



June 18, 2025

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Program and Management Analyst
Office of Planning, Evaluation and Policy Development
U.S. Department of Education
Submitted via electronic portal

Re: Borrower Defense to Loan Repayment Universal Forms (Docket No. ED-2025-SCC-0002)
Comment Request 5/19/2025

To Whom It May Concern:

Thank you for the opportunity to comment on the proposed Borrower Defense to Repayment application form.¹ Veterans Education Success works on a bipartisan basis to advance higher education success for veterans, service members, and military families, and to protect the integrity and promise of the GI Bill and other federal postsecondary education programs. We have helped hundreds of veterans who are burdened by student loan debt after attending schools that defrauded them or made misrepresentations to them. Borrower Defense to Repayment is a critical resource for these veterans.

We have previously provided recommendations for the Borrower Defense form, and we appreciate your careful consideration and adoption of some of those recommendations. Specifically, we appreciate that the Borrower Defense website recommends that borrowers review the PDF form in advance of filling out their online application, and we look forward to your implementation of a save feature. We maintain that there are some additional recommendations for the proposed form that we think will provide clarity for borrowers completing applications. In our work, we advise many student veterans as they attempt to complete the application form, and we have learned that there are areas that commonly cause confusion. That work informs these recommendations.

1. Section 3's instructions on the PDF form could be improved to make it clear that all categories do not need to be completed

We appreciate the instructions, both at the beginning of Section 3 and following the checkbox list in each category of Section 3, that let borrowers know how to complete Section 3. The PDF's instructions at the beginning of the section would strongly benefit from including an explicit acknowledgement that not all of the categories need to be completed in order to have a complete application. We also think that the categories should be numbered or otherwise divided (such as with letters or Roman numerals) on the PDF form in order to clearly distinguish each category as set off from the others. Section 3 spans 11 pages and contains many

¹ 1845-0163, BD Updated Application 2025.docx, available at https://www.reginfo.gov/public/do/PRAViewIC?ref_nbr=202501-1845-001&icID=240135.

repeating questions, and borrowers have shared that they are confused about which questions to answer and which ones to skip. For instance, the instructions could read as follows (italics indicate our suggested additions to the instructions):

The following *categories (A through H)* are common categories of misconduct alleged by borrowers, including some specific examples. *Categories I and J can also give rise to claims for those who received a Direct Loan, including a Direct Consolidation Loan, on or after July 1, 2017, and prior to July 1, 2020.* You should only *complete the categories* and check the boxes that apply to you. Please *complete* all *categories* that apply. If none of the categories *A through I* apply to you, there is an “Other” category, *category K*, at the end of Section 3.

We propose no changes to the next paragraph of instructions, which begins, “You **must** answer the questions...”

As currently written, borrowers may interpret the instructions as letting them know that they do not need to check all the boxes in each category, rather than letting them know they do not need to complete all the categories. Lettering the categories would also make it more obvious to borrowers completing the form that the categories are separate and discrete sets of questions.

2. Section 4 could be further differentiated from the questions about harm in Section 3

We appreciate the language at the start of “Section 4: Harm,” which acknowledges that borrowers have already answered some questions about harm in Section 3. However, the Department could consider stating more directly how the information in this section may be different from or in addition to the information already provided in Section 3, as that is not readily apparent with the current instructions. We think more clarity here would remove some confusion for borrowers who might not know what to write in this section, since they already described their harm in Section 3. It would also be helpful to state explicitly that some of the information might overlap with information already provided in Section 3 but that it should also be captured here. If there is no distinct information about harm being captured in Sections 3 and 4, the Department should consider asking the questions about harm in only one section.

3. Section 4a should provide more guidance about how borrowers should estimate their financial harm

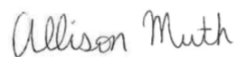
Section 4a asks borrowers to state how much financial harm they incurred, and it gives examples of what might constitute financial harm. However, it isn’t clear how those types of harm should be quantified. Section 4a should explain to borrowers how to quantify the financial harm incurred by a period of unemployment, for example. This is much less obvious than quantifying the financial harm caused by a difference in the promised cost of tuition and actual cost of tuition.

4. The online form should exactly match the PDF version of the form

All of the questions on the Borrower Defense to Repayment form should appear on both the online version and the PDF version, in the same order. The two forms should be identical, in part so that borrowers have the option of taking their time to prepare their answers on the PDF form in advance – or seeking pro bono help from legal aid organizations – and then filling out and submitting the online form, which is easier for borrowers to track for status updates.

Thank you for the opportunity to provide comments on the Borrower Defense to Repayment application form. We hope that you will consider the changes we have raised above.

Sincerely,

A handwritten signature in cursive script that reads "Allison Muth".

Allison Muth
Director of Veterans Services and Civic Engagement
Veterans Education Success