

Congress of the United States

Washington, DC 20510

September 27, 2018

The Honorable Betsy DeVos
Secretary
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Secretary DeVos:

We write today on behalf of the veterans in pursuit of higher education who are being serviced by the newly established Veterans Upward Bound Program at the University of Southern Maine (USM). We are troubled by reports that the Department of Education (Department) may be making decisions about whether or not to continue funding for USM's program, and possibly others, using undefined performance measures that do not account for the Department's delay in awarding funds to the grantee for the inaugural grant year. We seek your assistance in ensuring that USM is not penalized as the Department grants the continuation awards.

USM's Veterans Upward Bound program is new to Maine, having begun serving veterans in late September of 2017. USM's Upward Bound Program for Veterans is the only of its kind in the state of Maine, and one of two such programs in New England. Since being awarded funds, USM has been working diligently to recruit veterans for the program.

In its grant application, USM was awarded all of the possible points - a perfect score for new grantees. Although the FY17 award year began on September 1, 2017, the grantee did not receive its grant award notification until September 28, 2017. While the university has been diligently recruiting participants since it was made aware of its grant award, this delay in notification put USM at a significant disadvantage. The law requires that, in order for an orderly grant process, these notifications should come in advance. The Department failed to do that, and in fact was late, which resulted in a delay in recruitment and services to students.

The FY17 Veterans Upward Bound application describes a number of requirements, including that programs must make "substantial progress," to receive continued funding. The application, however, fails to clearly define this term. Following its submission of an interim report in July, USM received a letter in August from the Department. The letter indicated that the program was at risk of being defunded because it had not made "substantial progress" based on its number of participants in June. Throughout this correspondence, the Department has failed to clarify the definition of substantial progress and has failed to point to any authorities on which this standard relies.

We believe that the scoring committee should consider the fact that the Department failed to clarify its expectations in both the grant application and throughout its correspondence with the grantee. They should also consider that the Department failed to notify USM of its grant award

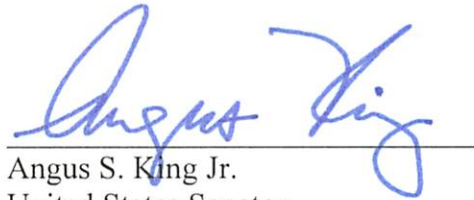
status in a timely manner in making its decision about a continuation award. USM should not be penalized for a failure to meet an undefined standard for enrolling participants and for the Departments' late awarding of funds.

Thank you for your attention to this matter. It is imperative that we allow this program to continue to service veterans in Maine.

Sincerely,



Susan M. Collins
United States Senator



Angus S. King Jr.
United States Senator



Chellie Pingree
Member of Congress