

**Reasons why college loans must be allowed to have Standard Consumer Protections (like bankruptcy, statutes of limitations, Truth in Lending, etc.), and other key "talking points":**

~This chart was compiled by Gordon Wayne Watts of Lakeland, Fla.

– UPDATED: Tuesday, 04 October 2016

- 1) **“Morally,”** it is immoral for Congress to be 'OK' with all their rich buddies {{Credit Card users, banks, or the über-rich}} being allowed to file bankruptcy, and especially irresponsible Credit Card users (which is 'comparable' to college debt, as it, too, has no collateral), but to deny students. [source: Your conscience]
- 2) **“Practically”** speaking, restoration of these Standard Consumer Protections (particularly, bankruptcy, which acts as an 'Economic 2<sup>nd</sup> Amendment,' the student's main 'self-defense,' and a Conservative Free Market check against against predatory lending) would scare off lenders, and colleges would lower tuition in response to less “deep pockets” loan Dollar\$. [source: Basic common sense]
- 3) **“Practically”** speaking, since U.S. Taxpayers guarantee these toxic Predatory Loans, and since College Debt is close to 1.4 Trillion Dollars, it is close to 10% of the total National Debt, at the present time. Therefore, scaring off lenders (#2, above) and reversing the obscene increases in Loan Limits, taken together, would prevent the U.S. Dollar from crashing. NOTE: This is a prediction on my part, and I stand by it: If we don't fix the out-of-control skyrocketing Higher Ed debt, the U.S. \*\*\*will\*\*\* crash the U.S. Dollar, and we'll be like Greece or some 3rd-world nation, whose economy collapses. If it does not happen, then I am crazy, a liar, and a false prophet. [source: This is a conditional “if-this, then-that” prediction, and Time will tell if I'm right.]
- 4) **FACT:** College used to be Free (or very low cost) in America, and is presently Free (or very low cost) in Germany, and other developed nations. Therefore, it is not unreasonable to ask for even more modest reforms –such as those above. [sources: “Was college once free in United States, as Bernie Sanders says?,” *PolitiFact*, RATED “Mostly True” - By Amy Sherman on Tuesday, February 9th, 2016 at 4:00 p.m. <http://www.PolitiFact.com/florida/statements/2016/feb/09/bernie-s/was-college-once-free-united-states-and-it-oversea> ; see also: "GERMANY: Hamburg to scrap tuition fees," by: Michael Gardner, *UniversityWorldNews.com*, 25 September 2011, Issue No:190 <http://www.universityworldnews.com/article.php?story=20110923212949476> ; see also: "Republican Congressman breaks with party, admits college loans deserve bankruptcy," By Gordon Wayne Watts, *The Register*, <http://GordonWatts.com/BraveRepublicanBreaksRanksWithGOP-HigheEd.html> - <http://GordonWayneWatts.com/BraveRepublicanBreaksRanksWithGOP-HigheEd.html> Published: Wednesday, April 13, 2016 at 12:34 p.m., -UPDATED: Sunday, September 04, 2016 at 01:24 a.m. (EST-EDT)]
- 5) **FACT:** While there is much room for improvement, there is some bi-partisan support for some or all of these proposals. [source: "A Polk Perspective: Fix our bankrupt policy on student debt," By Gordon Wayne Watts, Guest columnist, *The Ledger*, <http://www.theledger.com/article/20160804/COLUMNISTS03/160809884/1382/edit?p=all&tc=pgall> August 04, 2016]
- 6) **“Legally,”** current U.S. Laws are illegal, that is, many experts say that current U.S. Bankruptcy Law regarding College Loans is Unconstitutional due to violation of **Equal Protection**. [sources: Connecticut law professor Philip Shuchman testified before Congress that removal of bankruptcy for college loans would violate Equal Protection: "Column: The student loan crisis that can't be gotten rid of," By Maureen 'Moe' Tkacik, *Reuters*, News | <http://www.reuters.com/article/us-student-loan-crisis-idUSBRE87E13L20120815> Wednesday, August 15, 2012, 8:48pm EDT]
- 7) **“Legally,”** when students were not told of the lack of bankruptcy & other 'standard' consumer protections when taking out the loan (which happened because Truth in Lending requirements were removed), **this violated fundamental Federal Due Process**, as it is a law void for vagueness, due to the lack of proper notice. [source: Case Law on laws 'Void for Vagueness,' and U.S. Constitution DUE PROCESS rights]
- 8) **“Legally,”** Title 11, Section 523(a)(8) of U.S. Code (the oppressive law in question), the current U.S. Laws on bankruptcy for student loans, also violate the **'uniformity clause,' Art. I, Sec. 8, Cl. 4 of the U.S. Constitution** [source: "Is the Mark Tetzlaff Case Over at the Supreme Court? Maybe Not., Posted by: Gordon Wayne Watts (Guest Post) (Debt Articles, Student Loan Bankruptcy Discharge), *GetOutOfDebt.org*, <https://GetOutOfDebt.org/98813/mark-tetzlaff-case-supreme-court-maybe-not> March 23, 2016]
- 9) **“Legally,”** another problem exists: The terms of my loan contract were ILLEGALLY changed after the fact, which violate **the U.S. Constitution's 'Contract Clause,' Art. I, Sec. 10, Cl. 1**, which is therefore Unconstitutional, BUT ALSO quite illegal, as you well know. (You just try entering into a contract with ANYBODY about ANYTHING, and try to change the terms without their permission. Just you try it... Not happening -- unless, of course, the victim is the poor, weak college student.) [source: U.S. Constitution as well as case law on Contract Law]
- 10) **The author of #5, above,** nearly won in court on behalf of Terri Schiavo, all by himself, so he ought to know a bit about law. [Sources: [1] *In Re: GORDON WAYNE WATTS (as next friend of THERESA MARIE 'TERRI' SCHIAVO)*, No. SC03-2420 (Fla. Feb.23, 2005), denied 4-3 on rehearing. (Watts got 42.7% of his panel) <http://www.FloridaSupremeCourt.org/clerk/dispositions/2005/2/03-2420reh.pdf> [2] *In Re: JEB BUSH, GOVERNOR OF FLORIDA, ET AL. v. MICHAEL SCHIAVO, GUARDIAN: THERESA SCHIAVO*, No. SC04-925 (Fla. Oct.21, 2004), denied 7-0 on rehearing. (Bush got 0.0% of his panel before the same court)]

<http://www.FloridaSupremeCourt.org/clerk/dispositions/2004/10/04-925reh.pdf> [3] *Schiavo ex rel. Schindler v. Schiavo ex rel. Schiavo*, 403 F.3d 1223, 2005 WL 648897 (11th Cir. Mar.23, 2005), denied 2-1 on appeal. (Terri Schiavo's own blood family only got 33.3% of their panel on the Federal Appeals level) <http://media.ca11.UsCourts.gov/opinions/pub/files/200511556.pdf> ]

- 11) **FACT:** “In 2010 the Department of Education reported collecting \$1.22 for every dollar in defaulted student loans it had guaranteed - and that's after the sharks and their shareholders and the obligatory outright fraud had taken their first round of cuts.” [source: *Reuters* column, by Tkacik, cited above. See also: "Why College Prices Keep Rising," By Alan Michael Collinge, Special to *The Register* | September 16, 2012, originally published at *FORBES*, <http://www.Forbes.com/sites/peterjreilly/2012/03/19/why-college-prices-keep-rising> on Mar 19, 2012 @ 06:43 AM] This suggests to me that those in power don't want to “fix” the predatory lending system, because they would “lose their cut,” and is especially troubling in light of how much “Big Money” salaries there are for University presidents, coaches, and too many wasteful programs & building project, who also want to avoid “losing their cut” of the obscene profits.
- 12) **“Legally,”** yet *another* problem exists: U.S. Colleges & Universities hold a **monopoly** on Higher Education, but it isn't seen (due to the fact that it's so widespread). However, **Dictionary.com** verifies & proves my claim, as it defines a 'monopoly' as: “exclusive control of a commodity or service in a particular market, or a control that makes possible the manipulation of prices. Compare duopoly, oligopoly.” <http://www.Dictionary.com/browse/monopoly> – College price-gouging students are more-able if (since) they hold a monopoly (which we all know is illegal). [source: case-law on monopolies – they're illegal, *hello?*]
- 13) **FACT:** The cost of college has risen VERY much, in comparison to the minimum wage, while the quality of Higher Education has declined, with America slipping farther & farther behind other nations. [sources: You will see this reported everywhere, if you but look.]
- 14) **FACT:** Over 1.2 MILLION people have signed a petition seeking College Loan Forgiveness. [sources: "Support Student Loan Forgiveness," Petition by Student Debt Crisis, <http://pac.petitions.moveon.org/sign/support-the-student-loan> hosted by *MoveOn* circa: 2012 ; See Also: "Will a million online signatures push Congress to take up student loan debt relief?," By Kitty Felde, 89.3, *KPCC, Southern California Public Radio*, <http://www.scpr.org/blogs/politics/2013/03/25/13037/will-a-million-online-signatures-push-congress-to> March 25, 2013 ; See Also: "1 Million People Show Support for Student Loan Forgiveness Act," By Katy Hopkins | Staff Writer, *U.S. News & World Report*, <http://www.usnews.com/education/best-colleges/paying-for-college/articles/2012/06/28/1-million-people-show-support-for-student-loan-forgiveness-act> June 28, 2012, at 4:15 p.m. ; See also: "Student Loans: 1 Million Signatures Delivered Asking Congress To Do More Than Low Interest Rates," By Tyler Kingkade Senior Editor/Reporter, *The Huffington Post*, [http://www.huffingtonpost.com/2012/06/27/student-loan-forgiveness-petition-delivered\\_n\\_1631852.html](http://www.huffingtonpost.com/2012/06/27/student-loan-forgiveness-petition-delivered_n_1631852.html) 06/29/2012 05:47 pm ET]
- 15) **FACT:** There are horrific “collateral damage” from huge college debt – which results in huge default rates, “including garnishment of wages and Social Security benefits, income tax refund offset and blocking renewal of professional licenses” [source: “Student Loan Debt Settlements,” *FinAid.org*, <http://www.finaid.org/loans/settlements.phtml> by Mark Kantrowitz] – and “Two state legislatures (Iowa and Montana) are considering bills that would repeal laws that allow states to suspend the driver’s licenses of student loan defaulters, Bloomberg reported in a March 25 piece on the topic.” [source: “22 States Where You Could Lose Your License for Not Paying Your Student Loans” <http://blog.credit.com/2015/03/22-states-where-you-could-lose-your-license-for-not-paying-your-student-loans-112628/> March 30, 2015 by Christine DiGangi] – and a spike in the rates of suicide directly attributable to stress from college loans debt [source: see the Feb 05, 2016 intervention in the US Supreme Court case, at these links: [http://GordonWatts.com/FannyDeregulation/Tetzlaff-case/DOCKET-15-485\\_Tetzlaff-v-ECMC.html](http://GordonWatts.com/FannyDeregulation/Tetzlaff-case/DOCKET-15-485_Tetzlaff-v-ECMC.html) or: [http://GordonWayneWatts.com/FannyDeregulation/Tetzlaff-case/DOCKET-15-485\\_Tetzlaff-v-ECMC.html](http://GordonWayneWatts.com/FannyDeregulation/Tetzlaff-case/DOCKET-15-485_Tetzlaff-v-ECMC.html) – **CONCLUSION:** When a person loses their chiropractor's license, their driver's license, and/or becomes suicidal, it **\*\*reduces\*\*** – not increases – the ability of the person to pay back the loan. [See also: “These States Will Take Your License for Not Paying Student Loans: Legislators are fighting such rules in several states <http://www.bloomberg.com/news/articles/2015-03-25/these-states-will-take-your-license-for-not-paying-student-loans> by Natalie Kitroeff @NatalieKitro: <http://Twitter.com/NatalieKitro> March 25, 2015 — 11:49 AM EDT]
- 16) **SEE ALSO:** “**The Lasting Impact on Students’ Lives:** I also found that students who graduate with excessive debt are about 10% more likely to say that it caused delays in major life events, such a buying a home, getting married, or having children. They are also about 20% more likely to say that their debt influenced their employment plans, causing them to take a job outside their field, to work more than they desired, or to work more than one job... **What Can Be Done?**... Colleges must also be given better tools to limit student borrowing. For example, college financial aid administrators must be permitted to reduce federal loan limits based on the student’s enrollment status and academic major.” [source: “Why the Student Loan Crisis Is Even Worse Than People Think,” *TIME*, by Mark Kantrowitz <http://time.com/money/4168510/why-student-loan-crisis-is-worse-than-people-think/> Jan. 11, 2016 – *Mark Kantrowitz is one of the nation’s leading student financial aid experts.*]