

**NOMINATION OF JAMES KVAAL  
TO SERVE AS UNDER SECRETARY  
OF EDUCATION**

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**HEARING**  
OF THE  
**COMMITTEE ON HEALTH, EDUCATION,  
LABOR, AND PENSIONS**  
**UNITED STATES SENATE**  
**ONE HUNDRED SEVENTEENTH CONGRESS**

FIRST SESSION

ON

EXAMINING THE NOMINATION OF JAMES RICHARD KVAAL, OF  
MASSACHUSETTS, TO BE UNDER SECRETARY OF EDUCATION

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APRIL 15, 2021

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**NOMINATION OF JAMES KVAAL  
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**Thursday, April 15, 2021**

U.S. SENATE,  
COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS,  
*Washington, DC.*

The Committee met, pursuant to notice, at 10:05 a.m., in Room 430, Dirksen Senate Office Building, Hon. Patty Murray, Chair of the Committee, presiding.

Present: Senators Murray [presiding], Baldwin, Kaine, Hassan, Smith, Rosen, Hickenlooper, Burr, Thune, Cassidy, Braun, and Tuberville.

**OPENING STATEMENT OF SENATOR MURRAY**

THE CHAIR. [Technical problems.] The Senate Health, Education, Labor, and Pensions Committee will please come to order. Today we are holding a hearing on the nomination of James Kvaal to serve as Under Secretary of Education. Senator Burr and I will each have an opening statement and then I will turn it over to Congressman George Miller to introduce Mr. Kvaal. After Mr. Kvaal's testimony, Senators will have five minutes each for a round of questions. And I will stay for a second round if any Senators have any remaining questions.

Before we begin, I want to walk through the COVID-19 safety protocols in place. We will follow the advice of the Attending Physician and the Sergeant-at-Arms in conducting this hearing. We are, again, all very grateful to our Clerks and everyone who has worked hard to set this up and help everyone stay safe and healthy. Committee Members are seated at least six feet apart, and some Senators are participating by video conference. And while we were unable to have the hearing fully open to the public or media for in-person attendance, live video is available on our Committee website at [help.senate.gov](http://help.senate.gov). And if you are in need of accommodations, including closed captioning, you can reach out to the Committee or the Office of Congressional Accessibility Services.

We received James Kvaal's formal nomination on February 22nd, his office of Government Ethics paperwork, including his public financial disclosures and ethics agreement, on February 24th, and his Committee paperwork on March 26th. Mr. Kvaal, thank you so much for joining us today. It is nice to be able to see you here in person. And I am pleased to welcome also your wife, Stephanie, and your mother Martha, who I understand is with you as well. I

think everyone here is encouraged by the progress our Nation continues to make toward ending the COVID-19 crisis, but we are also well aware of the challenge before us isn't just ending this pandemic but rebuilding stronger and fairer. Because while this pandemic has made life harder for students pursuing a higher education by disrupting their classrooms and dorms and challenging their mental health and upending the economy and creating uncertainty for students already struggling to pay their tuition and rent and food and other basic needs, the painful reality is higher education was at a crisis point well before the pandemic struck.

Before COVID-19, student debt was already historically high. The cost of higher education was already relentlessly on the rise. The roots of systemic racism were already deep and damaging, and campus sexual assault was already an epidemic. And after COVID-19, these problems will remain as urgent as ever. That is why it is so important we have leaders like Dr. Kvaal at the Department of Education who have the drive and the experience to tackle them. As President of the Institute for College Access and Success, Mr. Kvaal has testified before Congress and led the public discussion on issues like strengthening Pell Grants, simplifying the FAFSA, supporting student loan borrowers, and increasing state and Federal investments in higher education. And in his previous work under President Obama as Deputy Under Secretary of Education and later as Deputy Director of the Domestic Policy Council, Mr. Kvaal helped to implement one of the largest overhauls of student aid, which ended wasteful subsidies to banks in our student loan system, and massively expanded the Pell Grant program to create the College Scorecard, which provides students more information about the outcomes of the schools they are considering, and to develop the gainful employment rule, which protected students and taxpayers from predatory, for profit colleges that left students with debt they could not repay.

Given everything the previous administration did to undermine this critical work over the last four years, President Biden could not have picked a better candidate to get things back on track. I have no doubt that when confirmed, Mr. Kvaal will fight for students and against special interests because it is what he is always done. Mr. Kvaal's record shows he is clearly qualified to serve as Under Secretary of Education, and I am pleased to support his nomination. I also look forward to working with Mr. Kvaal to make sure higher education is affordable, accessible, accountable, and safe for every student.

Finally, I seek unanimous consent to put on the record eight letters in support of Mr. Kvaal's nomination from more than 80 education advocacy groups, educators, and colleges and universities. So ordered.

[The information referred to can be found on pages 29-36]

The CHAIR. With that, I will recognize Ranking Member Burr for his opening remarks.

#### OPENING STATEMENT OF SENATOR BURR

Senator BURR. Thank you, Madam Chair, and thank you for scheduling this nomination hearing for James Kvaal. Welcome, and

to your wife and to your mother, again. I hope you are both proud. You should be. I want to thank the Chair for agreeing to hold this hearing, to consider the nomination of someone who, if confirmed, will hold arguably the third most powerful position in the Department of Education. If confirmed, Mr. Kvaal will be the third in line of succession after the Secretary and Deputy Secretary. And you would be the most senior political official in the department overseeing programs and policies related to higher education, vocational adult education, and the White House initiative on historically Black colleges and universities. Most critically, you would be trusted to manage the approximate \$1.6 trillion student loan debt portfolio managed by the Office of Federal Student Aid.

Therefore, I look forward to this hearing and to hearing more about your vision for Federal student aid and the appropriate role for the Federal Government moving forward in higher education and the workforce. Mr. Kvaal, you come before this Committee with significant experience in higher education, including your time in the Obama administration. However, your work within the President Obama's White House and in the Department of Education raises some concerns for me because it shows that you believe solutions should come from unelected administrative appointees rather than the hard work of Members of Congress elected by the people negotiating lasting solutions. There is the college rating plan, the borrowed defense rule, and the gainful employment fiasco.

The first, gainful employment rule finalized during the Obama administration was struck down by the Federal courts as being arbitrary and capricious. Undeterred, you tried again taking two words that had been in law for decades without being tied to consequences or accountability and statute and developed a 900 page regulation of extraordinary complexity aimed at certain institutions over others, which was inherently politically motivated to hurt for profit institutions when not for profits, with similarly bad measures, were left free to operate.

These regulatory efforts, which by all accounts were driven in large part by you, have set off a proverbial seesaw for higher education regulation from administration to administration. That is not good for our country and I hope you will agree that lasting solutions come through the legislative process. Finally, I want to carefully point out your close proximity to potentially unethical conduct at the department under the Obama administration. Proximity being the key word here, not central involvement, otherwise this would be a different conversation.

Official emails being sent to and from private emails, close collaboration with short sellers on market moving information, and an administration official using his old advocacy organizations and their emails to try to hide the public scrutiny in furtherance of a partisan objective. Noting that no charges were ultimately made, I am going to give you the benefit of the doubt given your background in higher education. But as I suggested, concerning allegations raised against Cindy Marten, I know that my colleagues on the other side of the aisle would be screaming from the rooftops about a nomination of someone who would had been involved even

remotely with providing deliberative and confidential regulatory information to short sellers on Wall Street.

I am glad their hypocrisy in evaluating nominees has ended, and I hope it stays that way when the next Republican President comes to office. You have deep expertise in higher education, and with the Secretary and deputy Secretary with little to no higher education policy experience, you are going to play a key role in all these areas. My staff has assured me that while you are a committed partisan, you are also enjoyable to work with and willing to listen and work on compromises. I do want to work with you on these issues, if confirmed.

That said, I want to be clear about some worries that I have about proposals by some of my colleagues on the other side of the aisle, as well as suggestions within the Biden administration to cancel extraordinary amounts of outstanding Federal loan debt. I firmly believe this is the wrong solution to what I think most of us agree are challenges faced by many current and future student loan borrowers. Higher Education Act, or HEA, was enacted in 1965. Are we supposed to believe that for the last 56 years that the HEA has been in place the Secretary has been unable to cancel vast amounts of debt for every single borrower in the United States this whole time and we just didn't know about it until now? Not the case. Mr. Kvaal, I must be honest with you and with everyone else on this Committee, this does not pass the laugh test.

Importantly, I believe the negative implications of unilaterally canceling outstanding Federal student loan debt would be more than enough to deem this policy bad. For starters, this has a one-time cost of as much as \$1 trillion, shifting the burden to unsuspecting taxpayers. Many of those taxpayers paid their student loan debt. It is also a regressive policy, meaning it would benefit the rich, mostly people who are already earning more because of their college education. It would be a huge gift, particularly for Americans with student loan debt from graduate school who disproportionately earn higher incomes.

It is also a very poorly targeted use of Federal resources that does nothing to benefit the more than 200 million Americans that do not have student loan debt and never attended college. Finally, the promise of canceling mass amounts of student loan creates a significant moral hazard. When borrowers take out student loans from the Federal Government, there is an expectation that loan will be repaid. When the Government relieves and forgives that expectation for borrowers, this creates a new expectation that future borrowers will receive the same treatment. So in two years, we would expect to see another massive pile of debt and a whole new group of students demanding forgiveness.

Therefore students and institutions will change their behavior and make riskier choices because they expect that they will never have to repay these loans. So we know what will happen if we cancel tens of thousands of dollars' worth of student loans for individual borrowers. What will stop schools from raising tuition and digging an even deeper hole? Finally—excuse me. Most important part, James. Without institutional accountability, will you be asking the American taxpayer to foot another loan forgiveness scheme in every 5, 10, 15, 20 years? Where does it end?



In addition to asking colleges and universities to play their part to stem this debt spiral, I have a better idea for a loan repayment. A few weeks ago, my colleague and I, Angus King, reintroduced the Repay Act. I know you are familiar with it. Instead of making students choose between nine unique loan repayment plans, our plan would allow borrowers to choose between two simple plans. The first is what most borrowers already pay now, a fixed 10 year repayment option. The second is a simplified, income driven repayment plan. It simultaneously accounts for how much a student borrowed and how much they currently earn. Very low income borrowers or borrowers who make below 150 percent of Federal poverty line would have a zero dollar payment. Borrowers with more modest income would still have a low monthly payment, equal to 10 percent of their earnings above the 150 percent of poverty line.

Higher income borrowers would pay 10 percent on the first \$25,000 dollars of their discretionary income, and 15 percent on the income above that. Finally, our plan would provide loan forgiveness after 20 years of payments for undergraduate students and 25 years for graduate students. I believe the Repay Act is a common-sense solution to our very overcomplicated student loan repayment system. It is fair to students. More importantly, it is fair to taxpayers.

Mr. Kvaal, if confirmed, I look forward to working with you on this pragmatic bipartisan solution and others, and I hope you will do the same. Thank you for the time we spent together this morning. I believe that we can work with suggestions of the past that can legislatively make it through the difficulties of the U.S. Senate today, that are not impossible, if in fact we form a partnership to do it. I thank the Chair.

The CHAIR. Thank you, Ranking Member Burr. And now I am going to turn it over to Congressman Miller, who will introduce Mr. Kvaal.

Congressman MILLER. Thank you, Madam Chair, Ranking Member, and the Members of the Committee. I am honored to be here today. I am delighted to be here today to have the opportunity to introduce James Kvaal. A former member of my Committee staff, James is before you today and President Biden's nominee to serve as Under Secretary of Education. While I am sorry that I am unable to be with you in person, I am pleased that James's wife and mother, as you have already noted Madam Chair, are in the hearing room and James is currently on paternity leave. His 3 month old son, Joseph is at home with James's father. And I should say hello to his father.

As Members of this Committee know, colleges, universities, trade schools, and graduate schools play key roles in helping American workers access skills that lead to middle class income and a better life. As Buzz Lightyear used to say, to infinity and beyond, for these people. Madam Chair and Ranking Member Burr, you know this from the outstanding higher education systems in your home States of Washington and in North Carolina, and many Members of the Committee know this from the state systems that they run there, the university and college systems, and the community college systems.

These programs are excellent and can be found in so many states across the country, but too many students face rising cost, ever growing debt, widening inequality. On top of that those problems, the pandemic led many students to postpone college, impaired the learning of some enrolled, and devastated state and college budgets. The Under Secretary of Education will play a key role in finding solutions to these problems by coordinating policies and programs related to Federal student aid, higher education, career and technical education.

James Kvaal is prepared to meet the moment with laser focus, making sure that all Americans can access affordable higher education, free of discrimination and that they can achieve their educational goals and aspirations. For more than two decades, he has worked in the public service with the overriding goal of helping more Americans from all backgrounds graduate from college. In addition to his work on the House Education Labor Committee, he has been a staff member here in the Senate and served two Presidents in the White House in the U.S. Department of Education. James is a gain—additional perspectives from his time on the faculty at the University of Michigan, and in law school at Harvard. That is hard for me to say from the West Coast. But now—he was the President of the Institute for College Access and Success, a nonprofit organization that has—that he has degrees from Stanford and Harvard.

The question is not about his competency, the question is really about his drive and his determination to improve the higher education system and all education systems in this country. I know from my time working with him, he cares deeply about facts and evidence. He is tireless in his advocacy of young people and their families. James is a careful listener who looks for common ground and is respected by his peers on both sides of the aisle. He understands the complexities of higher education policy, seeks to understand the competing perspectives, and he values accountability and transparency.

For those of you who are meeting James for the first time today, I think you will soon share my view that the President has made an excellent choice. For those of you who have worked with James, you already know that he is exceptionally well qualified and a gifted leader in this field. I want to thank you so much for giving me the opportunity to express my support for James's confirmation as President Biden's Under Secretary of Education. Thank you.

The CHAIR. Thank you, Congressman Miller. It looks like you are sitting where we would all rather be than in a hearing room today. Thank you for taking the time to join us today.

Congressman MILLER. Thank you very much.

The CHAIR. With that, we will turn it over to Mr. Kvaal. You may now begin your testimony.

**STATEMENT OF JAMES KVAAL OF MASSACHUSETTS, TO BE  
UNDER SECRETARY OF EDUCATION**

Mr. KVAAL. Chair Murray, Ranking Member Burr, and Members of the Committee, it is humbling to be before you today. Two decades ago, I sat in this room as a Legislative Assistant to a Member of this Committee and I could not have imagined that I would

someday find myself at this table. I want to thank President Biden for the honor of this nomination. I thank the Members of this Committee for the experienced insight that you have shared in our conversations in recent days and for the consideration you are giving me today. And I thank Mr. Miller for his exceptionally kind introduction and his decades of public service.

As has been mentioned, I am joined here today by my wife, Stephanie, and my mother, Martha. Stephanie and I have an infant son, Joseph, who is home with my father. And Stephanie and I hope to share with Joseph two great gifts that my parents gave to me. The first was an excellent education. I attended strong public schools and with the help of Pell Grants and student loans and my parents sacrifices, I attended two great research universities. Every young person should have the same opportunities that those schools created for me.

The second is a commitment to giving back to something greater than myself. My mother showed her idealism every day by putting her heart and soul into a civil service job. She believed in Government service as a way to improve the lives of her fellow Americans, and inspired by her, I have spent my career in public service. 25 years ago, my first permanent job was working on financial aid at the U.S. Department of Education. Among the career employees and political employees there, I found people whose talent and depth of commitment reminded me of my mother. I saw how Secretary Dick Riley treated every single person with respect and inspired each member of the team to do their best work.

As a congressional staffer, I saw how George Miller combined idealism and legislative skill, and in other positions in the Senate, the White House and the Department of Education, I was fortunate to learn from great leaders like Arne Duncan and Cecilia Muñoz. Most recently, I have led a nonprofit called the Institute for College Access and Success that conducts research into higher education policy. In each position, I sought to expand the circle of college opportunity, increase college scholarships, and make student loans easier to repay.

I have come to believe that few, if any, institutions have as much potential to meet America's challenges as our colleges and universities do. They can boost people out of poverty, raise living standards, and while there's no silver bullet to racial injustices, colleges can do as much as any single institution to promote opportunity. University research also points the way on many of our country's most important challenges. To take advantage of that potential though we need to face three challenges first. And the first is the damage caused by the COVID-19 pandemic. More than half a million students have not enrolled this year, and some may never return. Colleges, some are already financially fragile, are struggling with higher costs and lower revenues.

Students face academic gaps, new mental health challenges, and are likely to face a weak job market for years to come. If I am confirmed as Under Secretary, I will work every day to get students in colleges the resources and guidance they need to recover. Second, there is a crisis in the student loan program. For too long, the easy answer to rising college costs has been larger and larger loans. During the Great Recession, state funding fell dramatically,

and student debt rose dramatically. Young people are beginning their careers in a hole, and in particular, the crisis among Black borrowers should weigh on our conscious as policymakers. We should explore ways to provide relief for students under the burden of student loan debt while helping current and future students with affordable options for college.

Finally, we need to invest in making colleges a more reliable, more inclusive path to the middle class. Too often students do not complete their program, or a degree does not lead to a career. We can do better. Community colleges in New York cities have found ways to nearly double graduation rates. San Antonio colleges offer adult retraining programs and health care that break the cycle of poverty. We should invest in colleges committed to expanding opportunity, including community colleges, historically Black colleges and universities, minority serving institutions and others.

We should support all kinds of successful post-secondary education and training programs, not just those that lead to four year degrees. I am inspired by the opportunity to serve President Biden and Secretary Cardona, whose ideas are as big as these challenges. Many Members of this Committee to have compelling solutions that will support our recovery.

If you decide to support my confirmation, I promise to put my whole heart into working with you to offer all young people the same opportunities I hope to offer my son. Thank you. I look forward to the conversation.

[The prepared statement of Mr. Kvaal follows:]

PREPARED STATEMENT OF JAMES KVAAL

Chair Murray, Ranking Member Burr, and Members of the Committee:

It is humbling to be before you today. Two decades ago, I sat in this room as a legislative assistant to a Member of this Committee. I could not have imagined that I would someday find myself at this table.

I want to thank President Biden for the honor of this nomination. I thank the Members of the Committee for sharing their experience and insight in our recent conversations and for the consideration you are giving me today.

I'm joined here today by my wife Stephanie. Stephanie and I hope to share with our infant son, Joseph, two great gifts my parents gave to me.

The first is an excellent education. I attended strong public schools and—with the help of Pell grants, student loans, and my parents' sacrifices—went on to two great research universities. Every young person should have the same opportunities those schools created for me.

The second is a commitment to giving back to something greater than yourself. My mother showed her idealism every day by putting her heart and soul into a civil service job. She believed in government service as a way to improve Americans' lives. Inspired by her, I have spent my career in public service.

Twenty-five years ago, my first permanent job was working on financial aid at the U.S. Department of Education. Among the career employees and political appointees there, I found people whose talent and depth of commitment reminded me of my mother. I saw how Secretary Dick Riley treated every single person with respect and inspired each member of his team to do their best work.

As a congressional staffer, I saw how George Miller combined idealism and legislative skill. Through other positions in the Senate, the White House, and the Department of Education, I was fortunate to have the opportunity to learn from other great education leaders like Arne Duncan, Cecilia Muñoz, and others. Most recently, I led a nonprofit called The Institute for College Access & Success that conducts research into higher education policy. In each position, I sought to expand the circle of college opportunity, increase college scholarships, and make student loans easier to repay.

I have come to believe that few, if any institutions have as much potential to meet America's most important challenges as our colleges and universities do. They can boost people out of poverty and raise living standards. While there is no silver bullet to eradicating racial injustice, colleges can do as much as any single institution to equalize opportunity. And at a time when, too often, we talk past one another, colleges can foster the exchange of new perspectives and promote empathy and understanding.

To take advantage of that potential, though, we need to face three challenges. The first is the damage caused by the Covid-19 pandemic. More than 500,000 fewer students enrolled this year, and many may never return. Colleges, some already financially fragile, are struggling with higher costs and lower revenues. Students will face academic gaps, mental health needs, and a weak job market for years to come. If I am confirmed as Under Secretary, I will work every day to get students and colleges the resources and guidance they need.

Second, there is a crisis in the student loan program. For too long, the easy answer to rising college costs has been larger and larger loans. During the Great Recession, state funding fell by \$2,000 per student at public colleges, while annual borrowing grew by \$1,100. Young people bear the weight of beginning their careers in a hole due to large college debts. In particular, the crisis among Black borrowers—more than a third of whom default within 12 years—should weigh on our consciences. We need to continue to explore ways to provide relief for students under the burden of loan debt, while helping current and future students with affordable options.

Finally, we need to invest in making colleges a more reliable, more inclusive path to the middle class. Too often, students do not complete their program or their degree does not lead to a career. We can do better. We know this can be done. For example, community colleges in New York City, Chicago, and Fort Worth have found ways to nearly double graduation rates. San Antonio colleges offer adult retraining programs in health care and other fields that break the cycle of poverty.

We should invest in colleges committed to expanding opportunity, including community colleges, Historically Black Colleges and Universities, Minority-Serving Institutions, and others. We should support all kinds of successful education and training programs, not just those that lead to four-year degrees.

I am inspired by the opportunity to serve President Biden and Secretary Cardona, whose ideas are as big as these challenges. Many Members of this Committee have compelling solutions of their own that will support our recovery.

If you decide to support my confirmation, I promise to put my whole heart into working with you to offer all young people the same opportunities I hope to offer my son.

Thank you. I look forward to our discussion.

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The CHAIR. Thank you very much. We will now begin a round of five minute questions, and I asked my colleagues to please keep track of the clock and stay within those five minutes. Mr. Kvaal, across the country, students and borrowers face the substantial and rising price of college and the looming possibility of restarting loan payments that are currently halted due to the pandemic. We know issues of access and affordability can have the greatest impacts on students of color.

The pandemic has compounded the inequities that students of color already experience. And on top of this, the colleges that are most likely to serve our students of color continue to be underfunded. If confirmed, where do you see the strongest opportunities to close longstanding racial equity gaps in higher education, including funding, affordability, and student debt?

Mr. KVAAL. Senator, thank you for the question and for your long standing commitment to equity in higher education. I think there are three parts of President Biden's agenda that are particularly important, and one is looking at student debts that exist now and students can't afford to repay. And we see a lot of students whose

loans are getting larger rather than smaller as they struggle to repay those loans, particularly among Black students. The second is making college more affordable for current and future students, and that means invested in eliminating tuition at public colleges and universities, doubling Pell grants.

The third would be putting a particular focus on those institutions that you mentioned that serve the highest proportions of low income students and students of color, like community colleges, historically Black colleges and universities, and minority serving institutions.

The CHAIR. Okay, very good. You know, helping students and their families meet basic needs like food and housing and child care and health care has to be a top priority for the department. We have to support the whole student to make sure they can succeed academically. And unfortunately, recent data reveals what a challenge this is going to be. A survey released by the Hope Center two weeks ago shows that more than half of the students continue to report basic needs insecurity. And many other students just dropped out of school.

Beginning in March 2010, Congress provided billions of dollars of emergency financial aid grants to help students during this pandemic. And Congress just passed another round of \$20 billion for those grants in the American Rescue Plan. However, in that same Hope Center survey, two thirds of students who struggled with food and housing and basic needs and security said they were not able to access those emergency aid grants.

That was in large part due to poor implementation of the CARES Act by the previous administration and really a lack of clear guidance to those students on how to access that emergency aid. While we are hopefully over the worst of the COVID-19 pandemic, there is a lot more work that needs to be done to better support students whose basic needs are not currently being met.

If confirmed, will you make it a priority to help connect students to those basic needs supports, including the emergency financial aid grants that were included in the American Rescue Plan?

Mr. KVAAL. I will. It will be a top priority of mine.

The CHAIR. Will you bring a whole of Government approach to working with all the relevant Federal agencies to streamline and automate access to the benefit programs?

Mr. KVAAL. I will.

The CHAIR. Well, thank you very much. I really appreciate it. Senator Burr.

Senator BURR. Thank you, Madam Chair. You know, I am often asked these days, what does the world look like post-COVID? What is Congress going to do for the balance of this year? Crystal ball is not very good. Somehow the crystal ball is good enough for us to say that if you are Black or brown, then there is no way for you to make a loan repayment—if you are a minority. If you come from this part of the country, that part of the country, you may or may not be able to—I don't know how we arbitrarily make that determination. Now, you made a statement that I just found to be incredible.

We want to eliminate tuition at public institutions. Who is going to pay for that? Do we expect the taxpayers of those states who are

already subsidizing higher education and in North Carolina, we have subsidized—we started at 66 percent, which was a year, years ago and I think we are down to about 48 percent from the legislature of those public institutions? And that has sort of thrown everything into a bucket that some of them are HBCUs, some of them are prominent universities like NC State and the University of North Carolina Chapel Hill.

Do we—and we say that tuition is unaffordable across the board. But under this scenario, we are either going to raise that tuition that we don't charge for at the taxpayer level or we are going to raise the tuition for everybody else at the institution to pay for the ones that are now free. Is that fair?

Mr. KVAAL. Well, Senator, thank you for the question. We have seen a pattern now for decades where in every recession, states faced budget crises that lead them to make deep cuts in higher education funding. And that is the primary factor in rising tuition at community colleges and public universities, where almost three quarters of students go, and a big factor in rising debt levels. And so I believe that a new partnership between the Federal Government and states is needed to make sure that public colleges and universities are affordable for all students.

Senator BURR. Let me just interpret, and tell me whether I am wrong. So for the states that won't subsidize public education so it is affordable for the most at risk students, which my State of North Carolina continues to do, you are going to penalize North Carolina that did it right, and you are going to subsidize the ones that wouldn't prioritize public education in their states.

If the states won't fill the gap between affordability and what a student can pay, then the Federal taxpayer is going to do that. And somehow North Carolina does it right today, but states that don't are going to be the ones that drive this new policy. Is that an accurate statement?

Mr. KVAAL. Hopefully we will have the opportunity to work together on this legislation. And I think it is really going to be important to think about how resources are allocated among states in a way that does not penalize states like North Carolina that successfully cap tuition.

Senator BURR. Well, let me just—let me extrapolate that over to student loans for just a second. The approach that some are suggesting is that a doctor is treated just like an individual that had a sociology degree. Sociology might have a lower earnings capacity over their lifetime with a degree than a lawyer, but we are just going to do away with the loans that both of them have. Is that fair?

Mr. KVAAL. Well—

Senator BURR. One of them clearly has the capacity to repay the loan.

Mr. KVAAL. What President Biden has suggested is that we need to think about a couple of different kinds of loan forgiveness. One is a temporary form of loan forgiveness directed at people struggling with the pandemic. A second would be for those in public service. And a third would be for those with low incomes and high debts. I think that is a general—as a general matter, that is a good structure for thinking about how do we identify those loans that

are weighing people down and that they are struggling with and unable to afford.

Senator BURR. Given that by the end of May, every American who wants to be vaccinated will have been vaccinated, can we then cutoff the people that are adversely affected by COVID because we can now replenish the workforce and the only thing that we are talking about is last March to this June that people have been financially impacted in a way that wouldn't provide them the ability to pay their student loan, or is this a program that we are going to put in place that extends well into the future?

Mr. KVAAL. Well, I think some of these solutions do need to be permanent solutions. Public service loan forgiveness, for example. We need a permanent solution to that problem. I think in terms of the immediate actions that we take this year, we are in a situation that is unprecedented.

In the last recession, student debt was one third the level that it is now. And so we do have millions of people who are struggling. And it is not just a question for those households, but it is also a broader challenge for our economy when everybody is weighed down by student debt. And so I think, if confirmed, I would be eager to work with you on how to design that.

Senator BURR. I look forward to working with you. I think the biggest distinction between before, 2008, 2009, and today is we suspended the requirement to make student loan debts in, so one can only expect that you would have a higher number today based upon the increase in tuition, but also based on the fact that last year we haven't required anybody to make that student loan debt.

I am glad to see Coach Tuberville here because I don't think there is anybody who has served in more institutions in the U.S. Senate than he has, and I am sure he will have some good comments. Thank you, Madam Chair.

The CHAIR. Thank you.

Senator Baldwin.

Senator BALDWIN. Thank you, Madam Chair. I welcome Mr. Powell to the HELP Committee. And it was great to see my former colleague George Miller, in his introduction of you. Our Nation faces significant challenges as we recover from the economic downturn created by this pandemic. For many people, today's financial hardships have led to existing related problems, the high cost of college and Americans' mountain of student debt, even worse.

After our last recession, America's community and technical colleges played a critical role in helping folks affordably acquire new skills and get connected to high quality jobs in in-demand industries. That is why I will soon be reintroducing the America's College Promise Act legislation that I have led for several Congresses that would create a Federal, state partnership to make two years of education at these institutions tuition free.

Mr. Kvaal, I understand you actually worked on this concept when President Obama first proposed it. Do you agree that this measure could not only help address the issue that President Obama was most focused on, college affordability, but also help aid our economic recovery today?

Mr. KVAAL. Senator, I do. Thank you so much for your leadership on these issues. And I think that community colleges are really a



very American institution and that they take people from all walks of life, whatever level of academic preparation they are at, whatever type of training or education they need. And I think that makes them, one of the leading purveyors of second chances in America, and investments in them could do a lot to strengthen our economy and promote equity.

Senator BALDWIN. Thank you. While we are making really great strides in our fight against COVID-19 and have worked to provide significant resources to colleges and universities to assist them during this challenging time, I think the road ahead of us is still pretty large. Institutions continue to work on vaccinating their students, faculty, their staff, finishing out their spring semesters, and planning for summer and next fall with an eye toward greater normalcy.

They will continue to need the department's guidance and assistance to do so. If confirmed, how do you plan to work in partnership with other agencies, such as the Centers for Disease Control and Prevention, and other Federal agencies to support colleges and universities as they move forward?

Mr. KVAAL. Thank you for the question. I agree wholeheartedly that we have quite a bit of work to do, and that students and colleges will be facing a number of challenges related to the pandemic for some time to come. Part of the question is public health guidance. And I am not a public health expert, but I know that the CDC has worked very hard to answer the questions that colleges and universities have.

I think there is also a role for the department in helping colleges and universities learn from each other because a lot of institutions are tackling these challenges, dealing with questions about how to come back to campus safely and equitably, how to address mental health challenges, how to address any academic gaps. And I think there is a role for the department to help colleges learn from each other.

Senator BALDWIN. Well, thank you for that. As I noted before, I believe career and technical education programs will play a critical role in supporting our economic recovery. But those very programs, both at the middle and high school levels as well as at the community and technical colleges, have faced significant challenges during the pandemic.

By public health necessity, many of the hands on training experiences of CTE programs became unavailable, requiring a challenging shift to online models of teaching and learning at the post-secondary level. We saw significant drops in community and technical college enrollments overall. So in short, at a moment when we will have the greatest need for these programs, they are facing significant challenges.

If confirmed, in your role overseeing the Office of Career Technical and Adult Education, how would you help CTE programs navigate these issues and meet the needs of our economic recovery?

Mr. KVAAL. I agree entirely. I am a wholehearted supporter of career and technical education and I think it is going to be particularly important as the job market recovers and the jobs that are being created coming forward may not be quite the same as the

jobs that existed before. So it will be really important to help people gain skills to get good jobs as the economy grows.

Obviously, it has been a particular challenge to deliver high quality career and technical education in a virtual environment. But there are people who are doing it successfully. So I think it is important to develop and share those best practices and find ways to invest more in the kinds of programs suited to the conditions we are in today.

Senator BALDWIN. Thank you. And Madam Chair, I yield back.

The CHAIR. Thank you.

Senator Cassidy.

Senator CASSIDY. Thank you for offering your service. I appreciate that. I am the lead Republican sponsor of the College Transparency Act, which is a bipartisan, bicameral bill that ensures that students, families, as well as those who are interested, policy-makers, researchers, etcetera, can easily access high quality, post-secondary education to tell them where to go to school.

For example, they can log on, and if I, whatever I look like when I look in the mirror, whatever my socioeconomic status, I would be able to find me in which school, in which curriculum, and how much would I be expected to borrow, what is my likelihood to graduate, and what money am I going to earn when I graduate. If you get a petroleum engineering at the school, how will you do or computer science versus if you get gender studies at another school. What is your likelihood of graduating with debt that you can pay off with your beginning salary?

Now, DOE gets it, the department of Ed gets this information already, but there is a ban on the Federal Government collecting and reporting program level outcomes data. So I guess my question is, one, how do you feel about such a program? This is bipartisan by the way, our Democratic colleagues in the Senate, and then both parties in the House. How do you feel about it? And let me start with that and I will ask a follow-up after that.

Mr. KVAAL. Senator, I am aware of and I commend your long-standing work on this issue. I talked to many students and parents who faced with one of the biggest investments of their lives, are frustrated by the lack of information about some of the questions that you just mentioned. I am not aware that the Administration has a position on the piece of legislation you mentioned, but in some of my prior writings, I have talked about the importance of the College Transparency Act and putting better information in the hands of students in ways that are secure, and privacy protected.

Senator CASSIDY. Okay with the concept, but you need kind of the sign off from the Administration before you go forward?

Mr. KVAAL. Correct. I am not a member of the Administration and I am not in a position to make policy commitments on behalf of the Administration. But, I can share my personal opinion, which is I think, repealing the student record ban would be a big step forward.

Senator CASSIDY. Sounds great. Let me ask you about this. The student's IEP in K through 12 does not track through to higher education.

For example, the child who was diagnosed with dyslexia, which is a real interest of mine, may have to get reevaluated when they

go to college, even though one is diagnosed with dyslexia in the first grade, you are dyslexic for the rest of your life. This is just a question about how well you compensate and how well you can otherwise function around it. I am the co-sponsor of the RISE Act with Senator Casey, making sure that students get the services and accommodations for dyslexia that they may need in higher education.

Any thoughts upon that? I mean, again, I know that you can't prescribe policy for the Administration, but I guess it is more fundamental. Would you accept that if once a dyslexic, always a dyslexic, and that if somebody is evaluated in fourth grade, why make them pay for another evaluation before they head off to school?

Mr. KVAAL. Senator, I think you are making a great point there. And perhaps at some point we thought high school was for everyone and college was not. But we are now at a point where some kind of education or training after high school is more and more important. And I think it is important for us to pay very careful attention to the continuing inequities that face students with disabilities in the post-secondary environment. And that includes racial disparities. That includes making sure that college instructors are trained in how to teach students with disabilities. And, of course, all these challenges—

Senator CASSIDY. My specific question is, what about if somebody has got an IEP establishing that they are dyslexic and K through 12, my specific question is, should that be allowed to follow them into the university, or should they be forced to pay for another evaluation?

Mr. KVAAL. I am sorry, I didn't mean to ramble on. I think that is an idea that is very much worth studying. I don't understand the full ramifications of that, but I would love to meet with you and your staff to talk more about it.

Senator CASSIDY. Sounds great. With that, Madam Chair, I yield back.

The CHAIR. Thank you.

Senator Kaine.

Senator KAINE. Thank you, Chair Murray and Ranking Member Burr. And Mr. Kvaal, good to be with you. First, thank you for your career. There is a very straight through line in your career in terms of what your passions are. You are a mission driven person and that is very obvious, and it is laudable. And congratulations both on your nomination and also the new addition to your family. You and I had a good discussion yesterday about an issue of passion. And I will just start, for me, and I will just start this way, do you think that high quality post-secondary workforce training is higher education?

Mr. KVAAL. I do.

Senator KAINE. It is really important to me. I once gave a graduation speech at the apprenticeship school at the Newport News Shipbuilding School. And my speech was, I want to congratulate you and I want to apologize to you. I congratulate you because you got into a program whose acceptance rate is lower than getting into Harvard and you have trained to earn this wonderful skill and now you will earn a great living doing something really patriotic, ship-

building. But I want to apologize to you, because in the Nation's statistics, we don't count you as having a higher education degree.

I have a passion about eliminating, root and branch, the way we treat people with career and technical degrees. We don't treat them as having higher education degrees. And this has been a passion of mine for many years, and I am very, very focused on it. You praised your own educational background, including the importance of the Pell Grant program to help you get through college. And we try to make Pell Grant pretty flexible. A student who does 12 credit hours a semester can get a Pell Grant if their family income qualifies and the course is 15 weeks long, a traditional college semester.

We pro-rated Pell Grants if a student says, I can't do 12 hours, I can only do six semester hours because I have a job. Then we pro-rated the Pell Grant. We just did a wonderful thing in expanding Pell Grant availability after many years of not doing it to folks in prison. But here is who doesn't get a Pell Grant. If a student and a family that qualifies for Pell Grants wants to take a super intense, you know, eight week career and technical program at a community college, the fact that it is eight weeks in length means they can't get a Pell Grant. It is not 15 weeks long. Eight weeks often is, you know, 30 or 40 hours a week.

They spend almost as much time in an eight-week class as somebody would in a 15 week semester at a college. But we don't give them a Pell Grant. And so the family that Pell Grant qualifies, whose kid wants to go to college, gets it as an entitlement. The family and student can plan how to use it, where to take it to an accredited institution. But the family with the child that wants to do a high quality career and technical education program doesn't get a Pell Grant.

Maybe there is a program available for him, maybe there isn't. Maybe the cost is affordable, maybe it isn't. And we owe the funds that we use for career and technical training, are dispersed by Governors. They are often in program funds, they don't go to families, and they are often focused on hard hit workers, not up and coming young people. So my passion is to try to do what we have done with Pell Grants for part time students and do what we have done with Pell Grants for prisoners and make Pell Grants available to people who enroll in high quality career and technical post-secondary programs, even if they aren't 15 weeks long, so long as there is quality metrics to suggest, as you say, these are things that can get people good careers.

I ask you, do you believe in using the Pell Grant as we have with other populations to try to be flexible to their needs to support students who choose to focus their education on high quality career and technical education programs, even if they are not 15 weeks long?

Mr. KVAAL. I do. I appreciate your long leadership on this issue. And in our conversation yesterday, a new appreciation for your thoughtfulness and your passion. I agree that career and technical education programs can lead to really meaningful career job opportunities. They deserve the same amount of support and the same amount of respect that other types of higher education programs do. And if I am confirmed, I am confident we can work together to

support high quality training programs, including those that are shorter than 15 weeks.

Senator KAINÉ. Because there isn't any—just as there isn't anything magic about you have to be a full time, you know, student with 12 semester hours, and we prorate Pell Grants for part time students, there isn't anything magic about a 15 week semester is there?

Mr. KVAAL. There certainly are programs that are shorter than 15 weeks that get very strong outcomes, and some of those are in your home state, of course.

Senator KAINÉ. Right. We have a wonderful program in my community college system, the Fast Forward Program that has had some significant and notable success. Mr. Kvaal, thank you for that dialog and your testimony today. I yield back.

The CHAIR. Thank you.

Senator Braun.

Senator BRAUN. Thank you, Madam Chair. Good to visit again. It was just yesterday we had a good robust, I think, half an hour conversation. I am going to cover some of that same territory. I served on a school board in my hometown for ten years and recall how every time we crafted a budget and did everything, it was within parameters and always worked out where year after year after year. We did things that were sustainable, including building projects. Was in our state legislature for three years, and I think I told you the story that interviewed Mitch Daniels on being on Ways and Means in 2015.

Second year, I was on the Education Committee and started talking about career, technical education because as a business owner in a place like Indiana, where we export twice as many four year degrees as we keep, high demand, high wage jobs, all of us out there need more training in high school that is better by the time they get to the arena that you are going to be involved with. High cost to me is what is besetting education. And I look again, I told you, Mitch Daniels, when I interviewed him, he said he wants to try to keep tuition sustainable.

Well, it is the 9th or 10th year. He shamed other Presidents, at least in our neck of the woods, into doing the same. It is no different than my other main issue or one of them here, which would be high cost of health care. The industry is broken to an extent. So I have got three areas I would like your comments on. What do we do to lower the cost and increase effectiveness, which is the hallmark of anything else that works in this country, and it is not done with unlimited resources like we might have here?

The student debt that has risen along with extremely high post-secondary education costs, and now the discussion of maybe free college tuition, when we got a place that has got more debt than it has had since World War II. And back then, we were savers and investors, and we are spenders and consumers now. So please address the high cost, currently, what you do about it, does Mitch Daniels have it right? Student debt, would you forgive it? And would you be interested in free college tuition?

Mr. KVAAL. Senator, thanks again for the time you spent with me yesterday. I appreciated that conversation and for the questions today, I do think that it is important for colleges and universities

to focus on the value that they are offering students and to taxpayers, and that there are things that colleges and universities can do to find ways to lower their costs without hurting or even in some cases while helping academic quality.

Our system is very good at innovating, our system of higher education. We are not always as good at putting our finger on what is working and helping others learn from it. And that might be something that we could work on together, if I am confirmed. In the area of student debt cancellation, President Biden has proposed some forms of loan forgiveness.

There is a temporary measure related to hardship related to the pandemic and the economic emergency, making the public service loan program work and forgiving debts for people with particularly high debts and low incomes. I think generally that is a structure that makes sense and would be interested in continuing the conversation with you about how to design those forms of loan forgiveness. In the area of tuition, I note that a century ago we decided to make high school not just universal, but free.

In the middle of the last century, we had a commanding lead on the rest of the world in levels of educational attainment. I believe the figure is in the 1950's or 60's, an American was two or three times more likely to be a high school graduate than a European was. And that was an important factor in our economic prosperity. I think we are at a point now where more education is needed to create opportunity and create growth.

I think we should recognize that we all have a stake in making college more widely available. And so I think it is appropriate for us to invest more in our colleges and universities, and part of that could be eliminating tuition.

Senator BRAUN. That is good. And I think the complication currently, and when you cite the 50's and even up until the turn of the century, we actually had a balance sheet and a capability that would maybe make that reasonable to say you could do any of that.

I think until we get that in order here, whether it is climate, whether it is education, whether it is health care, that is the biggest challenge is how do you pay for it and do it sustainably, so you don't simply throw an illusion out there for the American public. Thank you.

The CHAIR. Thank you.

Senator HASSAN.

Senator HASSAN. Well, thank you, Chair Murray and Ranking Member Burr. And welcome to Mr. Kvaal for being here today. Thank you for your interest in service and thank your family as well.

Mr. KVAAL. Thank you.

Senator HASSAN. I want to start with a question about for profit colleges. One key priority for me is to hold predatory, for profit colleges accountable so that students get the results that they were promised and that they have paid for. That is why I worked with Senator Durbin last Congress to introduce a comprehensive bill to strengthen consumer protections in higher education that protects student debt.

I am pleased that the American Rescue Plan that the President signed into law last month included a provision from the Protect

Students Act to help stop for profit colleges from taking advantage of veterans and service members. But there is still much work to be done. For example, the Protect Students Act would also strengthen enforcement when students are defrauded and improve oversight of the process used by for profit colleges that seek to convert to nonprofit status.

Mr. Kvaal, how can the Administration and Congress work together to hold predatory, for profit colleges accountable and provide recourse to students who have been defunded—defrauded?

Mr. KVAAL. Senator, thanks so much for your leadership on this issue. And that legislation, I think, is a really important list of things that Congress could do to ensure that students aren't left with debts they can't afford to repay and that colleges aren't allowed to shift the costs of illegal conduct onto students. And many of the proposals in that bill, of course, affect all kinds of colleges. How we have seen disproportionate abuses in for profit colleges in the past.

I appreciate your partnership on that really important piece of legislation and congratulate you on the inclusion of the 1910 provision in the American Rescue Plan and also some of the steps that the Administration has taken in the area of defrauded students.

Senator HASSAN. Well, thank you. I look forward to continuing working with you on those issues. Let me talk a little bit, too, about the realities of today's students, because you just said a moment ago the for profit sector is one area where students don't always get what they paid for. But we also have to think hard about the situation that today's college students are in. They have numerous demands on their time, and they often struggle to actually complete their academic programs.

One of my concerns is that institutions don't always have all the tools that they need to help students succeed. So I recently joined Senators Young, Kaine and Cassidy in reintroducing the bipartisan Innovation Zones Act, a bill to improve on existing program—an existing program that colleges use to implement innovative programs to better serve their students. I also have a bill to support competency based education so that more students have access to programs that actually measure their mastery of skills and knowledge rather than the hours they spend in their seat.

That goes a little bit to Senator Kaine's point about 8 weeks versus 15 weeks. We really should be looking at giving students flexibility when they are completing their programs and really measuring what they have learned, not just how long they have been in their seats. So how do you think the Department of Education can support responsible innovation in higher education to meet the needs of today's college students?

Mr. KVAAL. Thank you for the question, Senator. I think those pieces of legislation address some really important topics. And competency based education, for example, has the potential to help students complete their degrees faster while saving them money. And it could also be a way of ensuring that they are learning what it is that they are supposed to learn. Unfortunately, our rules of the existing financial aid programs were really written with the traditional model in mind. And there are a lot of hurdles for institutions like Southern New Hampshire who are trying to do things in new

and different ways and would be eager to work with you to find ways to make new ways of doing things possible.

Senator HASSAN. Well, thank you. I appreciate that. Last topic, we also have to work on expanding higher education programs to engage workers who have fallen out of the labor force or who are working but need help in making progress in their career. They might need a new credential. So I recently reintroduced the Gateway to Careers Act with Senators Young, Kaine and Collins. This bipartisan bill would support career pathway programs where students can earn an income while they are also completing educational credentials.

The bill also includes important wraparound supports for learners who face barriers to completion, like help accessing affordable housing or covering transportation costs. So do you agree that it is important to support these kinds of programs so that our most vulnerable workers have access to educational opportunities to help them succeed?

Mr. KVAAL. I do. And I have seen a lot of colleges have success with tragedies like the ones you have mentioned.

Senator HASSAN. Thank you. I look forward to working with you. Thank you, Madam Chair.

The CHAIR. Thank you.

Senator Tuberville.

Senator TUBERVILLE. Thank you, Madam Chair. Good morning.

Mr. KVAAL. Morning.

Senator TUBERVILLE. Thanks for being here. As you probably heard, I got a little background in education, 40 years of coaching, but coached high school and taught a little bit in high school and taught some in college, and it is a passion of mine. One of the reasons I am here as a United States Senator, because I saw in 40 years how our education has kind of drifted. We have gotten too much politics involved.

I think it is a total right for every kid in this country to have a quality education, especially in secondary education, but I am a true believer that it is not the obligation of the people, the taxpayer of this country to pay for higher education, because I think when you get to that point, you need to earn that right. You know, these young kids. And I think it is important that we understand that if we continue to put politics and make more things free for these kids, it is going to be hard for them to really understand the importance of it.

Secretary Cardona lacks extensive experience in some areas in education, especially higher education. If confirmed, how are you going to help him with that? Just give me a few ideas.

Mr. KVAAL. Well, Senator, I am a big admirer of Secretary Cardona, and I found him to be a really principled man and a strong leader. And of course, I will be taking my direction from him and from President Biden and attempting to apply the values and policy direction he sets in the areas in which I am responsible. And I will attempt to give him, for whatever decision he faces, the best available data and evidence and a fair reflection of the different perspectives that are out there on the question.

Senator TUBERVILLE. Have we seen—as we have seen in this pandemic, we have had a tough time getting back to school? A lot



of teachers going back to school. To me, teachers are First Responders. I mean, we got to fight to get back to help our kids.

Education is one of the most important things that we have done in this country. Unfortunately, we are 38th in the world now in math in this country. That is unacceptable. It is very unacceptable. We have got a lot of areas that we have got to improve on. I am not a big fan of teachers unions. To this point after seeing what just happened, I am not a fan of tenure in four year universities. I am a big fan of junior colleges. I have been in hundreds of them across this country.

I think we can make them better. But I think it is important if we are going to work with higher-ed that we have got to understand, we have got to start teaching. We can't let graduate assistants teach all of our classes. I mean, we have got to get our professors back in the classroom.

One area that I am a little bit disappointed in and I want to get your opinion on this and see where you stand on it is, you know, for 40 years I worked for Title 9 in this country. I am a big proponent of women's athletics and I think they have come so far in this country. It has given opportunities to young girls that they would never have had.

Now, all of a sudden, we are thinking about allowing young transgender boys to participate in women's athletics. It is going to kill it. What are your thoughts on that?

Mr. KVAAL. Well, Senator, the laws written by Congress requires the department to ensure that all students have equal access to educational opportunities, and that includes transgender students, and that includes extracurricular activities. I understand this is an issue that people have very strong opinions about. People don't necessarily agree. And if I am confirmed, I will work under the leadership of Secretary Cardona and do my best to protect all students rights and respect the dignity of all students.

Senator TUBERVILLE. I just hope we look at the overall big picture of this, because it could be devastating to a lot of kids in this Country. And again, we want to give everybody free rein to have a great education and play sports, I understand that. But we have got to look at the sensibility of this. What about diversity and speech on college campuses? You know, we are having a huge fight right now, East, West, North, South, and all our four year universities. You are going to have this problem.

Again, I have been on campuses all my life and we are having a division on—when you have a division on your campus in education, you have division in Country. And right now we are having a division on politics on campus. What is your thought about diversity in speech on four year universities?

Mr. KVAAL. I think that freedom of speech is a foundational value of our democracy in our country and that given their mission and producing knowledge, and teaching students the free exchange of ideas is particularly important on college campuses.

Senator TUBERVILLE. Thank you. Look forward to working with you. Thank you, Chair Murray.

The CHAIR. Thank you.  
Senator Smith.

Senator SMITH. Thank you so much, Chair Murray. And Mr. Kvaal, it is wonderful to be with you virtually, and I want to thank you so much for your willingness to serve. And I look forward to supporting your nomination for Under Secretary. I would like to ask you a couple of questions but let me start with a question around the Public Service Loan Forgiveness Program, which I am sure, you know, we have had a lot of challenges with. So we all know, I think, that public sector workers are so important to our—the way our country works, the way our economy works, the way our families work.

We have really seen this so much over the last year as essential workers and public health nurses, teachers, and others have really literally been risking their lives and working so hard for our communities in the midst of this pandemic. And as you know, the Public Service Loan Forgiveness Program was created in 2007 to help incentivize public service and support those who dedicate themselves to these really important roles by providing loan forgiveness after 120 qualifying monthly payments.

However, due to the extreme complexities of this program, poor implementation, and a lack of oversight, the Public Service Loan Forgiveness Program has not fulfilled its promise. Since its inception, this is I think incredible, just over 1 percent of applicants to the program have been approved, meaning that over 98 percent of applicants seeking forgiveness have been rejected. And I can tell you from the conversations that I have had with many, many Minnesotans, how families have seen their finances turned upside down as this happened. I mean, this just shouldn't be happening.

I think we can do a lot more with the Public Service Loan Forgiveness Program to make sure that helping people who dedicated their professional lives to service. And I think that there is a great need for better management of this program, better oversight, better implementation.

Mr. Kvaal, if you are confirmed, could you talk to us a little bit about what you would do to help improve the administration of the public loan service—a Public Service Loan Forgiveness Program, and how do you see this challenge, and what we can do to fix it?

Mr. KVAAL. Senator, thank you for the question. I agree entirely on the importance of this program. And we need to make sure that people who go into public service careers with the understanding that the Federal Government has promised to help them with their student loan debt, do in fact receive the benefit of that promise. And we have a program that is unfortunately quite complicated. Not all Federal loans are eligible. If you do have the right kind of loan, not all repayment plans are eligible.

Then on top of that, as you suggest, it has not been well implemented and students struggle to get accurate, clear information and to navigate the application process. So I think there is a lot we can do together to make sure that students get the benefits that they are entitled to.

Senator SMITH. Well, I would really look forward to working with you on this. I think it is extremely important. We have a promise to fulfill and a real opportunity to support public sector workers who thought that they had an agreement and understanding about what was going to happen with this program only to find them-

selves left high and dry way too many times. So thank you for that and I look forward to working with you. Well we just have a little bit of time left and I want to just go to the issue of student loan forgiveness.

We all can acknowledge, can understand and see both sides of the party divide that the student loan debt crisis is out of control. I likened it to somebody with a student loan debt, it is like they are carrying a thousand pound weight around with them wherever they go, and this makes it so much harder for them to buy a house, buy a car, to take the job that they want.

Of course, we know that weight doesn't, isn't an equal across all folks, and that this is a particularly a challenge for Black and brown and indigenous students who are seeing an even higher student loan debt. And it is also not just an issue for people at the beginning of their career, it is also a matter of great concern to folks who maybe got additional education halfway through their career to find themselves postponing retirement because of student loan debt.

I support the idea of canceling student loan debt up to \$50,000. There are lots of ideas. There is not just one solution for what to do about this. Could you just take a minute to say what you would like to, you know, kind of where you think we ought to be looking for help for folks as we look at the student debt crisis?

Mr. KVAAL. Well, Senator, I think you describe the problem very, very well, and I agree with the challenge that we face, as you described it. President Biden has talked about loan forgiveness in a couple of different categories. One is some relief now for people struggling with the pandemic and the economic emergency, and then additional relief in the areas of public service loan forgiveness, and also for students with particularly high debts and low income. So I don't have a fixed opinion about how exactly to structure relief in those three categories, but I would be eager to work with you, if I am confirmed, on how to approach those issues.

Senator SMITH. I think you are right that there are many solutions to this problem. Thank you very much, Mr. Kvaal. Thank you.

The CHAIR. Thank you. I believe Senator Rosen is online. And do not—don't see Senator Rosen? Is Senator Hickenlooper—seeing neither one of them? I will ask one question. Encourage them to get online quickly. I think Senator Burr and I are left and if they want to ask a question, they are going have to get online. But, Mr. Kvaal, thank you for your patience. Let me ask one question.

As you know, the pandemic has created unprecedented chaos and economic uncertainty for students across the country. And unfortunately, we have seen a decline in FAFSA completion during this pandemic. This challenge has been particularly severe at those high schools with a very high population of students of color, where the decline is almost four times worse than at schools where the students are predominantly white.

I am extremely concerned about what that means for the pipeline of students moving on to higher education and training opportunities, and how it may further increase equity gaps in college access and success. So I wanted to ask you, if confirmed, how will you make sure the department works to improve FAFSA completion at

schools within, especially with substantial populations of students from low income households and among unemployed adults?

Mr. KVAAL. Thank you, Senator. As you noted in your opening remarks, there are a number of areas where we have longstanding challenges that have been exacerbated by the pandemic and this is one. Of course, it is particularly troubling the decline in FAFSA completion rates and the extent that it suggests that people are not continuing on to college and it will be extra work to try to get them back on the pipeline and back on to the path.

We do not want to see a permanent dent in educational attainment as a result of this pandemic. So I think all options have to be on the table in terms of reaching out to these students, extending deadlines, being flexible with requirements, and trying to make sure that as many people as possible are going back to school as soon as it is safe to do so.

The CHAIR. Okay. How will you make sure the department prioritizes implementation of the bipartisan FAFSA Simplification Act as quickly as possible, including using early implementation authority?

Mr. KVAAL. Thank you, Senator. I appreciate your enacting that legislation as well as the legislation allowing the department access to tax data to simplify financial aid applications. I think that and reducing the number of questions is a really important step. And if I am confirmed, it will be one of my highest priorities to work with FSA to get that implemented as quickly as well as possible.

The CHAIR. Okay, thank you very much. And I see Senator Rosen and Senator Hickenlooper have come back on. Senator Burr, you want to wait until they ask their questions or—Senator Rosen, we will start with you.

Senator ROSEN. Thank you, Chair Murray and Ranking Member Burr. I appreciate it. And thank you to Mr. Kvaal for spending time with us today and for your willingness to serve. I want to talk a little bit about supporting minority students, because in Clark County, Nevada, nearly half of our K through 12 students are Latino, and statewide, half of our colleges are Hispanic serving institutions or agencies.

We also have one of the fastest growing AAPI populations in the country. And we are home to UNLV, one of the Nation's few Asian-American, Native American Pacific, Islander serving institutions or NAPs. So what would you do if confirmed to support HSIs or NAPCs and college students of color more broadly, please?

Mr. KVAAL. Senator, thanks for the question. And one of the reasons that I am inspired by the opportunity to serve in the Biden administration is how much he talks about the importance in investing in institutions that serve the most students of color and the most low income students. And, as I am sure you are aware, he campaigned on an ambitious plan to invest in those types of colleges. And, I would be eager to be a part of carrying out those promises.

I think one of the first orders of business would be aggressively implementing the resources that Congress has provided in the recent economic recovery packages. And, I would say I think it is also particularly important that the voices representing those institu-

tions are heard at the highest levels of the department and the Administration.

Senator ROSEN. Thank you. I would like to talk and just move on a little bit to our TRIO, our Federal TRIO programs, because they provide individualized tutoring, mentoring, and advising for first generation and low income college students, students with disabilities, and they help them enter and complete college. So in the Fiscal Year 2020 in Nevada, TRIO served over 7,000 students and 31 TRIO programs.

TRIO improves college enrollment and completion, which actually leads to higher lifetime earnings for students, which creates taxpaying citizens and reduces costs for Government services later in life. I have joined 40 of my Senate colleagues and urged them that the December COVID Relief bill include TRIO as an allowable use of higher education funds.

Although we were successful, colleges continue to face dramatic revenue losses. To increase costs, it will make it difficult for many of them to continue their TRIO services. So if confirmed, will you support an increase in President Biden's Fiscal Year 2022 budget to help expand the TRIO programs to help low income students, students with disabilities, first generation students?

Mr. KVAAL. Senator, thanks for that question. The TRIO programs, of course, have a long history coming out of the civil rights movement in helping low income students and first generation students earn college degrees. I believe they have now contributed to millions, literally millions of college degrees. And I think they play a very important role in promoting equal opportunity. And if I am confirmed, I will strongly support the trio programs.

Senator ROSEN. In addition to supporting, you have worked in higher education for many years. How might you expand? Do you see an opportunity for us to expand and grow these programs to help many more students achieve their goals?

Mr. KVAAL. I hope so, Senator. I think that they would be worthy recipients of additional Federal resources for sure.

Senator ROSEN. Thank you. I would like to move on and talk a little bit about digital learning, first during the pandemic. COVID-19 really exacerbates the inequities facing college students, of course all of our students and so many of us in every other way, but particularly at the students with the digital divide. It disproportionately affects Blacks, Latinos, native households, rural communities in our State of Nevada.

They are really struggling to begin or continue their education in this last year. So what will you see for the department in helping to close that digital divide for college students, for students of color, for our rural populations, and if so, how are you going to be able to address this problem through the Department of Education?

Mr. KVAAL. Thank you for the question. It is clear that the pandemic has revealed just how wide the digital divide is and how much many communities struggle to access broadband. And even as hopefully students return safely to campuses, the digital divide is going to remain a really important barrier to equal educational opportunity and a problem for many other reasons as well. So, I would be delighted to explore with you what the Department of

Education can do and how we can advocate for broadband investments with other Federal agencies as well.

Senator ROSEN. Thank you very much. I think broadband is critical infrastructure, so I look forward to those conversations. Thank you. I yield back.

The CHAIR. Thank you.

Senator Hickenlooper, are you available?

Senator HICKENLOOPER. Yes. Can you hear me?

The CHAIR. Yes, we can now. Go ahead.

Senator HICKENLOOPER. Sorry about that. I appreciate all the testimony today. It has been really fascinating, and enjoyed our discussion yesterday, Mr. Kvaal. You know, as you—as we discuss, I am very committed to the idea of apprenticeships at all levels for, every possible profession, career wise and Colorado's made a lot of progress on that.

Obviously, I think as we recover from the pandemic, this nexus between the needs of the workforce and our educational access is going to be very important. So I thought I would just start and ask, in terms of these apprenticeships, do you see that we can begin to accelerate and expand our, the Federal Government's ability to support apprenticeships in states all across the country?

Mr. KVAAL. Thanks, Senator. I also really enjoyed our conversation the other day and learning about some of the great programs you have been a part of in Colorado. I do think that apprenticeships are one of the most effective ways that we found to help people gain new skills and get into new careers. And if confirmed, I would be eager to work with you to find new ways for the Federal Government to support them.

Senator HICKENLOOPER. Great. And as we discussed—sorry to go back over some of the things we already have covered. But I think it is good to get on the record. This notion that we can utilize apprenticeships or some other forms of experiential learning that they can be applied to what I say, I usually say is kids of all ages and we can begin to move toward a system of stackable credentials so that it is a lifetime learning solution to the—I mean, there is no question we are going to see disruptions in our workforce from automation and artificial intelligence, machine learning, etcetera.

I think these stackable credentials are a great opportunity. I think you are the person sitting right at the nexus of where that is—where that work is going to have—is going to happen between the community colleges and universities and these kind of high school to university programs. What is your sense about what the priority, what the first step should be?

Mr. KVAAL. Well, Senator, I am very aware about the urgency of this issue. And I think when you look at the potential for long term unemployment, past experience has been people never get back to the proper level of earnings. And particularly when you read about the impact on families, it is particularly heartbreaking.

I think as we are supporting colleges and universities, as they hopefully return and return to something better than what we had before, we need to be helping them find successful models for stackable credentials. And we need to be making sure that we are supporting them as they try and strengthen the value that they offer to students.

Senator HICKENLOOPER. Right. No, absolutely. Well, I appreciate that sense of urgency, because I do think it is one of the most pressing issues that you are going to face and that we as a country face. Let me switch then, and you talked about this a little earlier today, and this our ability to attract people from disadvantaged backgrounds, low income communities, whether they are African-American or Latino or Asian or any constituency.

We haven't done a good job of attracting these kids into science and technology, into STEM. And I would argue STEAM. You know, you have art, that A in there for the arts. Have you got any ideas of what we can do to do a better job of attracting—and I think taking fifth graders, sixth graders, I think there is a key point there where if we can stimulate their curiosity at that early age, then we have a legitimate chance to capture them, to, to bring them into a life of research and innovation?

Mr. KVAAL. It is—I certainly agree with you that these careers are so important in that we as a country have a long way to go to fully take advantage of all the talents of our population. And, I know a little less about elementary and secondary education, but I do think one important thing we can do is invest in historically Black colleges and universities and minority serving institutions which have proven to be such effective pipelines for diverse talent.

Senator HICKENLOOPER. No, that is exactly right. And I love that you are serving with a Secretary who really does understand, or you are about to, we hope, to be serving with a Secretary who really does understand elementary education and education all the way through the entire system. Just real quickly, again, as kids come out of whether it is Black colleges or whatever higher education system they have, how do we keep them into—in STEM, in science and technology?

Mr. KVAAL. There is a lot of work to do there, too, Senator. I think one important part of it is helping young people have role models for their careers. And one thing that I hear over and over again is the importance of role models who look like them. So that seems like a daunting challenge now when these professions are not as inclusive as we would all like them to be. But the good news there is I think when we start to make progress, it will be self-reinforcing.

Senator HICKENLOOPER. I think you are exactly right. And I think it is one of those things that needs to become a national movement, which, again, we talked about. I am out of time. I could continue our discussion the other day by another hour. I could do it again today, but I look forward to that in the future. Thank you so much for your service.

Mr. KVAAL. Thank you, Senator.

The CHAIR. Thank you.

Senator Burr.

Senator BURR. Thank you, Madam Chair. And Mr. Kvaal, some follow-up of—it is really housekeeping. These are yes or no answers. Oversight is an important function of Congress and hopefully that can be done in a bipartisan way.

But if it is not, I intend to exercise my authority as Ranking Member of this Committee, just as Senator Murray did as Ranking Member. Question, do you commit to providing me and my staff

with the information that I or the minority Members of the Committee request from the Department of Education within the requested timeframe?

Mr. KVAAL. I do.

Senator BURR. Do you commit to providing me and my staff with documents that I or other minority Members of the Committee request from the Department of Education within the requested timeframe?

Mr. KVAAL. Yes.

Senator BURR. Do you commit to providing me or my staff or other minority Members of the Committee with briefings request for you or your staff within the requested timeframe?

Mr. KVAAL. Yes, I do.

Senator BURR. Do you commit to providing the Department of Education Inspector General and the Government Accountability Office with any information, briefings, documents they might request?

Mr. KVAAL. Yes.

Senator BURR. Do you commit to testify, when called, before a Congressional Committee?

Mr. KVAAL. I do.

Senator BURR. Mr. Kvaal, thank you. I think you will be confirmed, and I will probably be supportive of that. Thank you, Madam Chair.

The CHAIR. Thank you, Senator Burr. I do have one additional thing I want to say today. I have been very concerned by the way the Trump administration and Secretary DeVos failed to support survivors of sexual assault and defend the rights of all students to be safe and attend school without being discriminated against. No student should have to worry about their safety or being bullied or harassed or unwelcomed because of their race, religion, sex, sexual orientation or gender identity or disability.

We have got to work together to hold institutions of higher education accountable for providing safe environments for all students, including holding them accountable for preventing and addressing sexual assault. I have heard from survivors across the country, and we have got to do better. I am encouraged by the department's recently announced plans to address this problem, including a robust and transparent process to make sure survivors, institutions of higher education, and families across our country can be heard. And I am looking forward to seeing meaningful actions with that.

I will end this hearing and I want to thank my fellow Committee Members for their participation in today's hearing, and Mr. Kvaal, for taking the time today to talk with us about the challenges students and borrowers across the country are facing.

For any Senators who wish to ask additional questions of the nominee, questions for the record will be due by Friday, April 16th, at 5 p.m. The hearing record will remain open for 10 days for Members who wish to submit additional materials. For the record, the Committee has noticed an executive session to markup Mr. Kvaal's nomination on Wednesday, April 21st, along with the nominations of Julie Su to be Deputy Secretary of Labor, and Cindy Marten to be Deputy Secretary of Education.



I look forward to all of these nominees being confirmed as quickly as possible so they can get to work. This Committee will next meet on Tuesday, April 20th in Dirksen 430 at 10 a.m. for a hearing on our workforce programs and the jobs crisis caused by the COVID-19 pandemic. With that, this meeting is now adjourned.

#### ADDITIONAL MATERIAL

LETTERS OF SUPPORT FOR JAMES KVAAL, OF MASSACHUSETTS, TO BE  
UNDER SECRETARY OF EDUCATION

STUDENT DEFENSE  
1015 15TH ST. NW, SUITE 600,  
WASHINGTON, DC  
*April 8, 2021*

Hon. PATTY MURRAY, *Madam Chair*,  
Hon. RICHARD BURR, *Ranking Member*,  
*U.S. Senate Committee on Health, Education, Labor, and Pensions,*  
*428 Dirksen Senate Office Building,*  
*Washington, DC.*

DEAR MADAM CHAIR MURRAY AND RANKING MEMBER BURR:

The undersigned organizations—representing students, student loan borrowers, veterans, and consumers—strongly support the confirmation of James Kvaal as Under Secretary of Education. Mr. Kvaal has an accomplished career as an advocate for students and economic opportunity, and his deep expertise and commitment make him an ideal candidate for this important role.

As president of The Institute for College Access & Success (TICAS), Mr. Kvaal led one of the foremost organizations working to address college affordability and improve student financial aid through evidence-based policies and solutions. As deputy domestic policy adviser under President Barack Obama, Mr. Kvaal supported the administration's work fostering economic opportunity, working on many of the same issues he'll address as Under Secretary. From promoting affordable tuition, to combating predatory institutions and lenders, and working to increase graduation rates across the Nation, the breadth and relevance of Kvaal's experience are beyond question.

The next Under Secretary of Education will come into office at a pivotal time. Colleges and universities are under tremendous financial stress, the chaotic rollout of distance learning has been stressful for faculty and students alike, and the long-term challenges in higher education have not gone anywhere. With his careful focus on the facts, thoughtfulness in approaching difficult problems, and passionate concern for students, Mr. Kvaal is well-positioned to lead the Nation's higher education policies at this time. The nation will be lucky to have James Kvaal in this essential

role. We strongly support his confirmation, and look forward to working with him to advance student success.

Sincerely,

ACCOUNTABLE.US  
 AMERICAN ASSOCIATION OF COLLEGES FOR TEACHER  
 EDUCATION  
 AMERICAN FEDERATION OF TEACHERS  
 CAMPAIGN FOR COLLEGE OPPORTUNITY  
 CAMPAIGN FOR FREE COLLEGE TUITION  
 EDUCATION REFORM NOW  
 INSTITUTE FOR HIGHER EDUCATION POLICY  
 NATIONAL ASSOCIATION FOR COLLEGE ADMISSION  
 COUNSELING  
 NATIONAL CENTER FOR TEACHER RESIDENCIES  
 NATIONAL EDUCATION ASSOCIATION  
 NEW AMERICA HIGHER EDUCATION PROGRAM  
 ORGANIZATIONS CONCERNED ABOUT RURAL EDUCATION  
 PROJECT ON PREDATORY STUDENT LENDING  
 REBUILD AMERICA'S SCHOOLS COALITION  
 RURAL SCHOOL AND COMMUNITY TRUST  
 STUDENT BORROWER PROTECTION CENTER  
 STUDENT DEFENSE  
 THIRD WAY  
 U.S. PUBLIC INTEREST RESEARCH GROUP (PIRG)  
 UNIDOSUS  
 VETERANS EDUCATION SUCCESS

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FREDERICK S. EDELSTEIN, PH.D.  
 4413 EAST SAWMILL ROAD,  
 PARK CITY, UTAH  
 April 9, 2021

Hon. PATTY MURRAY, *Madam Chair*,  
 Hon. RICHARD BURR, *Ranking Member*,  
 U.S. Senate Committee on Health, Education, Labor, and Pensions,  
 428 Dirksen Senate Office Building,  
 Washington, DC.

DEAR MADAM CHAIR MURRAY AND RANKING MEMBER BURR:

I'm writing to you in support of the nomination and confirmation of James Kvaal to be Under Secretary of Education at the U.S. Department of Education. Having known James for about 25 years, he is a very impressive and qualified individual for this position.

I first met James while serving as Director of Constituent Relations and Outreach at the Department beginning with the tenure of U.S. Secretary of Education Richard Riley and continuing in that position when Rodney Paige became the U.S. Secretary of Education. During my 31 years as a career civil servant in both HEW and the U.S. Department of Education, I held a variety of positions.

I worked with James on numerous postsecondary education and general education policy issues. He was always knowledgeable, thoughtful, and engaged on every issue which he worked. From my work experiences with him, unquestionably he is a team player. James is both unassuming and affable which is an enormous asset when one serves in such an important position as Under Secretary. He brings knowledge about and experience in the Department and the Federal Government, which is an important asset when serving in the position of Under Secretary. James is a very

good listener to all points of view. In my opinion, you will not find a more dedicated public servant.

Throughout these many years, we have stayed in touch and discussed various policy issues while he served in government as well as at other times when he held positions outside of government.

James has earned the respect of the education community, especially those involved in postsecondary education.

As I stated earlier, he is extremely qualified for the Under Secretary position and has earned this nomination through years of important and cutting-edge work in an array public policy issues.

Sincerely,

FREDERICK S. EDELSTEIN,  
*Ph.D.*

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AMERICAN COUNCIL ON EDUCATION

*April 14, 2021*

Hon. PATTY MURRAY, *Madam Chair*,  
Hon. RICHARD BURR, *Ranking Member*,  
*U.S. Senate Committee on Health, Education, Labor, and Pensions*,  
*428 Dirksen Senate Office Building*,  
*Washington, DC*.

DEAR MADAM CHAIR MURRAY AND RANKING MEMBER BURR:

On behalf of the undersigned higher education associations, I write to express our enthusiastic support for James Kvaal, who has been nominated to serve as Under Secretary in the U.S. Department of Education. Our endorsement reflects the profound respect our members have for Mr. Kvaal's judgment, expertise, and professionalism, qualities he has consistently demonstrated in and out of government.

Throughout an accomplished career in the public and private sectors, Mr. Kvaal has distinguished himself through his deep knowledge of higher education and Federal postsecondary policy. With his extensive experience working in the Senate, the House of Representatives, the White House, the Department of Education, and as a professor, Mr. Kvaal will bring comprehensive knowledge of the design, implementation, and management of Federal programs to the role of Under Secretary.

Perhaps more importantly, this wealth of skill and experience has always been focused first and foremost on elevating the needs of students and their families to the center of policymaking. In his current role as president of The Institute for College Access and Success (TICAS), Mr. Kvaal has continued this dedication to ensuring that all students have an equal opportunity to succeed in postsecondary education.

Considering the importance of the federal role in higher education, it is critical that the position of Under Secretary be filled by someone with the judgment, experience, personal commitment, and vision necessary to succeed in this role. For this

reason, we strongly urge your Members to support Mr. Kvaal's nomination when he comes before the Committee for a hearing.

Sincerely,

TED MITCHELL,  
PRESIDENT

ON BEHALF OF:

ACHIEVING THE DREAM

ACPA-COLLEGE STUDENT EDUCATORS INTERNATIONAL

ACT

AMERICAN ASSOCIATION OF COLLEGES FOR TEACHER EDUCATION

AMERICAN ASSOCIATION OF COLLEGIATE REGISTRARS AND ADMISSIONS  
OFFICERS

AMERICAN ASSOCIATION OF COMMUNITY COLLEGES

AMERICAN ASSOCIATION OF STATE COLLEGES AND UNIVERSITIES

AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS

AMERICAN COUNCIL ON EDUCATION

APPA, "LEADERSHIP IN EDUCATIONAL FACILITIES"

ASSOCIATION OF AMERICAN MEDICAL COLLEGES

ASSOCIATION OF AMERICAN UNIVERSITIES

ASSOCIATION OF CATHOLIC COLLEGES AND UNIVERSITIES

ASSOCIATION OF COMMUNITY COLLEGE TRUSTEES

ASSOCIATION OF GOVERNING BOARDS OF UNIVERSITIES AND COLLEGES

ASSOCIATION OF INDEPENDENT COLLEGES AND UNIVERSITIES IN PENNSYLVANIA

ASSOCIATION OF JESUIT COLLEGES AND UNIVERSITIES

ASSOCIATION OF PUBLIC AND LAND-GRANT UNIVERSITIES

ASSOCIATION OF RESEARCH LIBRARIES

ASSOCIATION OF SCHOOLS ADVANCING HEALTH PROFESSIONS

COLLEGE BOARD

COUNCIL FOR ADVANCEMENT AND SUPPORT OF EDUCATION

COUNCIL FOR CHRISTIAN COLLEGES & UNIVERSITIES

COUNCIL FOR HIGHER EDUCATION ACCREDITATION

COUNCIL FOR OPPORTUNITY IN EDUCATION

COUNCIL OF GRADUATE SCHOOLS

COUNCIL OF INDEPENDENT COLLEGES

EDUCAUSE

ETS

HIGHER EDUCATION CONSULTANTS ASSOCIATION

HIGHER EDUCATION LOAN COALITION

INTERNATIONAL ASSOCIATION OF CAMPUS LAW ENFORCEMENT ADMINISTRATORS

NASPA-STUDENT AFFAIRS ADMINISTRATORS IN HIGHER EDUCATION

NATIONAL ASSOCIATION FOR COLLEGE ADMISSION COUNSELING

NATIONAL ASSOCIATION OF COLLEGE AND UNIVERSITY BUSINESS OFFICERS

NATIONAL ASSOCIATION OF COLLEGES AND EMPLOYERS

NATIONAL ASSOCIATION OF INDEPENDENT COLLEGES AND UNIVERSITIES

NATIONAL ASSOCIATION OF SYSTEM HEADS

NATIONAL COUNCIL FOR COMMUNITY AND EDUCATION PARTNERSHIPS

STATE HIGHER EDUCATION EXECUTIVE OFFICERS ASSOCIATION

TMCF

UPCEA

COUNCIL FOR OPPORTUNITY IN EDUCATION  
 1025 VERMONT AVE., NW, SUITE 400,  
 WASHINGTON, DC  
*April 12, 2021*

Hon. PATTY MURRAY, *Madam Chair*,  
 Hon. RICHARD BURR, *Ranking Member*,  
*U.S. Senate Committee on Health, Education, Labor, and Pensions*,  
*428 Dirksen Senate Office Building*,  
*Washington, DC.*

DEAR MADAM CHAIR MURRAY AND RANKING MEMBER BURR:

As President of the Council for Opportunity in Education (COE), which represents nearly 1,000 institutions of higher education and community-based agencies committed to expanding college opportunity through college access and success programs for low-income and first-generation students, I write in strong support of the confirmation of James Kvaal, who has been nominated to serve as Under Secretary of Education in the U.S. Department of Education. Throughout his career, Mr. Kvaal has placed the highest priority on providing opportunity for upward mobility to students from low-income and first-generation backgrounds and students with disabilities, as well as to veterans and adults displaced or seeking advancement in the workforce.

Mr. Kvaal's long career in both the public and private sectors has focused on assuring equity in higher education. He possesses a comprehensive knowledge of Federal policy that is not limited to the design of programs but also includes a deep understanding of how the implementation and management of the programs affects their likelihood of achieving their intended purposes. Mr. Kvaal has been deliberate in understanding the interaction between financial and non-financial obstacles that limit degree completion for low-income and first-generation students and how Federal efforts, including TRIO and GEAR UP, address those obstacles and contribute to a greater return on Federal financial aid.

Mr. Kvaal is a thoughtful leader who not only listens to a wide range of opinions and viewpoints but actively solicits input from many constituencies. His considered judgment reinforces confidence in those working with him and his commitment and dedication to the goals of the Higher Education Act, and the Act itself, are unquestioned. On behalf of our membership and on behalf of the thousands of educators working in TRIO programs, COE endorses Mr. Kvaal's nomination and urges your Members to support it. We are confident that his stewardship of higher education programs in the U.S. Department of Education will benefit millions of low-income and first-generation students and families who look to higher education as a path to mobility and as a means to realizing their aspirations.

Sincerely,

MAUREEN HOYLER,  
 PRESIDENT

NAICU  
 1025 CONNECTICUT AVE., NW, SUITE 700,  
 WASHINGTON, DC  
*March 1, 2021*

Hon. PATTY MURRAY, *Madam Chair*,  
 Hon. RICHARD BURR, *Ranking Member*,  
*U.S. Senate Committee on Health, Education, Labor, and Pensions*,  
*428 Dirksen Senate Office Building*,  
*Washington, DC.*

DEAR MADAM CHAIR MURRAY AND RANKING MEMBER BURR:

As the president of the National Association of Independent Colleges and Universities (NAICU), I am writing to endorse the nomination of James Kvaal for the position of Under Secretary for Education, the top higher education post at the Department. Mr. Kvaal is experienced, understands the complexities of higher education and is a reasonable and approachable policymaker.

NAICU has worked with Mr. Kvaal since his early days in the Senate, and continued that work throughout his tenure with the Obama administration and as he served as the president of The Institute for College Access and Success (TICAS). Throughout his career he has championed many important improvements to the Federal student aid programs. While we have not always agreed on every policy pro-

posal he has put forward, we do agree with his commitment to put the needs of students first and his continual openness to dialog. We find his knowledge and reasonableness his most important attributes to be successful in this position.

The National Association of Independent Colleges and Universities (NAICU) serves as the unified voice of private, nonprofit higher education. NAICU's membership reflects the diversity of private, nonprofit higher education in the U.S. Our member institutions include major research universities, faith-based colleges, Historically Black Colleges and Universities, Minority-Serving Institutions, art and design colleges, traditional liberal arts and science institutions, women's colleges, work colleges, two-year colleges, and schools of law, medicine, engineering, business, and other professions. With more than 5 million students attending 1,700 independent colleges and universities in all 50 states, and more than 1 million employees, the private sector of American higher education has a dramatic impact on our Nation's larger public interests.

I look forward to working with you and Mr. Kvaal in the days ahead to create opportunities for greater access and affordability for all who seek a higher education.

Sincerely,

BARBARA K. MISTICK,  
PRESIDENT

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OPPORTUNITY AMERICA  
*April 6, 2021*

Hon. PATTY MURRAY, *Madam Chair*,  
Hon. RICHARD BURR, *Ranking Member*,  
*U.S. Senate Committee on Health, Education, Labor, and Pensions*,  
*428 Dirksen Senate Office Building*,  
*Washington, DC*.

DEAR MADAM CHAIR MURRAY AND RANKING MEMBER BURR:

I write to encourage you to support the confirmation of James Kvaal as Under Secretary of Education.

Few people are better prepared for the job: deeply knowledgeable about the issues at the forefront of the higher education debate and experienced in using the levers of Federal policy to advance change nationwide. James and I do not agree on every issue, but I have always found him deeply thoughtful and willing to collaborate across party lines. I believe he is also genuinely committed to creating opportunities for poor and working Americans.

Opportunity America is a Washington think tank and policy shop promoting economic mobility—work, skills, careers, ownership and entrepreneurship for poor and working Americans. Our principal activities are research, policy development, dissemination of policy ideas and working to build consensus around policy proposals. Among other projects, Opportunity America manages a coalition of employers and employer associations working to improve policy on workforce issues.

James and I have spoken often over the years about the twin imperatives of opportunity and upward mobility. In contrast to many postsecondary policy thinkers, he understands the importance of community colleges, job training and high-quality associate degrees and certificates—understands that these are essential tools in any strategy to fight poverty and raise living standards. Even when we have disagreed, he has worked to find common ground, identifying practical solutions and building a consensus for change.

I look forward to working with you and James toward a higher education system that enhances economic opportunity and upward mobility for all Americans.

Yours sincerely,

TAMAR JACOBY,  
PRESIDENT

RAMC  
April 7, 2021

Hon. PATTY MURRAY, *Madam Chair*,  
Hon. RICHARD BURR, *Ranking Member*,  
*U.S. Senate Committee on Health, Education, Labor, and Pensions*,  
*428 Dirksen Senate Office Building*,  
*Washington, DC*.

DEAR MADAM CHAIR MURRAY AND RANKING MEMBER BURR:

On behalf of Rebuilding America's Middle Class (RAMC), I am writing to express my support for the nomination of James Kvaal for Under Secretary of Education. If confirmed, Mr. Kvaal's long and effective experience in working to advance higher education policy to improve student and institutional success will be of great benefit to our Nation.

Federal student aid and related programs funded by the U.S. Department of Education (ED) are vital to the success of community college students in our Nation. Without these programs, many students would not be able to earn the certificate or degree to obtain employment or advance in their careers. Mr. Kvaal's leadership during his work for previous administrations and in Congress has always recognized the economic and societal power of obtaining a postsecondary education. The recognition of the importance of a higher education to one's future earnings and career success is more critical now than ever as we work to recover from the economic disruptions caused by the ongoing COVID-19 pandemic.

Mr. Kvaal's leadership does not simply stop with well intentions, but instead has led to action and results. Throughout his career, Mr. Kvaal has always sought to put the interests of community colleges and the students which we serve in the forefront. If confirmed, I am confident that Mr. Kvaal's thoughtful and effective leadership will continue to help us advance the mission of educating America's community college students. I also believe Mr. Kvaal's expertise is needed at ED to aid our students during this crisis and ensure America has the educated and trained workforce to rebuild our economy.

Given this, we urge you to quickly consider and confirm Mr. Kvaal as the next United States Under Secretary of Education. Thank you in advance for your consideration of these views and I look forward to continuing our work together to advance the opportunities for all of our students and their families to ensure that their needs are met during these unprecedented times.

Sincerely,

JOE MAY,  
BOARD CHAIR,  
REBUILDING AMERICA'S MIDDLE CLASS (RAMC)  
CHANCELLOR, DALLAS COLLEGE

RESULTS FOR AMERICA  
April 12, 2021

Hon. PATTY MURRAY, *Madam Chair*,  
Hon. RICHARD BURR, *Ranking Member*,  
*U.S. Senate Committee on Health, Education, Labor, and Pensions*,  
*428 Dirksen Senate Office Building*,  
*Washington, DC*.

DEAR MADAM CHAIR MURRAY AND RANKING MEMBER BURR:

As nonpartisan organizations and individuals committed to improving the effectiveness of government through evidence and data, we are writing to endorse the nomination of James Kvaal to be the Under Secretary at the Department of Education. Through his long government career, Mr. Kvaal has demonstrated his commitment to using evidence and data to help solve many of the problems facing our Nation.

Many of us worked with Mr. Kvaal during his senior roles on the House Education and Workforce Committee, at the Department of Education, and the White House Domestic Policy Council. As a senior White House official, he consistently sought to inform policy decisions with the best available evidence. He worked to apply evidence-based policy strategies across domestic policy changes, brought together Federal agencies to produce new data to inform college choices, and called on college presidents to commit to take evidence-based steps to help students graduate from college. As President of The Institute for College Access and Success, he

emphasized quality research and supported policies to help colleges use proven practices to help students graduate.

As Under Secretary, we believe Mr. Kvaal will combine his passion for improving educational equity with a commitment to grounding decisions in evidence and data.

Sincerely,

[ORGANIZATIONS LISTED IN ALPHABETICAL ORDER]  
A+ COLORADO  
ALLIANCE FOR EXCELLENT EDUCATION  
AMERICA FORWARD  
APPLETREE INSTITUTE FOR EDUCATION INNOVATION  
BRAVEN  
CASCADE PHILANTHROPY ADVISORS, INC.  
CENTER FOR RESEARCH AND REFORM IN EDUCATION AT JOHNS HOPKINS  
UNIVERSITY  
EDGE CONSULTING PARTNERS  
EDUCATION NORTHWEST  
EDUCATION REFORM NOW  
EXCELENCIA IN EDUCATION  
FRIENDS OF THE CHILDREN  
NATIONAL INSTITUTE FOR EXCELLENCE IN TEACHING  
NEW AMERICA HIGHER EDUCATION PROGRAM  
RESULTS FOR AMERICA  
STRIVETOGETHER  
SUCCESS FOR ALL FOUNDATION  
TEACHPLUS  
JOHN BRIDGELAND,  
FORMER DIRECTOR DOMESTIC POLICY COUNCIL (G.W. BUSH ADMINISTRATION),  
FOUNDER & CEO, CIVIC  
CECILIA MUÑOZ,  
FORMER DIRECTOR, DOMESTIC POLICY COUNCIL (OBAMA ADMINISTRATION),  
SENIOR ADVISOR NEW AMERICA

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[Whereupon, at 11:32 a.m., the hearing was adjourned.]

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