

United States Senate

WASHINGTON, DC 20510

November 17, 2015

The Honorable Arne Duncan
Secretary
Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Secretary Duncan,

We write to request information regarding a non-public interagency task force on for-profit postsecondary institutions led by the Department of Education (“the Department”), which the Department noticed in October 2014.

This formal task force is comprised of not only the Department but also the Federal Trade Commission, the Consumer Financial Protection Bureau, the Internal Revenue Service, the Securities and Exchange Commission, the Department of Justice, the Department of Defense, the Department of Veterans Affairs and the Department of Labor in active engagement with states’ attorneys general. Yet, key questions regarding the task force’s authority, duties, responsibilities, goals, structure and actions remain unanswered. Despite that, individual members of the task force have propounded investigative requests for documents and information and taken adverse administrative or civil action against individual for-profit institutions in a manner apparently violative of due process. With this in mind, we ask that you answer the following questions in an effort to gain a better understanding of the workings of the Department’s interagency task force and provide a response no later than December 1, 2015.

1. Under what authority is the Department operating its interagency task force for for-profit postsecondary institutions?
2. Identify all officials who have headed the task force since its inception.
3. What federal and state agencies are involved in the interagency task force? And, please identify the agency representatives assigned to the task force?
4. When has the task force met? Please identify dates when the task force has met from inception to date.
5. Under what funding source(s) are the Department and the other federal agencies involved using to operate this task force?
6. From the task force’s inception to date, how much has the Department obligated and spent on activities associated with the task force? Please describe those activities.
7. What are the stated goals and priorities of the task force? And, what actions have been taken to accomplish the aforementioned goals and priorities?
8. Are there outside organizations who have appeared before, provided input or in some way been affiliated with the task force? If so, please identify those organizations.

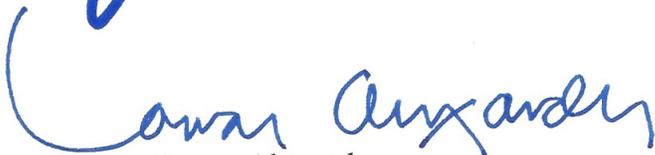
9. Either internally among federal or state agency members or partners of the task force or with any outside third party, does/has the interagency task force share/shared documents obtained through formal or informal information requests or other investigative proceedings by federal or state agencies or officials? If so, what process is used to protect privileged, confidential, or proprietary information?
10. Does the interagency task force operate according to the guidelines of the *Federal Advisory Committee Act* regarding reporting, open meetings, and public involvement? If not, why not?
11. What steps has the task force taken to ensure its actions are transparent and accountable to Congress, the taxpayer students attending for-profit institutions?
12. To what extent are meeting records or recommendations among task force participants available for public review?
13. Has the task force received letters from Members of Congress regarding oversight of for-profit institutions? If so, please provide copies of those letters.

We support proper oversight by the Department of Education of all post-secondary institutions to ensure traditional and non-traditional students have access to quality education. Those oversight actions must be transparent, fair and accountable to the American taxpayer. We look forward to your timely response and should you have additional questions, please feel free to contact David Cole (Senator McCain) at (202) 224-2235, David Shearman (Senator Isakson) (202) 224-9126, Robert Moran (Senator Alexander) at (202) 224-6770, Sarah Towles (Senator Flake) at (202) 224-4521, and Sean Riley (Senator Johnson) at (202) 224-5323.

Sincerely,



John McCain
United States Senator



Lamar Alexander
United States Senator



Ron Johnson
United States Senator



Johnny Isakson
United States Senator



Jeff Flake
United States Senator