

**UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION**

**COMMISSIONERS: Maureen K. Ohlhausen, Acting Chairman
 Terrell McSweeney**

In the Matter of

**VICTORY MEDIA, INC., a corporation,
also d/b/a G.I. Jobs, and also d/b/a Military Friendly**

DOCKET NO. C-4640

COMPLAINT

The Federal Trade Commission, having reason to believe that Victory Media, Inc., d/b/a G.I. Jobs and also d/b/a Military Friendly, has violated the provisions of the Federal Trade Commission Act, and it appearing to the Commission that this proceeding is in the public interest, alleges:

1. Respondent Victory Media, Inc. (“Victory Media”), also doing business as G.I. Jobs, also doing business as Military Friendly, is a Pennsylvania corporation with its principal place of business at 420 Rouser Road, Suite 101, Moon Township, PA 15108.
2. Victory Media offers nationally recognized media brands, survey and ratings programs, reporting services and training.
3. Respondent creates and prepares advertising, marketing, and promotional content for educational institutions. Respondent disseminates this content to consumers through a variety of mediums, including the magazines *G.I. Jobs* (published monthly), the *Guide to Military Friendly Schools* (published annually), and *Military Spouse* (published monthly). According to Victory Media’s website, “Since 2001, G.I. Jobs® has been the premier brand and resource in military recruitment, offering articles, tips and online tools to help military transitioners and veterans explore different employment, education and entrepreneurship opportunities. We give specific, ‘how-to advice’ on everything from choosing a college to writing a resume to interviewing to industry and career highlights.”
4. These magazines typically contain articles on topics related to employment and education, as well as features on specific post-secondary schools and advertisements for educational institutions. Respondent places these magazines on military bases, in military hospitals, and in centers where the military’s Transitional Assistance Programs (“TAP”) are being held. TAP is a mandatory program that all service members who are separating from the military must attend. Respondent’s monthly magazines have a combined print circulation of over 145,000.

5. Respondent also owns and operates several websites directed at military consumers, including militaryfriendly.com, militaryspouse.com, and gjjobs.com. As part of its education outreach, Respondent often posts articles, lists, and other information on educational topics and about educational institutions on these websites. Respondent also maintains active profiles on social media platforms, including Facebook, Twitter, LinkedIn, and YouTube, on which it posts information about educational topics and educational institutions.
6. Respondent has described itself as an advisor to military consumers. For example, on the G.I. Jobs Facebook page, <https://www.facebook.com/pg/GIJobsMagazine/about/>, Respondent describes itself as “the number one choice of service members for advice on career and education opportunities,” explaining that “new veterans look to us for advice and tools to help them find the right jobs, education, and vocational training during and after leaving the military.”
7. The acts and practices of Respondent alleged in this complaint have been in or affecting commerce, as “commerce” is defined in Section 4 of the Federal Trade Commission Act.

The Matchmaker Search Tool

8. Respondent’s School Matchmaker tool (“Matchmaker”) has been a search function on Respondent’s gjjobs.com website that consumers could use to search for post-secondary schools based on name, location, or subject area of study.
9. Respondent has represented to military consumers that the Matchmaker searches through schools that are “military friendly” – a designation Respondent created based on publicly available data and a voluntary survey it sends to schools with questions related to the educational needs and interests of military students. For example, the following advertisement for the Matchmaker tool appeared in Respondent’s G.I. Jobs magazine, representing that the tool searches “military friendly” schools.



**MAXIMIZE YOUR
GI BILL MONEY
WITH THE**

#1

**COLLEGE TOOL
FOR VETERANS**

It's a big decision ... and an important one. We understand. With so much to consider, where do you even begin your search for the perfect school? The answer is simple: with the **G.I. Jobs School Matchmaker!**

With a few simple clicks you can quickly search hundreds of Military Friendly® Schools that have the exact degree you're looking for, provide the most credit hours for your military service and give you the highest BAH!

It's never been easier to find the perfect school that meets your post-military needs, exceeds your expectations and makes your transition from service member to student that much easier.

GIJOBS.COM/SCHOOLS

Visit the G.I. Jobs School Matchmaker today and take the guesswork out of finding the perfect school:

GI JOBS
SCHOOL MATCHMAKER

10. Similarly, Respondent has represented:

- “To help ease your stress, we publish an annual Military Friendly Schools list that’s augmented by the digital School Matchmaker tool at GIJobs.com.” (*G.I. Jobs*, February 2016)

- “School Matchmaker. Find the best Military Friendly Schools.” (*G.I. Jobs*, May 2016)
 - “Check out our new School Matchmaker – tell us what you’re looking for in post-military education and we’ll match you with a Military Friendly School that exceeds your expectations.” (www.gijobs.com)
 - “For a full list of military friendly schools, check out the G.I. Jobs School Matchmaker.” (www.militaryspouse.com)
11. Beginning in mid-2015, Respondent has included schools as possible search results for its Matchmaker tool only if the schools paid Respondent to be included, and regardless of whether Respondent has designated them as “military friendly” under Respondent’s criteria. Indeed, schools that Respondent’s internal documents state did not receive a high enough score on Respondent’s survey to be designated as “military friendly” have been included in the Matchmaker search if they paid to be included.

Articles, Emails, And Posts Promoting Paying Schools

12. Respondent has endorsed individual schools in certain articles, emails, and social media posts it creates discussing educational opportunities. Unbeknownst to consumers, in many cases, these schools have paid Respondent to be endorsed in those specific materials.
13. For example, Respondent has annually created and posted an article designated as “Hot Degrees” on its website gijobs.com. These articles list college degrees or certifications that Respondent asserts are in high demand. For each listed degree or certification, the articles then list, under the heading, “Find Your School,” schools that offer the degree or certification and that specifically paid to be promoted in such articles.
14. Respondent has created and included a list identifying specific schools Respondent recommended to be considered in an article on its website gijobs.com in May 2016 entitled “2016 Hot Jobs, Cool Degrees.” The following is a screenshot of a portion of one page of the article:



Communications

This degree, too, can lead down many paths in the business world, including management, advertising, public relations and sales.

Related Hot Jobs

Public Information Officer, Sales Representative, Marketing Specialist, Training & Development Specialist, Advertising Manager, Public Relations Manager, Media Relations Manager, Corporate Communications Director

Find Your School*

- Academy of Art University
- Creighton University
- CUNY College of Staten Island
- Fordham University
- Gardner-Webb University
- Golden Gate University – San Francisco
- Hawaii Pacific University
- Indiana Wesleyan University
- Lasell College
- Liberty University
- NYU Silver School of Social Work
- Regis College
- The University of Alabama
- Troy University
- University of Nebraska Online Worldwide
- West Virginia University

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Related Posts

Unbeknownst to consumers, the schools listed in this article are only those that have paid Respondent to be featured in such articles.

15. Indeed, Respondent's sales documents solicit schools to pay for advertising in the Hot Degrees articles. The following is a screenshot of one such document:

16. The document shows that Respondent specifically places “Advertisers” under the “Find Your School” heading at the end of these articles. The document also encourages schools to purchase this promotion by saying, “Make sure you don’t miss the opportunity to advertise your programs in this issue.”

Second Annual AMERICA'S HOT DEGREES FOR VETERANS™

BE A PART OF OUR SECOND ANNUAL LIST OF AMERICA'S TOP DEGREES FOR VETERANS*

Derived from data submitted for the annual Military Friendly® Employers list, the May 2015 issue of *G.I. Jobs*® will showcase the second annual list of America's hottest degrees for veterans. Hot Degrees are areas of study that map to in-demand jobs for veterans. All of these educational paths can lead to one of the 2015 Top 20 Hot Jobs for Veterans™.

Our special May issue will include descriptions of our top fields of study, plus schools that offer degrees in those fields.

As a school seeking high-caliber students, you know the value student veterans can bring to your classrooms. Make sure you don't miss the opportunity to advertise your programs in this issue.

- **Deadline for space is Friday, 3/20**
- **Deadline for artwork is Tuesday, 3/24**
- **See advertising rates below**

When you book your ad, be sure to let us know for which fields of study you are recruiting.

FIELDS OF STUDY

4-YEAR DEGREE OR MORE
Business Admin & Finance
Construction Management
Engineering

Healthcare
Information Technology
Operations & Logistics

FAST TRACK: TWO YEARS OR LESS
(Associate, certifications, licenses)

CDL
Health Care
Information Technology
Skilled Trades

G.I. JOBS® RATES

SIZE	GUARANTEED POSITIONING	1 TO 2 ADS	3 TO 5 ADS	6 TO 11 ADS	12 ADS
Full Page 4c					
Two Third 4c					
Half Page 4c					
Third Page 4c					
Third Page B&W					

Business Administration/Finance

Getting a bachelor's degree in business administration or finance will open many doors for transitioning service members. Depending on the career path you're interested in, these degrees can get you into a junior executive development program or a career as an operations manager, customer service supervisor or construction project manager. All of these positions are listed in the 2014 Hot Jobs for Veterans list, which was derived from the top jobs the Military Friendly Employers® are recruiting veterans for.

HOT BACHELOR'S DEGREES

- Business Administration
- Finance
- Accounting

RELATED HOT JOBS

- Business Administrator
- Finance Services Advisor
- Operations Manager
- Construction Project Manager
- Customer Service Manager/Rep
- Sales Rep
- Junior Executive Trainee
- Retail Manager

FIND YOUR SCHOOL*

Ball State University • Dakota State University • Embry-Riddle Aeronautical University
Excelsior College • Jones International University • Kansas State University
Kaplan University (Online) • Mercy College • Strayer University • University of Maryland University College • Troy University • University of Missouri

Technician

Technically speaking, the technician career field is broad enough to suit the USMC Nimitz through. There are plenty of job titles with the word technician, but here's one common thread: Employers need them. You may have technical skills you learned in the military that will translate very well to a civilian career as a technician. You might need civilian certification, depending on the type of technician. For other positions, your military training and OJT may do the trick.

Here are some of the hot certs and two-year degrees that could help you launch your civilian career.

HOT LICENSES

- Associate Degree in Electronics
- ComTrain Certification
- OSHA 10 Certification (Construction/Industry)
- CNC Computer Numerical Control Certification
- CNC Waterjet Certification
- Sideloader Forklift Certification

RELATED HOT JOBS

- Manufacturing Technician
- Telecommunications Technician
- Tower Technician
- Electromechanical Technician
- Service Technician
- Mechanical Engineering Technician
- Wind Technician

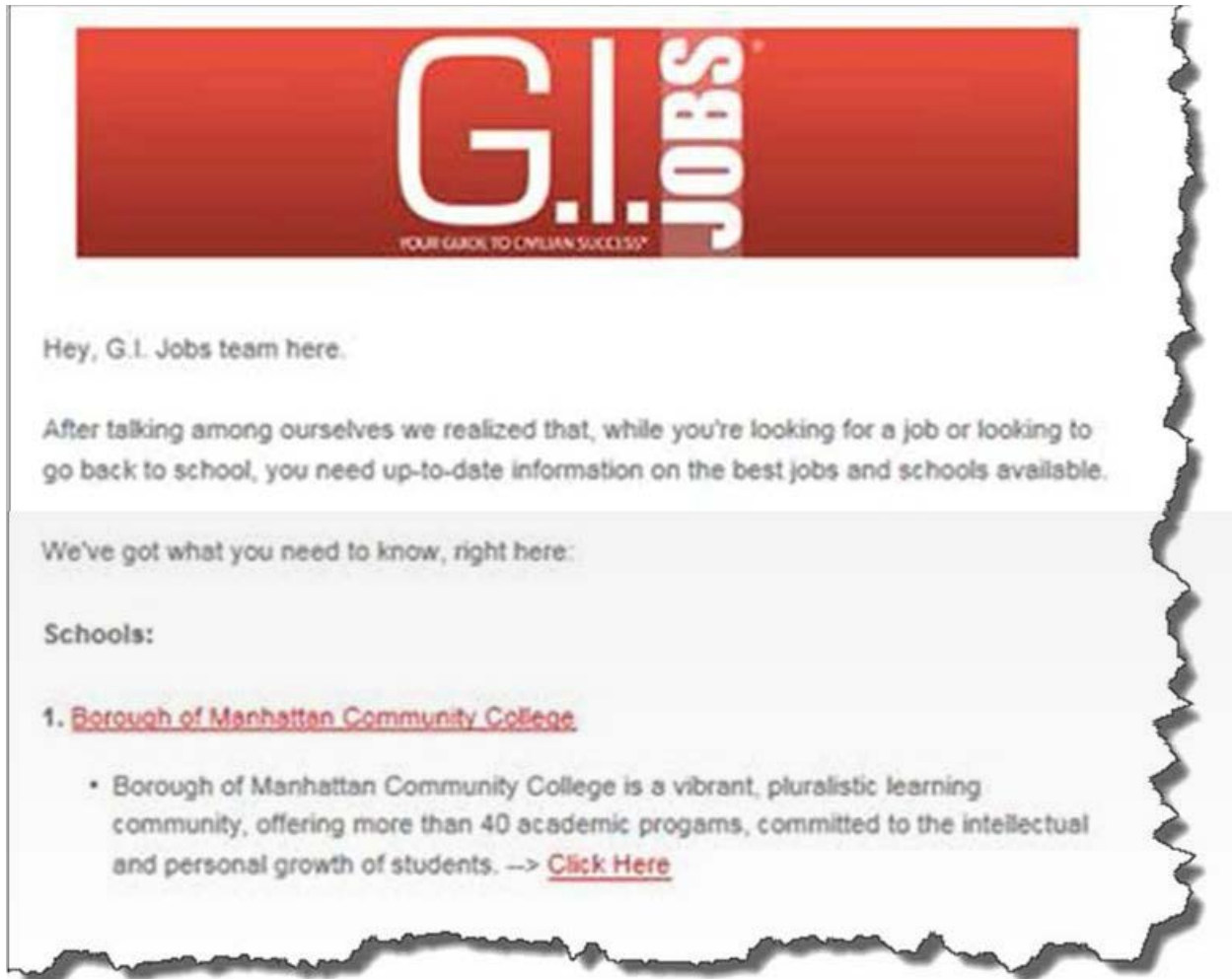
FIND YOUR SCHOOL*

Michell Technical Institute • Spartan College of Aeronautics and Technology
Lincoln Educational Services

**Schools listed in the "Find Your School" section are advertisers in this issue who are recruiting student veterans.*

Handwritten note: Park: Really cool pens!

17. Respondent also has created and distributed information to military consumers via regular emails (a service described internally as “Incoming Email”) and on its social media accounts, and Respondent has included in this information lists of specific schools Respondent endorsed. For example, the following is an excerpt of an email that Respondent sent to military and veteran consumers in August 2016:



Unbeknownst to consumers, all schools listed in this email have paid Respondent to be featured.

18. Since at least May 2016, all schools promoted in "Incoming Email" have paid to be included. Beginning in August 2016, the following disclaimer, which consumers could reach only by scrolling down through several screens, has appeared at the bottom of such emails in smaller, dense print:

Disclaimer

Our email communication may contain advertising and sponsorships from time to time. Advertisers and sponsors are responsible for ensuring that material submitted for inclusion in our email is accurate and complies with applicable laws. We are not responsible for the illegality or any error, inaccuracy or problem in the advertiser's or sponsor's materials.

THE INCLUSION OF THIRD PARTY ADVERTISEMENTS DOES NOT CONSTITUTE AN ENDORSEMENT, GUARANTEE, WARRANTY, OR RECOMMENDATION BY VICTORY MEDIA, INC. BRANDS AND WE MAKE NO REPRESENTATIONS OR WARRANTIES ABOUT ANY INSTITUTION, EMPLOYER, PRODUCT OR SERVICE CONTAINED THEREIN.

You should always perform proper due diligence when making important decisions.

The disclaimer does not disclose clearly and prominently to consumers that the specific schools promoted in the email have, in fact, paid Respondent for that promotion.

19. Respondent's sales documents solicit schools to pay to be included as endorsed schools in these emails Respondent sends to consumers. The following is an excerpt of one such document:



List your institution in a GI Jobs' Incoming Email, sent to thousands of transitioning service members and veterans who have opted into our email database.

Count I
Misrepresentations About Matchmaker

20. Through the means described in Paragraphs 8 through 11, Respondent has represented, directly or indirectly, expressly or by implication, that the School Matchmaker tool searches schools Respondent has designated as “military friendly” to find the right educational choice for the consumer.
21. In fact, in numerous instances in which Respondent has made the representations set forth in Paragraph 20 of this Complaint, it included schools that the Respondent had not designated as military friendly, and only included schools that paid to be included. Therefore, the representations set forth in Paragraph 20 are false or misleading.

Count II
Misrepresentations About Independence Of Endorsements

22. Through the means described in Paragraphs 12 through 19, Respondent has represented, directly or indirectly, expressly or by implication, that specific endorsements in content it prepared promoting post-secondary schools were independent sources of information regarding those schools and not paid advertising.
23. In fact, in many instances, the specific endorsements described in Paragraph 22 were not independent sources of information and were paid advertising. Therefore, the representation set forth in Paragraph 22 of this complaint is false or misleading.

Count III
Deceptive Failure To Disclose Material Connections

24. Through the means described in Paragraphs 12 through 19, Respondent has represented, directly or indirectly, expressly or by implication, that it recommends specific post-secondary schools for consumers in specific articles, social media posts, and emails it prepared.
25. In many instances in which Respondent has made the representation set forth in Paragraph 24 of this Complaint, Respondent has failed to disclose or disclose adequately that many of the specific post-secondary schools paid Respondent to be recommended. This fact would be material to consumers in evaluating Respondent’s claims concerning these schools as well as in considering whether to consult additional sources of information about these and other schools.
26. Respondent’s failure to disclose or disclose adequately the material information described in Paragraph 25, in light of the representation made in Paragraph 24, is a deceptive act or practice.

THEREFORE, the Federal Trade Commission this eleventh day of January, 2018, has issued this Complaint against Respondent.

By the Commission.

Donald S. Clark
Secretary

SEAL: