



May 21, 2025

The Honorable Bill Cassidy, MD
Chairman
United States Senate Committee on
Health, Education, Labor and Pensions
Washington, DC 20510

The Honorable Bernie Sanders
Ranking Member
United States Senate Committee on
Health, Education, Labor and Pensions
Washington, DC 20510

Dear Chairman Cassidy and Ranking Member Sanders:

We are writing out of concern that the Health, Education, Labor & Pensions Committee is not planning to hold a hearing on President Trump's nominations to the U.S. Department of Education and specifically the nomination of Nicholas Kent to be Under Secretary of Education, the U.S. Department of Education's top policy position related to higher education.

The public will be poorly served if Mr. Kent's nomination proceeds through the HELP Committee without any examination of either: (1) Mr. Kent's past record at the troubled for-profit college operation Education Affiliates and his later employment at the for-profit college trade association Career Education Colleges and Universities (CECU); and (2) the Trump administration's troubling higher education actions and policies, particularly as they relate to accountability for predatory college abuses against students and taxpayers. Before the Committee and the Senate act on his nomination, senators should have an opportunity to question, and the public should have an opportunity to hear from, Mr. Kent, who was most recently Virginia's deputy secretary of education.

Issues with the Trump Administration's harmful policies on higher education that should be addressed include: the dismantling of oversight and investigative capacity at the Department; the termination of key staff; the elimination of the Department's research arm and cancellation of ongoing research contracts, the failure to act on borrower defense applications; the decision to cancel a \$37 million fine imposed on Grand Canyon University for deceptive practices; and policies concerning campus speech. The public should also hear from Mr. Kent regarding accreditation, the Department's regulatory agenda, and his vision for the future of higher education.

Senators should also have the opportunity to question Mr. Kent regarding his past employment at Education Affiliates and CECU.

Mr. Kent was previously an executive of Maryland-based Education Affiliates (EA), where he worked from 2008 to 2015, rising to the position of Vice President, Legislative and Regulatory Affairs. During the period he worked there, Education Affiliates faced civil and criminal investigation and actions by the U.S. Justice Department for deceptive practices. In 2015, after a two-year investigation, Education Affiliates agreed to pay \$13 million to settle a False Claims Act case by the Justice Department alleging that the company's All State Career School submitted false claims to the Department of Education for federal



student aid for its students. The Justice Department, according to its press release at the time, “alleged that employees at EA’s All State Career campus in Baltimore altered admissions test results so as to admit unqualified students, created false or fraudulent high school diplomas and falsified students’ federal aid applications, and that multiple EA schools referred prospective students to ‘diploma mills’ to obtain invalid online high school diplomas.” While we see no information that Mr. Kent was involved in any wrongdoing at Education Affiliates, the then-U.S. Under Secretary of Education (the same position to which Mr. Kent is now nominated) said of Mr. Kent’s employer, “The various cases that were settled here include numerous allegations of predatory conduct that victimized students and bilked taxpayers.”¹

Mr. Kent also worked as Chief Policy Officer, and before that Senior Vice President of Policy and Regulatory Affairs, at CECU, which lobbies Congress, the Department of Education, and other agencies on behalf of for-profit and career schools. During his tenure at CECU, from 2017 to 2023, there was ongoing public controversy regarding evidence that multiple large for-profit colleges had engaged in illegal conduct. CECU regularly advocated against laws and regulations, including the gainful employment rule, borrower defense rule, and the 90-10 rule, that help protect U.S. students against deceptive and predatory practices by some colleges, and better protect the taxpayer investment in student aid. CECU’s membership over time has included Corinthian, ITT Tech, EDMC, Career Education Corp./Perdoceo, Kaplan, DeVry, Bridgepoint/Zovio, Westwood, Center for Excellence in Higher Education, Education Corp. of America, ATI, and FastTrain, all of which, like Education Affiliates, have been investigated for deceptive and unlawful conduct and have faced adverse actions or court verdicts, or settled cases with law enforcement agencies.

Senators should be given the opportunity to inquire whether Mr. Kent, who has represented the interests of wealthy for-profit college owners for a significant part of his career, and opposed policies to help protect students and spend fewer taxpayer resources on programs that do not serve students, is the right person to lead the side of the Department responsible for setting higher education policy. And Mr. Kent should be asked about whether the stated goal of the Trump administration’s DOGE effort – to fight waste, fraud, and abuse in government – is being served by allowing a return to unchecked abuses

¹ Justice Department press release, “For-Profit Education Company to Pay \$13 Million to Resolve Several Cases Alleging Submission of False Claims for Federal Student Aid,” June 24, 2015, <https://archives.fbi.gov/archives/baltimore/press-releases/2013/school-proctor-and-admissions-officer-plead-guilty-in-student-financial-aid-fraud-scheme>; Justice Department press release, “School Proctor Sentenced To Prison In Student Financial Aid Fraud Scheme,” May 15, 2014, <https://www.justice.gov/usao-md/pr/school-proctor-sentenced-prison-student-financial-aid-fraud-scheme>; FBI press release, “School Proctor and Admissions Officer Plead Guilty in Student Financial Aid Fraud Scheme,” November 06, 2013, <https://archives.fbi.gov/archives/baltimore/press-releases/2013/school-proctor-and-admissions-officer-plead-guilty-in-student-financial-aid-fraud-scheme>; Van Smith, “Baltimore’s All-State Career School is in federal law-enforcers’ cross-hairs,” *Baltimore Sun*, December 12, 2014, <https://www.baltimoresun.com/2014/12/02/baltimores-all-state-career-school-is-in-federal-law-enforcers-cross-hairs/>.



by schools that receive a disproportionate share of student loan funds yet have worse outcomes, on average, for students.

We ask that you delay the Committee markup of Mr. Kent's nomination and instead schedule a hearing, just as the Committee has done for recent nominees to this same position.

Thank you for your consideration.

Sincerely,

American Federation of Teachers AFL-CIO
New America Higher Education Program
Project on Predatory Student Lending
Student Borrower Protection Center
The Institute for College Access & Success
David Halperin, Attorney