

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](mailto: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  
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