

JACK CONWAY
ATTORNEY GENERAL

CAPITOL BUILDING, SUITE 118 700 CAPITOL AVENUE FRANKFORT, KY 40601 (502) 696-5300 FAX: (502) 564-2894

## March 11, 2013

Honorable Bernie Sanders, Chairman Senate Committee on Veterans' Affairs 332 Dirksen Senate Office Building Washington, DC 20510

Honorable Richard Burr, Ranking Member Senate Committee on Veterans' Affairs 217 Russell Senate Office Building Washington, DC 20510

Honorable Tom Harkin, Chairman Senate Committee on Health, Education, Labor & Pensions 731 Hart Senate Office Building Washington, DC 20510 Honorable Jeff Miller, Chairman House Committee on Veterans' Affairs 2416 Rayburn House Office Building Washington, DC 20515

Honorable Michael Michaud, Ranking Member House Committee on Veterans' Affairs 1724 Longhorn House Office Building Washington, DC 20515

Honorable Lamar Alexander, Ranking Member Senate Committee on Health, Education Labor & Pensions 455 Dirksen Senate Office Building Washington, DC 20510

Dear Chairman Sanders, Chairman Miller, Ranking Member Burr, Ranking Member Michaud, Chairman Harkin and Ranking Member Alexander:

We, the undersigned Attorneys General, write in support of the Protecting Financial Aid for Students and Taxpayers Act sponsored by Senators Kay R. Hagan of North Carolina and Tom Harkin of Iowa. This important legislation is a vital first step to curb abusive and deceptive recruiting and marketing practices by the for-profit education industry. By prohibiting the use of federal funds for student recruitment and marketing purposes, this bill will ensure that scarce federal education dollars will be used to serve and educate students rather than to finance advertising campaigns, recruitment operations and aggressive marketing. <sup>1</sup>

Currently thirty-two (32) state Attorneys General are participating in a multistate working group investigating the for-profit schools industry. Several of us have taken action against companies that

This legislation is identical to S.2296 which was included in the fiscal year 2013 Labor, Health and Human services, Education and Related Agencies Appropriations bill, which was voted out of the Senate Committee on Appropriations but unfortunately never received consideration by the full Senate.

we allege have violated our state consumer protection laws. We continue to investigate these companies and anticipate additional actions to be filed in the future.

The Senate Health, Education, Labor and Pensions (HELP) Committee analyzed data submitted by the for-profit school industry and found that large for-profit colleges with troublingly high student withdrawal and loan default rates use an exorbitant amount of federal aid on advertising, marketing and recruitment.

According to the HELP Committee's July 2012 Report:

- 15 of the largest for-profit education companies received at least <u>86 percent</u> of their revenues from federal student aid programs such as the G.I. Bill and Pell grant programs.
- In Fiscal Year 2009, these for-profit education companies spent \$3.7 billion dollars or 23 percent of their budgets, on advertising, marketing and recruitment which was often very aggressive and deceptive.
- Together, the 30 education companies examined by the HELP Committee spent \$4.2 billion on marketing in 2009 or 22.7 percent of all revenue, which equates to \$2,622 per student spent on marketing.
- According to one study, "in the corporate world, marketing budgets typically represent between 4-12 percent of sales, and in the for-profit education sector, "marketing budgets can approach a whopping 40 percent of tuition revenue." In contrast, nonprofit colleges and universities spend an average of one-half of one percent of their revenues on marketing.
- For the 30 educational companies examined by the HELP Committee, 54% of students who started in 2008-9 left without a degree by mid-2010. This translates to nearly 600,000 students leaving college without a degree.
- Students who attended a for profit college already account for 47 percent of all borrowers in default.

Attorneys General strongly support higher education as a way to improve the standard of living for Americans and help them reach their financial goals. However, federal taxpayers should not be asked to foot the bill for aggressive recruiting and deceptive sales tactics of colleges that have placed profits ahead of ensuring student success.

This legislation would apply to all institutions that receive federal student aid dollars, whether private, public or for-profit, and is a common sense measure to ensure that taxpayer money is being spent appropriately.

We respectfully request that you support this important legislation.

Sincerely,

Jack Conway

Kentucky Attorney General

Dustin McDaniel Arkansas Attorney General

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US Madigar

Lisa Madigan Illinois Attorney General

Dougles Monsten

Douglas F. Gansler Maryland Attorney General

La Suasur

Lori Swanson Minnesota Attorney General

Ein 7. Shham

Eric T. Schneiderman New York State Attorney General

Esen V. Rosenble

Ellen F. Rosenblum Oregon Attorney General

Robert E. Cooper, Jr. Tennessee Attorney General Jon Miller

Tom Miller Iowa Attorney General

Marina Country

Martha Coakley Massachusetts Attorney General

Cachenialry Marto

Catherine Cortez Masto Nevada Attorney General

They Copen

Roy Cooper North Carolina Attorney General

Kathleen G. Kana

Kathleen G. Kane Pennsylvania Attorney General