

November 20, 2017

Mr. Donald S. Clark
Secretary
Federal Trade Commission
600 Pennsylvania Avenue NW.,
Suite CC-5610 (Annex D),
Washington, DC 20580

Public Comment Regarding Proposed Settlement In the Matter of Victory Media, Inc.; File No. 1623210

Dear Mr. Clark:

Please accept this public comment regarding the Federal Trade Commission's (FTC) proposed settlement with Victory Media, Inc., also doing business as G.I. Jobs and Military Friendly, and operating the magazines *GI Jobs* and *Military Spouse* and the websites gijobs.com, militaryfriendly.com, and militaryspouse.com, and the "Military Friendly Schools" list and search engine.

The Federal Trade Commission (FTC) found Victory Media violated Section 5 of the Federal Trade Commission Act by operating an online college search tool, School Matchmaker, at gijobs.com to that purported to be "military friendly," when, in fact, the tool searches only schools that pay to be included; and misrepresenting, in articles, targeted emails, and social media posts, that its endorsements were independent and not paid advertising, and failed to adequately disclose that it recommended schools that paid specifically to be promoted therein. These misrepresentations and undisclosed paid recommendations constitute deceptive acts or practices.

The FTC's proposed settlement calls for Victory Media to cease and desist from misrepresentations, to clearly and conspicuously disclose its paid commercial content, to report to the FTC, and to maintain records and respond to any further FTC inquiries.

Many lead generation companies in the education space engage in pernicious and surreptitious work on behalf of predatory for-profit colleges. They cause great harm to American students, colleges, and taxpayers.

We urge the FTC, in the strongest terms, to increase and enhance your work to prevent and address misconduct, including unfair, deceptive, and abusive acts, by pernicious lead generators.

With regard to your proposed settlement terms with Victory Media, we urge you to insist that Victory Media transfer the trademark for "Military Friendly Schools" to the US Department of Defense (or Veterans Affairs, depending on the wishes of the federal government), and that visitors to the websites MilitaryFriendly.com/Schools and GIJobs.com/schools-for-veterans should be redirected to the US Department of Defense (or Veterans Affairs, depending on the

wishes of the federal government). Only the U.S. military (or the federal department that administers the GI Bill) should determine what constitutes a “Military Friendly School.” Based on its conduct, Victory Media is not the appropriate entity to possess that right.

In 2012, the federal government and 20 state Attorneys General sued a similar company for similar behavior. In that settlement, the company, Quinstreet, operated a deceptive website, GIBill.Com, which misled and deceived veterans by pushing them to predatory for-profit colleges that paid for the promotion. As part the legal settlement, the website GIBill.com now redirects visitors to the Department of Veterans Affairs. We urge the Commission to similarly protect students by having visitors to Victory Media’s deceptive school search engines redirected to the Defense Department’s college search tool (TA DECIDE) or the Department of Veterans Affairs’ college search tool (GI Bill Comparison Tool).

In addition, given the large profit that Victory Media made by pushing veterans to attend subpar predatory colleges that paid for the surreptitious promotion, we urge you to strengthen the settlement by obtaining compensation from Victory Media for veterans who were harmed by Victory Media’s deceptions or, if FTC deems that too difficult to administer, funds for the FTC to conduct further investigations of deceptive websites targeting servicemembers, veterans, and their families.

Thank you.

Sincerely,

Lisa Donner
Executive Director
Americans for Financial Reform

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Director
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