

# Congress of the United States

Washington, DC 20515

May 1, 2024

The Honorable Lloyd J. Austin III  
Secretary of Defense  
U.S. Department of Defense  
1400 Defense Pentagon  
Washington, DC 20301-1000

The Honorable Ashish S. Vazirani  
Acting Under Secretary of Defense for  
Personnel and Readiness  
U.S. Department of Defense  
4000 Defense Pentagon  
Washington, DC 20301-4000

Dear Secretary Austin and Acting Under Secretary Vazirani:

We write today to better understand the status of the Postsecondary Education Complaint System (PECS), and to urge the Department of Defense (DoD) to prioritize this program in order to safeguard the hard-earned military education benefits of our service members and their families.

As you know, DoD offers a number of educational programs for our nation's military. The DoD's Tuition Assistance (TA) program was established in 1985 to help cover the costs of voluntary education programs as a benefit for service members, while the My Career Advancement Account Scholarship (MyCAA) is the corresponding tuition benefit for military spouses.<sup>1</sup> Up to 300,000 service members now participate in the TA program each year, with DoD spending \$644 million on the program in FY 2022.<sup>2</sup> Service members and members of the Coast Guard are able to use TA to pay expenses for undergraduate, graduate, vocational, licensure, certificate, and language courses, or to complete their high school education.<sup>3</sup> For military spouses, MyCAA provides up to \$4,000 to help reduce the cost of a license, certification, or associates degree.<sup>4</sup> Any college or program that accepts TA or MyCAA benefits must enter into a Voluntary Education Partnership memorandum of understanding and be accredited by the Department of Education (ED).<sup>5</sup>

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<sup>1</sup> Department of Defense Authorization Act, 1985, Public Law 98-525; Congressional Research Service, "Military Tuition Assistance Program: Background and Issues," Kristy N. Kamarck, December 14, 2023, p. 2, <https://www.crs.gov/reports/pdf/R47875/R47875.pdf>.

<sup>2</sup> Congressional Research Service, "Military Tuition Assistance Program: Background and Issues," Kristy N. Kamarck, December 14, 2023, p. 6, <https://www.crs.gov/reports/pdf/R47875/R47875.pdf>.

<sup>3</sup> Military Onesource, "How to Use the Military Tuition Assistance Program," July 28, 2023, <https://www.militaryonesource.mil/education-employment/for-service-members/how-to-use-the-military-tuition-assistance-program/>; Congressional Research Service, "Military Tuition Assistance Program: Background and Issues," Kristy N. Kamarck, December 14, 2023, p. 2, <https://www.crs.gov/reports/pdf/R47875/R47875.pdf>.

<sup>4</sup> U.S. Department of Defense, "Fact Sheet, My Career Advancement Account Helping Spouses Reach Career Goals," p. 1, [https://download.militaryonesource.mil/seco/Media/Default/Collaterals\\_Catalog/Program\\_Overview/MyCAA-Helping-Spouses-Reach-Career-goals.pdf](https://download.militaryonesource.mil/seco/Media/Default/Collaterals_Catalog/Program_Overview/MyCAA-Helping-Spouses-Reach-Career-goals.pdf).

<sup>5</sup> Military Onesource, "How to Use the Military Tuition Assistance Program," July 28, 2023, <https://www.militaryonesource.mil/education-employment/for-service-members/how-to-use-the-military-tuition-assistance-program/>; Congressional Research Service, "Military Tuition Assistance Program: Background and Issues," Kristy N. Kamarck, December 14, 2023, p. 5, <https://www.crs.gov/reports/pdf/R47875/R47875.pdf>.

More than a decade ago, reports of schools targeting service members, veterans, and their families with misleading and deceptive recruiting tactics raised concerns about the lack of accountability for schools receiving TA funds.<sup>6</sup> The Government Accountability Office (GAO) investigated DoD's oversight of schools in March 2011. GAO's report revealed that DoD was aware of concerns regarding "improper recruiting practices," but "without a centralized process to track complaints against schools and their resolution, DOD lack[ed] the ability to accurately determine trends in areas requiring oversight and whether concerns have been adequately addressed."<sup>7</sup> Accordingly, GAO recommended that DoD "develop a centralized process to track complaints against schools."<sup>8</sup>

In response, in January 2014, DoD collaborated with ED and the Department of Veterans Affairs (VA) to launch PECS<sup>9</sup> to provide "military students the opportunity to file education complaints against their schools,"<sup>10</sup> if they are receiving certain forms of DoD education assistance such as TA and MyCAA. In Fiscal Year (FY) 2014 and FY 2015, DoD released PECS Summary Reports that analyzed complaint data to help shed light on problems service members and their family members were experiencing when using their educational benefits.<sup>11</sup> DoD described the data as "vitaly important" and a "means for improving the overall educational experience for Service members."<sup>12</sup> In FY 2014, DoD received hundreds of MyCAA and TA complaints. The FY 2014 report showed that top complaint categories were financial issues (e.g., tuition and fees charges), refund or collections issues, quality of education, and release of transcripts.<sup>13</sup> The FY 2015 data was similarly helpful in identifying and addressing institutions and behavior that put taxpayer dollars at risk.<sup>14</sup> At the time, DoD concluded that "PECS has proven to be an invaluable tool in facilitating oversight of the Military Tuition Assistance and Voluntary Education programs."<sup>15</sup>

Yet, after FY 2015, DoD stopped releasing PECS Summary Reports. Complaint data from FY 2014 to FY 2018 were released in a 2019 DoD Inspector General (IG) report<sup>16</sup> – but some of the

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<sup>6</sup> Government Accountability Office, "DOD EDUCATION BENEFITS Increased Oversight of Tuition Assistance Program Is Needed," March 2011, p. 19, <https://www.gao.gov/assets/gao-11-300.pdf>; Congressional Research Service, "Military Tuition Assistance Program: Background and Issues," Kristy N. Kamarck, December 14, 2023, p. 7, <https://www.crs.gov/reports/pdf/R47875/R47875.pdf>.

<sup>7</sup> *Id.*

<sup>8</sup> Government Accountability Office, "DOD EDUCATION BENEFITS Increased Oversight of Tuition Assistance Program Is Needed," March 2011, <https://www.gao.gov/assets/gao-11-300.pdf>.

<sup>9</sup> U.S. Department of Defense, "Postsecondary Education Complaint System Summary Report," Fiscal Year 2014, p. 1, <https://download.militaryonesource.mil/12038/MOS/Reports/PECS-Report-FY14.pdf>.

<sup>10</sup> Military Onesource, "Postsecondary Education Complaint System," <https://www.militaryonesource.mil/resources/gov/postsecondary-education-complaint-system/>.

<sup>11</sup> Military Onesource, "Postsecondary Education Complaint System," <https://www.militaryonesource.mil/resources/gov/postsecondary-education-complaint-system/>; U.S. Department of Defense, "Postsecondary Education Complaint System Summary Report," Fiscal Year 2015, <https://download.militaryonesource.mil/12038/MOS/Reports/PECS-Report-FY15.pdf>.

<sup>12</sup> U.S. Department of Defense, "Postsecondary Education Complaint System Summary Report," Fiscal Year 2014, p. 6, <https://download.militaryonesource.mil/12038/MOS/Reports/PECS-Report-FY14.pdf>.

<sup>13</sup> *Id.*, pp. 1, 8-9.

<sup>14</sup> U.S. Department of Defense, "Postsecondary Education Complaint System Summary Report," Fiscal Year 2015, pp. 6-9, <https://download.militaryonesource.mil/12038/MOS/Reports/PECS-Report-FY15.pdf>.

<sup>15</sup> U.S. Department of Defense, "Postsecondary Education Complaint System Summary Report," Fiscal Year 2014, p. 11, <https://download.militaryonesource.mil/12038/MOS/Reports/PECS-Report-FY14.pdf>.

data was inconsistent with previous PECS Summary Reports.<sup>17</sup> Because the DoD has stopped releasing summary reports, it is unclear how many complaints have been filed in recent years, let alone any critical information about what problems service members and their spouses might be facing and at which schools or institutions.

Accurate data and information is needed to fully understand the problems service members, veterans, and their families are facing in the TA and MyCAA programs. We request that DoD increase transparency by releasing basic data on the PECS program from FY 2016 through today on the Department's website. We also urge that DoD begin publishing annual PECS Summary Reports again. This will afford Congress and the public the ability to conduct oversight and ensure accountability over these programs, which receive hundreds of millions of dollars in DoD funding annually.<sup>18</sup>

We also ask that you provide answers to the following questions by May 15, 2024:

1. Why did DoD stop releasing reports on PECS complaints?
2. How many complaints regarding TA and MyCAA have been filed in each fiscal year starting in FY 2014?
3. If DoD has been tracking complaints since FY 2014, please provide the following information broken down by fiscal year as seen in the PECS Summary Reports FY 2014 and FY 2015:
  - a. A qualitative description of the status of PECS each year
  - b. A qualitative description of the efforts made by the Department of Defense each year to increase awareness and usage of PECS among those who were eligible to file complaints through the system
  - c. The total number of complaints filed through PECS each year and the status of the complaints, such as closed or active
  - d. The number of complaint each year broken down by:
    - i. Military service
    - ii. Issue
    - iii. Educational institution sector, including private for-profit, private non-profit, and public
  - e. A ranking of the top five issues raised by students each year

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<sup>16</sup> U.S. Department of Defense Inspector General, "Audit of Controls at Military Installations for Schools Participating in the DoD Tuition Assistance Program," September 10, 2019, p. 7, <https://media.defense.gov/2019/Sep/12/2002181692/-1/-1/1/DODIG-2019-122.PDF>.

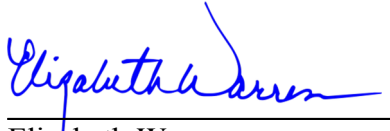
<sup>17</sup> IG data was inconsistent with the PECS Summary Reports. The IG report indicated that 92 complaints were filed in FY 2014 and 65 complaints were filed in FY 2015. According to the PECS Summary Reports, in FY 2014 380 complaints were filed and in FY 2015 248 complaints were filed. U.S. Department of Defense Inspector General, "Audit of Controls at Military Installations for Schools Participating in the DoD Tuition Assistance Program," September 10, 2019, p. 7, <https://media.defense.gov/2019/Sep/12/2002181692/-1/-1/1/DODIG-2019-122.PDF>; U.S. Department of Defense, "Postsecondary Education Complaint System Summary Report," Fiscal Year 2014, p. 6, <https://download.militaryonesource.mil/12038/MOS/Reports/PECS-Report-FY14.pdf>; U.S. Department of Defense, "Postsecondary Education Complaint System Summary Report," Fiscal Year 2015, p. 6, <https://download.militaryonesource.mil/12038/MOS/Reports/PECS-Report-FY15.pdf>.

<sup>18</sup> Congressional Research Service, "Military Tuition Assistance Program: Background and Issues," Kristy N. Kamarck, December 14, 2023, pp. 5-6, <https://www.crs.gov/reports/pdf/R47875/R47875.pdf>.

- f. The number of institutions with no less than two complaints each year, the names of those institutions, the number of participants at each of those institutions, and the number of complaints for each of those institutions
  - g. The number of views and visitors on the PECS website each year
4. Will DoD commit to making this information publicly available on the PECS website? If so, when will the agency make this information public? Will DoD resume its annual PECS reports?
  5. Does DoD provide enrollees with information on the PECS system in Tuition Assistance prescreening meetings or in other program material? Please describe how enrollees are informed of their right to file complaints through PECS.
  6. If PECS has seen decreasing usage by service members and their family members over time, what steps will DoD take to ensure that service members and their family members know about and utilize PECS?
  7. What other channels does DoD receive complaints through?
  8. Does DoD collaborate with other federal departments or agencies to share relevant complaint data? If yes, please detail the nature and extent of any interagency efforts.

Thank you for your attention to this important matter.

Sincerely,



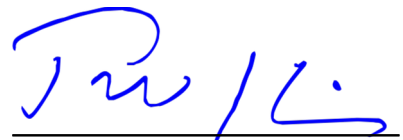
Elizabeth Warren  
United States Senator



Thomas R. Carper  
United States Senator



Donald G. Davis  
Member of Congress



Tim Kaine  
United States Senator