



STATE OF CALIFORNIA  
OFFICE OF THE ATTORNEY GENERAL  
KAMALA D. HARRIS  
ATTORNEY GENERAL

June 1, 2016

The Honorable Joe Manchin  
United States Senate  
306 Hart Senate Office Building  
Washington, DC 20002

Dear Senator Manchin:

We, the undersigned Attorneys General of California, Connecticut, District of Columbia, Hawaii, Iowa, Maine, Maryland, Massachusetts, Minnesota, New York, and Pennsylvania, and the State of Hawaii, Office of Consumer Protection, write to express our deep opposition to the amendment on “Academic Advising on Military Installations” that was recently proposed by you and adopted during the Senate Armed Services Committee’s consideration of the National Defense Authorization Act for Fiscal Year 2017. Your amendment, allowing any college approved for military tuition benefits to have unrestricted access to recruit on military bases, is a step in the wrong direction and unnecessary in light of existing Department of Defense (DoD) rules. More barriers—not less—should be imposed between predatory, for-profit schools and our nations’ servicemembers and veterans.

In our work protecting consumers, we have found extensive fraud and deceptive recruiting practices by certain predatory, for-profit schools in their constant efforts to enroll military servicemembers. As you know, because of the so-called “90/10 loophole,” these schools already have a strong incentive to engage in aggressive and deceptive recruiting of servicemembers and veterans to access those students’ funding streams, including Military Tuition Assistance and Post-9/11 GI Bill, to offset the cap the schools otherwise face on obtaining federal student aid.

Your amendment is unnecessary as the DoD rules already provide ample parameters for educational institutions to have significant and adequate access to military installations, especially for the purpose of educational counseling. Existing DoD rules allow all schools fair access to military installations if they obtain permission, agree to make truthful disclosures to students, and avoid unduly aggressive and deceptive recruiting. These requirements are set forth in the DoD Voluntary Education Partnership Memorandum of Understanding, which all schools wishing to participate in Tuition Assistance must sign.

Moreover, your amendment would be harmful as it would override existing DoD rules governing school access to military installations. Your amendment would expose servicemembers to aggressive and deceptive recruiting on military installations, including in military hospitals. Your amendment would undermine the goal of DoD's rules to ensure servicemembers are able to perform their military duties without being subjected to harassment by aggressive and unscrupulous college recruiters.

Finally, we believe the stated rationale of your amendment, that the current DoD rules make it too difficult for servicemembers to obtain an education and that they need more access to schooling options, to be untrue. Our work in the area of higher education and for-profit schools reveal that the current protections should be even stronger. Servicemembers and veterans do not claim that there is a lack of school presence or access on base. Rather, the feedback we consistently receive are complaints from military men and women who are victims of predatory, for-profit schools' aggressive marketing of worthless programs and who belatedly discover that these schools have tricked them into wasting their hard-earned military benefits that cannot be restored. The loss of these benefits have long lasting consequences and negatively impact not only the servicemembers and veterans but also their families and futures.

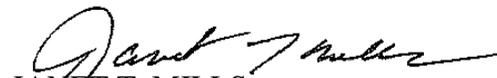
Our consumer-protection work in the area of higher education and for-profit colleges leads us to believe that existing rules may benefit from stronger protection for our servicemembers and veterans. Your amendment would weaken these rules and would run contrary to our work and concerns for our servicemembers and veterans. We strongly urge you to reconsider your amendment.

Sincerely,

  
KAMALA D. HARRIS  
California Attorney General

  
GEORGE JEPSEN  
Connecticut Attorney General

  
KARL A. RACINE  
District of Columbia Attorney General

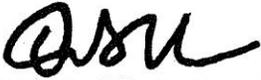
  
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cc: Senator John McCain, Chairman, Armed Services Committee  
Senator Jack Reed