

June 21, 2016

The Honorable Paul Ryan
Speaker
U.S. House of Representatives
Washington, DC 201515

The Honorable Nancy Pelosi
Democratic Leader
U.S. House of Representatives
Washington, DC 201515

The Honorable Mitch McConnell
Majority Leader
U.S. Senate
Washington, DC 201510

The Honorable Harry Reid
Democratic Leader
U.S. Senate
20510

Dear Speaker Ryan, Leader Pelosi, Leader McConnell and Leader Reid:

As organizations working on behalf of students, consumers, veterans, faculty and staff, civil rights and college access, we write to convey our strong opposition to any appropriations provision that would delay or block implementation of the Education Department's gainful employment regulation or otherwise weaken or stall student protections from unscrupulous actors. The gainful employment rule is a commonsense regulation designed to protect students and taxpayers alike by stopping federal funding for career education programs that consistently leave students worse off, with debts they cannot repay.

Congress should be *increasing* student and taxpayer protections, not scaling them back. Unfortunately, we have seen efforts to impede the government's ability to fully implement the gainful employment rule and otherwise protect students from predatory practices and institutions in higher education; for example, Sen. John McCain (R-AZ) introduced an amendment to the fiscal year 2017 Commerce, Justice, Science Appropriations bill that would prohibit the Department of Justice from using any funds appropriated through the bill to "participate in, or carry out actions arising from" the Department of Education's Joint Task Force on the Oversight and Accountability of For-Profit Postsecondary Institutions "or the enforcement of working groups associated with the Task Force."

Numerous investigations have revealed widespread waste, fraud and abuse in the for-profit college industry in particular, including deceptive and aggressive recruiting of students, false or inflated job placement rates, and dismal completion rates. Currently, 37 state attorneys general are jointly investigating allegations of fraud and abuse by for-profit colleges; multiple attorneys general have filed suits or reached multimillion-dollar settlements; and the Department of Justice, the Securities and Exchange Commission (SEC), the Consumer Financial Protection Bureau (CFPB), and the Federal Trade Commission (FTC) have filed or settled suits for fraud or deceptive practices against for-profit colleges that have received *billions* of dollars in taxpayer funding. The gainful employment regulation, the Joint Task Force on the Oversight and Accountability of For-Profit Postsecondary Institutions, and other initiatives to protect students and taxpayers are vital protections.

Two federal courts have also concluded that the gainful employment regulation is a reasoned approach to enforcing the Higher Education Act's requirement that all career education programs receiving Title IV funding "prepare students for gainful employment in a recognized occupation."

The gainful employment regulation helps protect students and taxpayers from schools by forcing the worst-performing career education programs to improve or lose eligibility for federal funding. It

applies to *all* career education programs, not just those offered by for-profit colleges, and has already had a positive impact. For example, the threat of sanctions under the regulation has prompted many of the largest for-profit colleges to eliminate some of their worst programs, freeze tuition and implement other reforms. If the regulation were repealed, industry analysts have made clear that the companies would reverse these and other protections.

Congress should not block regulations designed to protect students and ensure taxpayer dollars are spent wisely. We strongly urge you to oppose riders and other provisions to the FY 2017 appropriations bills that weaken protections for students and taxpayers. If you have any questions or need additional information, please contact Michael Rose at mrose@nacacnet.org.

Sincerely,

Air Force Sergeants Association
American Association of University Professors (AAUP)
American Association of University Women (AAUW)
American Federation of Labor-Congress of Industrial Organizations (AFL-CIO)
American Federation of Teachers, AFL-CIO
Americans for Financial Reform
Association of the United States Navy
Center for Law and Social Policy (CLASP)
Center for Public Interest Law
Center for Responsible Lending
Children's Advocacy Institute
Consumer Action
Consumer Federation of California
Consumers Union
Demos
The Education Trust
Generation Progress
The Greenlining Institute
Higher Ed, Not Debt
Housing and Economic Rights Advocates (HERA)
Initiative to Protect Student Veterans
The Institute for College Access & Success
Institute for Higher Education Policy
The Leadership Conference on Civil and Human Rights
League of United Latin American Citizens (LULAC)
Mississippi Center for Justice
NAACP
National Association for College Admission Counseling
National Association of Consumer Advocates
National Council of La Raza
National Consumer Law Center (on behalf of its low-income clients)
National Consumers League
National Education Association
National Women Veterans Association
National Women's Law Center

New Jersey Citizen Action
New York Legal Assistance Group
Paralyzed Veterans of America
Project on Predatory Student Lending, Legal Services Center of Harvard Law School
Public Citizen
Public Counsel
Public Good Law Center
Public Law Center
Student Debt Crisis
Student Veterans of America
University of San Diego School of Law Veterans Legal Clinic
U.S. PIRG
Veterans Education Success
Veterans for Common Sense
Veterans' Student Load Relief Fund
VetJobs
VetsFirst, a program of United Spinal Association
Vietnam Veterans of America
Young Invincibles

cc: U.S. House of Representatives
U.S. Senate
The Honorable John King, Jr., Secretary of Education
The Honorable Shaun Donovan, Director, Office of Management and Budget