

Congress of the United States
Washington, DC 20515

June 4, 2013

The Honorable Barack Obama
President of the United States
1600 Pennsylvania Avenue
Washington, DC 20500

Dear Mr. President:

We write today to express our support for your efforts to initiate new proceedings aimed at defining the statutory “gainful employment” requirement for career education programs.

The Higher Education Act of 1965 requires that all career education programs that receive Title IV funds “lead to gainful employment in a recognized occupation.” Yet, there is no official definition of “gainful employment,” making the provision difficult to enforce. Defining this term will help protect student and taxpayer investments in career education programs and enforce current law.

More than ever, we need a rule that ends federal financial aid for programs that consistently leave students – our veterans, working parents, and other Americans struggling to build new lives – without decent incomes and with insurmountable debt. Federal aid should only go to career education programs that effectively train students and help them build careers.

Last year a federal district judge upheld the Department of Education’s authority to issue regulations to enforce the statutory “gainful employment” requirement. Although the judge vacated the 2011 gainful employment regulation because of defects in two areas, he ultimately confirmed the need for regulation, concluding, “The Department has set out to address a serious policy problem, regulating pursuant to a reasonable interpretation of its statutory authority....Concerned about inadequate programs and unscrupulous institutions, the Department has gone looking for rats in ratholes — as the statute empowers it to do.”

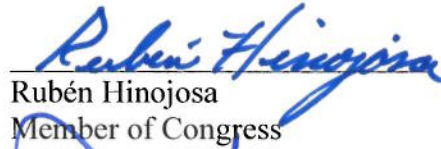
The data that the Education Department published under the 2011 rule confirm this need. Sixty-five percent of the programs reporting failed at least one of three minimal tests aimed at protecting students, and five percent failed all three tests. Without an effective gainful employment rule, these programs will continue to operate and harm students.

We ask for your leadership to promptly initiate a new gainful employment rulemaking and to take other steps to enforce current laws and improve higher education and

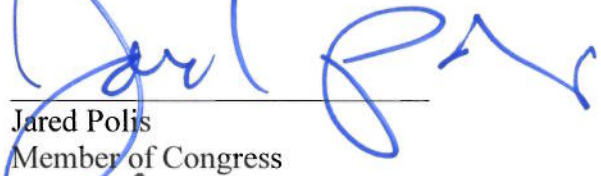
career opportunities for all Americans. We are ready and willing to work with your Administration to get this critical job done.

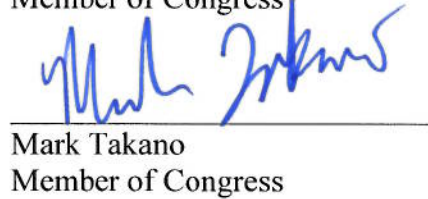
Sincerely,


Raúl Grijalva
Member of Congress


Rubén Hinojosa
Member of Congress

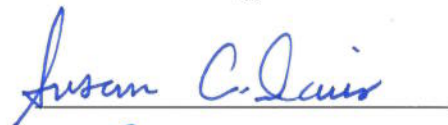

Mike Honda
Member of Congress

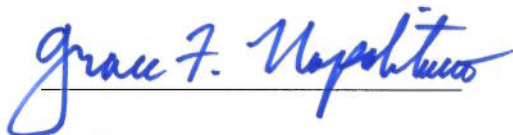

Jared Polis
Member of Congress


Mark Takano
Member of Congress


Maxine Waters
Member of Congress


Judy Chu

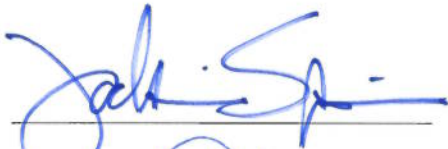

Susan C. Davis


Grace F. Napolitano

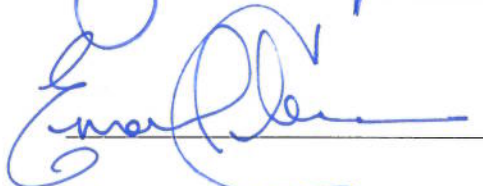

Rush Holt


Erin Swelwell


Sungark Dal Ben


John Sp...

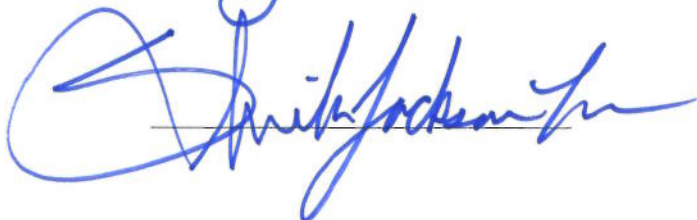

John Conyers Jr.

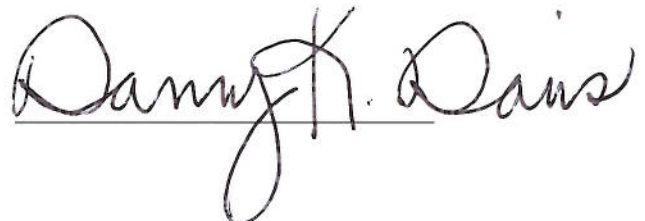

Emma...


Lucille Roybal-Allard


Bob J. Ross


Barbara Lee


Mike Jackson


Danny K. Davis

Tony Cárdenas
Lizeth E. Treviño

Doris O. Matsui

cc: Hon. Arne Duncan, Secretary of Education