

September 20, 2017

The Honorable Betsy DeVos
Secretary of Education
U.S. Department of Education
400 Maryland Ave. SW
Washington, DC 20202

RE: Docket ID ED-2017-OS-0074-0001

Dear Secretary DeVos:

As advocates for students, consumers, veterans, service members, faculty and staff, civil rights, and college access, the 41 undersigned organizations urge the Department of Education to place the interests of students front and center as the Department explores potential changes to regulations. Current federal higher education regulations and oversight need to be strengthened and improved to better protect students and taxpayers, and schools that pose greater risks to students and taxpayers deserve more oversight and scrutiny, not less. A responsible regulatory review recognizes not only the burden to colleges but also the benefit to students, student loan borrowers, and taxpayers from regulations. This requires both identifying ways to reduce unnecessary burdens on colleges that are clearly serving students well and increasing scrutiny and oversight of schools that pose greater risks to students and taxpayers.

With too many students leaving college without a credential or leaving with crippling debt far beyond the value of their credential, we urge you to reverse course and enforce, rather than roll back, existing regulatory protections for students and taxpayers. The Department's recent actions to delay the borrower defense rule and delay and gut the gainful employment rule will allow schools to reinstate their worst programs and practices, and will make it easier for schools that commit fraud to hide it. As [20 state attorneys general](#) warned the Department and Congress earlier this year, rollbacks of the gainful employment and borrower defense rules will "signal 'open season' on students for the worst actors among for-profit postsecondary schools." Many of us were among [more than 50 organizations](#) that advocate for students, consumers, veterans, faculty and staff, civil rights, and college access that have urged the Department to help Americans obtain quality, affordable career education and training by enforcing these rules. Both regulations are the product of extensive expert input and analysis, negotiated rulemaking, and public comment. Veterans and service member organizations have been particularly [supportive](#) of both rules because they, along with students of color and low-income students, have been disproportionately harmed by predatory colleges.

Students likewise are depending on the Department for robust and active enforcement of the Higher Education Act's ban on incentive compensation (commissioned sales), and the 90/10 rule barring for-profit colleges from being funded solely by taxpayers. We urge the Department not to modify these rules. Together with the gainful employment and borrower defense rules, all four protections enhance the public trust of the Department by curbing waste, fraud, and abuse in higher education.

We are troubled by the Department's [plans](#) to meet with college presidents and financial aid officers but not with students, whom higher education regulations are designed to protect. It should surprise no one that regulated entities want less regulation and fewer strings attached to the taxpayer funds they receive. Any regulatory review must incorporate input from students, counselors, legal aid attorneys, and state attorneys general, not just from representatives of institutions.

Moreover, many of the regulations that schools find most burdensome are driven by legislative requirements, and their burden cannot be reduced without working with Congress to make statutory changes. To that end, rather than modifying or repealing protections needed to protect students and taxpayers, we urge the Department to work on a bipartisan basis with Congress to craft solutions to make college more affordable for all, protect students and taxpayers, and reduce unnecessary burdens on schools that serve students well.

Sincerely,

Allied Progress

American Association of University Women (AAUW)

Americans for Financial Reform

Association of the United States Navy

Center for Law and Social Policy (CLASP)

Consumer Action

Consumer Federation of America

Consumer Federation of California

Demos

East Bay Community Law Center

The Education Trust

Faculty Forward Network

Generation Progress

Government Accountability Project

Higher Ed, Not Debt

The Institute for College Access & Success

The Leadership Conference on Civil and Human Rights

Maryland Consumer Rights Coalition

NAACP

National Association for College Admission Counseling

National Association of Consumer Advocates

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

National Education Association

New York Legal Assistance Group

New America Higher Education Program

One Wisconsin Now

PHENOM (Public Higher Education Network of Massachusetts)

Program Evaluation and Research Group (PERG)

Public Citizen

Public Good Law Center

Public Law Center
Service Employees International Union
Student Debt Crisis
Student Parent HELP (Higher Education for Low Income People) Center
U.S. PIRG
UnidosUS (formerly NCLR)
Veterans Education Success
Veterans for Common Sense
Veterans' Student Loan Relief Fund
Women Employed
Young Invincibles