

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 from national organizations supporting servicemembers, veterans, military families, and survivors 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:

- (1) Operating an online college search tool, School Matchmaker, at gijobs.com that purports to be "military friendly," when, in fact, the tool searches only schools that pay to be included; and
- (2) Misrepresenting, in articles, targeted emails, and social media posts, that its endorsements are independent and not paid advertising, and failing to adequately disclose that it recommends schools that pay 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.

We request that FTC include in its settlement agreement the transfer of 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 with this message:



GIBill.com

As the result of a legal settlement, the award of the GIBill.com domain name to VA is a victory for all Veterans and the GI Bill. VA is committed to protecting the educational opportunities Veterans have earned through their service.

You will be automatically redirected to www.benefits.va.gov/gibill in 10 seconds. If you aren't forwarded to the new page: [click here](#).

We urge the Commission to similarly protect military-connected 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.

As the Acting Chair of the FTC said about this proposed settlement, "Servicemembers and their families put themselves on the line every day to protect our nation. We owe it to them to make sure that when they look to further their education, they get straight talk instead of advertising in disguise." Only a stronger settlement with Victory Media can meet that obligation to our servicemembers, veterans, their families and survivors.

Thank you for your work.

Sincerely,

Joseph R. Chenelly
National Executive Director
AMVETS

Kevin Cochie
Army Aviation Association of America

Kathy Roth-Douquet
CEO
Blue Star Families

Kristofer Goldsmith
President
High Ground Veterans Advocacy

Paul Rieckhoff
Founder & CEO
Iraq and Afghanistan Veterans of America

Luke E. Opyd
President
Ivy League Veterans Council

Paul D. Warner, PhD
National Commander
Jewish War Veterans of the USA

Lyman M. Smith
CAPT, CHC, USN, Retired
Executive Director
Military Chaplains Association

Mary M. Keller, Ed.D.
President & Chief Executive Officer
Military Child Education Coalition

Juliana Mercer
Managing Director
MVPVets

Joyce Raezer
Executive Director
National Military Family Association

Deirdre Parke Holleman, Esq.
Washington Executive Director
The Retired Enlisted Association

Lydia C. Watts, Esq.
CEO
Service Women's Action Network (SWAN)

Bonnie Carroll
President and Founder
Tragedy Assistance Program for Survivors

Randy Reid, USCG (Ret.)
Executive Director
U.S. Coast Guard Chief Petty Officers Association & Enlisted Association

Carrie Wofford
President
Veterans Education Success

Anthony Hardie
Director
Veterans for Common Sense

Matthew Boulay
Executive Director
Veterans Student Loan Relief Fund

John Rowan
President
Vietnam Veterans of America