan paid off and after they maybe get the loan paid off in four or five years, working extra hard. All of a sudden, they find out that President Biden is looking -- he would have forgiven them on his own. What -- what would you like me to say to my constituents who have gone through maybe a given degree of hardship or maybe just spent less money on other junk and paid off their student loans that way?

What -- how would you respond to those folks?

**HONORABLE MIGUEL CARDONA:**

Thank you, Congressman. Look, I'm one of those people who paid off my loans and I'm recognizing now as secretary that over a million people go into default. What I would say to those folks is we are fixing a broken system that will allow more access, better return on investment for higher education. So we're fixing broken policies to -- to make it -- this is not something that will need to happen every five years.

We're addressing it in different ways.

**REP. GLENN GROTHMAN (R-WI-06):**

So I'll agree with you there, but what I'm saying in the past, broken or not, there are people who paid off their loans, maybe even paid them off prematurely because they didn't like being in debt, OK? Maybe they worked extra hard, maybe they gave up other things you could do with your money, but they paid them off early and now they feel like suckers for being responsible.

How would you respond to that individual person if I run into a guy or a parent of somebody who says, you know, my son worked two jobs, he paid off his loan. Why in the world are these other people getting it paid off for nothing?

**HONORABLE MIGUEL CARDONA:**

Well, I think, you know, it's important to recognize where we are right now. A similar case could be made for those who receive PPP loans and got debt forgiveness with small businesses. They were given help at a time where it was tough. Right now, our higher education loan system is broken. We've introduced the SAVE plan and quite frankly people going into default in their community doesn't help the local economy.

For the teacher that I spoke to who is now able to buy a home, that's helping the community. And if you look at our programs, it's public servants, it's people who were defrauded by their colleges. So we're taking the interest off of loans that have gone on for over 20 years.

**REP. GLENN GROTHMAN (R-WI-06):**

Thank you. I wasn't really an answer to my question, but thanks.

**FULL COMMITTEE CHAIR VIRGINIA FOXX (R-NC-05):**

Thank you, Mr. Grothman. Dr. Adams, you're recognized for five minutes.

**REP. ALMA ADAMS (D-NC-12):**

Thank you, Madam Chair and ranking member and Secretary Cardona, thank you. Thank you. Thank you for your leadership. Thank you for being here and certainly I appreciate your visit to my district. I'd love to have you come back. I've just reintroduced ignite and my bill. I guess we're calling it reignite.

We're reigniting it, which attempts to -- to codify some of the same efforts from the administration. And as you may know, the president's FY '25 budget proposal requested an increase for HBCUs, MSIs and other underserved communities. These institutions, of course, do play a vital role in educating this country's youth, especially as higher education grapples with ongoing attacks to diversity and equity and inclusion.

So can you speak briefly about the work that the department is undertaking to ensure sufficient funds are made available for institutions who have Title 3 or Title 5 designations under the Higher Education Act?

**HONORABLE MIGUEL CARDONA:**

Yeah. Thank you very much for that question and, you know, I -- I enjoyed visiting your district and I have to tell you in my visits to HBCUs, whether it was Jackson State, Bowie State or the AUC, you know, I always speak of the Black excellence that I see there, the entrepreneurship and the sense of punching above your weight as HBCUs. But I can tell you that I've also heard from HBCUs that say, you know, our infrastructure is not adequate.

Decades of underinvestment have put us behind the eight ball and we need more. So I'm proud that the president in his budget has not only an additional institutional capacity request of 93 million over FY '23, but

also \$100 million to expand research and development. You know, our HBCUs needs -- they need the labs to be able to compete for the contracts.

So, you know, we recognize because we work closely with our HBCUs the additional need that they have and how they're working really hard to make it happen. So this budget does reflect the conversations and the work that we've seen in HBCUs.

**REP. ALMA ADAMS (D-NC-12):**

Thank you very much. I just returned from Oklahoma to visit Langston University and to do the commencement there. But since January of this year, roughly one institution per week on average has announced its closure or intent to merge. Following school closures, many students struggle to continue their higher education journey.

One study shows that fewer than half of students at colleges that have closed transfer to other institutions and of those students fewer than half end up receiving their degrees. I had a situation just in my district when I first came to Congress pretty much, but how has the department enhanced its oversight of institutions at risk of closure since the start of the Biden administration?

And can you share more about the -- the efforts to improve the closed school discharge process to support abroad -- borrowers whose institutions precipitously are closed?

**HONORABLE MIGUEL CARDONA:**

Thank you for that. We -- we have done a lot there. We've seen students who were left out in the cold and left with debt and no degree, no earning potential to -- to pay off that debt. So we are acutely aware that this is a challenge. We've worked closely with universities on communication strategies, how holding them accountable for recouping where -- where that's possible.

And we're tightening up our overall oversight, especially if these are institutions that have historically taken advantage of students. One last thing, and I think it's very appropriate. We're also working very closely, and I remember having conversations with college leaders and my office of undersecretary, to make sure that credits transfer.

And we -- we help those students land well in another institution.

**REP. ALMA ADAMS (D-NC-12):**

OK, great. So the federal Pell Grant program is the cornerstone of federal student aid and it has expanded access to millions of -- of low income students since its inception. So can you share a little bit more about the economic significance of -- of the Pell Grant program?

**HONORABLE MIGUEL CARDONA:**

Absolutely. For many students, you know, it is that that opportunity, it's that door to higher education. We know college graduates on average make \$1 million over the course of their career, more than high school students. So we recognize the importance of Pell. The president has been pushing for an increase, a doubling of Pell and \$900 increase has already been pushed for and we recognize that, you know, it's up to like \$7,400 for -- for a student per year.

That's significant. We're going to continue to push for that. We're going to continue to simplify the process, make sure it works for our students so they can have access as well.

**REP. ALMA ADAMS (D-NC-12):**

Yeah, in terms of the -- the programmatic cuts and the harm to future Pell Grant recipients, can you speak briefly about that?

**HONORABLE MIGUEL CARDONA:**

Can you repeat the -- the last part?

**REP. ALMA ADAMS (D-NC-12):**

The -- the -- the -- the -- the cuts -- the programmatic cuts that harm current Pell programs.

**HONORABLE MIGUEL CARDONA:**

Well, you know, the over -- the implementation of not only better FAFSA but also return to repayment for 28 million borrowers, the USDS [ph] servicing took place this last year with a flat funding last year. So we're requesting in our budget additional funds so we could do a better job delivering for the American people.

**REP. ALMA ADAMS (D-NC-12):**

Thank you so much, Mr. Secretary, for your service and Madam Chair, I yield back my time.

**REP. BURGESS OWENS (R-**

**Thank you and I'd like to recognize Mr. Allen.**

**REP. RICK ALLEN (R-GA-12):**

Thank you, Mr. Chairman and Mr. Secretary, I've got five minutes, so we got to get through this really quick. Yeah, you'll continue to hear a lot of frustration that your Department of Education has neglected its congressionally mandated priorities for a partisan political agenda. I've heard from constituents and colleges in my district in Georgia and that -- who have been let down by the department's inability to meet FAFSA's deadlines and fix errors.

You have not had all hands on deck. Instead, you've marched forward these past few months and using time and resources that propose another set of time consuming regulations. Parents, universities, regents, school boards, teachers are not happy. Costs are escalating as experienced in -- by the behavior in this meeting today.

We are a deeply divided country and I know debt is -- is a problem, but, you know, how do you explain to young people that they owe \$100,000 the day they're born in this country? \$100,000 the day they're born. What shot have they got? Do you believe it was in the immediate best interest of students and families to assign department staff to your negotiated rule meeting priorities since January?

**HONORABLE MIGUEL CARDONA:**

The negotiated rulemaking process does require staff, and we do believe what we're doing --

**REP. RICK ALLEN (R-GA-12):**

Yes?

**HONORABLE MIGUEL CARDONA:**

Fixing a broken system, sir. Yes.

**REP. RICK ALLEN (R-GA-12):**

Districts are online education has opened the doors to post-secondary education for all types of students, including helping adults connect to credential programs in in-demand fields such as cybersecurity and the many technology careers our economy and security depends on. Do you support allowing students to have access to distance education that is flexible -- that is a flexible option for working students?

**HONORABLE MIGUEL CARDONA:**

I do recognize that online institution --

**REP. RICK ALLEN (R-GA-12):**

Yes? OK. You believe colleges of all sizes should be able to provide distance education programs that meet the standards of their students in the workforce?

**HONORABLE MIGUEL CARDONA:**

Sir, I couldn't hear your question. I was responding to the --

**REP. RICK ALLEN (R-GA-12):**

OK, do you believe colleges of all sizes should be able to provide distance education programs that meet the needs of their students and the workforce?

**HONORABLE MIGUEL CARDONA:**

If they can do it in a high quality way. I wouldn't --

**REP. RICK ALLEN (R-GA-12):**

Yes.

**HONORABLE MIGUEL CARDONA:**

Make a blanket statement that all students -- all schools could.

**REP. RICK ALLEN (R-GA-12):**

Then why has the department proposed a requirement which would prohibit a college that enrolls more than 500 students in a distant -- distance education program from being authorized by its state through a reciprocity agreement?

**HONORABLE MIGUEL CARDONA:**

So we recognize the importance of giving students an opportunity to have online learning and even with institutions that are not in their state. What we want to make sure we're doing is protecting students also. And if a school closes or if there was a challenge with their programing that they would be protected from paying loans and an education they didn't receive.

**REP. RICK ALLEN (R-GA-12):**

And Mr. Secretary with all due respect, let me tell you what this proposal would do. Here's one example, Georgia Tech offers one of the lowest cost online master's degree programs in the country, prestigious university in my state, less than 10,000 of us, this degree prepares workers for cybersecurity, computer science, and data analytics careers.

Georgia leads the nation in innovation and development of cyber talent and research with 10 of our colleges and universities focused on cyber. The US Army Cyber Command is headquartered in my district and professional degrees that prepare the cyber workforce should not be stopped by arbitrary regulations that will only stifle cost effective education.

Why is 500 the magic number? Where did you get the number? Do you believe distance education -- education programs with 501 students are somehow not worthy of an innovative approval process and they must jump through more burdensome hoops to be offered?

**HONORABLE MIGUEL CARDONA:**

I agree with you. Georgia has some amazing institutions and I want to make sure I work with you and my team works with you to identify the concerns there and work with you to make sure Georgia schools have the opportunities --

**REP. RICK ALLEN (R-GA-12):**

Mr. Secretary, I got just about a minute left, I need to move on. Last year I asked you if you believe canceling student loans would reduce the cost of college. Here we are today and CBO projects annual borrowing will increase by 10 to 15 billion over the next decade because colleges will raise tuition rates And -- since they know taxpayers will forgive loans as a result of your student loan agenda.

So Mr. Secretary, I need a clear answer for the record today, yes or no. Are you still committed to making hard working Georgians with no student loan debt pay for the student loans of terrorist supporting Columbia University students who have over 100,000 in debt?



**HONORABLE MIGUEL CARDONA:**

We are committed to fixing a broken higher education system, sir, and we can get a lot farther if we work together to make sure that the students in your district can benefit from it.

**REP. RICK ALLEN (R-GA-12):**

Well, it's college campuses have been thrown into chaos. Americans are waking up to what happens as a result of radical progressive agenda and Americans don't like it. This includes radical debt cancellation. And I yield back.

**REP. BURGESS OWENS (R-UT-04):**

I'd like to now recognize Ms. Jayapal.

**REP. PRAMILA JAYAPAL (D-WA-07):**

Thank you, Mr. Chairman. Welcome, Secretary Cardona, and thank you for your dedication to our students throughout your life and here in this position. Since taking office, the Biden administration has worked to erase the burden of student debt. This includes canceling debt for 876,000 people, including teachers and firefighters through the Public Service Loan Forgiveness Program, it includes canceling debt for almost a million people through improving income driven repayment and 1.6 million for defrauded students.

And just last week students who were scammed by the now defunct Art Institute of Seattle who I had met with in my district finally saw relief after more than a decade while the previous administration made the process so unworkable that Congress rebuked it on a bipartisan basis. Together, these steps have canceled \$160 billion for 4.6 million borrowers and my understanding is that another 20 to 25 million students will be eligible through programs that you recently announced.

This is financial breathing room for students and families who were just trying to get a higher education, improve their skills so they could contribute to our communities, our economy, and our country. All borrowers turn to loans as a step toward economic prosperity, but student debt makes it so impossible for many.

And I think it's important that we remember that more than 80 percent of borrowers report that it holds them back from being able to become homeowners, something you were talking about just in a previous answer. Additionally, 56 percent of borrowers have to choose between repaying and affording rent and groceries.

Rent and groceries. No one should be stuck with these kinds of payments that they can't afford. Secretary Cardona, your department released its first of two proposed rules to provide additional student debt relief. What type of borrowers will benefit the most and how will this improve their financial well-being?

**HONORABLE MIGUEL CARDONA:**

Well, thank you for that. The borrowers that would benefit most are those who have had runaway interest and I mentioned a teacher who had \$30,000 just in interest that prevented her from being able to even attack the principal of the loan. So that's one. I mentioned public servants, you know, you talked about teachers and firefighters.

Bipartisan bill. We want to make sure that you don't have to jump through hoops to apply for that. If you work for 10 years in public service, if you've paid your loans, it should be automatically discharged. We have a teacher shortage, we have a nurse shortage and we wonder why. So we're trying to make it simpler to -- to have access to a bipartisan bill that was passed in 2007.

**REP. PRAMILA JAYAPAL (D-WA-07):**

Thank you. Textbooks have been an enormous strain on students' finances. They can cost up to \$1,200 annually and textbook costs are on track to double every 11 years. Students can save by buying used books or renting or borrowing from their library, but some institutions actually automatically bill students for their books.

What is your department doing to prevent students from spending more than needed on their books or on other hidden fees that are really preventing students from accessing the kinds of supports they need for -- for a quality education?

**HONORABLE MIGUEL CARDONA:**

Well, thank you for that question. As you know, this is in negotiated rulemaking, so I really can't comment on specifically, you know, where we think we're going to end up, but we are taking a very close look at what students are paying for. You know, I have -- I'll have two in college next year and I recognize the different fees and what they add up to and we want to make sure that our students are -- the information is transparent and they're getting what they're paying for.

And it's not something that's assumed that they're going to need.

**REP. PRAMILA JAYAPAL (D-WA-07):**

Thank you. I want to discuss federal K-12 education funding for children experiencing homelessness. Your department's 2023 guidance for American Rescue Plan homeless youth funding has really been an incredible lifeline for those families. For example, it helps schools provide gas cards and cover car repairs in an emergency to increase attendance.

**HONORABLE MIGUEL CARDONA:**

Right.

**REP. PRAMILA JAYAPAL (D-WA-07):**

And I know that these funds are expiring soon. What supports does the department have in place for families experiencing homelessness including for after these funds expire? Sure. Thank you. And you know, you've identified an issue that is increasing in our country homelessness. And making sure that our students are protected and are able to learn and the conditions for learning are right.

We're requesting a \$129 million budget request for FY '25. You know programs like preschool programs supplemental instructions for students that fall behind because of the trauma of being, uh, housing insecure, before and after school programs, transportation.

**HONORABLE MIGUEL CARDONA:**

As a school principal, let me tell you, that was the most expensive thing. Making sure the student doesn't have to bounce five, six different schools under the McKinney-Vento Act to have a solid consistent education. So transportation and then health care referrals is also something that is required.

**REP. PRAMILA JAYAPAL (D-WA-07):**

Thank you, Mr. Secretary. Mr. Chairman, I asked for unanimous consent to enter into the record this report from Schoolhouse Connection called Overlooked and Almost Out of Time. As well as an article called Grocery Cards and Car Repairs: how COVID Aid Changed the Way Schools can help Homeless kids?

**REP. BURGESS OWENS (R-UT-04):**

No objection.

**REP. PRAMILA JAYAPAL (D-WA-07):**

I yield back. Thank you very much.

**REP. BURGESS OWENS (R-UT-04):**

I'd like to now recognize Ms. Houchin.

**REP. ERIN HOUCHIN (R-IN-09):**

Thank you. Mr. Chairman. Secretary Cardona, I appreciate you being here today. I -- I did, uh, wonder if you might, um, show up given that you seem to have little respect for our congressional inquiries into the goings on at the Department of Education. As you know, I recently sent you a letter about the failed 2024-25 FASFA rollout.

But much like parents and college students across the country, as of today, we've not received a response on what you're doing to remedy the problems you created for millions of American families. So today with my time, I'd like to ask a few of these questions now. I'm a parent to a college student and a high school senior.

I'd like to understand what contributed to the delayed and ineffective rollout of the 2024-25 FASFA -- FASFA?

**HONORABLE MIGUEL CARDONA:**

Thank you for that question. And I just want to assure you that I take oversight very seriously. And communicating information with you is really important to us. Our department has provided over 50,000 pages and responded to 35 letters from this committee alone. I take it seriously and we'll continue to take it seriously.

We've had many delays with FASFA, uh, frustrating delays that we've, uh, have been able to fix. Um, it's working now and I encourage students who are listening to sign up. If you sign up today --

**REP. ERIN HOUCHIN (R-IN-09):**

What would -- what would you say contributed to the delays and the -- and the ineffective rollout? What were the contributing factors?

**HONORABLE MIGUEL CARDONA:**

There were some programmatic issues that required, uh, our engineers to reprogram codes and -- and have --

**REP. ERIN HOUCHIN (R-IN-09):**

And how much time were you given from the time the bill passed to the time that you were supposed to roll out?

**HONORABLE MIGUEL CARDONA:**

Excuse me?

**REP. ERIN HOUCHIN (R-IN-09):**

The Spaffords -- FASFA Simplification Act, how much time were you given between the time that that bill passed to the rollout date?

**HONORABLE MIGUEL CARDONA:**

I believe it was passed in the last administration.

**REP. ERIN HOUCHIN (R-IN-09):**

So do you know how many years that was?

**HONORABLE MIGUEL CARDONA:**

It's three years.

**REP. ERIN HOUCHIN (R-IN-09):**

Three years. OK? Uh, what is your department doing now to support students and parents who've been unable to submit it, who've been given incorrect financial aid information or who have not received their estimates? What are you doing for those students?

**HONORABLE MIGUEL CARDONA:**

Thank you for that question. That's something we take very seriously. And we are working very closely to provide resources for families and --

**REP. ERIN HOUCHIN (R-IN-09):**

What kinds of resources?

**HONORABLE MIGUEL CARDONA:**

Well, videos on how to figure it out. We have \$50 million now going into communities to make sure that we're knocking on doors for those students and families that still have to fill it out. Um, we have tutorial videos. We have a national strategy in partnership with the Boys and Girls Club, YMCA, school districts.

Um, we're working closely with districts. And I have to say, you know, we've also worked on Return to Repayment, um, USDA servicing contracts. And what we're doing now to make sure that we improve processing is making sure that our FSA, uh, department is designed for the work that's being expected of it. So we're asking for budgeting --

**REP. ERIN HOUCHIN (R-IN-09):**

Given that you had three years to get this right the first time, uh, why should we expect that this, uh, upcoming uh FASFA would be ready by October 1st? I know in the Senate Appropriations Committee, you recently said your expectation was that it would be ready.

**HONORABLE MIGUEL CARDONA:**

Right.

**REP. ERIN HOUCHIN (R-IN-09):**

Why should we believe that?

**HONORABLE MIGUEL CARDONA:**

Well, look, we're -- we're -- I would be happy to share what we're doing on a day to day basis. But we are taking this very seriously. We know how important it is to our families and to our schools. And I -- you know, our schools have been extra patient and working very closely with us, uh, to deal with the updates.

And I'm happy to say that two thirds or more are already processing. Uh, we're committed to making it better every year and opening doors to higher education. I can tell you that 60 to 70 percent of our students on average were applying for FASFA. That's -- that's not acceptable. We need to be closer to the 95 percent range.

And that's what we're going to work toward. And we're going to make sure that it opens doors to higher education for more students.

**REP. ERIN HOUCHIN (R-IN-09):**

Although the frustration that I experienced in trying to do the FASFA certainly would deter people from participating in that this year. Uh, as you know, the soft launch was, uh, that's a generous term using the word launch. It was clear that it was a hasty release to barely meet the letter of the law. By all measures, in my view, it was a disastrous failure.

What grade would you give yourself and the DOE on the botched FASFA rollout?

**HONORABLE MIGUEL CARDONA:**

Um, committed to improving it and working with --

**REP. ERIN HOUCHIN (R-IN-09):**

What grade would you give yourself?

**HONORABLE MIGUEL CARDONA:**

I'm not in the classroom now, I'm not going to be able to provide you --

**REP. ERIN HOUCHIN (R-IN-09):**

Well, you're the head of the Department of Education, sir. What grade would you give yourself?

**HONORABLE MIGUEL CARDONA:**

We are committed to making sure --

**REP. ERIN HOUCHIN (R-IN-09):**

OK, you're not going to answer the grade level. I would give you an F. I think millions of American families would do the same. Uh, question. Were you given a Congressional directive by law to bail out student loans? Yes or no?

**HONORABLE MIGUEL CARDONA:**

I was not given a congressional --

**REP. ERIN HOUCHIN (R-IN-09):**

OK. Were you given a congressional directive by law to simplify FASFA?

**HONORABLE MIGUEL CARDONA:**

Yes.

**REP. ERIN HOUCHIN (R-IN-09):**

So you spent a great deal of department hours, I understand, on the student loan bailout, but apparently not very many, uh, department hours were spent on simplifying the FASFA that you had three years to do. Your answers are about as unhelpful as the new FASFA rollout. Seeing as how five minutes is not enough to have this thorough conversation, I sure hope you will consider responding to my letter.

Thank you very much, Mr. Chairman. I yield back.

**REP. BURGESS OWENS (R-UT-04):**

Thank you. I'd like to now recognize Mr. DeSaulnier.

**REP. MARK DESAULNIER (D-CA-10):**

Thank you, Mr. Chairman. Mr. Secretary, I'd grade you differently. I think you've done a great job under very different difficult circumstances. Um, and I want to follow up on the questions that Mr. Sablon asked. I've asked you this before about the areas about mental health. Cognitive development, specifically.

We know from CDC and the Surgeon General that almost a third of adolescent girls in this country have seriously considered suicide or attempted suicide in the last year. Um, we know from HHS that young people in 2003 about five percent were identified with serious issues about anxiety and depression in 2003. And in 2023, that number went to 30 percent.

We know from work with, I think I mentioned this the last time you were here, Susan Linn at Harvard. Um, um, uh, Susan or Anna Lemke at Stanford, their work on cognitive development and social media.

**HONORABLE MIGUEL CARDONA:**

Right.

**REP. MARK DESAULNIER (D-CA-10):**

And the penetration of algorithms to adolescent neuroscience. And the -- the urgency of fixing this as you see it in sort of the continuum of care for kids in your department. I've been to 70 schools in the 10 years I've been in Congress and it always comes up in conversations with students, administrators and teachers.

They need more behavioral health. They feel like they're -- overwhelmed.

**HONORABLE MIGUEL CARDONA:**

Absolutely.

**REP. MARK DESAULNIER (D-CA-10):**

And you saw this in your career in Connecticut. I dealt with my good friends, our -- our two, uh, superintendents of public instruction, both of whom were constituents, uh, Tom Torlakson, [ph] California and now Tony Thurman. [ph] This is a real epidemic. And the long term societal cost to the United States is very, very serious.

So tell me a little bit about what we're doing and how we're partnering with private sector research to make sure that we are doing this in a nonpartisan evidence based way to deal with this really epidemic of anxiety and depression and cognitive changes for future generations?

**HONORABLE MIGUEL CARDONA:**

Thank you for that question. -- I would And you know, I just kind of bring it back to my opening statements. It said we have a lot of common ground here and mental health supports for our students is one of those. I'm proud that the bipartisan Safer Communities Act provided \$2 billion to increase the number of social workers in our schools.

There's 40 percent more school social workers. I'm proud that there are 30 percent more nurses. That there are proactive strategies to help students address anxiety or mental health needs. We know students are six times more likely to access mental health supports if they're provided in our school. In our budget, we ask for, uh, \$200 million for full service community schools because we know they work to support mental health.

But you mentioned, um, what we can do together. Medicaid reimbursement for students who do not have an IEP. We simplified that process, so all states that have sustainable dollars. Uh, we know that there will be a sunset of BSKA and ARPA. So we want to make sure that there's sustainable dollars. And we're working in bipartisan fashion to make sure states and governors know what to do. That's sustainable dollars for mental health.

We cannot go back to the system we had in 2019 of emergency room model of, uh, mental health support.

**REP. MARK DESAULNIER (D-CA-10):**

On a -- on a related, but how you work with other departments. Um, when I'm old enough to remember that when we did TANF reform, the biggest obstacle to people getting on their feet and getting a job, usually single women of color were what you talked about in your opening comment, transportation and childcare.

So what are we doing with the different departments to coordinate those efforts? Um, 20 years later, we still have the same identified problem. It's become worse where I live in the Bay Area because the transportation and childcare intersect with behavioral health, by the way, for this community be able to get a job and be independent, which is nonpartisan.

Um, hopefully nonpartisan is still a challenge. And departments working across with each other your department, DOT, um, working together and then with state agencies and local agencies?

**HONORABLE MIGUEL CARDONA:**

Sure, so we have a whole of government approach on a lot of things. I mentioned the Medicaid reimbursement. We're working very closely with, uh, Health and Human Services to make sure that we're simplifying the process in an interagency fashion. Um, in our budget proposal -- in the president's budget proposal, you'll see an increase in early childhood -- early childhood education, which allows not only for students to address gaps before they grow, but parents are able to work and the cost of childcare is very high.

So we are working very closely at the staff level and at the secretary level to make sure that our efforts are working to support those same families.

**REP. MARK DESAULNIER (D-CA-10):**

Good. Well, I'd love to follow up with you and be able to show where our successes and failures have come about so that we continue to measure those in a thoughtful way and deal with these real epidemics that young people are facing and their parents. Thank you. I yield back.

**REP. BURGESS OWENS (R-UT-04):**

Thank you. Thank you, I'd like to recognize myself. Uh, Mr. Secretary, you're going through great lengths to argue that the new Title 9 rule will not have an impact on athletics. Setting aside the absence of court decision preventing it, and setting aside the fact that athletics is noted printed over 30 times in the rule description, um, I have some very simple questions, straightforward questions.

I just hope I get some yes or nos on it. With energy put into Title 9 rule changes, it's a three year effort, can you assure us that your rules do not change protection of our girls that have had for over 50 years? Can you assure us that protecting biological girls from competing against stronger -- genetically stronger, bigger and faster biological men will not be considered a federal discrimination?

**HONORABLE MIGUEL CARDONA:**

Thank you for the question, Congressman. You are referring to the Athletics, am I right?

**REP. BURGESS OWENS (R-UT-04):**

Yes.

**HONORABLE MIGUEL CARDONA:**

Yeah, so that rule making process is underway. We haven't --

**REP. BURGESS OWENS (R-UT-04):**

OK, no, so no, and really it's --

**HONORABLE MIGUEL CARDONA:**

We -- we haven't finalized that rule, sir.

**REP. BURGESS OWENS (R-UT-04):**

OK. So is it a possibility that this girl's competing against boys or refusing to would be considered discrimination?

**HONORABLE MIGUEL CARDONA:**

As I said --

**REP. BURGESS OWENS (R-UT-04):**

Is that a possibility?

**HONORABLE MIGUEL CARDONA:**

I'm here to discuss, you know, what we're doing in education to help children. Proposed rules, whether it's --

**REP. BURGESS OWENS (R-UT-04):**

It's really a yes or no. I mean, it should be a yes or no. It's a bridge that we all know that you're trying to get across, so just is this something that you're looking at doing right now, a possibility?

**HONORABLE MIGUEL CARDONA:**

I don't want to comment on a proposed rule that we haven't finalized yet.

**REP. BURGESS OWENS (R-UT-04):**

OK, thank you.

**HONORABLE MIGUEL CARDONA:**

We have over 140,000 --

**REP. BURGESS OWENS (R-UT-04):**

Let me just continue then. Uh, Secretary, you -- Mr. Secretary, you are in a very unique position to impact the lives of futures and fortunes of millions of female athletes? Americans are both sides of this debate, need to know how deep your commitment is. Would you force your daughter to undress in the bathroom with boys who are also undressing?

**HONORABLE MIGUEL CARDONA:**

I am not going to be commenting on athletics rules that we haven't proposed.

**REP. BURGESS OWENS (R-UT-04):**

Well, OK. You -- you can't say yes or no on that?

**HONORABLE MIGUEL CARDONA:**

I'd be happy to talk about a Title 9 --

**REP. BURGESS OWENS (R-UT-04):**

OK, if your -- if your daughter was reported, she felt uncomfortable in the boy's presence in a bathroom or locker room, would that be considered by your administration discrimination or bigotry?

**HONORABLE MIGUEL CARDONA:**

As an educator for over 25 years, the --

**REP. BURGESS OWENS (R-UT-04):**

You can't say yes or no to that?

**HONORABLE MIGUEL CARDONA:**

I'd love to respond to your question, sir.

**REP. BURGESS OWENS (R-UT-04):**

OK, so yes or no? Is it considered -- would it be considered discrimination if she did not want that to happen?

**HONORABLE MIGUEL CARDONA:**

As an educator for over 25 years, we have had the responsibility --

**REP. BURGESS OWENS (R-UT-04):**

OK, all right. I don't have -- but a few moment -- few minutes here. Uh, girls have now entered into contact sports of boxing and wrestling. Would you allow your daughter to physically fight and get beat up by a boy who called himself a girl? Yes or no?

**HONORABLE MIGUEL CARDONA:**

I'd be happy to once we finalize our regulations on Title 9 athletics to come back and have a conversation with you.

**REP. BURGESS OWENS (R-UT-04):**

OK, well, let me just say this. Let me -- let me just -- let me just read you this real quick. There's a Cherokee proverb that says, "A man's highest calling is to protect women, so she is free to walk the earth unharmed." Um, I'll say this, Mr. Secretary, before I go on to this next topic. Um, with all due respect, I pray that our country will never ever have the vision that your policies are now driving us toward in terms of manhood.

It's a vision that teaches our boys that harming girls is no big deal. I pray that we remain a country that produces overwhelmingly mass majorities of men who feel the way I do about my girls. I will give my life in a heartbeat for my girls. And the blessings I have is they have no doubts about that. There are millions of men and women across this country that do not have faith and do not have trust in you protecting our girls because



of policies that you can't say yes or no to. By the way, those are very -- not very hard questions as a father, it's either yes or no. And you could not answer that.

OK, I'm going to -- I'm going to switch -- switch pages real quick. Uh, at the Senate Appropriation Committee hearing last week, you stated that there's an active investigation at Columbia University, but your staff is not on site as the protest and harassment of Jewish students continue at Columbia University.

This is an opportunity for the Office of Civil Rights to see firsthand what is occurring and how Columbia's failing to protect the rights of its students. Uh, you implied earlier that you were running out of funds. Uh, I have a hard time believing the Department of Education is broke. I think it's more of a priority.

Uh, is there a reason why, if -- that your -- uh, that this has not been happening on these campuses, they've not had a presence? And if it had been black Americans dealing with KKK bigots, would you have the same sense of, um, presence of priorities?

**HONORABLE MIGUEL CARDONA:**

Thank you for the question. Let me tell you I'm a father, but you cannot pick and choose which students you want to protect.

**REP. BURGESS OWENS (R-UT-04):**

You cannot choose what?

**HONORABLE MIGUEL CARDONA:**

You cannot pick and choose which students you want to protect. As secretary of education, it's my responsibility --

**REP. BURGESS OWENS (R-UT-04):**

I'm sorry, I missed that. Can I choose to -- I'm sorry, as a father, you cannot choose what? I'm sorry, I'm not --

**FULL COMMITTEE RANKING MEMBER BOBBY SCOTT (D-VA-03):**

[off-mic] which -- which students you are going to protect.

**REP. BURGESS OWENS (R-UT-04):**

We protect all of them, particularly our women, right? That's right, including our LGBTQ students, sir. OK, so if in other words you're choosing your -- your -- those students over women. I'm talking about a boys versus girls. That's a very simple question there. There's a difference

**HONORABLE MIGUEL CARDONA:**

The new Title 9 -- the new Title 9 regulations increase protections to all students and increase protections for women.

**REP. BURGESS OWENS (R-UT-04):**

This is why American parents are really concerned about this administration. They cannot answer a basic question that makes common sense. All right?

**HONORABLE MIGUEL CARDONA:**

All means all, sir.

**REP. BURGESS OWENS (R-UT-04):**

I'll say this, I know how I would protect my girls. And it seems -- all right, I'll leave with that. I'm going to, um, I recognize Ms. McBath.

**REP. LUCY MCBATH (D-GA-07):**

Thank you, Mr. Chair. And um, Secretary, it's good to see you again today. Thank you so much for being before us and I've read your -- your testimony. Is there anything else you'd like to expound upon a little bit before, um, we get started. It looks like there might have been something else you wanted to say.

Please feel free.

**HONORABLE MIGUEL CARDONA:**

No, I think I wanted to -- I -- time fell short, but I wanted to comment that in 2009 we had 58 more investigators for Title 6, and we had a third of the cases. We are desperately in need of additional support to make sure we can investigate the cases that we have in front of us. Uh, so I welcome support of the budget on both sides of the aisle.

**REP. LUCY MCBATH (D-GA-07):**

Thank you so much. Well, once again, thank you for being with us today. For the last few decades, we've been focusing on our efforts getting students into college, making sure they get educated, but not enough on ensuring that they actually finish getting those degrees or those credentials and actually, achieving the goals that they set out to accomplish for themselves, uh, to set themselves and their families up for future success.

Uh, not just with a job, but really a lifelong career and a career path. And millions of Americans owe tens of thousands of dollars in student debt and they have no degrees or credentials to show for it. It's obvious that this is not a result of user error on behalf of the American people. It's a result of this country's failure to actually provide the targeted resources and foster the school climate that is needed to ensure that every student can get the skills that will help them to achieve greater levels of success than was possible -- possible before they actually walked on campus for the very first time or before they -- the very first time that they actually logged into a classroom computer.

Now we know that there are many paths to success when it comes to education and developing a strong and successful workforce. Each is deeply personal. And I'm very proud that three legislative initiatives that I actually led in this very committee recently passed the House and -- and echo our mission of meeting the needs of our students wherever they are.

My colleagues claim that the American people are fiscally irresponsible, but those are not the Georgians that I know and that I live among every single day. And those are not the Georgians that I represent here in Congress. The reality for most Americans is that the only way for them to be able to afford school is to take out a student loan.

Um, and usually at a very high interest rate. For decades, we've been telling people every single day, uh that one of the best ways to get ahead in life is they got to have a college degree. And now we're punishing them for trying to partake in the very thing that we encourage them to do -- and to doing -- and that is obtaining the skills that are necessary to move their families in this country forward.

Georgia State University, uh, one of the nation's leading, uh, leaders in student retention and success, and my state's largest university received a post-secondary grant, a Student Success Grant, to study their use of modern technologies that are using AI chatbots, in the first year, freshman year, for those first year students in math and also literature courses and their potential to improve the student outcomes.

And actually I'd like to ask the chair, may I please include in the record Georgia State News Hub article?

**FULL COMMITTEE CHAIR VIRGINIA FOXX (R-NC-05):**

Without objection.

**REP. LUCY MCBATH (D-GA-07):**

Thank you. In 2016, Georgia State began this AI to stay in contact with students over the summer and successfully helped to cut the number of high school of -- of high school graduates who were accepted into

GSU. But they failed to actually follow through on everything that they needed to do to actually be registered and prepared for the fall session.

Um, and so this new technology and use of technology is actually helping more students live out their dream of attending college because it just -- you was actually able to, um, cut down that number of students that were not registering and being prepared, they cut it down by half. And I think that's pretty amazing.

According to Dr. Tim Resnick, [ph] who testified before the committee earlier this Congress at the invitation of our chair, these technologies support students by reminding them about their assignments, answering questions after hours and are generally far more accessible for students, um, that may have busier schedules.

Some students are parents. Some students are care takers for family members. So through programs like this that truly put students first, uh, we can address specific factors that are preventing our students from succeeding in the classroom and getting the credentials that they surely deserve and need and they're really working towards.

Um, my question to you, Secretary Cardona is post-secondary student success grants which I've just talked about have the potential to become a premier grant program that will assist colleges and universities with their efforts to improve retention and completion rates and ensure student success. Um, however, we know that this program is kind of flat funded at \$45 million for the past two years.

Could you please explain how the department's 2025 budget request of dollars in 100 million will provide the students with the necessary means and support that they need to reduce these barriers to their success?

**FULL COMMITTEE CHAIR VIRGINIA FOXX (R-NC-05):**

Ms. McBath, I have to say you began your question with two seconds left and your 40 seconds over, so I'm going to ask the secretary to submit an answer to you in writing. Thank you. Thank you. Mr. Good, you're recognized for five minutes.

**REP. BOB GOOD (R-VA-05):**

Thank you, Madam Chair and thank you Secretary Cardona for being with us today. Mr. Secretary, do you think it's a person's responsibility to pay their own student loans?

**HONORABLE MIGUEL CARDONA:**

I'm sorry, can you repeat the question?

**REP. BOB GOOD (R-VA-05):**

Do you think it's a person's responsibility to pay their own student loans?

**HONORABLE MIGUEL CARDONA:**

I do believe students who take out loans should pay loans.

**REP. BOB GOOD (R-VA-05):**

They should pay them back. Thank you. And what if it's hard or if it's difficult to pay it?

**HONORABLE MIGUEL CARDONA:**

Uh, many of the loans that we're, uh, providing relief for are loans that folks are eligible for like the public service --

**REP. BOB GOOD (R-VA-05):**

Well, we've long had relief in place that allowed folks in, you know, difficult financial situations or reduced income to, you know, give them some relief of paying their student loans. So what if somebody just doesn't want to pay their student loan or wishes they didn't have a student loan, they should still pay for it?

**HONORABLE MIGUEL CARDONA:**

Yeah. The work that we're --

**REP. BOB GOOD (R-VA-05):**

OK, very good. that's all I'm looking for. They -- really they should pay for it. Uh, and now do you understand how federal spending is paid? So federal spending, how is that paid for?

**HONORABLE MIGUEL CARDONA:**

The higher -- the work that we're doing --

**REP. BOB GOOD (R-VA-05):**

No, what I'm asking is do you understand how federal spending is ultimately paid for? And it's not a trick question. It's a simple question, but --

**HONORABLE MIGUEL CARDONA:**

Right. No, but -- I wanted to just kind of go back to the --

**REP. BOB GOOD (R-VA-05):**

No, I'd like to know if you know how federal spending is paid for ultimately?

**HONORABLE MIGUEL CARDONA:**

Yes.

**REP. BOB GOOD (R-VA-05):**

How is it paid for?

**HONORABLE MIGUEL CARDONA:**

I'm here to answer questions about the budget.

**REP. BOB GOOD (R-VA-05):**

Who pays for -- who pays for federal spending?

**HONORABLE MIGUEL CARDONA:**

Yeah, taxpayers.

**REP. BOB GOOD (R-VA-05):**

OK, taxpayers pay for federal -- exactly. Whether it's higher taxes or lower purchasing power from Biden inflation or Biden's higher interest rates, they have diminished purchasing power as they suffer under inflation as a result of federal spending. I appreciate you confirming that. So student loan debt you would say is legitimate.

It's legitimate debt, correct?

**HONORABLE MIGUEL CARDONA:**

The work that we're doing to address --

**REP. BOB GOOD (R-VA-05):**

Right, is student loan debt legitimate? Is it legitimate debt or is it illegitimate somehow? And it's not --

**HONORABLE MIGUEL CARDONA:**

When I talk to students who have been defrauded by --

**REP. BOB GOOD (R-VA-05):**

What I'm asking is student loan debt legitimate? In other words, I would presume you'd say a mortgage loan is legitimate, a car loan is legitimate, a personal loan or a credit card is legitimate debt. You would presume those are legitimate debt.

**HONORABLE MIGUEL CARDONA:**

Yeah, I'd love to communicate how we're helping your constituents --

**REP. BOB GOOD (R-VA-05):**

So, when someone invests in themselves and borrows for education, is that illegitimate debt or is it legitimate debt that should be paid for by the person who borrows it? Is there something illegitimate about student loan debt?

**HONORABLE MIGUEL CARDONA:**

The work that we're doing to provide access to hire --

**REP. BOB GOOD (R-VA-05):**

OK, let -- I'm just going to say that you're not going to say. So you're agreeing that it's not illegitimate debt. So do you think we should continue to make student loans when you and your -- and the administration are trying to transfer all the debt to the taxpayers with the latest scheme that's been estimated to be worth -- going to cost maybe even \$750 billion.

So should we continue to make student loans, if we're not going to ask folks to pay the loans? Should we instead reclassify them as taxpayer provided gifts or should we continue to make student loans?

**HONORABLE MIGUEL CARDONA:**

Sure. The 75,300 constituents you serve wouldn't call it a scheme. They would call it a lifeline. Fixing the --

**REP. BOB GOOD (R-VA-05):**

So should we continue to make student loans that we're not going to ask people to pay back? Or should we go to taxpayer provided education gifts?

**HONORABLE MIGUEL CARDONA:**

So I understand your line of questioning, sir, and if I can get an answer out. I would --

**REP. BOB GOOD (R-VA-05):**

No, what I'd like to know is should we keep making student loans if we're not going to ask people to pay back their student loans?

**HONORABLE MIGUEL CARDONA:**

We are improving the repayment process through the SAVE Plan so people can be successful paying their loans.

**REP. BOB GOOD (R-VA-05):**

Is there any reason if I may take my -- that people who go to the most so-called elite universities, you know the ones with the pro-Hamas protests on their campuses right now, should students that go to those universities, which are -- tend to be the elite because they're very expensive, my children could not and I certainly could not afford to go to a school like that.

Uh, it would have been a waste of money. I would submit. But -- but those who go to those schools and can make up to \$125,000 individually, \$250,000 as a family based on the previous original student loan transfer scheme. Should -- should others who didn't go to college, who -- you worked their way through college who tried not to incur student loan debt or paid off their student loan debt, should they have to pay student loan debt for those from those elite schools making above average incomes?

**HONORABLE MIGUEL CARDONA:**

People are paying their loans back, sir.

**REP. BOB GOOD (R-VA-05):**

So -- so other people shouldn't pay those student loan debt for them?

**HONORABLE MIGUEL CARDONA:**

That's not what I said. People are paying their loans back. The Return to Repayment is, uh, under way. I'd be happy to have my staff share with you how --

**REP. BOB GOOD (R-VA-05):**

Yeah, I'm going to get one last question in. Thank -- thank you, sir. In February, the department published a draft proposal that lists 16 different indicators that the secretary, yourself, will use to determine whether a borrower is in economic hardship and therefore able to have his or her loan balance paid or really transferred to the taxpayers.

However, it notes that the powers can have their debt canceled, again transferred to the taxpayer actually, based on any other indicators of hardship identified by yourself as the secretary. Is that correct?

**HONORABLE MIGUEL CARDONA:**

We have over a million people --

**REP. BOB GOOD (R-VA-05):**

Is it correct that it allows for you to decide any reason why someone can have their debt canceled? Any other indicator of hardship, is that correct or not correct?

**HONORABLE MIGUEL CARDONA:**

We are fixing a broken system and that is requires --

**REP. BOB GOOD (R-VA-05):**

What constitutional authority do you have to unilaterally decide whether or not someone should pay their student loan debt or whether the taxpayer should pay that?

**HONORABLE MIGUEL CARDONA:**

I would welcome to answer if -- it's not as simple as you're asking it, so if you allow me to answer you might get the answer you're looking for.

**REP. BOB GOOD (R-VA-05):**

I -- Madam -- Madam Chair, my time has expired, so I yield back.

**FULL COMMITTEE CHAIR VIRGINIA FOXX (R-NC-05):**

Thank you, Mr. Good. Uh, Ms. Hayes, you're recognized for five minutes.

**REP. JAHANA HAYES (D-CT-05):**

Thank you. Before I start my questioning, I would just like to say that mortgage loans are legitimate debt. And I can remember in 2009, I was a teacher. I had a contract being paid \$37,500 a year. I was also a taxpayer and I was not a homeowner. And the country decided that we would bail out the mortgage company through the Home Affordable Mortgage Program.

And as an American, I recognized that that was good for our economy. And I went to work every day and I paid my taxes. And we bailed out the mortgage industry and the finance industry and the auto industry. So the idea that we draw the line at student debts and people who just want a chance to get ahead or have a fighting chance in this society is just something I can't wrap myself around.

But thank you, Mr. Secretary, for being here. And happy National Teacher Appreciation Day. Across the country, university students are exercising their First Amendment rights. I'm going to talk a little bit slow here because this is what I used to have to do in my classroom when I taught -- talked about the first amendments because my students would always say but miss, why are there so many in this one amendment? First amendment protects the freedom of speech, the press, freedom of assembly, the freedom of religion, and the

right to petition the government for a redress of grievances. All of those things are protected by the Constitution and are imperative to a functioning democracy.

When my students would ask me why are they all in this one amendment, I would generally respond that it is the way that we define who we are as individuals in a complex, changing, self-governing society. There are so many things that I can ask you about today because I believe so deeply in the work that the Department of Education does.

I know that the work is life changing and it is the only shot that so many of our young people have, but I am deeply concerned by the rise in antisemitism and Islamophobia on college campuses. Like you, I know -- like myself, I know that you believe that there is no place for hate speech or discrimination in education.

I also know that as an educator, it's beyond pedagogy. If students don't feel safe and protected in their academic environments, they will not learn. And this is what the department is dealing with right now. As of April 30th, 2024, the Office of Civil Rights at the Department of Education, which oversees investigations of discrimination at institutions of higher education, has reported many cases of discrimination.

Past reporting by Industry Drive has shown a severe backlog in the processing and investigation of discrimination cases by the OCR due to funding challenges over the years. Secretary Cardona, in your testimony you mentioned that the Department of Education is asking for a \$22 million increase in funds for fiscal year 2025 to expand staffing capacity.

Additionally, this funding would be used to address the alarming reports of rising antisemitism and Islamophobia. Many of my Republican colleagues believe that the entire department budget, including OCR, should be flat funded. I think we have to stop admiring the problem and actually invest the resources to address it. So Secretary Cardona, how would flat funding impact the ability of the department to process these claims in a timely manner?

**HONORABLE MIGUEL CARDONA:**

It would impact it significantly and over 90 percent of the budget requests are for investigators.

**REP. JAHANA HAYES (D-CT-05):**

You've also said that the investigator caseload is at historically high rates with -- at about 42 cases per investigator, this would rise to 71 per investigator at -- which you describe as unmanageable. If funding for the OCR was to be increased, what would the department spend that money on? Please be specific.

**HONORABLE MIGUEL CARDONA:**

Investigators to investigate these open cases.

**REP. JAHANA HAYES (D-CT-05):**

Thank you. We had university presidents here a few weeks ago, and one of the things that they stated was that more guidance from the department would be helpful as they navigate in this space. What has the OCR done to proactively address claims of antisemitism and anti-Muslim sentiments on campus?

**HONORABLE MIGUEL CARDONA:**

Well, Friday, I sent a letter out to over 5,000 university leaders myself. This morning, we released a dear colleague letter with very specific examples. And if you visit our ed.gov, there's a button there supporting campus safety. There are hundreds of resources there that were made specifically to support universities.

**REP. JAHANA HAYES (D-CT-05):**

I guess in closing, I would just like to add that it is I think easier for my colleagues on this committee to dismiss certain groups of constituencies. But as an educator, I know like you know that our job is to protect all students and make sure that all students have access to an education and that we are working just as hard on their behalf as for any other group.

Thank you for being here and again happy Teacher Appreciation Day. I yield back.

**FULL COMMITTEE CHAIR VIRGINIA FOXX (R-NC-05):**

Thank you, Ms. Hayes. Ms. McClain you're recognized for five minutes.

**LISA MCCLAIN:**

Thank you, Madam Chair and I too agree with my colleague -- colleague on free speech, but let me just share with you what free speech does not protect. And that is it does not protect violence, it does not protect defamation of property, it does not protect threats on one's life. So I am for the First Amendment.

But let's be clear, we know what the First Amendment is. I also want to make sure that I understand before I get into my questioning that the Department of Education's budget is \$78.8 billion and we're asking -- you're asking for a 3.7 billion for a total of \$82.5 billion, and that's just not enough money to -- to do your job.

It's amazing to me. But there's no inefficiencies that we can find. If we just give you more money, everything will be great. That was my rant. So thank you for listening to me on that. Mr. Secretary, President Biden's Department of Education has canceled \$153 billion in student loan with plans to cancel \$1.4 trillion.

The House of Representatives said no. We actually passed legislation on that. The Senate said no, the Fifth Circuit Court said no, and the highest court in the land, the Supreme Court, said no. Yet you continue to march on. I would like to know what makes you qualified to the -- to ignore the majority of the -- of Congress and the Supreme Court?

**HONORABLE MIGUEL CARDONA:**

Thank you, Congresswoman, and let me just repeat, hate has no place in schools. I agree with you and as the president said, we're not going to --

**LISA MCCLAIN:**

Thank you.

**HONORABLE MIGUEL CARDONA:**

Condoned it, antisemitism, on our campuses.

**LISA MCCLAIN:**

We can agree on that.

**HONORABLE MIGUEL CARDONA:**

For sure. We recognize the higher education system is not accessible, not affordable, and it's broken. And we are working within the law to provide debt relief for --

**LISA MCCLAIN:**

The House of Representatives said no. The Senate said no. The Supreme Court said no. Yet, you say yes. How is that possible?

**HONORABLE MIGUEL CARDONA:**

The Higher Education Act gives me authority and if --

**LISA MCCLAIN:**

So you alone have the authority? Am I correct on that?

**HONORABLE MIGUEL CARDONA:**

Implementation of --

**LISA MCCLAIN:**

You're higher than the Congress, the Senate and the Supreme Court?



**HONORABLE MIGUEL CARDONA:**

No, that's not what I'm saying.

**LISA MCCLAIN:**

OK. I didn't think that.

**HONORABLE MIGUEL CARDONA:**

I'll give an example. Public service loan forgiveness bipartisan bill passed in 2007. Poor -- poorly implemented for four years. Only 7,000 people benefited from -- benefited from it, 98 percent of people were denied. We are im --

**LISA MCCLAIN:**

Mr. Cardona, I appreciate that. My question is really simple, what qualifies you to be higher in authority than the Congress, the Senate and the Supreme Court?

**HONORABLE MIGUEL CARDONA:**

I don't believe I'm higher than those groups.

**LISA MCCLAIN:**

But your actions would show that.

**HONORABLE MIGUEL CARDONA:**

I'm acting within the right of the -- the law with the Higher Education Act.

**LISA MCCLAIN:**

I would strongly disagree, the Senate would strongly disagree, and the Supreme Court would strongly disagree. I'm confused on rights versus responsibilities. If you have a right to a loan, don't you have a responsibility to pay it back?

**HONORABLE MIGUEL CARDONA:**

Yes.

**LISA MCCLAIN:**

Thank you. So you're in agreement with me, if you have -- if you and I make a deal and I say, hey, I want to buy this car that I should pay that car loan back.

**HONORABLE MIGUEL CARDONA:**

Yes.

**LISA MCCLAIN:**

You have a right if I buy a mortgage that I'm responsible, not my neighbor, not the person across the street, but I'm the one that took out the loan. I knew the risks and I have a responsibility. Why is education in loan forgiveness different? Because I should have a house.

**HONORABLE MIGUEL CARDONA:**

Thank you for -- for that question and I -- we have predatory institutions that are preying on students, putting them in debt and not providing --

**LISA MCCLAIN:**

We have slippery car salesmen that are preying on people too. So should we forgive their loans?

**HONORABLE MIGUEL CARDONA:**

We have --

**LISA MCCLAIN:**

I'm asking a question.

**HONORABLE MIGUEL CARDONA:**

I would like to answer --

**LISA MCCLAIN:**

Yeah? I mean we have bad actors across the board. So if you're a bad actor under that concept, I should forgive your loan. So if a slippery car salesman sells me a car and gosh, I just got in a little bit over my head, we should forgive that. I mean using that same principle.

**HONORABLE MIGUEL CARDONA:**

We have a responsibility --

**LISA MCCLAIN:**

I'm asking a question. So are we going to car loans next? If you're a shady character and sell me a bad car loan the government -- well, not the government, you, because you have more authority than Congress and the Supreme Court, we should forgive those car loans too.

**HONORABLE MIGUEL CARDONA:**

We have a respons --

**LISA MCCLAIN:**

The answer is of course not. We wouldn't do that because we have responsibilities in this country and I love how we talk about free education. It's not free. Are the teachers teaching for free?

**HONORABLE MIGUEL CARDONA:**

We are --

**LISA MCCLAIN:**

Are the teachers teaching for free? Really simple. I know we struggled with this last time, but no, they're not teaching for free --

**HONORABLE MIGUEL CARDONA:**

[inaudible]

**LISA MCCLAIN:**

Somebody is paying for it and the people who are paying for it are the American taxpayers. If you have a right, you have a responsibility and shame on you for going over Congress, Supreme -- and the Supreme Court. And with that I'm over. Thank you.

**FULL COMMITTEE CHAIR VIRGINIA FOXX (R-NC-05):**

Thank you, Ms. McClain. Pursuant to the previous order, the chair declares the committee in recess subject to the call of the chair, we'll reconvene in five minutes. Thank you. All guests should remain in seats until the witness is allowed to leave the room. So the committee stands in recess. [Recess] The committee will reconvene and come to order following our recess.

Ms. Leger Fernandez, you're recognized for five minutes.

**REP. TERESA LEGER FERNANDEZ (D-NM-03):**

Thank you so much, Madam Chairwoman, and thank you so much, Secretary Cardona, for being here today. Thank you for keeping the focus. I know it's been hard because of the manner in which the questions get asked, but I keep seeing you keeping the focus on the issue of education because we know that education is both the foundation of our democracy as well as the path for prosperity for our families.

Now I wanted to give you the time to answer a bit about the question that came up earlier. You really weren't given the time -- or I'm sorry, the respect to be able to explain the authorities that you have under the Higher Education Act to forgive student loans. And that authority was given to the department through the Higher Education Act. Would you like to take a -- do a quick response to why you are acting --

**HONORABLE MIGUEL CARDONA:**

Thank you.

**REP. TERESA LEGER FERNANDEZ (D-NM-03):**

In this regarding student loans and the authority you're doing it in.

**HONORABLE MIGUEL CARDONA:**

Well, we're looking very carefully at the authorities that I have under the Higher Education Act, an authority that was used by the last secretary as well and the crisis that we're in with our higher education loan system and access to college. And we're using our authority carefully to make sure that we're making targeted decisions to help students accomplish their goals of reaching college and following up on what the -- in bipartisan fashion, what Congress approved through the Public Service Loan Forgiveness program.

Thank you for that opportunity.

**REP. TERESA LEGER FERNANDEZ (D-NM-03):**

Right. And I think it's really important that Congress is constantly sort of assisting different industries, assisting different corporations and the idea that we're going to be investing in our future workforce and our children through education is no different, right? And to say that Americans should not help with this endeavor is very shortsighted because if we don't invest through education in our workforce, we do not have a future.

So I am glad you are making those decisions. I wanted to touch on another topic which we know that during the pandemic it was hard on everybody. Our former president was doing a disastrous job of handling COVID, but then President Biden came in and under a Democrat-led Congress, we passed multiple laws [ph]. We passed the American Rescue Plan which gave schools a lot of flexibility in how to respond to these dire situations we found ourselves in. And schools used that flexibility.

They used it to accelerate student learning, to address student mental health, to support educator workforce because schools themselves -- it was a philosophy of schools themselves would know best where to spend that money. And I loved reading your testimony that you think that bilingual -- being bilingual is a superpower.

I agree. And in New Mexico, some of those emergency relief funds were used for dual language teachers -- for certifications. I'm concerning -- concerned about the different things that are going to happen as SR [ph] funds expire. How is your department preparing to assist schools with things like educator, professor -- professor development, preparation for dual language teachers?

How are we looking at the transition and how does your budget address this issue of the transition and focusing on some of these needed areas?

**HONORABLE MIGUEL CARDONA:**

Yeah, thank you for that question. And absolutely, bilingualism is a superpower and I think what we need to do is make sure we're empowering our students to learn more languages so they can be prepared for global competitiveness. I really believe that strongly. Our budget does request additional dollars for, you know, our OELA office that focuses on English language acquisition.

It's important while maintaining your native language that you're learning English. So we have a request there for \$50 million above last year '20 -- FY '23 budget. We're continuing to support sustainability efforts working with states. I was on the phone with the governor of New Mexico yesterday talking about -- how to support how the Department of Education could support New Mexico and ensuring that those strategies that we have seen worked.

And I appreciate you mentioning the American Rescue Plan dollars. We've seen more growth in the '22-'23 school year as a result of the use of those dollars than we've seen since 2009 for students in reading, mental health access. So the goal really is to make sure that we're continuing on those efforts that we know work.

After school programming, summer programming, mental health support. We're working with states on how they can use existing funds and we're our -- our annual budget does show we're increasing title -- Title 3 dollars, Title 1 dollars to make sure that schools have the dollars that they need to be successful.

**REP. TERESA LEGER FERNANDEZ (D-NM-03):**

Right. And those title 1 dollars are so important because if we want America to succeed, we need to make sure our working families and those families that are living in the highest areas of poverty have the support they need. Thank you very much for your work. And I yield back.

**HONORABLE MIGUEL CARDONA:**

Thank you.

**FULL COMMITTEE CHAIR VIRGINIA FOXX (R-NC-05):**

Thank you. Ms. Miller, you're recognized for five minutes.

**REP. MARY MILLER (R-IL-15):**

Mr. Secretary, in West Virginia, five female students were barred from competing in track and field after refusing to compete against a biological male. In West -- in Wisconsin, young girls were forced off their volleyball teams because they felt uncomfortable sharing a locker room with biological males.

When the school district was asked about their transgender athlete policy, they said that they crafted it according to your Title 9 interpretation. Mr. Secretary, what consequences will female students face if they do not want to share a locker room with a biological male under your Title 9 rule?

**HONORABLE MIGUEL CARDONA:**

Thank you for that question. Schools have the responsibility to make sure all students feel safe, including using the bathrooms. And as a lifelong educator, these are decisions that I've had to make as a school principal, as a district leader. So --

**REP. MARY MILLER (R-IL-15):**

I'm so glad that you brought up that you're concerned about the safety of students, but the Title 9 rule and the guidance that you are putting out that you've been putting out for three years is taking away the safety of our daughters in their private spaces, in their locker rooms and showers and taking away their athletic and educational opportunities.

Girls in Wisconsin and West Virginia refused and they were kicked off their teams. These schools are basing their decisions on your rule. This is happening because of you and Joe Biden. So Mr. Secretary, in health education class, if a teacher says that men cannot become pregnant, and then a student goes to the Title 9 coordinator and says he's uncomfortable that the health teacher insists men can't get pregnant, what should the Title 9 coordinator say?

**HONORABLE MIGUEL CARDONA:**

I'd be happy to refer that question to the office for Civil Rights to provide guidance. And I can tell you that in our Title 9 rules that we recently put out, there's more guidance that goes along with it. I'd welcome an opportunity for my team to work with your constituents to make sure that the implementation of Title 9 --

**REP. MARY MILLER (R-IL-15):**

But what I want to know is in biology class if the health teacher -- or the health class, if the teacher says that men cannot get pregnant and someone reports that to the Title 9 coordinator, what should the Title 9 coordinator say because you are in charge.

**HONORABLE MIGUEL CARDONA:**

Right, and I'd be very happy to have your -- your constituents get support to make sure that their Title 9 coordinators have information. We've provided a plethora of technical assistance and we're going to continue to support regardless of --

**REP. MARY MILLER (R-IL-15):**

What would you say --

**HONORABLE MIGUEL CARDONA:**

Republicans or Democrats.

**REP. MARY MILLER (R-IL-15):**

Would you say should that teacher get in trouble?

**HONORABLE MIGUEL CARDONA:**

I don't want to comment on hypotheticals without enough information, but what I will tell you that I respect their different opinions across the country and we're committed to supporting schools.

**REP. MARY MILLER (R-IL-15):**

OK. So you respect a health teacher or a biology teacher saying that a biological male cannot get pregnant, you are recognizing biological sex, but in athletics you are wiping out biological sex and going with gender identity. So I want to know, gender identity is not defined in your rule, can you give me the official definition of gender identity?

**HONORABLE MIGUEL CARDONA:**

So I think the statement you said was inaccurate. We have not released our Title 9 athletics rules. Those are --

**REP. MARY MILLER (R-IL-15):**

Actually, you have. For three years you've been putting out Title 9 guidance rules, I brought them with, as you can see, and it does have to do with athletic teams. So moving on, could you please tell me what the official definition of gender identity is?

**HONORABLE MIGUEL CARDONA:**

We're in the rule making process for athletics as you know that was submitted maybe nine months after the proposed rule for Title 9. So we're in the process of listening to 140,000 comments --

**REP. MARY MILLER (R-IL-15):**

Well --

**HONORABLE MIGUEL CARDONA:**

Which have --

**REP. MARY MILLER (R-IL-15):**

Schools are being threatened to have their federal funding pulled a court -- because they're afraid of the consequences, the real world consequences of your Title 9 rule and your guidance that you have put out. I do want to know what would you say to a female athlete? Who would have won a gold medal, but it was now is getting a silver medal because a biological male took it?

**HONORABLE MIGUEL CARDONA:**

As I said, Congresswoman, our athletics rules have not been finalized and I'd be happy to work with whomever you want our team to work with to help --

**REP. MARY MILLER (R-IL-15):**

I do have to say you are not protecting everyone. I'm here to protect girls and to stand up for families and parents across the country that are outraged over this. You are not protecting girls, you are making a choice, you're choosing boys over girls. You are satisfied with letting the girl take the silver medal while the boy -- biological boy takes the gold.

You're going to be remembered as the education secretary under Joe Biden who erased girls sports for an entire generation. You should withdraw your Title 9 rule or resign. Thank you and I yield back to Dr. Foxx.

**FULL COMMITTEE CHAIR VIRGINIA FOXX (R-NC-05):**

Thank you, Ms. Miller. Ms. Wild, you're recognized for five minutes.

**REP. SUSAN WILD (D-PA-07):**

Thank you, Madam Chairwoman and Secretary Cardona. Thank you so much for taking the time to speak to our committee today. I wasn't here for the entire hearing because I had another hearing across the hall as things work out in Congress, but I have been briefed on earlier testimony. I know that you've been asked an awful lot of questions about FAFSA, and so I'm going to be limited on that and get to another issue that I think is really important. But I will say, and I know you've heard this from everybody, the number of concerned parents as well as the institutions of higher learning in my district that I've heard from has been overwhelming.

But I'm sure your job has been quite overwhelming this year given everything that's going on. On the FAFSA issue, I don't want to repeat things that have already been asked and answered, but I have heard from some institutions that about 30 percent of the initial institutional student information records, otherwise known as ISIRs, and for the benefit of those who may not know, that's something produced by the FAFSA system.

That includes data about a student's financial aid eligibility, right?

**HONORABLE MIGUEL CARDONA:**

Yes.

**REP. SUSAN WILD (D-PA-07):**

So I've heard that about 30 percent are sent to the colleges have errors and need to be corrected. Might be higher -- that number might be higher for institutions that serve low income and first gen students. Has the department determined how it will handle instances where institutions award students higher amounts of federal aid due to incorrect ISIRs?

**HONORABLE MIGUEL CARDONA:**

Yeah, we've corrected that issue. Thank you for -- for -- for that. We've corrected that issue. There were several issues in programing. There was an issue with information for tax data information that we've also worked to correct. We're communicating daily with schools and, you know, they've been bending over backwards.

And the financial aid directors, the college presidents, have been extremely communicative in terms of sharing what concerns they have and helping us determine what the best support strategies are. And I just want to commend them publicly and thank them for their patience and flexibility to meet the needs of students.

We have communicated with colleges directly, spoken over 100 college presidents myself to make sure that we're hearing what their concerns are and how we can address those. And through daily communication, we've been updating information on, you know, what their challenges are and how we can address them.

**REP. SUSAN WILD (D-PA-07):**

So -- so are some colleges or institutions of higher learning being required -- are they having to claw back some of the financial aid that they had offered to a student?

**HONORABLE MIGUEL CARDONA:**

No. We have communicated with them that the information that they were given could be used. Many schools asked us to just reprocess it and we've done the reprocessing for schools to have the updated information.

**REP. SUSAN WILD (D-PA-07):**

OK. So I want to shift gears to another really critical topic, mental health. Secretary, according to a 2022 study by the National Center for Education Statistics, only 13 percent of public schools strongly agreed and 43 percent moderately agreed that they could effectively provide mental health services to all students in need.

That data deeply concerns me. It indicates a significant gap in providing essential support to our students' emotional well-being. Can you discuss your department's initiatives in addressing mental health issues in our schools, particularly in light of the \$1 billion allocated to the Stronger Connections grant program?

**HONORABLE MIGUEL CARDONA:**

Absolutely. Thank you. Thank you for acknowledging the importance of mental health supports for our students. You know, our surgeon general, rightly, you know, communicated that we're in a youth mental health crisis and access to mental health supports is critically important for our students. We know students are six times more likely to access mental health supports if they're provided in our schools, which is why we are big proponents and supporters and asked for an increase of \$200 million for full service community schools that connect with community partners to provide mental health support.

The BSCA dollars, Bipartisan Safer Communities Act dollars, have been used to increase the number of school social workers by 40 percent, the number of school nurses by 30 percent.

**REP. SUSAN WILD (D-PA-07):**

At what levels? Are we talking K to 12?

**HONORABLE MIGUEL CARDONA:**

K to 12.

**REP. SUSAN WILD (D-PA-07):**

OK.

**HONORABLE MIGUEL CARDONA:**

Yes. And so they have provided access. We are also working to improve Medicaid reimbursement for sustainable dollars. So as the BSCA dollars sunset, their sustainable reimbursement dollars from Medicaid. So we're working with HHS. We have currently 13 states that have signed on to do that and we're working aggressively to get as many other states signed up to get Medicaid reimbursement.

So the goal is never to go back to a system where we had an emergency room model of mental health in our schools. Unfortunately, we often wait until the trauma happens to provide support. What we're seeing these dollars be used for are proactive strategies to support students.

**REP. SUSAN WILD (D-PA-07):**

Thank you very much. With that, I yield back, Madam Chair.

**FULL COMMITTEE CHAIR VIRGINIA FOXX (R-NC-05):**

Thank you, Ms. Wild. Ms. Steel, you're recognized for five minutes.

**REP. MICHELLE STEEL (R-CA-45):**

Thank you, Dr. Foxx, and thank you, Secretary Cardona. You are appearing us today. And you know I am just most concerned about foreign influence on our universities. So when it comes to foreign influence on our universities, we know that departments disclosures are just the tip of the iceberg when it comes to the billions of foreign funds schools don't submit.

More importantly, submissions are useless if your department does not take enforcement seriously because in fact 14 -- 117 -- Section 117 and China aren't mentioned in single time -- single time in your 10 page written testimony today. And if I'm wrong, please let me know. But your department maintains a list of open Section 117 investigations, but every single one has opened by under Trump administration.

If you add it more or you -- you know, what I found was you closed only five universities. So, you know, how many we are under the investigation and how many added and how many. It's not because it seems like we don't have a clear communications between department and us. So since taking the office, why have you not launched a single Section 117 investigation?

And do you believe the university should view relationship with dangerous countries like China and, you know, other countries of concern that except -- it does exact same as our allies? Or do you think certain countries are concerned with the national security threats warrant increased scrutiny? Should those relationships be treated differently?

**HONORABLE MIGUEL CARDONA:**

Thank you for the question, Congresswoman Steel. I can assure you that I agree with you. We should not allow foreign influence in our schools and we need to make sure we protect our schools and our students from foreign influence. To that end, the Department of Education takes very seriously the responsibility to provide public information on gifts from other countries.

And I want to make sure I correct that. We've provided almost 39,000 foreign gifts totaling over \$21 billion in the last three years, which is much more than the last administration. We are a part of the FBI's National Counterintelligence Task Force where they provide -- we share information and if there is a need for investigations, that task force is the one that does it. We believe that by having transparency not only to that task force but to the public, we can communicate where foreign gifts are coming from and the law enforcement arms are best suited to investigate.

**REP. MICHELLE STEEL (R-CA-45):**

So I hope that, you know, we have much better communication to our department -- our committee and your department so we understand exactly what kind of tangible steps that, you know, you are taking in your department because when we see the report and it's not there, then you know what, we don't know that what exactly what you are doing and what kind of tangible steps that you are taking.

And just one more thing that I want to just ask, charter schools because you remember last year you came out and you support charter schools. So a 2023 study from Stanford Center for Research on Education Outcomes found that in math, charter school students on average learned the equivalent of an additional six days per year and in reading added 16 days of learning.

Ms. -- Chairwoman. I want to submit this on the record that this publication.

**FULL COMMITTEE CHAIR VIRGINIA FOXX (R-NC-05):**

Without objection.

**REP. MICHELLE STEEL (R-CA-45):**

Student -- students in poverty achieve an additional 23 days of learning in reading and 17 days in math. However, the Biden administration proposed \$40 million cut to the federal charter school program. Why such excellent result for at risk students that the administration would like to cut? Because we have to add and we have to add more charter schools.

**HONORABLE MIGUEL CARDONA:**

Thank you for the question. I agree with you that parents should have options for their children and charter schools are a viable option. And --

**REP. MICHELLE STEEL (R-CA-45):**



Thank you for agreeing with us.

**HONORABLE MIGUEL CARDONA:**

Yeah, yeah, you know, and I have to be very frank, you know, the Fiscal Responsibility Act is something we take very seriously. We have to look for where we can provide cuts in our budget proposals that wouldn't impact students. There were several. That -- we cut comprehensive centers by 9 percent, the innovation and research grants, we cut that by five percent.

And while the charter school grant was cut -- the proposal was cut, I can assure you that it wouldn't impact any of those who are currently under the grant. The demand for that has decreased. I'd be happy to have my team share more information about that. But it is still the largest K-12 competitive grant that we oversee at the Department of Education.

So I think that's testimony to the fact that we do support charter schools as an option for families who choose it.

**REP. MICHELLE STEEL (R-CA-45):**

So there is no impact on charter schools?

**HONORABLE MIGUEL CARDONA:**

No.

**REP. MICHELLE STEEL (R-CA-45):**

A \$40 million cut is a lot for the charter schools.

**HONORABLE MIGUEL CARDONA:**

What we've had to do and again speaking about the lack of demand, what we've had to do is using the grants, front load dollars, it wouldn't affect any of the CSP awards for years.

**REP. MICHELLE STEEL (R-CA-45):**

Thank you. My time is up. I yield back.

**FULL COMMITTEE CHAIR VIRGINIA FOXX (R-NC-05):**

Thank you, Ms. Steel. Ms. Wilson, you're recognized for five minutes.

**REP. FREDERICA WILSON (D-FL-24):**

Secretary Cardona, thank you so much for joining us today. I just loved your visit to my elementary school and I want you to come back again. I want to express my gratitude for the Biden-Harris administration's dedication to our students. Our former secretary of education has stated her goal was to eliminate schools.

That's what you call insanity on steroids. The Biden-Harris administration [off-mic] working want to be somebody students and their effort to secure the promise of higher education. And I thank you, Secretary, for your work on that -- on that issue. No other president has tackled this debacle that cripples so many.

No other president. That is why I have proposed the LOAN Act [ph] that would build on this administration's effort to cancel student loans. Secretary Cardona, last September, UN Secretary Vilsack sent a joint letter to multiple governors including Florida urging an investment in HBCUs. As you know, President Biden has repeatedly called on raising teacher pay.

And during this teacher appreciation week, I would hope the Department of Education reaffirms its commitment to our teachers. I want to also thank the department for its recent Title 9 changes that combat sexual harassment and discrimination. It's crucial that we affirm our commitment to safeguarding the LGBTQI+ community and combating sexual misconduct on college campuses.

And I thank you for that. One thing of concern to me is the recent FAFSA rollout that has disrupted educational opportunities for thousands of students, but I know together this administration with your help will work to deliver for our students to ensure we deliver a high quality education across these United States.

My question is, are there any updates or information you want to share with this committee that we have not addressed? The floor is yours.

**HONORABLE MIGUEL CARDONA:**

Thank you very much. Thank you. And, you know, let me just start off by saying I -- we are working around the clock to get more students to fill out our FAFSA. The delays created frustrations and -- to the families and students who had to deal with that. I recognize how difficult that was. I myself have a senior in high school and, you know, they should be thinking about college and all that and not the delays.

I'm -- I'm proud to say though we processed over 9 million applications. The gap between last year and this year is decreasing significantly and we have a nationwide strategy now working with our principals, our superintendents. If students go to studentaid.gov right now and fill out FAFSA, it should be a 15 to 20 minute process.

If their contributors [ph] fill it out, by Friday, the schools will have their information. So it's up and running and now we've allotted \$50 million to assist that -- the implementation, meaning having people help students get it done. This is important to us. I know as a first generation college student, how important it is to make sure you have access to FAFSA. So that is a priority.

And thank you for acknowledging Teacher Appreciation Week. We believe strongly that the shortage that we have in our country is a symptom of a teacher respect issue. And I'm really proud that President Biden and Dr. Biden elevated it to a state dinner for national teachers of the year. But it really sends the message that we need to provide agency better working conditions and competitive salary to our educators.

We are strong believers that we need to defend public education, not defund it, and doing that includes supporting our educators who give their best for our children. Thank you.

**REP. FREDERICA WILSON (D-FL-24):**

I yield back.

**HONORABLE MIGUEL CARDONA:**

Thank you.

**FULL COMMITTEE CHAIR VIRGINIA FOXX (R-NC-05):**

Thank you, Ms. Wilson. Mr. Kiley, you're recognized for five minutes.

**REP. KEVIN KILEY (R-CA-03):**

Good afternoon, Mr. Secretary. A few days ago you wrote a letter to universities condemning the rise in antisemitism on campuses and you specifically spoke about incidents of students being physically assaulted, subjected to virulently antisemitic statements, being subjected to verbal abuse, finding swastikas on their dorm room doors.

You said that these and other incidents are abhorrent. Period. They have no place on college campuses. I'm glad that you wrote that letter. You recognized the platform that you have to try to influence behavior for the better on our university campuses. However, there is a lot of things going on there that your letter left unaddressed.

So I wanted to take a moment to ask you about a few of them. For example, we've seen at a number of campuses such as UCC San Diego and UCLA protesters who have blocked physically Jewish students from entering campus or entering spaces on campus. Do you condemn that behavior?

**HONORABLE MIGUEL CARDONA:**

Thank you for the question and let me just start off by saying hate has no place in our schools.

**REP. KEVIN KILEY (R-CA-03):**

I understand and I thank you for that. Can you please address the specific question? Do you condemn those who are physically blocking Jewish students from entering their campuses?

**HONORABLE MIGUEL CARDONA:**

Absolutely.

**REP. KEVIN KILEY (R-CA-03):**

Thank you. I appreciate that. I think that's a very important message. How about the encampments themselves? These protesters who have set up tents on campus and are refusing to leave in violation of university rules and often the law. Do you condemn that?

**HONORABLE MIGUEL CARDONA:**

I condemn behaviors that are unsafe and I leave it to the university leaders and their board of governors to address how they handle encampments or items -- or other issues that are happening on campus.

**REP. KEVIN KILEY (R-CA-03):**

Sure --

**HONORABLE MIGUEL CARDONA:**

I will say -- but if I can finish, please, what I will say is acts of intimidation or violence toward Jewish students or any students for that matter are not tolerated. That's not --as the president said, that's not protesting, that's creating a --

**REP. KEVIN KILEY (R-CA-03):**

I appreciate that and that's an important message, but the encampments themselves when they violate university policies and the law, do you condemn them?

**HONORABLE MIGUEL CARDONA:**

The university has a responsibility to follow -- to uphold their rules on campus and --

**REP. KEVIN KILEY (R-CA-03):**

So can you tell me right now, yes or no, if you condemn these encampments?

**HONORABLE MIGUEL CARDONA:**

Again, those are decisions for the universities to make. I know that in some cases universities are engaging in dialogue with students to come up with a strategy out. I don't want to get into the details of cases that I don't have --

**REP. KEVIN KILEY (R-CA-03):**

Sure, but you just wrote a letter to university leaders in which you called out things that you think that they ought to do. And so I'm asking is this one of them? Let me put it this way. For students or whoever they might be, who are in these encampments who have been told to leave, who have been told to disperse and move along and are refusing, what is your message to them?

**HONORABLE MIGUEL CARDONA:**

You know, for me it's really important to think about this from the perspective of giving the universities the opportunity to engage, but keeping students safe. I think about those students who should be thinking about graduation and we want to make sure that all students have access to their classes --

**REP. KEVIN KILEY (R-CA-03):**

But for students who have been told to leave or other protesters in encampments and are refusing to do so, what is your message to them? Will you tell them as the secretary of education that they need to leave when they've been told to do so?

**HONORABLE MIGUEL CARDONA:**

Students -- all students, whether they have encampments or not, have to follow the rules of the school and make sure that they're not engaging in behaviors that are unsafe --

**REP. KEVIN KILEY (R-CA-03):**

So students or others who are in encampments and have been given orders to leave, they should leave, yes?

**HONORABLE MIGUEL CARDONA:**

If the university directs them to leave, they should leave.

**REP. KEVIN KILEY (R-CA-03):**

Thank you. I appreciate that. We've also seen examples of faculty who have said for example at University of Chicago that they are willing to be arrested with the students who refuse to leave the encampment. Do you condemn those faculty members who are standing in the way of the rules being enforced?

**HONORABLE MIGUEL CARDONA:**

You know, my responsibility under Title 6 is to make sure that students are not being attacked or harassed --

**REP. KEVIN KILEY (R-CA-03):**

But do you condemn faculty members who are interfering with university or law enforcement efforts to clear encampments? Yes or no?

**HONORABLE MIGUEL CARDONA:**

I believe university officials should adhere to the rules in their -- their university.

**REP. KEVIN KILEY (R-CA-03):**

So that's a yes. You condemn faculty members who are interfering with efforts to clear encampments?

**HONORABLE MIGUEL CARDONA:**

I support university officials following the rules of their universities, yes.

**REP. KEVIN KILEY (R-CA-03):**

How about some of these universities that are negotiating changes in university policy towards Israel is -- as a demand of those who are in the encampments, do you think that's appropriate?

**HONORABLE MIGUEL CARDONA:**

My responsibility under Title 6 is to enforce with the Office for Civil Rights violations of Title 6 and --

**REP. KEVIN KILEY (R-CA-03):**

No, no, Mr. Secretary, you've been very outspoken on a number of issues. So I'm asking you your view, do you think that's appropriate for universities to cede to demands of those in encampments and actually change policies towards Israel in response?

**HONORABLE MIGUEL CARDONA:**

I think it's my responsibility to be very clear that we will not condemn -- we will not accept hate on campus and we stand against that --

**REP. KEVIN KILEY (R-CA-03):**

We've seen some universities talk about ending study abroad programs to Israel. Do you think that's appropriate?

**HONORABLE MIGUEL CARDONA:**

Our Title 6 regulations make it very clear and if you go to our website at .gov, there's a supporting safer --

**REP. KEVIN KILEY (R-CA-03):**

OK. I'm not asking about your website. How about demands to cut ties with Hillel? Do you condemn those demands to cut ties with Hillel at universities?

**HONORABLE MIGUEL CARDONA:**

There's guidance there for universities where a lot of the questions that you're asking makes it very clear.

**REP. KEVIN KILEY (R-CA-03):**

OK. But your letter said that certain things are abhorrent on campus, would you say that's one of them? Calls for universities to cut ties with Hillel? Is that abhorrent to use your word?

**HONORABLE MIGUEL CARDONA:**

Violence towards students antisemitism on campus which we've seen --

**REP. KEVIN KILEY (R-CA-03):**

Mr. Secretary, you're not willing to condemn calls to cut ties with Hillel? Will you condemn that? Yes or no?

**HONORABLE MIGUEL CARDONA:**

We are responsible for adhering to Title 6 and enforcing it and your support of our budget would help us get to that level instead of creating division as I said in the beginning of my call --

**REP. KEVIN KILEY (R-CA-03):**

I yield back.

**HONORABLE MIGUEL CARDONA:**

For us to work together.

**FULL COMMITTEE CHAIR VIRGINIA FOXX (R-NC-05):**

Thank you, Mr. Kiley. Thank you, Mr. Secretary. Ms. Manning, you're recognized for five minutes.

**REP KATHY MANNING (D-NC-06):**

Thank you, Madam Chair. And thank you, Mr. Secretary, for being here today. Mr. Secretary I have just returned from a Holocaust memorial -- memorial ceremony in the Capitol that seemed all too relevant today because we were reminded that the Holocaust did not start with the death camps. It started with Jews being demonized, harassed, dehumanized, blamed for evils they did not commit.

And over the last few months, I have met with Jewish students on college campuses who are being demonized, harassed, dehumanized, blamed for evils they did not commit. And I have visited Columbia University and I've seen signs that can only be interpreted as calling for the elimination of the State of Israel and genocide against Jewish people around the globe.

I am pleased that you have put out the letter that you put out today. It's detailed. It contains real world examples of the kinds of things that can be considered worthy of an investigation by the Office of Civil Rights. And I appreciate the detailed examples because we need more reasons for schools to do their job and keep Jewish students safe and make sure that we stop the antisemitism that is happening on college campuses.

So what I am interested in today is finding out what more you can do from your position to stop the antisemitism that is exploded on our college campuses.

**HONORABLE MIGUEL CARDONA:**

Yeah.

**REP KATHY MANNING (D-NC-06):**

If you were giving -- given the funding that you need, could you enforce more of the Title 6 requirements and help schools and administrators understand what their obligations are?

**HONORABLE MIGUEL CARDONA:**

Absolutely. We could not only, you know, you mentioned the dear colleague letter that we submitted today. There was a letter from myself to college presidents Friday with examples. But by investigating, closing out investigations, which the funding that we're asking for will help us to do, we can create, you know, case studies or lessons learned from examples of cases closed that are happening today.

And so we strongly encourage support of the budget.

**REP KATHY MANNING (D-NC-06):**

As you know, the Department of Education plays a major role in the US national strategy to counter antisemitism. President Biden is the first US President ever to issue a national strategy. I have introduced a bipartisan, bicameral bill that would codify the national strategy and it would designate a senior official at the Department of Education to serve as your primary advisor on countering antisemitic discrimination in higher education.

Among other duties, this official would proactively visit institutions to remind students of their rights and administrators of their responsibilities. How would this -- having this senior official help you in your obligation to combat antisemitism?

**HONORABLE MIGUEL CARDONA:**

Thank you. Any resources that we can get to have human capital to close out cases --

**REP KATHY MANNING (D-NC-06):**

But specifically, a senior official whose job it was to monitor and combat antisemitism, would that be helpful to you?

**HONORABLE MIGUEL CARDONA:**

Absolutely. Absolutely. Yes. That person would be uh paying attention to what's happening daily, reaching out to colleges, students, and families and addressing antisemitism.

**REP KATHY MANNING (D-NC-06):**

So I understand that you have deployed personnel to several schools that are currently facing protests. Which schools are the department's employees visiting and how are they working with school administrators to restore calm and protect Jewish students?

**HONORABLE MIGUEL CARDONA:**

Thank you. We have many open investigations and we have staff and schools -- I can have a more detailed list sent to you. We are communicating regularly with schools and not only through the investigations, but also engaging with them around how to use the materials that we're providing to prevent antisemitism on campus.

**REP KATHY MANNING (D-NC-06):**

You testified before the Senate Appropriations Committee's -- committee rather that schools in violation of Title 6, which protects students from antisemitism will have their federal funding revoked. That is a serious position to take. Where do institutions cross the line into violating Title 6? And are you prepared to enforce the law against institutions that cross that line?

**HONORABLE MIGUEL CARDONA:**

I am. It is the last step. The goal is to change behaviors and make campus safe for all students and address the underlying issues that led to the report. If a school openly refuses to adhere to Title 6, re -- revoking funds is something that I can do and I would do.

**REP KATHY MANNING (D-NC-06):**

Thank you. My time has expired. I yield back.

**HONORABLE MIGUEL CARDONA:**

Thank you.

**FULL COMMITTEE CHAIR VIRGINIA FOXX (R-NC-05):**

Thank you, Ms. Manning. Mr. Bean, you're recognized for five minutes.

**AARON BEAN:**

Thank you very much, Madam Chair, good morning to you. Good morning, Committee. And Mr. Secretary, welcome back. It is great to see you. You, Mr. Secretary, have a very impressive resume. You've been a teacher in Connecticut, you've been an administrator, you were a principal. Would you agree that one of the hardest parts of being an educator is the planning, the logistics of how many kids you have, how many -- little resources you have to make that -- is planning a really tough part of being an educator?

**HONORABLE MIGUEL CARDONA:**

Planning is an important part of being an educator.

**AARON BEAN:**

Very good. So you would agree then when -- when I hear from school districts of how hard it's been, the massive influx of illegal immigrants into our school system, you would agree that that's a -- that's -- that's real -- that's real that they're having a hard time managing all this influx of students that they didn't know were coming.

**HONORABLE MIGUEL CARDONA:**

Planning for new students as a school principal is something that, yeah, was something that we had to take into account.

**AARON BEAN:**

So it's a curve ball. Do we know how many illegal immigrants are in our school systems right now?

**HONORABLE MIGUEL CARDONA:**

I can have my staff reach out to you about that information. I don't have it off the top of my head.

**AARON BEAN:**

So -- but do you have any idea, Is it a -- is it in the millions, Is it in 100 thousands? Do you have a general idea? And here's the thing, I should know the answer. I don't know. I've gone online to try to find the answer. I don't know the answer, but I would have -- I would assume the Department of Education, you would know, but you don't know how many are here.

**HONORABLE MIGUEL CARDONA:**

I'd be happy to have my team follow up with you on specific --

**AARON BEAN:**

No, we -- I actually, I'm sincere when I say I'd like to know, does there come a number though? Is there a number in the future that you would say, we just can't take any more? Is there a number that you would agree that we just can't take any more? It's causing our numbers, teaching our kids to suffer when we just can't logistically plan for the future?

Would you -- is there a number that you would say enough is enough?

**HONORABLE MIGUEL CARDONA:**

So it is --

**AARON BEAN:**

There's not a number?

**HONORABLE MIGUEL CARDONA:**

The responsibility of educators as a school principal, I can tell you --

**AARON BEAN:**

Oh, you take everybody. I'm with you and I understand that's the law. Anybody that comes, you take them. But is there a time you're going to say enough? We got to call time out. You would tell Joe Biden, time out. We just -- we're -- we're stressed.

**HONORABLE MIGUEL CARDONA:**

As educators, it's really important that we meet the needs of our --

**AARON BEAN:**

So there's no number, and I was hoping you'd tell me there's a number. So I can say help is on the way or there -- we'll hit that max. But there is no end in sight. We're all on our own. Are you aware how many schools have been either shut down or partially taken over to house illegal immigrants?

**HONORABLE MIGUEL CARDONA:**

I'm aware of cases of schools that --

**AARON BEAN:**

How many? Do you know how many?

**HONORABLE MIGUEL CARDONA:**

Off the top of my head, I don't.

**AARON BEAN:**

It's a -- it's a bunch. And it -- one would be too many for those students that have to -- to do that. So that's something to be aware of. That's when I hear our educators, we have a lot of struggles with numbers right now. I chair the subcommittee on -- on K through 12, and our numbers since COVID have plummeted.

And so we've got work to do, Mr. Secretary. And this is something that -- that hopefully they won't have to do it. I want to congratulate you because you have done something few have done. You have united Republicans and Democrats, House members and Senators on coming together to say that the Department of Education doesn't have the authority to give money that's not theirs away in the terms of -- of -- of student loans.

Are you aware that even the Supreme Court has come out and said this is outside of your authority? Are you aware of that the Supreme Court, the highest court in the land, has said the Department of Education, this is not your purview. It's not your money. This belongs in Congress. Are you aware of that, Mr. Secretary?

**HONORABLE MIGUEL CARDONA:**

The decision of the Supreme Court was in reference to the Heroes Act. I'm acting under the higher education --

**AARON BEAN:**

So you're interpreting it different, you're saying that you trump Congress and you trump the courts. Is that what you're saying, Mr. Secretary?

**HONORABLE MIGUEL CARDONA:**

That is not what I'm saying.

**AARON BEAN:**

Well, that's what it appears and that's why people are struggling with it. People will think it's arbitrary, but yet you've picked winners and losers of who you allow to forgive the money that's not ours. It's the taxpayers. It's



not forgiven. It comes back to us. First of all, are you aware that -- that a lot of times and I've been in hearings and I was a banker and made loans, a lot of student loans don't actually go to fund education there where the students have rolled into credit card debt or taken trips or bought cars.

Are you aware of that it's not all actually going to education? Are you aware of that?

**HONORABLE MIGUEL CARDONA:**

The work that we're doing with public service loan forgiveness and borrower forgiveness --

**AARON BEAN:**

You may not be aware, so I'll tell you, I've been to hearings and the way they do it, they combine debt. But you have -- you have put -- picked winners and losers because for those students that have chosen a religious based school or a private school, uh, you've not forgiven their loans. Is this your way of declaring war on those that pick a religious school or a private school?

**HONORABLE MIGUEL CARDONA:**

Absolutely not. We're working for the working class folks who need a break. Instead of tax breaks to millionaires, we're trying to focus on helping those who are trying to get their education and not be in a lifetime of debt, sir.

**AARON BEAN:**

I want to make you aware of so many things out there. Uh, thank you very much, Madam Chair. I yield back.

**FULL COMMITTEE CHAIR VIRGINIA FOXX (R-NC-05):**

Thank you. Mr. Bean. Ms. Omar, you're recognized for five minutes.

**REP. ILHAN OMAR (D-MN-05):**

It's good to see you, Mr. Secretary. Thank you so much for -- for joining us. I got a little jealous about everybody thanking you for coming to their district, so we should soon see you in, uh, CD5. Um, I wanted to talk a little bit about the rise in targeting and harassment of -- of students on campus that are protesting against the genocide that's taking place in Gaza, including Jewish students, Black, brown, Arab and Muslim students.

Emotions and fears are running high as students of all backgrounds say they are fearful of escalations of antisemitism, Islamophobia, and bigotry. My office has received countless stories of -- from Jewish students, Arab students, Muslim students who have been targeted harassed and alienated on campus just because they are standing against the genocide that's happening in Gaza.

I know that you've been meeting with students, parents, and leaders. Is there something that you can share with us about the rise of antisemitism and Islamophobia on college campuses?

**HONORABLE MIGUEL CARDONA:**

Yes, thank you for the opportunity. Uh, you know when I hear from students and families directly, they're scared. They're scared. Uh, you know, safety on campus is something that they don't feel like they should compromise or you know, we strongly condemn any acts of violence or discrimination on campus.

We've been very clear about that. But what I'm hearing from families is you know that they're scared. That children are having to hide symbols of their faith on their way to class so that they're not targeted. Uh, that to me is, you know, as a father and as an educator something that I stand against.

**REP. ILHAN OMAR (D-MN-05):**

I know that the administration has -- has condemned a lot of speech on campus. What I have not heard be condemned is statements like kill all Muslims, kill all Arabs, level Gaza. Do you condemn those kind of comments?

**HONORABLE MIGUEL CARDONA:**

Absolutely.

**REP. ILHAN OMAR (D-MN-05):**

Thank you. Will you give your commitment to this committee and the American people that the department will investigate complaints of Islamophobia, anti-Palestinian, anti-Arab and anti-Muslim discrimination?

**HONORABLE MIGUEL CARDONA:**

Yes.

**REP. ILHAN OMAR (D-MN-05):**

Thank you. What additional support could Congress provide for you to be able to ensure robust oversight and investigation and accountability is carried out?

**HONORABLE MIGUEL CARDONA:**

Well, thank you for that. We're asking for a \$22 million increase in our budget we were funded last year. In 2009, we had 58 more investigators and a third of the cases that we have today. Uh, in 2019, there were 10,000 cases a year. In 2021-22, there were 19,000. The increase is -- is extremely high. We need additional investigators to close out these cases and make sure we're providing support to our students.

**REP. ILHAN OMAR (D-MN-05):**

Do you have an idea of the number of cases that are pending at the moment?

**HONORABLE MIGUEL CARDONA:**

We have 149 -- excuse me, 145, uh, cases on, uh, shared ancestry open.

**REP. ILHAN OMAR (D-MN-05):**

On college campuses?

**HONORABLE MIGUEL CARDONA:**

On college campuses.

**REP. ILHAN OMAR (D-MN-05):**

I want to pivot. Last time you were here, I asked you about the Mohela, [ph] um, frustration that a lot of borrowers were experiencing. Um, feeling like their rights were -- were being violated. Um, we talked about how concerned I was about renewing their -- their contract. I know that the department has done some work in taking some of the cases off.

Uh, it seems like there -- that you all are going through some processing pauses, um, as the transition happens. How are you ensuring that the borrowers do not have an interruption as the transition in the past continues?

**HONORABLE MIGUEL CARDONA:**

Sure, thank you for that. And let me just go back to -- we have 145 open cases, 100 cases since, uh, October 7th. And they may include K-12, um, but 100 cases since. And I believe those are college. I can get that information to you. We are transitioning some cases as Mohela requested, uh, to other servicers.

We're communicating with borrowers to try to minimize disruption for public service loan forgiveness.

**REP. ILHAN OMAR (D-MN-05):**

OK. Um, and I'm wondering, um, how the department is planning to make sure those that remain with Mohela are able to receive a better service?

**HONORABLE MIGUEL CARDONA:**

Well, look, I think part of the fixing the broken higher education system is making sure that we're looking at it from the perspective of the -- the consumer. Uh, I -- I -- we need to improve student borrower, uh, services really. And part of that, a lot of the work that we're doing at FSA and just contracting is to improve services.

We're also holding folks accountable, all servicers. And there have been, uh, payments that we've withheld because the services weren't great to our borrowers. So we are holding them more accountable and we're providing more resources. And as you mentioned, with Mohela, we're moving some cases over, uh, at their request to make the process smoother for our borrowers.

**REP. ILHAN OMAR (D-MN-05):**

Wonderful, thank you. I yield back.

**HONORABLE MIGUEL CARDONA:**

Thank you.

**FULL COMMITTEE CHAIR VIRGINIA FOXX (R-NC-05):**

Thank you. Mr. Burlison, you're recognized for five minutes.

**REP. ERIC BURLISON (R-MO-07):**

Thank you, Madam Chair. Mr. Secretary, since coming to Congress, I have been really -- when people ask me what do you -- what are your thoughts? One -- one of the things that I -- that I've taken away from this place and try to convey back home is a shocking amount of info -- of, um, espionage and activity from foreign adversaries into the United States.

And some of those briefings that we've had included here in the Education Committee, particularly when it comes to China and their involvement and their -- their -- their form of elite capture that -- that occurs. And so my question has to do with Section 117 of the Higher Education Act that mandates that the universities and colleges must report twice each year to the secretary whenever they receive foreign monetary or non-monetary gifts in excess of \$250,000. Correct?

**HONORABLE MIGUEL CARDONA:**

Correct.

**REP. ERIC BURLISON (R-MO-07):**

OK. In October of 2020, the Department of Education under the Trump administration conducted a study and they issued a report entitled Institutional Compliance with Section 117 of the Higher Education Act of 1965. This is the copy of the study. I'm sure that you reviewed that study before.

**HONORABLE MIGUEL CARDONA:**

I've been briefed, yes.

**REP. ERIC BURLISON (R-MO-07):**

Yes. Um, Madam Chair, I'd like to enter this into the record if that's possible.

**FULL COMMITTEE CHAIR VIRGINIA FOXX (R-NC-05):**

Without objection.

**REP. ERIC BURLISON (R-MO-07):**

Thank you. So, um, in this study they document a shocking number of universities and colleges that were out of compliance with Section 117. Do you have any comments regarding that?

**HONORABLE MIGUEL CARDONA:**

Yeah. Thank you. I share your concern. I'm a big believer that we have to stop any foreign influence in our schools. We're committed to that. And we're committed to working with you to make sure that we communicate what we're doing on that. I can tell you that the Department of Education has taken it seriously.

We provided, uh, foreign gifts reports of over -- almost 39,000 foreign gifts that were given to universities over \$21 billion. Um, so this is something that we communicate openly, we believe in the transparency. Additionally, sir, we're part of the FBI's National Counterintelligence Task Force to make sure that our agency is -- is working with uh, the law enforcement investigative arm to make sure that not only are we transparent about the information and -- and clear which universities are getting, which gifts from which countries, but that the arm that does the investigations has the information.

We take it very seriously and we'll continue to do that.

**REP. ERIC BURLISON (R-MO-07):**

Thank you. Have you followed up on this report and the information with -- with an updated report? Um, particularly what I'm interested in is how many universities are in compliance today versus were in compliance in 2020?

**HONORABLE MIGUEL CARDONA:**

Um-hum, I can have that information looked into and sent to you, sir.

**REP. ERIC BURLISON (R-MO-07):**

OK. Um, if -- so if you haven't done a report you would -- would you agree that you would do a -- you'd be willing to do a follow up report on that?

**HONORABLE MIGUEL CARDONA:**

Uh, I'd be happy to have some follow up with you on the questions that you have.

**REP. ERIC BURLISON (R-MO-07):**

Because I'm not trying to be -- I'm not trying to be rude here. I'm just -- I'm actually asking a legitimate question. Because I would think based on what came out of this report that you would genuinely want to know where -- where the university stand and how many of them are in compliance with section seven -- 117.

**HONORABLE MIGUEL CARDONA:**

Yeah, we're definitely interested in making sure foreign influence is out of our schools, which is why we've reported more gifts than -- than the previous administration. And we're going to continue to work with the FBI's National Counterintelligence Task Force on Investigations.

**REP. ERIC BURLISON (R-MO-07):**

Uh, and then my -- with my limited time, I want to go into an extension of this, which has to do with -- I think what we're seeing is the -- obviously, the uprise on antisemitism on our college campuses. There's been some connections made to groups like students for Justice in Palestine and other groups.

Are you investigating any foreign involvement or connections between, um, foreign entities and funneling money into some of these groups?

**HONORABLE MIGUEL CARDONA:**

Thank you, uh, currently we have 145 open investigations. Um, many of them are shared ancestry. Um, what I can tell you is when we initiate an investigation, information comes out during the investigation that might move the investigation or broaden it. So while I can't comment specifically on, uh, your question, I can tell you that that's within the scope of information that we receive from schools.

And if that is part of our, uh, investigation request, then it's something that would be investigated.

**REP. ERIC BURLISON (R-MO-07):**

And these -- these -- these groups, they can receive the money but only directly through the universities. Is that correct? Or can they receive money directly from the outside?

**HONORABLE MIGUEL CARDONA:**

Um, I could have my team follow up with you on, uh, that information.

**REP. ERIC BURLISON (R-MO-07):**

OK, that would be good to know.

**HONORABLE MIGUEL CARDONA:**

Sure.

**REP. ERIC BURLISON (R-MO-07):**

Um, thank you my time has expired.

**FULL COMMITTEE CHAIR VIRGINIA FOXX (R-NC-05):**

Thank you, Mr. Burlison. Mr. Scott, you're recognized for five minutes.

**FULL COMMITTEE RANKING MEMBER BOBBY SCOTT (D-VA-03):**

Thank you. Excuse me. Thank, thank you. Thank you, Madam Chair. Um, Mr. Secretary, you've heard a lot about the FASFA and we expect you to get that back on track as quickly as possible. You've also heard a lot about the student -- the student debt problem and whether or not the taxpayer ought to be paying for the, um, just for the loan forgiveness.

Um, whether people who are not students should be paying for the loan forgiveness. Do you hear the republicans complain about the Trump tax cut where 80 percent of the benefits went to the top one percent? Did you hear them complain that the 99 percent had to actually pay for that? Or did you hear them complain about the PPP loans?

People who don't own a business had to pay for the forgiveness of those PPP loans. Do you hear any complaints about that?

**HONORABLE MIGUEL CARDONA:**

No, sir, I don't.

**FULL COMMITTEE RANKING MEMBER BOBBY SCOTT (D-VA-03):**

OK. Now how many colleges and universities are there in the United States?

**HONORABLE MIGUEL CARDONA:**

There's well over 5,000, sir.

**FULL COMMITTEE RANKING MEMBER BOBBY SCOTT (D-VA-03):**

And how -- on how many campuses are there active, um, encampments or protests at this point?

**HONORABLE MIGUEL CARDONA:**

I couldn't tell you off the top of my head, but it's a small number, sir.

**FULL COMMITTEE RANKING MEMBER BOBBY SCOTT (D-VA-03):**

About 30 or 40, about one percent, 50, maybe? About one percent.

**HONORABLE MIGUEL CARDONA:**

That's about right.

**FULL COMMITTEE RANKING MEMBER BOBBY SCOTT (D-VA-03):**

And on those campuses, how many students are actually participating in the protest?

**HONORABLE MIGUEL CARDONA:**

Well, you know, it depends on campus, but I would say probably a smaller percentage.

**FULL COMMITTEE RANKING MEMBER BOBBY SCOTT (D-VA-03):**

Small group, OK. Now you've been asked how to intervene on how the campus should be handling these, um, without much information and it varies from case to case. If a student had a protest on better food in the cafeteria, would you be expected to intervene and tell the college how to deal with that?

**HONORABLE MIGUEL CARDONA:**

I will likely not, sir.

**FULL COMMITTEE RANKING MEMBER BOBBY SCOTT (D-VA-03):**

You indicated that, uh, all students have a right to be safe on campus. Um, that means they all have the right to be protected under Title 6 and Title 9. That means free from antisemitism, but also Islamophobia, homophobia, racism, Asian hate gender, gender identity. Um, and did I indicate -- did I hear you say that there were about 140 -- 140 some cases of, would you say shared heritage?

**HONORABLE MIGUEL CARDONA:**

Yeah, shared ancestry 145.

**FULL COMMITTEE RANKING MEMBER BOBBY SCOTT (D-VA-03):**

100 -- and that would include all of the antisemitism cases?

**HONORABLE MIGUEL CARDONA:**

Correct.

**FULL COMMITTEE RANKING MEMBER BOBBY SCOTT (D-VA-03):**

And how many -- how many open cases do you have on everything else?

**HONORABLE MIGUEL CARDONA:**

Uh, we have 145 under shared ancestry. I can have that information provided for you to have more accurate numbers. I don't have that in front of me.

**FULL COMMITTEE RANKING MEMBER BOBBY SCOTT (D-VA-03):**

But the number of open cases is over 10,000, isn't it?

**HONORABLE MIGUEL CARDONA:**

The number of cases that we get a year is probably closer to 19,000.

**FULL COMMITTEE RANKING MEMBER BOBBY SCOTT (D-VA-03):**

OK. Um, under the implementation of Every Student Succeeds Act, that implementation was disrupted by the pandemic. And it had three major, major provisions. One is that the -- you have to ascertain whether or not there are achievement gaps and have credible, um, strategy to do something about it. And resource equity.

How are we getting back on track to implement the provisions of the Every Student Succeeds Act?

**HONORABLE MIGUEL CARDONA:**

Thank you, uh, Ranking Member. We take very seriously the accountability that assures that our students are making gains. Um, you know, academically, we've been paying attention to not only NAEP data but statewide data, uh, that tells us that students have recovered. Um, a third of the pandemic learning loss in math, a quarter in reading.

And that the gains has been -- have been two times as high, uh, in math than in typical years. And in reading five times as much growth. So we are seeing growth based on the implementation of the dollars. However, that's important -- it's important that we continue to use the assessment data that is provided by states that our Office of Elementary and Secondary Education have regular conversations and meetings with states, uh, to monitor growth and subgroup information in terms of students that are achieving.

**FULL COMMITTEE RANKING MEMBER BOBBY SCOTT (D-VA-03):**

Now some of that growth because we had significant funding under Title 1 in the American Rescue Plan Act?

**HONORABLE MIGUEL CARDONA:**

Sir, I would say as a teacher and principal, it was because of the additional funding and the great use by our educators in the field.

**FULL COMMITTEE RANKING MEMBER BOBBY SCOTT (D-VA-03):**

Um, does -- I just have, I guess one, maybe several other questions I'll submit, but can you say a word about after school program funding?

**HONORABLE MIGUEL CARDONA:**

They're critical and we have to do better as a country. In our grant, we -- in our proposal, we have funding for after school programs to reduce summer slide. We have to do better. We can't go back to where we were.

**FULL COMMITTEE RANKING MEMBER BOBBY SCOTT (D-VA-03):**

Thank you, Madam Chair.

**FULL COMMITTEE CHAIR VIRGINIA FOXX (R-NC-05):**

Thank you, Mr. Scott. Mr. Moran, you're recognized for five minutes.

**NATHANIEL MORAN (R-TX-01):**

Thank you, Madam Chairwoman. Uh, Secretary Cardona, we spoke last year and I want to follow up with some of what we talked about last year. But let me start with just making sure that those in my East Texas district are aware of this new Title 9 rule that's being proposed by the Biden administration. On April 29th, 2024, this new regulation was published.

And this final rule dramatically, in my opinion, changes the existing Title 9 regulations. It weakens protections for women and girls and dilutes due process protections for those accused of sexual harassment as defined under the regulations. The rule also expands the definition of sex to include gender identity as you well know.

Uh, this is going to result in the removal of female only spaces for women and girls, effectively forcing them to share bathrooms and showers with biological males. It's atrocious, in my opinion. I want to go back to what you said last year when we talked. I ask you specifically about local control and you stated uh, quote, "When I was at the local level and even at the district and state level, I prefer that those decisions be made at the local level." "That's where it should be." That's exactly what you said.

Those were your words. You also went further last year and you said quote, "You are working with local school boards to make sure we are staying in our lanes. Our country was designed to have local control." Frankly, I was shocked that you would tell me that last year, given the overreach of the Department of Education.

I was glad that you said that and so now I have even more problem with what's going on, not in the words that you gave last year, but in the actions of the Department of Education and in particular in this new rule. Do you still stand by those statements that you made last year?

**HONORABLE MIGUEL CARDONA:**

Absolutely.

**NATHANIEL MORAN (R-TX-01):**

All right. Uh, having, uh, stood by those statements, I'm going to tell you what my districts back home are telling me. I've got two letters I want to introduce. Uh, Madam Chairwoman, I ask for unanimous consent to introduce into the record an April 30th, 2024, a letter by Tyler ISD, which is my largest school district.

**FULL COMMITTEE CHAIR VIRGINIA FOXX (R-NC-05):**

Without objection.

**NATHANIEL MORAN (R-TX-01):**

I also ask for unanimous consent to enter into the record a letter from Van Independent School District dated May 7th, 2024.

**FULL COMMITTEE CHAIR VIRGINIA FOXX (R-NC-05):**

Without --

**NATHANIEL MORAN (R-TX-01):**

I'll tell you, some of the statements that are made by the superintendent, uh, to me, uh, as it relates to this Title 9, uh, atrocious rule, uh, talks about it being constitutionally overreaching and an illegal edict that is so offensive to our daughters, wives, and mothers. That's one of the statements that he makes to me on the local level.

And I can assure you the rest of my school districts share that opinion. It also says in this letter that it is an inexcusable federal assault toward girls and women that has no place in schools. That's what the local communities in Texas, in East Texas where I represent, what they think about the Title 9 letter.

From Van Independent School District, it says in their letter the changes to Title 9 forces schools to treat boys as if they were girls and to accept every student's self-declared gender identity. And I've said before and I say it again today, proudly, I say that I believe men and women were created by God with equal and eternal value, but very different, very different.

And it's not up to us to try to change that identity in our humanity. Do you agree with that or you disagree with that?

**HONORABLE MIGUEL CARDONA:**

Thank you for the opportunity to respond. I want to correct some of the provisions under Title 9. It's creating greater protections. You mentioned that I it [inaudible] due process --

**NATHANIEL MORAN (R-TX-01):**

Well, I asked you about my statement, do you agree or disagree with the fact -- with the statement that I made about our -- our creator creating men and women differently, but equally?

**HONORABLE MIGUEL CARDONA:**

I can tell you what -- as a school principal, too, that I -- I do believe in local control, but I don't believe that it's my responsibility --

**NATHANIEL MORAN (R-TX-01):**

I believe that we covered local control last year. I'm asking you a very specific question about the creation by God of men and women and whether or not they are equally but differently created.

**HONORABLE MIGUEL CARDONA:**

It's my responsibility to protect all students, not just the one that has some people pick and choose.

**NATHANIEL MORAN (R-TX-01):**

Well, this is -- you know, that should be an easy question. We've seen this before. People sit before our panel. We've seen it with the college presidents here recently where there are moral truths, there are moral foundations that seem very evident to a lot of folks that people that somehow sit in your chair cannot answer directly.

It's atrocious, in my opinion. I want to end my statement today because this is Teacher Appreciation Week by saying this because I do appreciate all of the hard work that all of our teachers across this United States, uh,



actually does for our students day in and day out. In the state of Texas, there are well over 300,000 teachers that serve our 5 million students.

I've met with a lot of teachers across my district and just like you said last year, they don't want the federal government telling them how to do their job and what their job is. It's unfortunate that this administration continues to do just that and issue rules and regulations that are contrary not just to local control but frankly morality.

With that, I yield back.

**FULL COMMITTEE CHAIR VIRGINIA FOXX (R-NC-05):**

Thank you. Ms. Stevens, you're recognized for five minutes.

**REP. HALEY STEVENS (D-MI-11):**

Thank you, Madam Chair. And it's so great to see you, Mr. Secretary. I'm absolutely in awe of not only your work uh with the Department of Education, uh, but just really your performance here today. You're so good at answering questions very clearly and succinctly. And I -- I -- and I also appreciated your written testimony, but I'd just like to reflect to you, um, there are so many critical topics, uh, that intersect with your purview.

And we appreciate that you're here to review the president's annual budget proposal and -- and answer some of the questions from us. Um, earlier this term, I introduced, um, the aid act, the Student Aid Act, uh, to make yet again another adjustment to FASFA, uh, recognizing that there are parents of students going to college, parents who still have student loan debt themselves, but yet their student doesn't qualify for financial aid.

And I came up with this idea while knocking doors in Hazel Park, Michigan. And I reached a UAW household, both mom and dad, uh, work with the UAW in various automotive plants around metro Detroit. And dad had said to me, Haley, I -- we're so excited to send our kids off to Michigan State, but yet we didn't qualify for financial aid even though I'm still sitting on tens of thousands of dollars of student loan debt myself.

So that's a bill, that's, um, received a lot of support from my colleagues. I just wanted to put it on your radar. I also wanted to remind you that in Michigan, our governor, who has been so dedicated to the plight of educators in our schools and has -- has really accomplished some incredible things, um, free and reduced lunch for all.

I know that's within the Department of Agriculture largely, but is something that you care deeply about. Uh, free pre-K as well as, uh, free, uh, and affordable uh two year degree programs, particularly at the community college level. And then lastly in Michigan, we have been rocked by school shootings. Uh, Michigan State, uh, in -- in, in, in February of 23. And of course, the Oxford school shooting.

Students at Oxford High were in middle school when I was marching for their lives in -- in Detroit after the Parkland shooting. And we know that we have a great runway following, uh, the bipartisan passage of a -- a gun safety bill and particularly additional resources that are going to communities to tackle school shootings.

Sir, I just want to commend you for your leadership and thank you so much. And then with my remaining time, I just wanted to give you a few minutes to talk about, uh, your work and the administration's work and particularly with the budget on funding for IDEA. Uh, really near and dear to my heart, something that I have rallied all the Oakland County school system around in terms of full funding for IDEA. But just -- just wanted to get, uh, some of your input here on better coordination of services.

What we'll get from this budget proposal? Uh, you know, thrilled to see some of the numbers in here with 15.4 for IDEA as well as some of the, you know, uh, different components that are -- that are coming down.

**HONORABLE MIGUEL CARDONA:**

Yeah, thank you for -- for that opportunity. First of all, let me just say, you know, working as a -- as a teacher and a school principal, I remember countless meetings with families, uh, parents whose children, um, are

receiving special education services. And it was really important to remember that they receive, uh, the core curriculum first, right?

Their -- they are students first and then they get extra support. We are asking, um, for, uh, an increase in IDEA to get us to the -- I think it's like 10.7 percent of -- of the funding of it in FY '24. Um, so the increase is 10.3 for '25. We recognize that this is not yet keeping with what the federal commitment, uh, was set to be, but we are seeking more dollars than ever been -- has ever been asked before.

The students and families deserve it. Um, we -- we know caseloads of special education teachers across the country is exceedingly high, which prevent our students from getting the individualized support that they need. So IDEA support for students with disabilities is critical for us to in our budget and the work that we do ahead.

**REP. HALEY STEVENS (D-MI-11):**

Yeah, and we recognize that the -- the president makes a series of tradeoffs when proposing his -- his budget. And it is our responsibility here in the Congress as authorizers on this committee who knock on the door of the appropriators to -- to really push for that original mandate. That 50 year mark that we're about to hit of fully funding special education in the United States of America.

This will be a game changer for our schools, our educators. I certainly call on my colleagues on the other side of the aisle to -- to push for that as appropriation season is upon us. And with that, Madam Chair, I yield back. Thank you.

**FULL COMMITTEE CHAIR VIRGINIA FOXX (R-NC-05):**

Uh, Ms. Stevens. Ms. Chavez-DeRemer you're recognized for five minutes.

**REP. LORI CHAVEZ-DEREMER (R-OR-05):**

Thank you, Madam Chair. Uh, Secretary Cardona, it's been a busy time for you. And in this time in history, not for very good reasons. This committee is unsettled by the failures of both you and your staff in handling the FASFA debacle and rising antisemitism on college campuses. But I want to start with the FASFA. Uh, over the past months, my district has been handling a high number of cases for parents seeking help with the FASFA and how to deal with your department.

They can't get a real person on the phone. Um, they spend hours on hold and eventually are told their issues are technical glitches, with zero guidance on what the next steps might be. All the while their kids missed early acceptance deadlines because they didn't know how much financial aid they were going to be working with.

That part really frustrates me. Actually, um, when I think about -- do I get mad about certain things? Those are the kind of things of unresponsiveness. And it's been 100 percent to my office of non-responsiveness, not even a confirmation of receiving the case when we submit one. And I pride myself on casework.

The congressional phone line for the department sometimes allows the team to leave a message, but no one ever calls us back. So I've been frustrated. Other agencies at least respond that they'll get back to me with an answer. And so I asked myself who -- who did you hire? Uh, because it seems unacceptable.

And really, quite frankly, I've hired and fired throughout my career people. And it seems pathetic to not be able to at least hire people who can return a message. The Department of Education, if it exists for -- for a real purpose, it's to increase access to education. And you and your staff seem to have failed, uh, spectacularly, unfortunately, in the casework and clearing that bar.

Let me talk now about another low bar the department seems to be struggling with. On -- after October 7th, uh, antisemitism on college campuses came out in droves. Jewish students have openly stated that they feel threatened and unsafe. And some have been physically assaulted. About a week ago, one rabbi affiliate -- affiliated with Columbia University advised Jewish students to leave campus for Passover.

Schools have canceled their commencement ceremonies. And last week, uh, GW University's law school here in DC, relocated its final exams to an undisclosed and secure location. Our schools in Oregon are dealing with a similar situations. And I've talked to those university presidents, um, and what the future could look like.

It really is the greatest crisis in American education in decades. Last week before a Senate Appropriations subcommittee, you mentioned the department's Office of Civil Rights roughly had 145 investigations into the universities and schools and the school districts for potential Title 6 violations. This of course is the legal basis for investigations and actions regarding discrimination based on race or religion.

In this case, countless Jewish students. You somewhat touched on it today, but what is the timeline for the resolution of these investigations and when will penalties, if appropriate, be announced and imposed? And I really would hope that you don't answer if you give us more money, you'll have those answers.

**HONORABLE MIGUEL CARDONA:**

Uh, thank you for the questions. I agree with you that, uh, hate -- has no place on our campuses and we must act. I just want to go back and say this is the administration that reopened schools, provided debt relief and overhauled a 40 year old FAFSA system. And while delayed, we are working 24/7 to serve your people, the people that you represent.

And I'm committed to making sure you have information. I'll ask someone from my team to reach out to you this week, uh, on your questions. Um, with regard to the uh antisemitism, it's unacceptable. And we take a very strong stance on that. We have more cases open. We've closed more cases than the last administration already.

We're committed to it. We have guidance within two clicks of our website that provides a Dear Colleague letter that was sent out today, a letter that I sent out Friday. This is something we take very seriously as well.

**REP. LORI CHAVEZ-DEREMER (R-OR-05):**

Thank you. And -- and so what I -- the reason these investigations are important to get through is because it really doesn't seem to protect students when they need it most. And that's immediately.

**HONORABLE MIGUEL CARDONA:**

Right.

**REP. LORI CHAVEZ-DEREMER (R-OR-05):**

On December 6th, you received a letter from the leaders of the Jewish Orthodox Jewish Congregations of America. They asked you to issue that guidance. And I was glad to see this morning that you issued that new guidance for the administrators from pre-K to post grad to fulfill those Title 6 obligations. Um, Mr. Secretary, exactly how many forms of guidance have you now circulated since October 7th?

**HONORABLE MIGUEL CARDONA:**

We've had over 100 actions. And I can tell you with the guidance, I have to say at least three or four, uh, that I can think of off the top of my head. Um, there could be more. Visit [ed.gov](http://ed.gov). Click on supporting campus safety. And there's a whole list there for yourself and your constituents.

**REP. LORI CHAVEZ-DEREMER (R-OR-05):**

I appreciate -- thank you. OK, thank you. Uh, it also says schools have a legal responsibility to address the discrimination against those students. And it sounds like that you would include when protesters shout from the river to the sea at Jewish students and yet out of roughly ten reference examples, this new guidance provides the chant is never mentioned.

So two final questions before my time is up. Does the department recognize that screaming from the river to the sea at Jewish students is a call for genocide? And two, if schools do not follow this guidance, will you impose penalties such as withholding funding as you committed to Congresswoman Manning that you will do that?

**HONORABLE MIGUEL CARDONA:**

Calls for genocide are abhorrent and we stand against those. And if brought forward --

**REP. LORI CHAVEZ-DEREMER (R-OR-05):**

Will you withhold funding as you committed to Congresswoman Manning?

**HONORABLE MIGUEL CARDONA:**

Absolutely. If schools refuse to adhere to Title 6, absolutely.

**REP. LORI CHAVEZ-DEREMER (R-OR-05):**

Thank you. Madam Chair, I yield back.

**FULL COMMITTEE CHAIR VIRGINIA FOXX (R-NC-05):**

Thank you. Mr. Smucker, you're recognized for five minutes.

**REP. LLOYD SMUCKER (R-PA-11):**

Thank you, Secretary --

**FULL COMMITTEE CHAIR VIRGINIA FOXX (R-NC-05):**

I'm sorry, Mr. Smucker and after your test -- your questioning, we will take a break and then come back.

**REP. LLOYD SMUCKER (R-PA-11):**

Yeah.

**FULL COMMITTEE CHAIR VIRGINIA FOXX (R-NC-05):**

Thank you.

**REP. LLOYD SMUCKER (R-PA-11):**

Thank you. Thank you, Secretary for being here today. I'm deeply concerned about the fact that your department failed two financial audits for two consecutive years. After inspecting your department numbers, your independent auditor was unable to complete the audit. And instead, was forced to issue what's known as a disclaimer of opinion, which by the way hasn't happened in two decades.

And it's a really big deal in the auditing world. Your auditor said in effect that they had no confidence in your numbers and how the department carries out estimates and assumptions for the direct NFFEL student loan portfolios. Uh, my staff followed up and spoke with your auditor and learned that during the course of the 2023 audit, your department discovered 22,000 anomalies in the data.

Uh, that is the basis for your -- for the student loan portfolio. And then, after doing additional investigation, your department discovered another 8 million anomalies in the data. This means that the underlying data you were feeding into the student loan portfolio was just simply filled with errors. Uh, so all in all, a very highly irresponsible financial management from the department, particularly of a \$1.6 trillion portfolio owned by 43 million borrowers.

If the department were a private bank, you would be held accountable to your investors and you'd be out of business by now. And it certainly undermines any confidence that anyone can have in your estimates and assumptions that the department has used in these portfolios. Why should the Department of Education and the Office of Student Aid be treated any differently than a private financial institution?

**HONORABLE MIGUEL CARDONA:**

Thank you for the questions. I agree with you that's really important to make sure that we're up to date on our financial audits. And I just want to correct the statement. It wasn't a failure. It was a disclaimer of opinion. Those are two different things based on the information that they were provided.

We're doing new things that have never been done at the Department of Education. Number two, the errors in the data, you're absolutely right. I'm proud that our team found this and is correcting it. It's been there for -- for several administrations. It was our team that found it and is fixing it. Um, you know we operate on two-tenths of one percent of a budget, um, for a \$1.6 trillion portfolio.

We're not being treated like other banks. So what we're asking is for a modest increase --

**REP. LLOYD SMUCKER (R-PA-11):**

Um, you're not being treated how? But I'm sorry I [inaudible] --

**HONORABLE MIGUEL CARDONA:**

Funding -- no, funding wise, it -- you know, to -- to administer at \$1.6 trillion portfolio, we are operating on two tenths of one percent for administrative costs. We are asking for, uh, additional dollars to help make sure that we can, uh, but not only implement the -- the comments from auditors, but also improve services for our students.

**REP. LLOYD SMUCKER (R-PA-11):**

Right, but how do you think we should be providing additional funding? Do you think the American taxpayer should be satisfied with the funding that you have today with the way that you're handling \$1.6 trillion in taxpayer dollars?

**HONORABLE MIGUEL CARDONA:**

We found the errors and we're correcting that. We're providing better services. And it's our goal to do a better job providing services for our borrowers. Your support of the budget would help that.

**REP. LLOYD SMUCKER (R-PA-11):**

I want to get to the Clock Hour rule which is the department has reversed what is known as the Clock Hour rule which allows career orientated -- oriented education programs that are offered at community colleges and career colleges to provide students with the education, with the amount of hours that they feel that students need to be successful in the career.

Uh, the -- specifically to extend the number of hours to more than 100 -- 150 percent of the state's minimum, um, and then still receive the federal financial aid. And as I said that policy, um, it's important for a lot of these programs. They're complicated careers. And the schools and the students feel they need additional hours to be adequately prepared.

So I think that policy is going to result in less students having access to education and -- and that will lead them to these good paying jobs. In response to industry -- industry concerns, the department announced that it will use and I quote, "enforcement discretion," when enforcing the rule between July of 2024 and January of 2025. But there's no guarantee for schools that they'll be given the time they need to get all the necessary approvals by state legislators, accrediting agencies and federal regulators.

So first, why? Why the policy in the first place? Why would the government mandate that schools can only offer a bare minimum of hours to students?

**HONORABLE MIGUEL CARDONA:**

Thank you for that question. Look, I think we're on the same page. We want to make sure we have opportunities for students to engage in whether it's CTE or industry connected fields. We want to make sure that while we're providing greater opportunities, we're also providing high quality programming. But what I'm hearing from you is that there are some concerns and we want to make sure that we're listening and responsive to the concerns so I'll ask my team to follow up.

**REP. LLOYD SMUCKER (R-PA-11):**

I want to ask one additional question. I'm running out of time. You mentioned discretionary enforcement. I don't know exactly what that means. Can you simply delay the full implementation of the rule until January 2025?

**HONORABLE MIGUEL CARDONA:**

Thank you, sir. We'll take that into consideration and I'll have my team follow up with you on those.

**REP. LLOYD SMUCKER (R-PA-11):**

Thank you, Mr. Secretary. And I yield back.

**FULL COMMITTEE CHAIR VIRGINIA FOXX (R-NC-05):**

Thank you, Mr. Smucker. We do have members who are coming back after votes, so we're going to take a break right now for votes. And we will be back, um, five minutes after the, uh, third vote begins. [Recess]

**FULL COMMITTEE CHAIR VIRGINIA FOXX (R-NC-05):**

Mr. Secretary, thank you very much for coming back after our break for votes. I now recognize Mr. Comer for five minutes.

**JAMES COMER (R-KY-01):**

Thank you, Madam Chair. And thank you, Secretary Cardona, for being here today. You acknowledge in your testimony that a budget is a statement of values. I hope you will agree that the hateful and vile sentiments being spewed on many college campuses are not in any way the values of the Department of Education.

Over the last several years, we have seen university presidents begging for assistance from local law enforcement, including those like George Washington University, facing resistance from local elected officials several blocks away here in Washington, DC. And I know that because I met with the university president last week, Mr. Secretary, President Biden asserted that there's the right to protest but not the right to cause chaos.

Do you share those values and sentiments with the president?

**HONORABLE MIGUEL CARDONA:**

I do.

**JAMES COMER (R-KY-01):**

Do you condemn the illegal activities and antisemitic and discriminatory speech we have seen over the last several weeks on college campuses?

**HONORABLE MIGUEL CARDONA:**

I do.

**JAMES COMER (R-KY-01):**

Have you been in contact with George Washington University President Ellen Granberg regarding her request for assistance in clearing the unlawful encampment?

**HONORABLE MIGUEL CARDONA:**

I have not spoken to the president. We are -- our staff is available to work with colleges. We have spoken to hundreds of presidents in the last several months and we'll continue to make ourselves available.

**JAMES COMER (R-KY-01):**

Have you spoken with Washington, DC Mayor Bowser regarding the request from George Washington University to utilize law enforcement to clear the trespassers who have invaded the campus?

**HONORABLE MIGUEL CARDONA:**

I have not spoken to the mayor.

**JAMES COMER (R-KY-01):**

Well, I'll note, and Madam Chair also serves on the House Oversight Committee, the mayor will be in attendance here tomorrow on an emergency hearing. We called an oversight committee -- committee to try to

understand why the mayor has refused to assist with the request from George Washington University. So Mr. Secretary, do you believe preventing law enforcement from providing security within their jurisdiction is a dereliction of the mayor's duty?

**HONORABLE MIGUEL CARDONA:**

Sir, I can tell you that hate has no place in our schools and we take the role of enforcing Title 6 very seriously. We're committed not only to compliance, but also to building capacity and providing resources so that university leaders and the public in general have tools at their fingertips on how to keep campuses safe.

There is too much hate happening in our campus that we have to address, and we're adamant that we are providing more materials and compliance oversight given the resources that we have. I strongly suggest, sir, that you support our budget, which will allow us to have more investigators to expeditiously move forward on these cases.

**JAMES COMER (R-KY-01):**

Well, let me ask you this, Mr. Secretary, will you commit to supporting President Granberg and George Washington University administrators in similar situation and other university administrators in similar situations in restoring order and removing illegal encampments from university grounds?

**HONORABLE MIGUEL CARDONA:**

You know, it's my responsibility to make sure that campuses are safe, that students have a safe learning environment, that they can proceed with graduation --

**JAMES COMER (R-KY-01):**

Will you commit -- well, I can tell you because I've walked through the encampment, it's not a safe learning environment. We heard from several Jewish students at George Washington University who were threatened. They were being threatened while they were escorting us through the encampment, the university president begging the city of Washington, DC police to come in and remove the trespassers.

And they are refusing to do so. I believe we're in the second week now. I believe it's almost been 14 days, we're approaching the third week, of this violation of the law of trespassers intimidation of -- of Jewish students, desecration of statues. The statue of George Washington dressed, as it appeared to me, a Hamas soldier.

So I do think the Department of Education should bear some responsibility. I do think it's the role of the Department of Education to ensure that these students' lives are being protected, that they're in a safe environment. And from what I saw firsthand at George Washington University, I don't think that's the case, especially for Jewish students.

So I guess my question is, will you commit to working with these university presidents and administrators who are begging these -- these local law enforcement officials in these -- I hate to say this, but blue cities who are refusing for whatever reason to go in and remove the trespassers? Will you commit to working with these university professors [ph] because they're reaching out asking for help from somewhere.

The House Oversight Committee has jurisdiction over the city of Washington, DC. We're going to do everything we can, but there are a lot of campuses in a lot of cities around the United States where the administrators are begging for assistance. Can they call the Department of Education and will you assist?

**HONORABLE MIGUEL CARDONA:**

Yes, they can call the Department of Education. We're going to make ourselves available to support them and ultimately make sure students are safe on campus. Thank you.

**JAMES COMER (R-KY-01):**

Thank you.

**FULL COMMITTEE CHAIR VIRGINIA FOXX (R-NC-05):**

Thank you, Mr. Comer. Mr. Williams, you're recognized for five minutes.

**REP. BRANDON WILLIAMS (R-NY-22):**

Thank you, Madam Chairwoman, Mr. Secretary, you've made it this far. Are you a hockey fan?

**HONORABLE MIGUEL CARDONA:**

I love a --I'm a big football fan.

**REP. BRANDON WILLIAMS (R-NY-22):**

OK. So that'd be a no, but that actually is a good lead in to my question. You've probably heard of Wayne Gretzky --

**HONORABLE MIGUEL CARDONA:**

I have.

**REP. BRANDON WILLIAMS (R-NY-22):**

Famous hockey player who used to say that what made him great is that he was skate to where the puck was going to be. And everything I've observed, you have done an extraordinary job of skating to where the puck is not going to be. I would call it your greatest skill. And maybe that's because you're a football fan, but I think the efforts that you go to to avoid answering questions seem to be antithetical to the purpose of these kinds of hearings.

But, you know, are you going to be, is your department going to have all the kinks worked out on FAFSA enrollment by October 1st by the beginning of the 2024-2025 deadline?

**HONORABLE MIGUEL CARDONA:**

Yeah, we recognize how important FAFSA is and we're committed to making --

**REP. BRANDON WILLIAMS (R-NY-22):**

I'm so glad it's important. Are you going to be ready on October 1st, I mean this is -- this is the executive branch you are, right? I mean you're in charge of that, is that right?

**HONORABLE MIGUEL CARDONA:**

I am in charge.

**REP. BRANDON WILLIAMS (R-NY-22):**

OK. And so October 1st 2024, what should parents expect?

**HONORABLE MIGUEL CARDONA:**

My expectation is that FAFSA will be ready to go and that they're going to have information on --

**REP. BRANDON WILLIAMS (R-NY-22):**

Are you committing to that? Are you -- I mean these are parents are planning, are you committing October 1st, 2024, man, that FAFSA thing, you know, a year late, I'm sorry, but it's going to work.

**HONORABLE MIGUEL CARDONA:**

I'm -- as I said before and I repeat it again, I'm making sure that the staff knows this is the highest priority and that it's my expectation that on October 1st it's ready.

**REP. BRANDON WILLIAMS (R-NY-22):**

Do you have the authority to -- to make things happen in your department?

**HONORABLE MIGUEL CARDONA:**

Yes.



**REP. BRANDON WILLIAMS (R-NY-22):**

You're -- you're certain?

**HONORABLE MIGUEL CARDONA:**

The answer was yes.

**REP. BRANDON WILLIAMS (R-NY-22):**

OK. Good. Thank you. One of the things that I've seen is that we have campuses that are essentially being burned down on Title 9 issues, and -- I'm sorry on Title 6 issues and you're spending a lot of time on rewriting Title 9 issues. We have Jewish students afraid to go to classes. We have disruptions, classes being canceled, commencement being canceled.

Which of these accomplishments are you most proud of?

**HONORABLE MIGUEL CARDONA:**

This morning, we issued a dear colleague letter for college leaders. Friday, I submitted a letter to 5,000 leaders. We are committed to ensuring Title 6 is adhered to. We have more investigations on shared ancestry and we're working diligently to move those -- those investigations to completion. Your support of the budget would be helpful.

And so we're committed also to providing resources to universities on how to comply with Title 6.

**REP. BRANDON WILLIAMS (R-NY-22):**

A little late, isn't it? Don't you think?

**HONORABLE MIGUEL CARDONA:**

No. We didn't just start this. We -- this is like our third set of guidance. I would -- I would ask you to visit the resource page that we put together with input from parents, students, Jewish leaders, and university --

**REP. BRANDON WILLIAMS (R-NY-22):**

I'll be happy -- in good faith, I'll be happy to do that. You mentioned your budget. That you're asking for an increase of \$3 billion, is that right?

**HONORABLE MIGUEL CARDONA:**

For FSA -- are you saying for -- for the federal student aid?

**REP. BRANDON WILLIAMS (R-NY-22):**

I don't think it was -- I thought it was for the whole thing. Yeah, so -- and you're cutting charter schools by 40 million, is that correct?

**HONORABLE MIGUEL CARDONA:**

No, we're proposing a reduction of \$40 million to the charter schools grant.

**REP. BRANDON WILLIAMS (R-NY-22):**

What's the difference between your cutting by 40 million and your proposing? Help me do that. Because this is -- again, this is where the puck is and it's sort of opposite of the use of the English language that I've grown accustomed to.

**HONORABLE MIGUEL CARDONA:**

Sure. Well, that's fine. So the we're proposing \$40 million decrease to the budget that we had before --

**REP. BRANDON WILLIAMS (R-NY-22):**

Students in my district and particularly in some of the poorest neighborhoods in my district, there's waiting lists to get on charter schools and they depend on this. I understand from your previous testimony that -- that it won't cut any services to charter schools. I think that was your representation in testimony today.

Is that right? Is that your expectation?

**HONORABLE MIGUEL CARDONA:**

Grant that we operate, which is still the largest competitive K-12 grant that we have, we would not see a reduction in CSP awards, correct.

**REP. BRANDON WILLIAMS (R-NY-22):**

Well, I encourage you to stick with football because hockey is not going to be your sport. Thanks so much for your time. I yield back, Madam Chairwoman.

**FULL COMMITTEE CHAIR VIRGINIA FOXX (R-NC-05):**

Thank you, Mr. Williams. Ms. Omar, do you have a closing statement you'd like to make?

**Closing Statements**

**REP. ILHAN OMAR (D-MN-05):**

Our education system must break down barriers, not create them. We must ensure that every student regardless of ZIP code has access to equitable and high quality education. Yet, as we near the 70th anniversary of Brown versus Board of Education, it is disheartening to see racial and economic segregation persist in America's schools.

Secretary Cardona, a good quality education should be a right afforded to every student. Thank you and to the Biden and Harris administration, we have seen -- we have seen great strides in our K through 12 and higher education system. While Democrats continue to push for progress, our efforts have been dampened [ph] by Republicans' extreme culture war fueled agenda.

We must prioritize meaningful solutions over harmful and divisive rhetoric. We must put people over politics. As we move forward, Democrats are committed to supporting the department to reflect our commitment to an equitable education. Thank you and I yield back.

**FULL COMMITTEE CHAIR VIRGINIA FOXX (R-NC-05):**

Thank you, Ms. Omar. I now recognize myself for a closing statement. Mr. Secretary, you admitted here today that college graduates earn over \$1 million more than those who don't go to college. Let me repeat that. In your own words, college graduates are wealthier. So why in the hell should Americans who have chosen a less expensive path to a career pay the student loan bill of their wealthier peers.

From the regressive and inflationary repayment pause you continued for over three years to blanket bailouts for borrowers making over \$300,000 to your so-called SAVE plan that ensures lawyers and those with advanced degrees pay back a fraction of what they owe, your department is simply transferring wealth from disadvantaged families you claim to care about to your political donor class you need to help you win this year's election. It's shocking how much the debt cancellation agenda has steered your ship. And despite all of this, your department's FY 2025 budget request shows that under your leadership, students will default at greater rates going forward than those who borrowed at the peak of the COVID-19 pandemic.

If that truly is the case, I don't know how to characterize your tenure other than an abysmal failure. Now I want to turn to antisemitism. You unequivocally condemned anyone saying kill all Muslims. Good for you. We all should condemn that. And yet, when given multiple opportunities, you wouldn't condemn from the river to the sea, nor would you condemn calls for campuses to eliminate Hillel [ph]?

How can the Jewish community in this country trust you to address antisemitism on campuses if you have such double standards about antisemitism? Americans are waking up to the radicalism on campus and the radical progressive agenda that has consumed the Department of Education. And thank God they are.

With that, I adjourn the committee and thank the secretary for being here.

**HONORABLE MIGUEL CARDONA:**

Thank you.