



Great Public Schools
for Every Student

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February 11, 2020

U.S. Senate
Washington, DC 20510

Dear Senator:

On behalf of the 3 million members of the National Education Association who teach and support students in schools and colleges in 14,000 communities, we urge you to vote YES on S.J. Res. 56 to overturn the U.S. Department of Education's revised 2019 Borrower Defense to Repayment rule, pursuant to the Congressional Review Act. Votes associated with this issue may be included in NEA's Report Card for the 116th Congress.

Congress added borrower defense to the Higher Education Act in 1992 to enable students to have their federal student loan debt discharged when predatory colleges lure them with false advertising, deception, and empty promises. The Education Department strengthened borrower defense in 2016 in light of Corinthian College's well-documented demise. Yet, rather than safeguarding students, Education Secretary Betsy DeVos is choosing to weaken the borrower defense rule and protect unscrupulous colleges. The 2019 Borrower Defense to Repayment rule would:

- Place the burden on students to prove colleges knowingly deceived them, although students have neither discovery rights nor the ability to get testimony from the institutions;
- Prohibit similar claims from being grouped together, forcing students to prove their claims individually;
- Place unreasonable time limits for seeking relief on defrauded students;
- Lift the prohibition barring colleges from requiring students to sign agreements that force them into arbitration when there is a dispute with a college; and
- End automatic loan relief for students whose colleges close before they graduate.

The DeVos rule is especially cruel considering that those who are most vulnerable to targeting by these predatory institutions include veterans, older students, students of color, disabled students, and students who are the first in their families to attend college. We urge you to oppose the DeVos rule and protect student borrowers and taxpayers by voting for S.J. Res. 56.

Sincerely,

Marc Egan
Director of Government Relations
National Education Association