

# Federal Student Loans

## 2021 Federal Priorities for the Student Debt Crisis

### Policy Analysis

#### Reports, Briefs & Videos

- NCLC/SBPC Report: Collection At All Costs: Examining the Intersection of Mass Incarceration and the Student Debt Crisis, July 27, 2022
- NCLC/CLASP Report: Disproportionately Impacted: Closing the Racial Wealth Gap through Student Loan Cancellation, Payment Reforms, and Investment in College Affordability, June 2022
- NCLC/SBPC/CRL Issue Brief: Restoring the Promise of Income-Driven Repayment: An IDR Waiver Program Proposal, Jan. 12, 2022
- Issue Brief: Delivering on the Child Tax Credit: Protect Payments from Government Offset, September, 2021
- NCLC/CRL Brief: Almost Two in Three Navient Borrowers Enrolled in IDR Plans and Making Payments During COVID-19 Federal Student Loan Payment Pause Are Underwater (Last updated August 2021)
- Civil Rights Coalition Brief: Civil Rights Principles for Student Loan Debt Cancellation, April 2021
- Policy Brief: Education Department's Decades-Old Debt Trap: How the Mismanagement of Income-Driven Repayment Locked Millions in Debt, March 2021; press release
- Report: How States Can Help Students Harmed by Higher Education Fraud, January 2021; press release
- NCLC/CRL report: Road to Relief: Supporting Federal Student Loan Borrowers During the COVID-19 Crisis and Beyond, Nov. 2020; press release
- Brief: Borrowing From Our Future: The Case for Cancelling Student Debt, Aug. 10, 2020
- Report: Voices of Despair - How Seizing the EITC is Leaving Student Loan Borrowers Homeless and Hopeless During a Pandemic, July 2020; press release
- Video Explainer: What the CARES Act Means for Repayment of Federal Student Loans, April 21, 2020
- Brief: Congress Must Provide Relief to Defaulted Student Loan Borrowers; Recommendations for Higher Education Act Reauthorization, March 2020
- Brief: Three Tax Fixes to Improve the Federal Student Aid Program (NCLC and TICAS), March 2020
- Fact Sheet: What States Can Do to Protect Consumers: Student Loans, January 2020

More reports, briefs, & videos

#### Comments

- Legal Aid Coalition Comments to ED on Proposed Rules re: Borrower Defense, Arbitration, Interest Capitalization, PSLF, and Discharges for Closed School, False Certification, and Disability, August 12, 2022
- Joint Comment Letter to Dept. of Education re: Third Party Authorization Form, March 31, 2022
- Joint Comments of NCLC, SBPC, and CRL re: Unified Servicing and Data Solution, March 9, 2022

- Joint Memo by NCLC, CLASP & TICAS: Recommendation to Amend Law to Prohibit Offset of EITC and CTC, February 10, 2022
- Comment from NCLC and 30 other legal aid and advocacy organizations responding to the Department of Education's continued use of a borrower defense application form for Corinthian Colleges borrowers, asking that the Department instead provide a group discharge to those borrowers, Feb. 9, 2022
- Coalition comments re: Federal Preemption and Joint Federal-State Regulation and Oversight of the Department of Education's Federal Student Loan Programs and Federal Student Loan Servicers (Docket ID ED-2021-OS-0107), Sept. 13, 2021
- Joint NCLC and LAFLA comments to the Department of Education on HEA Negotiated Rulemaking, July 1, 2021
- Coalition comments to the Department of Education Sharing its Negotiated Rulemaking Priorities and Concerns About Title IV Funds, July 1, 2021
- Comments from NCLC and 37 legal services organizations to the Department of Education on HEA Negotiated Rulemaking, July 1, 2021
- Joint comments to the Department of Education re facilitating automatic student loan discharged for certain military veterans, Jan. 27, 2020
- Joint comments to the CFPB re: student loan borrower concerns re: proposed debt collection rule, Sept. 18, 2019
- Comments to the Department of Education re: Proposed Regulations on Recognition of Accrediting Agencies and Recognition Procedures for State Agencies, July 11, 2019

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## Testimony

- NCLC & Legal Aid Foundation of Los Angeles attorney Robyn Smith Supplemental Testimony of Robyn Smith Before the U.S. House of Representatives Subcommittee on Higher Education and Workforce Investment regarding "Protecting Students and Taxpayers: Improving the Closed School Discharge Process," October 21, 2021
- NCLC attorney Persis SiChing Yu testimony Before the U.S. Senate Committee on Banking, Housing, and Urban Affairs Subcommittee on Economic Policy re: "Protecting Student Loan Borrowers and the Economy in Upcoming Transitions," July 27, 2021
- NCLC attorney Persis Yu testimony before the U.S. House Financial Services Committee on A \$1.5 Trillion Crisis: Protecting Student Borrowers and Holding Student Loan Servicers Accountable, Sept. 10, 2019; Press Release
- Testimony of NCLC attorney John Rao at the U.S. House Judiciary Subcommittee hearing on "Oversight of Bankruptcy Law and Legislative Proposals," held on June 25, 2019, and focusing on the discharge of student loans in bankruptcy
- NCLC attorney Joanna K. Darcus' testimony to the U.S. House Financial Services Subcommittee on Oversight and Investigations re: "An Examination of State Efforts to oversee the \$1.5 Trillion Student Loan Servicing Market," June 11, 2019; Press Release
- NCLC attorney Joanna K. Darcus testimony to the U.S. House Appropriations Subcommittee on Labor, Health and Human Services, Education re: "Protecting Student Borrowers: Loan Servicing Oversight", March 6, 2019

More testimony

## Letters

- Coalition Letter to President Biden re: Public Service Loan Forgiveness Waiver & Income-Driven Repayment Adjustment, July 21, 2022

- Coalition Letter to Department of Education re: Public Service Loan Forgiveness Waiver & Income-Driven Repayment Adjustment, July 21, 2022
- Coalition Letter to President Biden re: extending pause on student loan payments, June 30, 2022
- Group letter calling on President Biden to cancel federal student debt immediately via executive action, May 27, 2022
- Group letter calling on U.S. Secretary of Education Miguel Cardona to reform broken, dysfunctional income-driven repayment (IDR) programs and fulfill the promise of IDR, Apr. 7, 2022
- Group Letter from over 200 organizations to President Biden urging extension of the pause on student loan payments, March 7, 2022
- Group Letter to Secretary Yellen re: CTC and EITC Protection from Offset, February 17, 2022
- Group Letter from over 200 organizations to President Biden urging extension of the pause on student loan payments, December 8, 2021
- Group Letter to the Department of Education discussing the impact of restarting repayment and involuntary repayment on defaulted borrowers, November 1, 2021
- Group Letter to President Biden urging immediate action to extend the current pause on student loan payments, June 24, 2021
- Group Letter to Secretary of Education Cardona in Support of Petition to Provide Relief for Borrowers with Disabilities, June 11, 2021
- Group Letter to Secretary of Education Cardona Requesting Relief for the Borrower Defense Fund, April 13, 2021
- NCLC and SBPC letter to Acting Secretary of Education Rosenfelt Calling for Immediate Covid-19 Relief for Commercial Federal Family Education Loan Program (FFELP) Borrowers, February 16, 2021
- NCLC and 237 other organizations call on Biden Administration to Cancel Student Loan Debt on Day 1, Nov. 18, 2020
- Group letter to U.S. Senate opposing the Safely Back to School and Back to Work Act, July 28, 2020
- Consumer and industry groups' letter urging Congress to extend CARES Act relief to all federal student loan borrowers, April 13, 2020

More letters

## Press Releases

- Press Release: President Biden's Order Canceling Federal Student Loan Debt Will Bring Transformational Relief to Millions, Aug. 24, 2022
- Press Release: Department of Education Provides Long Overdue Debt Relief to ITT Tech, Kaplan Students, Aug. 16, 2022
- Press Release: New Report Finds Incarcerated Federal Student Loan Borrowers Systematically Denied Access to Student Loan Relief, July 27, 2022
- Press Release Report: Student Debt Cancellation Will Help Fix Broken Student Loan System, Close Racial Wealth Gap, June 8, 2022
- Press Release: NCLC Advocates Applaud the Department of Education's Decision To Cancel Corinthian College Students' Federal Student Loan Debts, June 2, 2022
- Press Release: Biden Administration Sued Again Over Languishing Debt Relief Claims Disproportionately Shouldered by Communities of Color, May 19, 2022
- Press Release: Advocates Applaud ED Approval of \$238M Discharge for Marinello School of Beauty Borrowers, Apr. 28, 2022
- Press Release: Students and Consumer Groups Sue Biden Administration for Failing to Rule on

State AG Group Borrower Defense Claims, Apr. 26, 2022

- Press Release: Advocates Praise First Steps to Address Longstanding Failures in Income-Driven Loan Program, Apr. 19, 2022
- Press Release: The System is Still Broken: 115+ Organizations Renew Push for Overdue Reforms to Income-Driven Repayment (IDR), Apr. 7, 2022
- Press Release: Advocates Support Extension of Student Loan Payment Pause and Praise Removal of Loans from Punitive Default System, Apr. 6, 2022
- Press Release: Advocates Caution that Payment Pause Should be Extended Until Student Loan System is Fixed, Apr. 5, 2022
- Press Release: Statement in Response to CFPB's Sanctioning of EdFinancial for Deceiving Student Loan Borrowers, Mar. 30, 2022
- Joint Press Release: Advocates to Treasury Secretary Yellen: Protect CTC and EITC Payments in Tax Refunds, Feb. 17, 2022
- Press Release: Advocates Applaud Department of Education Decision to Protect CTC Payments in Tax Refunds from Seizure, Feb. 9, 2022
- Joint Press Release: The System is Broken: 100+ Organizations Urge Biden Administration to Aid Millions of Student Loan Borrowers with Overdue Income-Driven Repayment (IDR) Reforms, Feb. 9, 2022
- Joint Press Release: Advocacy Groups Request Meeting with Biden Administration Regarding the Impact of Student Loan Debt on Black Women, Jan. 31, 2022
- Joint Press Release: Navient Reaches \$1.85 Billion Settlement for Defrauding Millions of Students, Jan. 13, 2022
- Joint Press Release: Borrower Advocates Demand that Education Department Restore the Promise of Income-Driven Repayment, Jan. 12, 2022
- Press Release: NCLC Advocate Applauds the Biden Administration Extension of the Pause on Federal Student Loan Payments, but More Needs to Be Done, Dec. 22, 2021
- Press Release: U.S. Department of Education to Extend Federal Student Loan Servicing Contracts for Two Years, Oct. 15, 2021
- Press Release: Troubled Servicer Navient to Exit Federal Student Loan System, Sept. 28, 2021
- Press Release: Statement in Response to Education Department's Announcement on Student Loan Discharges for ITT Tech Students, Aug. 26, 2021
- Statement of NCLC's Persis Yu re: extension of student loan payment pause until 2022, Aug. 6, 2021
- Statement on PHEAA Not Extending its Servicer Contract with Dept. of Education, July 8, 2021
- National Consumer Law Center Advocates Support Education Department Giving Loan Relief for 18,000 Former ITT Students but Urge More Action, June 16, 2021
- Statement on Education Department's Appointment of Richard Cordray to Oversee Trillion Dollar Federal Student Aid, May 4, 2021
- NCLC and SPBC Statements on Partial Administrative Action to Protect Student Loan Borrowers During the Pandemic, March 30, 2021
- U.S. Department of Education's Action on Discharges for Borrowers with Total and Permanent Disabilities Falls Short, Mar. 29, 2021
- Joint Statement: Advocates Urge President-Elect Biden to Provide More Student Debt Relief, January 8, 2020
- Joint Statement: We Applaud Pressley/Omar/Adams/Waters Resolution to Cancel Student, December 22, 2020
- NCLC Advocates Applaud Schumer/Warren Senate Resolution Calling for \$50,000 in Debt Cancellation for 43 Million Student Loan Borrowers, Sept. 17, 2020
- Student Loan Borrowers Need Real Relief, Not a COVID Stimulus Plan that Will Bury Them Deeper in Debt, July 27, 2020
- Advocates Praise Senators for Bold Student Loan Principles, March 19, 2020

- Covid 19: What the U.S. Dept. of Education, Lenders and Student Loan Borrowers Should Do Now, March 13, 2020

More press releases

## Litigation

- *New York Legal Assistance Group v. Devos and U.S. Department of Education*, Amicus Brief and Exhibits 1-3, July 24, 2020
- *Barber, Jenkins et al vs Devos and U.S. Department of Education*, Case 1:20-cv-01137, May 7, 2020. Amended Complaint and Press Release.  
**Share your story if you have had wages garnished in 2020 for a student loan.** NCLC and Student Defense, with support of the Student Borrower Protection Center, filed an emergency APA lawsuit in the D.C. District Court against the U.S. Department of Education seeking to stop its garnishment of wages from defaulted student loan borrowers and to force the agency to immediately comply with Sec. 3513 (e) of the CARES Act that mandates that all such collections be ceased until at least next September. As reported by the Washington Post, the Education Dept. estimates that 285,000 borrowers are still having their wages garnished. A motion for injunctive relief class certification has also been filed.
- *Bodor v Maximus Federal Services, Inc.* Case No. 5:19-cv-05787-EGS in the U.S. District Court for Eastern Pennsylvania, December 19, 2019. Complaint and press release.
- *Robinson v National Student Clearinghouse*, April 18, 2019 Complaint  
 The Francis & Mailman firm, along with the National Consumer Law Center and Justice Catalyst Law filed a class action lawsuit against the National Student Clearinghouse (“NSC”) in the United States Federal District Court for the District of Massachusetts. The suit alleges that NSC maintains vast databases housing detailed information about college students and their college enrollment history from which it sells reports to potential creditors, insurers and employers among others. As such, the complaint asserts that NSC is a credit reporting agency under the Federal Fair Credit Reporting Act and the Massachusetts Credit Reporting Act and that it has violated those statutes by requiring unlawful and excessive charges for consumers to access their files. The complaint also asserts that the disclosure overcharges constitute unfair conduct in violation of the Massachusetts Consumer Protection Act. The plaintiff seeks to have the overcharging practices enjoined, the unlawful and excessive charges returned, applicable statutory damages and punitive awards for the willful and knowing violations of the consumer statutes.
- *National Consumer Law Center v. United States Department of Education*, Nov. 16, 2018, Complaint  
 The National Consumer Law Center filed a lawsuit in the U.S. District Court for the District of Massachusetts against the U.S. Department of Education to compel compliance with the Freedom of Information Act (FOIA). NCLC submitted a FOIA request in October 2017 to ED seeking the release of records associated with ED’s arrangements with Maximus Federal Services, Inc., or any other party operating in whole or in part under the name Default Resolution Group. FOIA requires that agencies have 20 working days to make a determination on the request. To date, thirteen months after receipt of NCLC’s Request, ED has not communicated to NCLC its determination as to NCLC’s Request, nor provided NCLC with any responsive documents.
- Amici Curiae Brief of National Consumer Law Center and 14 organizations in Support of Plaintiff-Appellant and Reversal in state preemption of consumer protection laws re: student loan servicing (*Nelson v. Great Lakes Educational Loan Services, Inc., et al*, July 2, 2018)
- Amicus Curiae Brief of Public Law Center, NCLC, Public Counsel in Support of Plaintiffs’ Motion for Preliminary Injunction in Case Challenging Dep’t of Education’s Abandonment of

Full Loan Relief for Defrauded Corinthian Students (*Manriquez v. DeVos*, April 16, 2018)

- Amici Curiae Brief of National Consumer Law Center and 17 organizations in Support of Plaintiffs' Motion for Summary Judgment in Case Challenging Department of Education's Delay of Borrower Defense Rule (*Bauer v. DeVos*, September 28, 2017)
- Amici Curiae Brief of National Consumer Law Center and 17 organizations in Support of Plaintiffs' Motion for Summary Judgment in Case Challenging Department of Education's Delay of Borrower Defense Rule (*Commonwealth of Mass. et al v. Department of Education*, September 28, 2017)
- Case against the United States Department of Education: The National Consumer Law Center is co-counsel in a Freedom of Information Act suit requesting public records of the U.S. Department of Education regarding race and debt collection practices of third-party debt collectors hired by the Department: Complaint, Exhibit 1 (FOIA request, May 7, 2015), Exhibit 2, Exhibit 3, and Exhibit 4, and press release

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