

Private Student Loans

2021 Federal Priorities for the Student Debt Crisis

National Consumer Law Center and Student Borrower Protection Center Complaint to Federal Trade Commission re: Vemo Education, Inc. alleging deceptive marketing practices of Income-Shared Agreements, May 31, 2020; press release.

Policy Analysis

Reports & Briefs

- Press release: CRL and NCLC Research Reveals Two-Thirds of Navient Borrowers Making Voluntary Loan Payments During COVID Student Loan Pause Are Underwater, Aug. 12, 2021
- Report: How States Can Help Students Harmed by Higher Education Fraud, January 2021; press release
- Policy Brief: Borrowing From Our Future: The Case for Cancelling Student Debt, August 10, 2020
- Fact Sheet: What States Can Do to Protect Consumers: Student Loans, January 2020

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Letters

- Coalition Letter to CFPB Regarding Training Repayment Agreement Provisions (TRAPs), Sep. 9, 2022
- Group Letter to the OCC re: the Partnership Between Blue Ridge Bank and Mentorworks, Apr. 20, 2021

Comments

- NCLC and 237 other organizations call on Biden Administration to Cancel Student Loan Debt on Day 1, Nov. 18, 2020
- Group comments to the Alternative Reference Rates Committee recommending stronger action to prepare for the December 2021 end of the LIBOR index (a commonly used interest rate index in mortgages and student loans), May 29, 2020
- Joint Comments to the CFPB re: student loan borrower concerns re: proposed debt collection rule, Sept. 18, 2019

Testimony

- 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
- 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

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Press Releases

- Press Release: Statement in Response to Education Department's Announcement on Student Loan Discharges for ITT Tech Students, Aug. 26, 2021
- NCLC Advocates Applaud Schumer/Warren Senate Resolution Calling for \$50,000 in Debt Cancellation for 43 Million Student Loan Borrowers, Sept. 17, 2020
- Statement Regarding CFPB and U.S. Department of Education MOU on Handling Student Loan Borrower Complaints, Feb. 4, 2020
- Statement Regarding Support of Bills to Relieve Student Loan Debt, July 23, 2019

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Litigation

- *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 U.S. Department of Education*, April 17, 2019, Complaint and Press Release
The National Consumer Law Center (NCLC) filed a Freedom of Information Act (FOIA) complaint against the United States Department of Education (ED) in the United States District Court for the District of Massachusetts (C.A. No. 1:19-cv-10739). In the action NCLC seeks to have the ED produce a copy of its contract (including related amendments) with the Pennsylvania Higher Education Assistance Agency (PHEAA), one of the private student loan servicing companies with whom ED contracts to handle billing and other services for federal student loans. The U.S. Department of Justice and ED have stressed the importance of the requested materials, citing the contract as a basis to support their pronouncement that state regulators and law enforcement agencies are prohibited from enforcing state consumer protection statutes against student loan servicers. To date, however, nine (9) months after NCLC filed a FOIA Request on July 18, 2018 seeking the release of ED's contract and related documents arising from its relationship with PHEAA, ED has not communicated to NCLC its determination as to NCLC's Request, nor provided NCLC with any responsive documents as required by FOIA. NCLC has requested the Court to declare that ED has violated FOIA by its failure to timely respond to NCLC's Request and its failure to make the requested records promptly available and to order ED to make the requested records available to NCLC without further delay.