

Durbin Calls on Senate Colleagues to Stand Up for Veterans and Students Defrauded by For-Profit Colleges

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WASHINGTON – U.S. Senate Democratic Whip Dick Durbin (D-IL) today, in a speech on the Senate floor, slammed Department of Education Secretary Betsy DeVos’ rewritten borrower defense rule that guts essential protections for student borrowers and taxpayers. Durbin urged his Senate colleagues to support his Congressional Review Act (CRA) resolution (S.J.Res. 56) of disapproval overturning the DeVos rule when it comes to the Senate floor for a vote. Durbin cited a letter urging the Senate to overturn the rule from American Legion National Commander, James W. “Bill” Oxford who wrote, “thousands of student veterans have been defrauded over the years—promised their credits would transfer when they wouldn’t, given false or misleading job placement rates in marketing, promised one educational experience...but given something completely different.”

“You’re going to get a chance now, Democrats and Republicans, to undo the mess created by the Secretary of Education. You will get a chance to stand for these student loan borrowers who have been defrauded. And equally important, a chance to stand up for veterans. How many speeches have been delivered on this floor about the men and women in uniform, and those who served, about how much we honor them? Honor them

by standing with the American Legion and voting to undo the borrower defense rule by Secretary DeVos,” Durbin said.

Video of Durbin’s remarks on the Senate floor are available [here](#).

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Footage of Durbin’s remarks on the Senate floor is available [here](#) for TV Stations.

The House is expected to vote on the House version of the measure, H.J.Res. 76 introduced by U.S. Representative Susie Lee (D-NV-03), tomorrow.

The DeVos borrower defense rule makes it almost impossible for borrowers who are defrauded by their school or harmed by their school’s closure to receive the relief to which they are entitled, and which Congress intended, under the Higher Education Act (HEA). According to an analysis by The Institute for College Access and Success, the DeVos borrower defense rule will cancel just three percent of all loans associated with misconduct.

CRA resolutions of disapproval allow Congress to overturn regulatory actions of federal agencies with a simple majority vote in both chambers. A time for consideration of the resolutions on the floor of the Senate will be coordinated with Senate leadership.

Specifically, the DeVos borrower defense rule:

- Cuts \$11.1 billion in expected relief to students compared to the 2016 rule, currently in effect, by making it more difficult for borrowers to obtain relief;
- Increases the burden on defrauded borrowers to gather and submit, often impossible to obtain, evidence to prove their claim including that the school intentionally harmed them;
- Requires borrowers to apply individually for relief rather than receiving automatic discharges when a group of borrowers has been harmed by widespread fraud or misconduct;
- Establishes a statute of limitations on claims—expiring 3 years after leaving school—despite the fact that a school’s misconduct often doesn’t become known until many years after it;
- Eliminates judgments against a school for misconduct as a sufficient ground for a borrower to receive a discharge;

- Eliminates prohibition on class action bans and mandatory arbitration clauses from the 2016 rule—practices used, primarily in the for-profit college industry, to prevent students from suing a school for misconduct in court;
- Eliminates ability for borrower whose claims are denied from having their claims reconsidered with new evidence;
- Eliminates automatic closed school discharge provision from the 2016 rule for schools that close after July 1, 2020—provision requires automatic discharge of loans for any borrower who has not enrolled in another Title IV program within three years of the school's closure.