

November 24, 2015

Dear Members of Congress:

In recent years unscrupulous institutions have taken advantage of students and taxpayers, utilizing high-pressure tactics to harvest federal student aid while failing to deliver a quality education. 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 are intentionally designed to address the spectrum of problematic behaviors. The undersigned organizations ask you to oppose riders that would significantly weaken the Department of Education's ability to be a good steward of taxpayer dollars.

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> Removing these protections would result in a resumption of the fraudulent activities that Congress and the Department sought to address through Higher Education Act statute and regulation.

We urge you to oppose riders that would impose restrictions on the Department's ability to draft or enforce regulations on:

- 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.

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 be a step in exactly the wrong direction, and 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,

American Association of University Professors (AAUP)

California Federation of Teachers

Center for Law and Social Policy (CLASP)

Center for Public Interest Law (University of San Diego School of Law)

Center for Responsible Lending

Children's Advocacy Institute (University of San Diego School of Law)

Consumer Action

Consumer Federation of California

Consumers Union

---

<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. Downloaded from <https://www2.ed.gov/about/offices/list/oig/misc/georgemillersept092013.pdf> on November 19, 2015.

The Education Trust

Housing and Economic Rights Advocates

The Institute for College Access & Success (TICAS)

League of United Latin American Citizens (LULAC)

Mexican American Legal Defense Fund (MALDEF)

NAACP

National Association for College Admission Counseling (NACAC)

National Association of Consumer Advocates (NACA)

National Consumer Law Center (on behalf of its low-income clients)

National Education Association (NEA)

New Economy Project

New York Legal Assistance Group (NYLAG)

Public Advocates

Public Citizen

Public Counsel

Public Higher Education Network of Massachusetts

Veterans Education Success

Young Invincibles