

## State Attorneys General

### A Communication from the Chief Legal Officers of the Following States:

**\*Connecticut\*Illinois\*Iowa\*Kentucky\*Maine\*Maryland\*  
Massachusetts\*New Mexico\*New York\*Oregon\*Pennsylvania\***

November 24, 2015

Senator Mitch McConnell  
317 Russell Senate Office Building  
Washington, DC 20510

Representative Paul Ryan  
1233 Longworth HOB  
Washington, DC 20515

Senator Harry Reid  
522 Hart Senate Office Building  
Washington, DC 20510

Representative Nancy Pelosi  
233 Cannon HOB  
Washington, DC 20515

Senator Thad Cochran  
522 Hart Senate Office Building  
Washington, DC 20510

Representative Harold “Hal” Rogers  
2406 Rayburn House Office Building  
Washington, DC 20515

Senator Barbara Mikulski  
503 Hart Senate Office Building  
Washington, DC 20510

Representative Nita Lowey  
2365 Rayburn HOB  
Washington, DC 20515

Dear Senators and Representatives:

The undersigned state Attorneys General ask you to oppose riders that would weaken the Department of Education’s ability to be a good steward of taxpayer dollars and protect students. In recent years unscrupulous institutions have taken advantage of students and taxpayers, utilizing high-pressure sales tactics to collect federal student aid while failing to deliver promised services. The tactics used by unscrupulous colleges to take advantage of students and taxpayers are varied, but predictable. The Department of Education’s program integrity rules address the spectrum of problematic behaviors brought to light in recent years by student complaints, media reports, federal agency investigations and investigations by state Attorneys General.

In 2013, the Department of Education’s Inspector General noted, “we believe the changes embodied in the new regulations, including changes in the areas of *a credit hour definition, gainful employment, State authorization, and incentive compensation, will improve protections for students and taxpayers.*”<sup>1</sup> We urge you to oppose riders that would impose restrictions on the Department’s ability to draft or enforce regulations on:

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<sup>1</sup> Letter from Kathleen Tighe, Inspector General, United States Department of Education, to The Honorable George Miller, Ranking Member, House Committee on Education & the Workforce, September 9, 2013 discussing the program integrity regulations effective 2011 and the 2012 gainful employment regulations .  
<https://www2.ed.gov/about/offices/list/oig/misc/georgemillersept092013.pdf>

- Providing a definition of a credit hour for federal financial aid purposes to protect against manipulation of course length by sub-par institutions to maximize the receipt of Pell grants and student loans.
- Ensuring a state role in the oversight of institutions operating in their state.
- Maintaining a ban on incentive compensation for admission and financial aid officers, which helps protect against high-pressure sales tactics employed by unscrupulous institutions.
- Enforcing the statutory requirement that all career education programs receiving federal aid prepare students for gainful employment in a recognized occupation.
- Providing borrower relief from loans obtained through fraud.

In light of recent evidence of massive, far-reaching fraud and abuse at the hands of unscrupulous institutions, passage of riders restricting the Department's ability to protect federal aid programs would put Congress squarely against the interests of both students and taxpayers. We urge you to oppose riders that would restrict the Department of Education's ability to provide these important protections.

Sincerely,



Jack Conway  
Kentucky Attorney General



Lisa Madigan  
Illinois Attorney General



George Jespen  
Connecticut Attorney General



Tom Miller  
Iowa Attorney General



Janet T. Mills  
Maine Attorney General



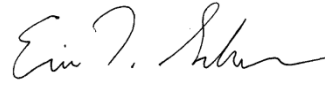
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Maryland Attorney General



Maura Healey  
Massachusetts Attorney General



Hector Balderas  
New Mexico Attorney General



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Ellen Rosenblum  
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