

Comments for the Massachusetts Attorney General Regarding
Proposed Regulation 940 CMR 31.00
January 2014

Thank you for the opportunity to comment on proposed Massachusetts regulation 940 CMR 31. We applaud these common sense rules to prohibit deceptive marketing by for-profit colleges. We note the substantial growth in the market of private education companies since the Massachusetts regulation was last updated in 1978.

First, we applaud section 31.04 in the proposed regulation for forbidding false or misleading statements regarding a school's graduates' job placement rates, probable earnings, and expected salaries; a school's accreditation, licensing, faculty qualifications, classroom instruction; and, the ability of students to transfer credits to another institution. We recommend that section 31.04, subsection 7, clarify that this provision would forbid misleading or deceptive statements regarding a graduate's qualification to obtain a license or other necessary pre-requisites for employment in fields that have such requirements. Sadly, prospective students continue to be deceived about their eligibility for licensing and other pre-requisites necessary to obtain employment in the field they studied. For example:

- Kaplan operates an unaccredited law school, whose graduates cannot take the bar exam (outside of California, which doesn't require any law degree). The U.S. Senate heard testimony from a Kaplan law student who was promised a bright career as a lawyer in Iowa, but was never told he would not be eligible to take the bar exam upon graduation. He testified: "The Dean [of Kaplan] apparently didn't know or forgot to mention this little problem."ⁱ
- Sanford Brown runs several health programs whose graduates are ineligible for licensing. The U.S. Senate heard testimony from a graduate of Sanford Brown's sonography program who was promised a career as a sonographer in an obstetrician's office, but who said Sanford Brown lied to her about her eligibility to obtain a license as a sonographer.ⁱⁱ In addition, the New York Attorney General this summer recouped more than \$10 million for New York students who were deceived by Sanford Brown and its affiliates, Briarcliffe, American Intercontinental U. Colorado Technical U, and Cordon Bleu – all owned by Career Education Corporation – for deceiving prospective students about their job prospects.ⁱⁱⁱ
- Local TV news in Charlotte, N.C., reported that students at a Kaplan dental assistance program said Kaplan lied to them about the key facts that Kaplan's program was unaccredited and its graduates would be ineligible for licensing as dental assistants.^{iv}

The same protections are needed for students considering programs in plumbing, electricity, and truck driving – all of which require licensing in order to pursue those careers.

Second, we welcome section 31.05 in the proposed regulation for requiring that schools disclose the actual cost of the program, graduation rate and time, loan default rates, job placement rates, and the transferability of its credits. These are all subjects about which certain predatory for-profit education companies have deceived veterans and students. The proposed regulation also includes common sense prohibitions against falsifying records and encouraging students to cheat, misrepresenting program content, enrolling ineligible or unqualified students, and engaging in high-pressure sales tactics, among other common sense prohibitions.

Third, we thank you for section 31.06 prohibiting specific wrongful practices. We note that this section wisely includes a prohibition on salespersons and recruiters wrongly identifying themselves as affiliated with government branches or incorrectly identifying themselves as “counselors” or “advisors.” Fifteen state Attorneys General, including Massachusetts’, successfully sued to shut down the website www.GIBill.com, because it was built to look like the federal government’s official site but directed veterans to for-profit colleges, only.^v But misrepresentations continue from certain for-profit colleges. For example, as recently as October, the California Attorney General brought suit against Corinthian for misleading students on several fronts, including for improper use of Pentagon military seals to imply affiliation with the Pentagon.^{vi} In addition, in June, the U.S. Senate Committee on Appropriations heard testimony from a former military recruiter for DeVry, who testified that he was instructed to pose as a military advisor.^{vii} Following his testimony, several other former military recruiters for DeVry wrote the Senate Committee to report they were similarly instructed.

Fourth, we welcome the proposed regulation’s common sense provisions in section 940 CMR 31.07 to prohibit unfair and deceptive practices involving student loans and financial aid. We note, however, that the proposed regulation does not prohibit exorbitant interest rates in private loans by the colleges, and we suggest the addition of such a provision. For example, Westwood Colleges paid \$4.5 million to settle a suit brought on behalf of students by the Colorado Attorney General because students were signed up for loans without their knowledge at 18% interest rates.^{viii} (Students also were deceived with inflated job placement numbers and job prospects.^{ix})

In sum, we thank you for your efforts to help protect veterans and other students from aggressive and deceptive recruiting by for-profit colleges.

Attached please find an addendum outlining the broader context of deceptive and aggressive marketing and recruiting targeting veterans and service members – which forms the basis of our concern about such marketing and the basis of our support for proposed regulation 940 CMR 31.00.

Sincerely,

Air Force Women Officers Associated
Association of the United States Navy
Iraq & Afghanistan Veterans of America
Military Officers Association of America
National Guard Association of the United States
Student Veterans of America
Veterans Education Success
Veterans for Common Sense
Veterans Student Loan Relief Fund
VetJobs
VetsFirst, a Program of United Spinal Association
Vietnam Veterans of America
U.S. Coast Guard Chief Petty Officers Association
U.S. Coast Guard Enlisted Association

ADDENDUM

The proposed Massachusetts regulation will be of particular help to veterans and servicemembers, who have been the targets of aggressive and deceptive marketing by predatory for-profit colleges because of a loophole in federal law. Below please find more details on that loophole as well as the deceptive and aggressive recruiting of which we have become aware.

Deceptive Marketing Targeting Veterans and Service Members

Over the past few years, we have become aware of aggressive and deceptive recruiting and marketing specifically targeted to veterans and service members.

Education salesmen turned whistleblowers have explained what's going on inside the massive call centers where predatory for-profit college salesmen are under constant pressure to sign up veterans:

- “We’re selling you that you’re gonna have a 95 percent chance that you are gonna have a job paying \$35,000 to \$40,000 a year by the time they are done in 18 months,” Brooks College (Career Education Company) salesman Eric Shannon told CBS’ 60 Minutes. “We later found out it’s not true at all.”^x
- “Get asses in classes” through “the military gravy train,” even if service members are not ready or are being deployed to heavy fighting zones, DeVry University instructed its salesmen, according to Christopher Neiweem, a veteran of Operation Iraqi Freedom and DeVry salesman, who was assigned specifically to target military students.^{xi} Neiweem told Congress he was instructed to pose as a “military advisor” affiliated with the Pentagon. Following his testimony, four additional DeVry military salesmen wrote Congress to say they were told to do the same.
- “Everything here is about the numbers. You make your numbers, or you are out of a job,” recruiters at Colorado Technical University – housed in an office building with no classrooms and no professors, but row upon row of salesmen – told *The New York Times*.^{xii} Salesmen from Ashford and Westwood reported the same.
- “You’d probe to find a weakness,” said Brian Klein, a former admissions employee at Argosy University Online, one of four major colleges operated by EDMC, whose recruiters filed a whistleblower lawsuit against EDMC, which the U.S. Department of Justice has joined on behalf of deceived students and taxpayers. “You basically take all that failure and all those bad decisions, and you spin it around and put it right back in their face as guilt, to go to this shitty university and run up all of this debt.”^{xiii}
- “It just got to the point where I felt like I was lying to these people on a

regular basis," said Patrick Flynn, a recruiter at EDMC's South University online from 2006 through 2009, when he quit. "Honestly, I just felt dirty doing the things I was doing. It's almost like they were trying to make me take advantage of people's belief in what this education was going to get them, when I didn't buy into it myself."^{xiv}

Listeners can hear for themselves how aggressive and deceptive the recruiting phone calls are. PBS Frontline reporters recorded the calls, as part of research for a documentary^{xv} about how veterans are specifically targeted by predatory for-profit colleges.^{xvi}

"Pain-based recruiting" is the method salesmen use to target veterans and other students, as shown in internal corporate documents.^{xvii} Salesmen are specifically taught to emotionally manipulate vets into signing up, because, as the corporate documents acknowledge, students are unlikely to make a "rational" decision to attend since community colleges and public universities offer lower cost, higher quality, accredited degrees.

"All they hear from these schools is, 'This won't cost you a thing,'" explained Robert L. Songer, a retired Marine colonel who is the lead education adviser at Camp Lejeune in North Carolina.^{xviii} Songer said for-profit colleges hound Marines at Camp Lejeune to enroll in classes of limited educational value and even sign them up for high-interest-rate loans. He cited numerous complaints he received from Marines.

President Obama summed up the deceptions targeting veterans and service members when he spoke at Fort Stewart in Georgia in April 2012, as he signed Executive Order 13607^{xix} to combat the scam: "There are some bad actors out there. They'll say you don't have to pay a dime for your degree, but once you register they'll suddenly make you sign up for a high-interest student loan. They'll say that if you transfer schools, you can transfer credits, but when you try to actually do that, you suddenly find out that you can't. They'll say they've got a job placement program, when, in fact, they don't. They're trying to swindle and hoodwink you. They don't care about you; they care about the cash. It's not right."^{xx}

Republican Congressman Walter B. Jones of North Carolina, a member of the Armed Services Committee, told *The New York Times*: "I think it is a sin. Here we are telling these young men and women they can get a higher education, and they get cheated."^{xxi}

Veterans are starting to speak up about their experiences being deceived:

- "I believe that the University of Phoenix is using deceptive practices in order to lure students into the school, the enrollment counselors tell students that they should be complete with their course of studies in a short period of time fully knowing how long it is going to take. . . . I have talked with other

students at the University of Phoenix and this appears to be a common tactic used by University of Phoenix enrollment counselors.”^{xxii}

- Another military student who was billed by the University of Phoenix for a class he never took wrote: “As a marine of 19 years, I’ve served in Desert Storm, Somalia, and Operation Iraqi Freedom x2. You cannot imagine the emotional battle this has taken on me after dealing with this for nearly TWO years!! An education institution such as yours earns millions of dollars each year, and yet you punish those who are willing to risk their lives and fight for your freedoms, you should be ashamed.”^{xxiii}
- Jonathan Ngowaki, a Marine Corps radio operator in Afghanistan, said a for-profit college signed him up for a \$15,000 loan without his knowledge. “I went into the military so I wouldn’t have college debt, but now I have this debt and I have a family and it’s taken that money away from my family. It’s all about the money. It’s all a money game. It really bothers me.”^{xxiv}
- Marine Corporal Anselm Caddell: “When I attempted to transfer my units from Brown Mackie to Pasadena City College in California, I found out that none of my units transferred because they didn’t have the right level of accreditation. Not only did Brown Mackie lie about their accreditation level but they lied about (the) level of education they offer... I have a debt with nothing to show for it and am struggling to stay afloat.”^{xxv}
- Air National Guard Corporal Chad Putnam: “I was told that the Art Institute had a 93% job placement rating and since the Art Institute had campuses all over the U.S., that I would have access to a nationwide network of employers... It wasn't until near the end of my schooling that I began to realize that a lot of the training I was getting was outdated, in some instances by a few years, and that I had a long way to go until I was up to par with the industry standards. I also found out that... my program had a success rate of only 38%. I have student loans that I am going to be paying off for years and really I have nothing to show for it.”^{xxvi}

Attached to this testimony, please find the personal stories of 40 veterans who have written within this past year about the deceptions they faced from predatory education companies.

Sadly, the deception is widespread. The U.S. General Accounting Office ran two undercover investigations, sending undercover agents to pose as students. Every single one of 15 large for-profit colleges deceived federal undercover officers about the quality of education, cost, and likely job and salary for graduates.^{xxvii} Four colleges engaged in actual illegal fraud. The undercover officers then registered as students at those colleges, and found the “education” of such low quality that students were encouraged to cheat and received top grades for submitting photos of

celebrities in lieu of a required essay.^{xxviii} As just one example, The University of Phoenix had to pay the federal government \$78.5 million in 2009 and another \$9.8 million a few years earlier, for violating a law that tries to protect students from recruiter lies by forbidding schools from paying recruiters by the number of students they enroll.^{xxix}

Marketing and Recruiting is Aggressive, in Addition to Being Deceptive

In addition to being deceptive, the marketing and recruiting targeting veterans and service members is often more aggressive than that targeting other students. A veteran and staffer at VFW tested the system by entering his name and information in one of the websites that serve as lead generators for the for-profit education companies. He told National Public Radio, “Within three to four days, I got in excess of 70 phone calls and I got well over 300 emails” from for-profit colleges.^{xxx}

In addition, for-profit college salesmen are recruiting on military bases and VA hospitals. As *Business Week* reported, Ashford University even signed up a Marine with traumatic brain injury convalescing in a military hospital. “U.S. Marine Corporal James Long knows he’s enrolled at Ashford University,” *Business Week* reported. “He just can’t remember what course he’s taking.”^{xxxi}

90/10 Loophole

We have learned that the reason for-profit colleges engage in deceptive and aggressive marketing and recruiting targeting service members and veterans is because of a loophole in federal law. The Higher Education Act forbids for-profit education companies from receiving more than 90 percent of their revenues from federal education aid, but the G.I. Bill was dormant at the time the law was enacted (prior to the establishment of the post-9/11 G.I. Bill), and neither the G.I. Bill, nor Defense Department tuition assistance, are specifically named in the list of federal education aid. For-profit colleges count the G.I. Bill and military tuition assistance as private, non-federal dollars to help them avoid the 90% cap on federal aid. (Twenty-two state Attorneys General, including the Massachusetts Attorney General, wrote Congress that the for-profits’ practice of counting the G.I. Bill and Defense Department student aid as “private dollars” was a violation of the intent of the federal cap, if not the actual letter of the law.^{xxxii})

Because of this 90/10 loophole, for-profit colleges are eager to enroll students using the G.I. Bill and Defense Department tuition assistance – so eager that some predatory education companies engage in deceptive and aggressive marketing to sign up veterans and service members.

Federal policymakers are well aware of the problem. As Holly Petraeus, the head of service member affairs at the federal Consumer Financial Protection Bureau explained in her *New York Times* op-ed, this 90/10 loophole “gives for-profit colleges an incentive to see service members as nothing more than dollar signs in uniform, and to use aggressive marketing to draw them in.”^{xxxiii}

Senate Education Chairman Tom Harkin, who is himself a veteran and who led a Senate investigation^{xxxiv} into these deceptions, explained: “For-profit schools see our active-duty military and veterans as a cash cow, an untapped profit resource. It is both a rip off of the taxpayer and a slap in the face to the people who have risked their lives for our country.”^{xxxv}

Findings from the U.S. Senate Investigation

The U.S. Senate Committee on Health, Education, Labor and Pensions analyzed several years of federal data from the Departments of Defense, Education, and Veterans Affairs to understand where federal G.I. Bill dollars and Defense Department student aid are going. That federal data revealed the following^{xxxvi}:

- For-profit colleges have skyrocketed their recruitment of veterans and military students, increasing over 200 percent in just one year.^{xxxvii}
- Eight of the ten schools receiving the most G.I. Bill dollars are now for-profit colleges. The University of Phoenix alone took in more than \$200 million in the two most recent years for which government data is available.^{xxxviii}
- Those eight for-profit colleges take in \$1 billion dollars in G.I. Bill dollars, but almost half a million veterans dropped out of these eight colleges within the first year – most of them within the first four months.^{xxxix}
- For-profit colleges cost taxpayers twice the tuition of public colleges and universities.^{xl}
- For-profit schools collected more than one-third of all G.I. Bill funds, but trained only 25 percent of veterans, while public colleges and universities received only 40 percent of G.I. Bill benefits but trained 59 percent of veterans.^{xli}
- While public universities and non-profit colleges sink the vast majority of their funds into educating students, for-profit colleges set aside very little to education – only 17 percent on average.^{xlii} The rest goes to profit (20 percent, on average), to TV ads and call centers to recruit more students (also more than 20 percent, on average) and to CEO salaries of, on average, \$8 to 9 million per year, but with some making up to \$20 and \$40 million dollars^{xliii} (compared to the non-profit college President’s average of less than \$400,000).

As just one example, the University of Phoenix takes in more G.I. Bill dollars than any other college or university in the country, but spends less on education (less than \$900 per student per year) than almost any other college in the country, instead setting aside more than \$1 billion for profit and another almost \$1 billion to the call centers and other marketing and recruiting.^{xliv} (Compare this to more than \$11,000 spent on instruction, per student, by the public University of Arizona.^{xlv}) Because of the low quality education, the University of Phoenix has one of the worst withdrawal rates of schools receiving G.I. Bill (50% withdrawal by its bachelors degree students and 66% withdrawal by its associate students, compared to 13% withdrawal at the University of Maryland and 26% at the University of Texas – the

only two public universities among the 10 schools receiving the most G.I. Bill dollars)^{xlvi}. Astonishingly, the University of Phoenix has more than 8,000 recruiters promising a bright future to prospective students, but zero job placement staff, in the latest government data.^{xlvii}

For all these reasons, we welcome Massachusetts proposed regulation 940 CMR 31.00.

ⁱ See Testimony of Eric Schmitt, U.S. Senate Committee on Health, Education, Labor & Pensions, "Drowning in Debt: Financial Outcomes of Students at For-Profit Colleges," June 7, 2011, *available at*: <http://www.help.senate.gov/imo/media/doc/Schmitt.pdf>

ⁱⁱ See Testimony of Yasmine Issa, U.S. Senate Committee on Health, Education, Labor and Pensions, "Emerging Risk? An Overview of the Federal Investment in For-Profit Education," June 24, 2010, *available at*: <http://www.help.senate.gov/imo/media/doc/Issa.pdf>

ⁱⁱⁱ See New York Attorney General Press Release, "A.G. Schneiderman Announces Groundbreaking \$10.25 Million Dollar Settlement With For-Profit Education Company That Inflated Job Placement Rates To Attract Students: Agreement Goes Above And Beyond Federal And State Requirements For For-Profit Education Industry," August 19, 2013, *available at* <http://www.ag.ny.gov/press-release/ag-schneiderman-announces-groundbreaking-1025-million-dollar-settlement-profit>

^{iv} See <http://www.wsocv.com/news/news/whistleblower-9-students-say-they-were-misled-by-1/nGSy3/>

^v See Sarah Childress, "Is GI Bill.Com Misleading College-Bound Veterans?" PBS Frontline, June 7, 2012, *available at* <http://www.pbs.org/wgbh/pages/frontline/education/educating-sergeant-pantzke/is-gibill-com-misleading-college-bound-veterans/>

^{vi} See, e.g., CBS News, "California AG Sues Corinthian, Heald College Group For False Advertising," October 10, 2013, *available at*: <http://sanfrancisco.cbslocal.com/2013/10/10/california-ag-sues-corinthian-heald-college-group-for-false-advertising/>

^{vii} See Testimony of Christopher Neiweem, U.S. Senate Committee on Appropriations, "Hearing on Voluntary Military Education Programs," June 12, 2013, *available at*: <http://www.appropriations.senate.gov/ht-defense.cfm?method=hearings.view&id=3f3ad71e-2ee7-4e14-b4f9-8b67aea4c947>.

^{viii} See Colorado Attorney General Press Release, "Attorney General Announces \$4.5 Million Settlement with Westwood College to Address Deceptive Business Practices," March 14, 2012, *available at*:

http://www.coloradoattorneygeneral.gov/press/news/2012/03/14/attorney_general_announces_45_million_settlement_westwood_college_address_dece

^{ix} See Colorado Attorney General Press Release, "Attorney General Announces \$4.5 Million Settlement with Westwood College to Address Deceptive Business Practices," March 14, 2012, *available at*:

http://www.coloradoattorneygeneral.gov/press/news/2012/03/14/attorney_general_announces_45_million_settlement_westwood_college_address_dece

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- ^x See “For Profit College: Costly Lesson: Steve Kroft Reports Whether or Not Career Colleges Pay Off,” CBS 60 Minutes, August 11, 2005, *available at* <http://www.cbsnews.com/news/for-profit-college-costly-lesson-11-08-2005/>.
- ^{xi} See Testimony of Christopher Neiweem, U.S. Senate Committee on Appropriations, “Hearing on Voluntary Military Education Programs,” June 12, 2013, *available at*: <http://www.appropriations.senate.gov/ht-defense.cfm?method=hearings.view&id=3f3ad71e-2ee7-4e14-b4f9-8b67aea4c947>.
- ^{xii} See Eric Lipton, “Profits and Scrutiny for Colleges Courting Veterans,” *New York Times*, December 8, 2010, *available at* <http://www.nytimes.com/2010/12/09/education/09colleges.html>
- ^{xiii} See Chris Kirkham, “With Goldman’s Foray into Higher Education, A Predatory Pursuit of Students and Revenues,” *Huffington Post Business*, October 14, 2011, *available at*: http://www.huffingtonpost.com/2011/10/14/goldman-sachs-for-profit-college_n_997409.html.
- ^{xiv} See Chris Kirkham, “With Goldman’s Foray into Higher Education, A Predatory Pursuit of Students and Revenues,” *Huffington Post Business*, October 14, 2011, *available at*: http://www.huffingtonpost.com/2011/10/14/goldman-sachs-for-profit-college_n_997409.html.
- ^{xv} See PBS Frontline, “Educating Sergeant Pantzke,” *available at* <http://www.pbs.org/wgbh/pages/frontline/educating-sergeant-pantzke/>
- ^{xvi} Recorded calls are available at <http://www.pbs.org/wgbh/pages/frontline/educating-sergeant-pantzke/recruiters-sales-pitch/>
- ^{xvii} Internal corporate documents are available here: http://www.huffingtonpost.com/2011/02/08/for-profit-college-recruiters-documents_n_820337.html, and here: http://www.help.senate.gov/imo/media/for_profit_report/Contents.pdf.
- ^{xviii} See Eric Lipton, “Profits and Scrutiny for Colleges Courting Veterans,” *New York Times*, December 8, 2010, *available at* <http://www.nytimes.com/2010/12/09/education/09colleges.html>
- ^{xix} See Executive Order 13607 of April 27, 2012, Establishing Principles of Excellence for Educational Institutions Serving Service Members, Veterans, Spouses, and Other Family Members, *available at* <http://www.veteranseducationsuccess.org/resources/Executive-Order-13607.pdf>.
- ^{xx} See Remarks by the President and First Lady at Fort Stewart, Georgia, April 27, 2012, *available at* <http://www.whitehouse.gov/the-press-office/2012/04/27/remarks-president-and-first-lady-fort-stewart-georgia>.
- ^{xxi} See Eric Lipton, “Profits and Scrutiny for Colleges Courting Veterans,” *New York Times*, December 8, 2010, *available at* <http://www.nytimes.com/2010/12/09/education/09colleges.html>.
- ^{xxii} Student complaint to the U.S. Senate, U.S. Senate Committee on Health, Education, Labor & Pensions Report, “For Profit Higher Education: The Failure to Safeguard the Federal Investment and Ensure Student Success,” July 30, 2012 (chapter on Apollo), *available at* http://www.help.senate.gov/imo/media/for_profit_report/PartII/Apollo.pdf

^{xxiii} Student complaint to the U.S. Senate, U.S. Senate Committee on Health, Education, Labor & Pensions Report, “For Profit Higher Education: The Failure to Safeguard the Federal Investment and Ensure Student Success,” July 30, 2012 (chapter on Apollo), *available at*

http://www.help.senate.gov/imo/media/for_profit_report/PartII/Apollo.pdf

^{xxiv} See “Lawmaker Accuses Some For-Profit Colleges of Unfairly Targeting Vets,” NBC News, November 11, 2013, *available at*

<http://www.nbcnews.com/business/lawmaker-accuses-some-profit-colleges-unfairly-targeting-vets-8C11566148>

^{xxv} See Statement of Anselm Caddell, Veterans Student Loan Relief Fund, November 2013.

^{xxvi} See Statement of Chad Putnam, Veterans Student Loan Relief Fund, November 2013.

^{xxvii} See U.S. General Accounting Office, “For-Profit Colleges: Undercover Testing Finds Colleges Encouraged Fraud and Engaged in Deceptive and Questionable Marketing Practices,” GAO-10-948T, August 4, 2010, *available at*:

<http://www.gao.gov/products/GAO-10-948T>. Note that although for-profit college lobbyists objected to the tone of the GAO’s conclusions, they did not dispute the undercover recordings of deceptive recruiting, because those are indisputable.

^{xxviii} See U.S. General Accounting Office, “For-Profit Schools: Experiences of Undercover Students Enrolled in Online Classes at Selected Colleges,” GAO-12-150, October 31, 2011, *available at*: <http://www.gao.gov/products/GAO-12-150>.

^{xxix} See, e.g., U.S. Senate Committee on Health, Education, Labor & Pensions Report, “For Profit Higher Education: The Failure to Safeguard the Federal Investment and Ensure Student Success,” July 30, 2012 (chapter on Apollo), *available at*

http://www.help.senate.gov/imo/media/for_profit_report/PartII/Apollo.pdf.

^{xxx} See “For Profit Schools Under Fire for Targeting Veterans,” National Public Radio, April 9, 2012, *available at* <http://www.npr.org/2012/04/09/150148966/for-profit-schools-under-fire-for-targeting-veterans>.

^{xxxi} See Daniel Golden, “For Profit Colleges Target the Military,” *Business Week*, December 30, 2009, *available at*

http://www.businessweek.com/magazine/content/10_02/b4162036095366.htm

^{xxxii} See <http://migration.kentucky.gov/NR/rdonlyres/88B3C155-E62F-4355-8D83-FFA9C01DE0DD/0/9010letter.pdf>

^{xxxiii} See Hollister Petraeus, “For Profit Colleges, Vulnerable G.I.’s,” *New York Times*, September 21, 2011, *available at*

<http://www.nytimes.com/2011/09/22/opinion/for-profit-colleges-vulnerable-gis.html>.

^{xxxiv} See U.S. Senate Committee on Health, Education, Labor & Pensions Report, “For Profit Higher Education: The Failure to Safeguard the Federal Investment and Ensure Student Success,” July 30, 2012, *available at*

http://www.help.senate.gov/imo/media/for_profit_report/Contents.pdf.

^{xxxv} See Eric Lipton, “Profits and Scrutiny for Colleges Courting Veterans,” *New York Times*, December 8, 2010, *available at*

<http://www.nytimes.com/2010/12/09/education/09colleges.html>

xxxvi See “Senators Unveil New Data Detailing Alarming Trend of Misguided Use of America’s Veterans’ Education Benefits: Eight of the Ten Biggest Recipients of Post-9/11 G.I. Bill Education Funds are For-Profit Colleges with Poor Rates of Student Success,” September 22, 2011, *available at*:

<http://www.harkin.senate.gov/press/release.cfm?i=334149>; see also U.S. Senate Committee on Health, Education, Labor, and Pensions, “Benefitting Whom? For-Profit Education Companies and the Growth of Military Educational Benefits,” December 8, 2010, *available at*

<http://www.harkin.senate.gov/documents/pdf/4eb02b5a4610f.pdf>.

xxxvii *Id.*

xxxviii *Id.*

xxxix *Id.*

xl *Id.*

xli *Id.*

xlii *Id.*

xliii *Id.*

xliv U.S. Senate Committee on Health, Education, Labor & Pensions Report, “For Profit Higher Education: The Failure to Safeguard the Federal Investment and Ensure Student Success,” July 30, 2012 (chapter on Apollo), *available at*

http://www.help.senate.gov/imo/media/for_profit_report/PartII/Apollo.pdf

xlvi *Id.*

xlvi *Id.*

xlvi *Id.*