

20 April 2026

The Honorable Jim Banks  
303 Hart Senate Office Building  
Washington, DC 20510

Dear Senator Banks:

The military and veteran advocacy and service organizations below commend you on your [19 March 2026 letter to the Department of Education](#) asking for an updated analysis of the efficacy of the 90/10 Rule, and also endorse your efforts to permanently repeal the U.S. Department of Education's 90/10 Rule through your bill, *The Promoting Access and Revenue Integrity Through Institutional Transparency Act (PARITY Act)*, and call on the Senate Health, Education, Labor, & Pensions Committee to move quickly to its Committee's consideration and Committee passage.

As the National Defense Committee's noted numerous times over the past several years, most notably in their 2023 Report "[Condescending Paternalism: The Department of Education's Unwarranted Limits on Veterans' EARNED Education Benefits](#)," but also in editorials in both [RealClear Education](#) and [Stars & Stripes](#), the 90/10 Rule is not about protecting military or veterans' educational benefits, but about protecting the historical market share of traditional four-year, brick-and-mortar, public and private nonprofit colleges, which cannot compete against the nontraditional schools in the nontraditional student population which veterans dominate.

And the reason? Because [veterans are seeking career college education](#) because these non-traditional colleges "were among the leaders in online learning" and because of, "the steep increase in the percentage of students in the for-profit sector pursuing their bachelor's degrees exclusively through distance education in the last decade... [where] 55% of students were attending completely online, compared to just 18% and 6% in the nonprofit and public [education] sectors, respectively."

And so, the 90/10 Rule was built on such specious policy foundations and, notably, applied only to proprietary institutions to leverage these federal educational dollars because the government had no other way to control military and veteran students' use of their earned educational benefits. And that is a key element of why the 90/10 Rule should be repealed: the military and veteran educational benefits being controlled by this Rule are benefits earned by veterans for signing on for additional years of military service, not because they are achieving some specific educational policy aim of the Department of Defense. To limit where and how veterans use these earned benefits is akin to telling military retirees, "Here's your military retirement pension check. Thank you for your service. Now, you can only buy your groceries from the Commissary and not from Safeway or Kroger."

But the other reason the 90/10 Rule should be repealed is that even if one believed in its original purported aim, it has largely been rendered meaningless by the new educational benefits reform passed into law in the 2025 *One Big Beautiful Bill Act*, and replaced by a new system of outcomes-based accountability tools, not makeshift revenue accounting. And those new outcomes based accountability tools are being put in place with a raft of new negotiated

rulemaking proposals, including the [Public Service Loan Forgiveness Rule](#), the [Reimagining and Improving Student Education Rule](#), and most importantly, the [Accountability in Higher Education and Access Through Demand-Driven Workforce Pell Rule](#).

And last, the 90/10 Rule should be repealed because it fails to do what it's supposedly designed to do; protect military and veteran students. The simple fact is [80% of public two-year colleges and 40% of public four-year colleges would fail the 90/10 Rule](#) if it were applied to them. But it is not, and so they can join the nanny-state bureaucrats in proclaiming they are protecting military and veteran students, when, in fact, they are simply forcing them to come to their schools instead of the ones military and veteran students want to attend.

Career colleges have proven an attractive option for many students, especially military and veteran students, who are often not welcomed, or cannot get into, so-called elite colleges and universities. Recent data shows that more than [a third](#) of GI Bill users choose online programs, and undergraduate enrollment at career colleges grew over [20 percent](#) between 2019 and 2024, the fastest rate of growth in higher education.

The 90/10 Rule represents a clear case of regulatory overreach that undermines the sacrifices of military members and veterans by treating their earned education benefits as a liability rather than an asset. The time has come for it to be relegated to the ash-heap of bureaucratic overreach, and to free military and veteran students to make educational choices that best suit their needs, not the needs of traditional, and dying, higher education colleges and universities.

Very Respectfully,

National Defense Committee  
American Retirees Association  
Armed Forces Retiree Association  
Veteran Warriors  
Korean War Veterans Association  
American GI Forum  
Association of the U.S. Navy  
Army Aviation Association of America  
Vietnam Veterans of America

Copy:

The Honorable Linda McMahon, Secretary of Education  
The Honorable Bill Cassidy, M.D., Chair, Senate Health, Education, Labor & Pensions  
Committee  
The Honorable Bernie Sanders, Ranking Member, Senate Health, Education, Labor & Pensions  
Committee