

Campaign for the Future

NCLC's vision is for a nation in which economic opportunity is available to all.

The Campaign for the Future will transform NCLC into a stronger and more sophisticated consumer rights and economic justice advocacy organization—the kind of organization needed to achieve our vision.

Over the past year, NCLC has engaged our Board, Partners Council, staff, and other constituencies to identify the areas in which new resources are most needed to advance consumer rights and economic justice. With the support of our community, Campaign for the Future investments will be focused in the following broad areas:

Next Generation Campaign

Building a Bigger and Stronger Consumer Law Community

When NCLC was founded in 1969, there were few consumer lawyers and no real “consumer law community.” Over the past five decades, NCLC has worked tirelessly to build this community. Our definitive consumer law treatises, highly-attended conferences, and support of consumer lawyers through webinars, listservs and other forms of ongoing engagement make a daily difference for consumer lawyers, and have helped build a thriving community.

Our commitment is not only to support consumer lawyers in the present, but to build the consumer law community of the future.

Through the Campaign for the Future, NCLC aims to invest in new ways to continue building a bigger and stronger consumer law community. Those who have benefited from support, mentoring and expert assistance in the past have the opportunity to present those gifts to the next generation.

Through these priority investments, NCLC will work to continue building a pipeline of new consumer lawyers with high levels of expertise to tackle the consumer law challenges of the future.

Legal Aid Partnership Project

Strengthening NCLC's Support of Legal Aid Services for Low-Income Consumers

NCLC founding mission was to support the Legal Services Program, and that commitment has never wavered. Over five decades we have trained thousands of legal aid lawyers in consumer law, and provided resources they rely on to effectively represent their clients.

All Americans deserve equal access to justice—and justice requires access to good consumer lawyers.

In this era, legal services programs are in jeopardy, and resources are limited. Through the

Campaign for the Future, NCLC will strive to build a permanent pipeline of attorneys well-versed in consumer law, and work to ensure that legal aid lawyers receive the training and development opportunities they need to meet the complex consumer law challenges of the future.

State Advocacy Initiative

Expanding NCLC's Impact at the State Level

In this era of gridlock and regression at the national level, important consumer law fights are increasingly being fought at the state level. Some states offer opportunities for pro-consumer reform that are not currently feasible on the national level, and anti-consumer forces are active—often with little resistance—in others. NCLC has long fought to preserve the role of states in protecting consumers, and has always provided support to state advocates, but our resources to do so have been extremely limited. New resources will allow us to identify and respond to the most important threats and opportunities in the states and build lasting partnerships with state coalitions, which will positively impact state protections and also help NCLC mobilize state networks on federal issues.

Critical consumer law battles are being fought—and important opportunities for pro-consumer reforms exist—at the state level.

Through the Campaign for the Future, NCLC will be able to plan more pro-actively to engage on the most strategic and important initiatives, and to respond more quickly and aggressively when requests for assistance are made. Through these priority investments, NCLC will deepen our commitment to state advocacy to meet the challenges of the future.

Communications Capacity-Building Campaign

Enhancing NCLC's Ability to Reach Decision-Makers, Engage Supporters, and Influence Public Opinion

In the 21st Century, honing a persuasive message to cut through a cacophony of information is an essential component of any successful campaign, and more important than ever in building a lasting pro-consumer political environment.

In a challenging and chaotic political environment, using sophisticated techniques to reach decision-makers, influence public opinion and mobilize people to take action is necessary to protect important consumer laws and win pro-consumer reforms.

Through the Campaign for the Future, NCLC will invest in building the more sophisticated communications capacity it takes to win, investing in the tools and resources needed to tell the stories of our low-income clients, shape the debate, convey complex information in more easily-understood ways, and mobilize supporters and others who care about consumer rights and economic justice issues.

Through these priority investments, NCLC will become a more effective advocate for consumer protections, better able to shape public opinion and persuade policy makers on the consumer law issues of the future.

Advancing the Agenda Fund

Investing in New Strategies for Advancing Fairness in the Marketplace

For half a century, NCLC has used its expertise in consumer law and energy policy to work for consumer justice and economic security for low-income and other disadvantaged people in the U.S. Our traditional tools have included policy analysis and advocacy; consumer law and energy publications; litigation; expert witness services, and training and advice for advocates.

New tools and resources are needed for the next generation of consumer law advocacy.

Through the Campaign for the Future, NCLC will be able to invest in areas where we often lack resources—to allow us to get ahead of the curve and lead the way forward on a range of critical issues.

Through these priority investments, NCLC will advance our expertise and capabilities in several key areas to meet the challenges of the future.

If you would like to find out more about NCLC's Campaign for the Future please contact Paul Laurent at pl Laurent@nclc.org.

HONORARY Campaign Co-Chairs:

Senator Elizabeth Warren & Will Ogburn

- **Campaign for the Future Co-Chairs:**

- Elizabeth Cabraser - Lieff Cabraser Heimann & Bernstein
- Andy Spanogle (1933 -2020)

- **Campaign Chancellors:**

- Nancy Barron & Bryan Kemnitzer - KBK Legal
- Leonard Bennett - Consumer Litigation Associates
- Rob Bramson - Bramson Plutzik Mahler & Birkhaeuser
- Jim Francis & Mark Mailman & John Soumilas - Francis Mailman Soumilas, P.C.
- Scott Owens- Scott D. Owens, P.A.
- Anonymous

- **Campaign Cabinet:**

- Mark Chavez - KBK Legal
- Kristi Kelly & Andrew Guzzo - Kelly Guzzo, PLC
- Cary Flitter - Flitter Milz, P.C.
- Brian Wanca - Anderson + Wanca
- Jon Kravetz - Mintz
- Abbas Kazarounian & Robert Hyde - Kazerouni Law Group, APC

- **Campaign Counsel:**

- Mike Donovan - Donovan Litigation Group, LLC
- James Sturdevant - The Sturdevant Law Firm
- Hassan Zavareei - Tycko & Zavareei, LLP
- Joe Jones & Ben Wolf - Jones Wolf & Kapasi, LLC
- Matthew McCue - Law Office of Matthew P. McCue

- Seth Lesser - Klafter Olsen & Lesser, LLP
- Anonymous

CRLC 2019 and NCLC's 50th Anniversary Photo Highlights







Video: Visionaries Profile

The work of the National Consumer Law Center (NCLC) and its network is profiled in the 23rd season of *Visionaries*, the award-winning public television series hosted by acclaimed actor Sam Waterston of *Grace and Frankie*, and formerly of *The Newsroom* and *Law & Order*. The episode, now being shown on PBS stations across the country, profiles NCLC attorneys and its civil legal-aid partners on location in Atlanta, Boston, Detroit, and Washington, DC as they work to protect low-income families from wrongful eviction, foreclosure, and other unfair and deceptive consumer abuses.

Executive Director Rich Dubois encouraged *Visionaries* producers to emphasize that NCLC is more than a single non-profit organization with two offices in Boston and Washington, DC — that through the consumer law community NCLC has worked to build for five decades, it is in fact a national network of consumer champions, fighting together for economic justice.

NCLC is grateful to the supporters who underwrote NCLC's involvement in this program:

- Long-time NCLC Board member Jon Kravetz and his wife Janny
- Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.
- Boston Private
- Brian Wanca

To watch the entire show, visit <https://www.visionaries.org/organizations-profiled/-national-consumer-law-center>

Congress passed legislation to stop some unwanted robocalls, but critical measures must be taken by the FCC.

Last year, Congress passed the Pallone-Thune TRACED Act, officially putting telemarketers, scammers, and debt collectors on notice. Now, it is more important than ever that the FCC hear from consumers like you who are *still* being abused by harassing and disruptive robocalls.

Still getting unwanted robocalls? File a complaint with the Federal Communications Commission!

The final bill, signed into law by the President in December of 2019, includes elements from the bills passed in each chamber on a bipartisan basis: the Stopping Bad Robocalls Act by the House and the Telephone Robocall Abuse Criminal Enforcement and Deterrence (TRACED) Act passed by the Senate. *Now, consumers must weigh in and insist the FCC solidify and strengthen key parts of the bill and go further to stop unwanted robocalls.*

Send a message to the FCC urging them to strengthen consumer protections by:

- Providing clarification of disputed terms in the Telephone Consumer Protection Act that would prevent callers from continuing to call consumers who have not consented to robocalls, or who have withdrawn their consent for such calls;
- Mandating that call blocking programs be offered to all consumers.

Other Actions You Can Take

- **Tell us your story.** Have you been harassed by robocalls to your cell phone about a mortgage loan, a student loan, or some other type of debt? Then tell us your story.
- **Find an attorney** to help stop these calls to your cell phone.
- **LEARN MORE** about NCLC's work to **stop unwanted robocalls and defend the Telephone Consumer Protection Act.**

*By sending an email letter, you agree to receive occasional email updates from NCLC. You can unsubscribe at any time.

CFPB's Proposed Debt Collection Rule: Briefing and Action Items

June 19th 2-3PM (ET)

The Consumer Financial Protection Bureau has published its Proposed Debt Collection Rule in the Federal Register and comments are due August 19.

Join us on June 19, 2019 2:00-3:00PM (ET) for a Briefing and Strategy Session co-sponsored by the National Consumer Law Center and Americans for Financial Reform.

We will discuss what the proposed rule would do, what comments we need, and what else you can do to push the CFPB to finalize a rule that protects consumers.

Student Loans Archive

Report and Briefs

- Issue Brief: Federal Student Loan Relief after a Disaster: Your Guide to Short-Term and Long-Term Options, January 2018 (1-page Guide to Short-Term Relief with Two Quick Calls)
 - Préstamos Estudiantiles Después de un Desastre Natural: Su Guía Sobre Opciones de Asistencia a Corto y Largo Plazo, Enero 2018
 - Préstamos Federales Estudiantiles Después de un Desastre Natural: Su Guía para Obtener Asistencia Temporal con sólo dos Rápidas Llamadas, Enero 2018
- Pushed into Poverty: How Student Loan Collections Threaten the Financial Security of Older Americans (2017)
- Issue Brief: Defend the Department of Education's Borrower Defense Rule, January 2017
- Pounding Student Loan Borrowers: The Heavy Costs of the Government's Partnership with Debt Collection Agencies (2014)
- Ensuring Educational Integrity: 10 Steps to Improve State Oversight of For-Profit Schools (2014) (also executive summary, charts, toolkit and press release) Update: Step 2: Protecting Online Education Students (2015)
- Going to School on Robo-signing: How to Help Borrowers and Stop the Abuses in Private Student Loan Collection Cases (2014)
- Report: Improving college success for poor students (2014)
- No Lost Causes: Practical Ideas to Help Low-Income Students Succeed in College (2014)
- The Sallie Mae Saga: A Government-Created, Student Debt Fueled Profit Machine (2014)
- Report: Pounding Student Loan Borrowers: The Heavy Costs of the Government's Partnership with Debt Collection Agencies (2014)
- Searching for Relief: Desperate Borrowers and the Growing Student Loan "Debt Relief" Industry (2013)
- Borrowers on Hold: Student Loan Collection Agency Complaint Systems Need Massive Improvement (2012) and Update (2013)

- Report: Searching for Relief: Desperate Borrowers and the Growing Student Loan “Debt Relief” Industry (2013)
- The Student Loan Default Trap: Why Borrowers Default and What Can Be Done (2012)
- Report: The Student Loan Default Trap (2012)
- State Inaction: Gaps in State Oversight of For-Profit Higher Education: Report, Executive Summary, State-by-State Student Relief Chart, Press Release (2011)
- Piling It On: The Growth of Proprietary School Loans And the Consequences for Students (2011)
- Too Small to Help: The Plight of Financially Distressed Private Student Loan Borrowers (2009)
- Income-Based Repayment: Making it Work for Student Loan Borrowers (2008)
- Paying the Price: The High Cost of Private Student Loans and the Dangers for Student Borrowers (2008)
- Finding A Way Out: Improving the Assistance Network for Financially Distressed Student Loan Borrowers (2007)
- No Way Out: Student Loans, Financial Distress, and the Need for Policy Reform (2006)
- Making the Numbers Count: Why Proprietary School Data Doesn’t Add Up and What Can Be Done About It (2005)

Testimony and Comments

- Coalition comments opposing ED’s Interim Final Rule and Notice of Proposed Rule delaying implementation of the 2016 Borrower Defense Rule — a Rule intended to protect student borrowers from school fraud and abuse and abrupt closures, Nov. 19, 2017
- Comments to the DOE re: Intent to Establish Negotiated Rulemaking Committee; on Borrower Defense and Gainful Employment, July 12, 2017 and Consumer Groups’ Letter to Secretary of Education
- Testimony of NCLC attorney Joanna Darcus before the U.S. Department of Education re: Intent to Establish Negotiated Rulemaking Committee; Public Hearings on Borrower Defense and Gainful Employment, July 10, 2017 and Press Release
- Comments to Proposed Loan Discharge Applications, June 26, 2017
- Group comments on the fees charged on campus debit cards, June 8, 2017
- Testimony of Joanna Darcus before the Joint Committee on Consumer Protection and Professional Licensure in Support of An Act Establishing a Student Tuition Recovery Fund, June 6, 2017
- Comments from NCLC to the Department of Education on the Proposed Loan Discharge Application for Forgery, March 24, 2017
- Coalition letter to Congress from 50+ organizations supporting rules designed to protect students and taxpayers from fraud and abuse in higher education, Mar. 22, 2017
- Legal Aid Coalition Comments to the Department of Education re: Proposed Borrower Defense Application Form, Oct. 27, 2016
- Comments from NCLC and 10 other legal aid groups to the Dep’t of Educ. re Proposed Regulations Regarding State Authorization of Distance Education Programs, Aug. 24, 2016
- Coalition Comments of 41 student, veteran, civil rights, and consumer groups re: the Department of Education’s Proposals on Forced Arbitration, Class-Action Bans, and Mandatory Internal Dispute Processes , Aug. 1, 2016
- Comments from NCLC and 16 other legal aid groups to the Dept. of Education re: Proposed Regulations on Borrower Defenses and Use of Forced Arbitration by Schools in the Direct Loan Program, and Proposed Amendments to Closed School and False Certification Discharge Regulations, Aug. 1, 2016
- Coalition comments regarding borrower defense from 56 organizations that advocate for students, veterans, service members, civil rights, consumers, and college faculty and staff,

Aug. 1, 2016

- Coalition comments to U.S. Dept. of Education: suggestions for creating a system that promotes quality and consistent servicing, July 15, 2016
- Comments to the New York State Education Department and Board of Regents Opposing Proposed SARA Rules, June 16, 2016
- Group comments urging the FTC to retain and strengthen the Holder Rule, Feb. 12, 2016
- NCLC's Student Loan Borrower Assistance Project comments to the CFPB re: student loan servicing, July 13, 2015
- Comments to the Massachusetts DPL regarding the Revised Proposed Regulations for Private Occupational Schools, Sept. 26, 2014
- Comments on *Program Integrity: Gainful Employment Proposed Regulations*, May 27, 2014
- Testimony to the Office of the Attorney General of Massachusetts Regarding Proposed For-Profit School Regulations, February 21, 2014
- Written Testimony to the Massachusetts Joint Committee on Higher Education in Support of An Act to Form a Commission on For-Profit Schools, June 8, 2011
- Comments on *Program Integrity: Gainful Employment Proposed Rule*, September 8, 2010
- Comments to the Department of Education on Program Integrity Issues Proposed Rules, August 2, 2010
- SLBA Testimony About Program Integrity and Student Loan Reform, June 22, 2009
- Comments to the Federal Trade Commission on Vocational School Guides, October 2009

Letters

- Letter of opposition to HB 4508, the PROSPER Act, Dec. 11, 2017
- NCLC's Student Loan Borrower Assistance Project letter to the CFPB and U.S. Department of Education re: how the removal of the online Data Retrieval Tool might negatively impact student loan borrowers' ability to renew Income-Driven-Repayment plans, April 14, 2017 || CFPB response letter, May 2, 2017
- Coalition letter to Congressional Leadership re: Importance of CFPB to Protecting Student Loan Borrowers, Feb. 13, 2017
- Coalition letter to President Obama recommending improvements to the new federal student loan complaint system, Oct. 25, 2016
- Coalition Letter to Sec. King Calling for a Halt to Collection Against Former Corinthian Students and Automatic Student Loan Relief, Oct. 19, 2016
- Coalition letter to Education Secretary King on impact of student loans on borrowers of color, Aug. 17, 2016 || Press Release
- Coalition letter to Congress opposing amendments that would block the U.S. Dept. of Education's gainful employment regulations, June 21, 2016
- Comment letter to the Massachusetts State Senate Opposing Proposed SARA Amendment, May 23, 2016
- Coalition Letter to Secretary King Supporting Department's Commitment to Prompt and Full Implementation of Gainful Employment Rule, May 4, 2016
- Coalition letter to the National Advisory Committee on Institutional Quality and Integrity (ACICS) and the U.S. Department of Education urging the Department to deny accreditor ACICS's application for recognition, April 8, 2016
- Coalition letter urging New York State Commissioner of Education not to sign onto the Unified State Authorization Reciprocity Agreement because it does not adequately protect consumers from predatory for-profit colleges, March 14, 2016
- Coalition letter urging Congress not to approve budget bill riders that would restrict the Department of Education's ability to enforce consumer protection regulations applicable to for-profit colleges, Nov. 24, 2015

- Coalition letter urging Department of Defense not to lift order barring University of Phoenix from any recruitment-type activities on DoD installations and suspending the payment of Tuition Assistance to new or transfer students, Oct. 27, 2015
- Coalition letter opposing any appropriations riders that would block implementation of the Department of Education's gainful employment regulations, Oct. 21, 2015
- Letter to U.S. Dept. of Education Special Master Joseph Smith urging him to create a fair, transparent, and accessible process to assert defenses to repayment of their federal student loans, July 24, 2015.
- Coalition letter urging the U.S. Department of Education to include information about whether a college is the subject of government investigations or lawsuits on the college comparison website it plans to develop, July 22, 2015.
- Coalition letter urging the U.S. Department of Education to develop a proactive student-centered strategy to better protect students and taxpayers from education companies that may be breaking the law, June 3, 2015
- 78,000 Individuals and 50 Organizations Urge the U.S. Department of Education to Grant Debt Relief to Corinthian Colleges' Students, May 19, 2015
- Letter to the Secretary of Education regarding Debt Relief for Corinthian Colleges Borrowers, May 5, 2015
- Coalition letter urging the Department of Education to extend time period for closed school discharge eligibility and provide immediate and accurate information to students affected by recent Corinthian campus closures, May 1, 2015
- Coalition letter opposing HR 970/S 559 (Foxx-Kline) which would repeal federal regulations enacted to protect students from for-profit college fraud, including gainful employment regulations, April 23, 2015
- Statement on the Report of the Task Force on Federal Regulation of Higher Education, February 23, 2015
- Group letter to U.S. Dept. of Education re: Corinthian Colleges sale to ECMC and loss of students' legal rights by requiring students to sign forced arbitration clauses, Jan. 22, 2015.
- Group letter to the CFPB, U.S. Dept. of Education, and U.S. Dept. of Justice re: proposed sale of 56 Corinthian Colleges campuses to ECMC Group, Dec. 17, 2014
- Letter to Secretary Duncan re: Protections for Corinthian College Students, June 30, 2014
- Coalition letter to Arne Duncan, Secretary of Education, regarding Department of Education's proposed gainful employment regulations, May 27, 2014
- Written Statement of Deanne Loonin to the Massachusetts Division of Professional Licensure Office of Private Occupational School Education Regarding the Proposed Adoption of 230 CMR, March 28, 2014
- Coalition letter to the President calling for a strong and prompt gainful employment regulation, February 4, 2014

Press Releases

- After Multiple Lawsuits and Court Order, Education Department Finally Agrees to Provide Relief to Students Hurt By School Closures, Dec. 14, 2018
- National Consumer Law Center Files FOIA Lawsuit Against U.S. Department of Education, Nov. 16, 2018
- Press Release: Statement Regarding Resignation of Seth Frotman, Student Loan Ombudsman of the Consumer Financial Protection Bureau, Aug, 27, 2018
- Statement of NCLC attorney Abby Shafroth re: U.S. Department of Education Proposal to Abandon Rule Protecting Students and Taxpayers from Schools that Fail to Deliver Value, Aug. 10, 2018
- Press Release: Education Department Proposes New Rules that Would Make it Much Harder

- for Students Harmed by For-Profit Schools to Get Loan Relief, July 25, 2018
- Press Release: National Consumer Law Center Advocates Applaud California Attorney General's Lawsuit Against Navient for Shoddy Practices that Harm Student Loan Borrowers, June 28, 2018
 - Press Release: Advocates Condemn Move by Consumer Bureau's Mulvaney to Shutter Student Loan Division that Uncovered Major Abuses by Predatory Lenders, May 9, 2018
 - Civil Rights Principles for the Reauthorization of the Higher Education Act, April 2018
 - Press Release: Lawsuit Challenges Dept. of Education re: Delay of Rule to Protect Borrowers, April 19, 2018
 - Press Release: Students Defrauded by Marinello Schools of Beauty Obtain Related Discharges After Filing Suit Against the Department of Education, April 10, 2018
 - Press release: S. Department of Education's Plan to Protect Servicers and Debt Collectors that Lie to Borrowers, March 9, 2018
 - Press Release: Testimony of NCLC Attorney before U.S. Senate re: Financial Aid Simplification and Transparency, January 17, 2018
 - Press Release: Education Department Rolls Back Relief to Defrauded Corinthian Colleges Students, Dec. 20, 2017
 - NCLC Joins Legal Fight Student Borrower for Protections against Predatory Schools, Sept. 29, 2017
 - NCLC Attorney to Testify at U.S. Department of Education In Support of Important Protections against For-Profit School Fraud, July 10, 2017
 - NCLC Advocates Condemn U.S. Department of Education Blocking Important Protections against For-Profit School Fraud, July 6, 2017
 - Statement: NCLC Advocate Statement re: Education Secretary Withdrawal of Critical Student Loan Borrower Protections. April 11, 2017
 - Press Release: Statement re: CFPB Suit Against Navient Student Loan Servicer, January 18, 2017
 - Press Release: NCLC Advocates Applaud CFPB for Highlighting Older Student Loan Borrowers, January 5, 2017
 - Press Release: GAO Report Shows Draconian Consequences of SSA Offsets for Student Loan Borrowers, Dec. 20, 2016
 - Press Release: NCLC Advocates Applaud New Rules Designed to Better Protect Online Students from Predatory Schools, Dec. 16, 2016
 - Press Release: CFPB Report Shows Student Loan Rehabilitation Fails Many Borrowers, Oct. 17, 2016
 - Policy Brief: Stop Taking the Earned Income Tax Credit from Struggling Student Loan Borrowers, October 2016
 - Press Release: Advocates Applaud CFPB Action Against Bridgepoint Education for Predatory Student Lending Practices, Sept. 12, 2016
 - Press Release: NCLC Advocates Commend Department of Education's Actions against ITT to Protect Students and Taxpayers, Aug. 26, 2016
 - Press Release: NCLC and NACBA Laud CFPB for Stopping Illegal Practices by Student Loan Servicers and U.S. Dept. of Education Debt Collectors, Mar. 8, 2016
 - 47 Groups Call on Department of Education to Halt Federal Funding for Predatory Schools That Deny Students' Legal Rights, March 4, 2016
 - Press Release: New Education Rules Will Protect Students from High Fee Campus Prepaid and Debit Cards, Oct. 27, 2015
 - Press Release: 78,000 Individuals and 50 Organizations Urge the U.S. Department of Education to Grant Debt Relief to Corinthian Colleges' Students, May 19, 2015
 - Statement before the Middle Class Prosperity Project: Tackling the Student Debt Crisis, Apr. 2, 2015

- Going to School on Robo-signing: How to Help Borrowers and Stop the Abuses in Private Student Loan Collection Cases, April 2014
 - NCLC Advocates Applaud CFPB Lawsuit Against ITT, February 2014
 - Advocates Applaud CFPB's New Report on Private Student Loan Complaints, October 2013
 - CFPB Urged to Require Private Student Loan Modifications, Press Release, April 2013
 - Borrowers on Hold Report: Update, Press Release (2013)
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For-Profit and Predatory Schools

2021 Federal Priorities for the Student Debt Crisis

Policy Analysis

Reports & Briefs

- 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
- Report: Voices of Despair - How Seizing the EITC is Leaving Student Loan Borrowers Homeless and Hopeless During a Pandemic, July 2020; press release
- Fact Sheet: What States Can Do to Protect Consumers: Student Loans, January 2020
- Report: Gainful Employment: A Civil Rights Perspective, October 2019
- Fact Sheet: Top 10 Ways New Rules on Borrower Defense, School Closures, and Arbitration are Worse for Borrowers, September 2019
- Issue Paper: Defend the Department of Education's Borrower Defense Rule (2017)
- Updated Report: Ensuring Educational Integrity: 10 Steps to Improve State Oversight of For-Profit Schools (2014) Update to Step 2: Protecting Online Education Students (2015)
- Improving college success for poor students (2014)
- The Sallie Mae Saga: A Government-Created, Student Debt Fueled Profit Machine (2014)
- Searching for Relief: Desperate Borrowers and the Growing Student Loan "Debt Relief" Industry (2013)
- The Student Loan Default Trap (2012)
- State Inaction: Gaps in State Oversight of For-Profit Higher Education (2011)
- Piling It On: The Growth of Proprietary School Loans and the Consequences for Students (2011)

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Comments

- Group comments to the National Council for State Authorization Reciprocity Agreements urging policy revisions for Spring 2021, Nov. 30, 2020
- ACICS Coalition Comment for Feb 2021 Meeting to U.S. Dept. of Education re: Accrediting Council for Independent Colleges and Schools (ACICS), Nov. 20, 2020
- Group comments to the National Council for State Authorization Reciprocity Agreements re: NC-SARA Manual Modifications, Sept. 11, 2020

- Legal Aid Coalition comments to the U.S. Dept. of Education re: Proposed 2020 Universal Borrower Defense to Loan Repayment Form Listing of Elements, May 4, 2020
- NCLC and Legal Aid Foundation of Los Angeles comments to the U.S. Dept. of Education supporting the Department's proposed distance education regulations, May 4, 2020
- Group comments to National Council for State Authorization Reciprocity Agreements urging strengthening of its proposed manual changes for out-of-state online education, April 28, 2020
- Comments to the Dep't of Education re: Proposed Regulations on Recognition of Accrediting Agencies and Recognition Procedures for State Agencies, July 11, 2019
- Coalition comments regarding the U.S. Dep't of Education's proposed changes to IPEDS data collection, May 20, 2019
- Legal Aid Coalition Comments to the Dep't of Education re: Proposed Deregulatory Rulemaking on Higher Ed Consumer Protections, Sep. 14, 2018
- Legal Aid Coalition Comments to the Dep't of Education re: Proposed Regulations on Gainful Employment, Sep. 13, 2018
- Legal Aid Coalition Comments to DOE re: Proposed Regulations on Borrower Defenses and Use of Forced Arbitration by Schools in the Direct Loan Program, and Proposed Amendments to Closed School and False Certification Discharge Regulations, Aug. 30, 2018
- Civil Rights Coalition Comments in opposition to the Department of Education's proposed rewrite of the Borrower Defense Rule, Aug. 30, 2018
- Comments from 80 Groups Urging Department to Adopt Stronger Borrower Defense Rule and Opposing Proposed Rule, Aug. 30, 2018
- NCLC Comments Re: Proposed Delay of Program Integrity and Improvement, State Authorization of Distance Education Regulations, June 11, 2018
- NCLC Comments on Reauthorization of the Higher Education Act of 1965 to the Senate Committee on Health, Education, Labor and Pensions, February 23, 2018

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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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Letters

- Group Letter to Senate Majority Leaders Schumer and McConnell in Support of Closing the 90/10 Loophole in the American Rescue Plan of 2021, Mar. 4, 2021
- Group Letter to 117th Congress Urging Strengthening of Safeguards for Taxpayers and Students, Feb. 2, 2021
- NCLC letter and attachments to the Biden Transition Team re: Recommended Revisions to False Certification (Ability-to-Benefit) Discharge Policies and Regulations, Dec. 9, 2020
- Coalition letter to U.S. Department of Education and the National Advisory Committee on Institutional Quality and Integrity re: Compliance Report for ACICS, April 1, 2020
- Coalition letter to Sen. Durbin and Rep. Lee in support of repealing the 2019 Borrower Defense Congressional Review Act, Dec. 9 2019
- Coalition letter to Sens. Hassan & Durbin in Support of PROTECT Students Act, April 2, 2019

- NCLC replied to a letter by Senators Jones, Warren, Harris, and Cortez Masto requesting ideas on how to address racial disparities in student debt and the broader challenges faced by students of color in college and career training, Feb. 15, 2019
- Coalition letter to the U.S. Department of Education on the Department's failure to protect Education Corporation of America students (disproportionately students of color) leading up to the for-profit school's closure, Jan. 17, 2019
- Coalition Letter to Department of Education Calling for Actions to Assist Students Impacted by Abrupt Closures of ECA and Vatterott College, Jan. 8, 2019
- Coalition Letter to Department of Education on the Gainful Employment Disclosure Template, Jan. 7, 2019
- Letter to Sec. DeVos Requesting Guidance and Implementation of State Authorization of Distance Education Rule, March 26, 2018
- Civil Rights and Education Groups: Students of Color Must Be Protected from For-Profit College Exploitation: Civil Rights Community Opposes Repeal of Gainful Employment Rule, Sept. 13, 2018
- Coalition Letter to Dep't of Education: Deregulatory Agenda Will Weaken Critical Protections for Students, Sep. 13, 2018

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Press Releases

- Joint Statement: Advocates Urge President-Elect Biden to Provide More Student Debt Relief, January 8, 2020
- NCLC Advocates Applaud Schumer/Warren Senate Resolution Calling for \$50,000 in Debt Cancellation for 43 Million Student Loan Borrowers, Sept. 17, 2020
- Advocates Decry Congress's Failure to Protect Student Loan Borrowers and Taxpayers from School Fraud and Closures, June 26, 2020
- Advocates Urge President Trump to Join Congress in Restoring Rule to Protect Student Loan Borrowers from School Fraud and Closures, May 20, 2020
- Advocates Applaud Senate Vote to Restore Rule to Protect Borrowers from School Fraud and Closures, March 11, 2020
- Statement Regarding CFPB and U.S. Department of Education MOU on Handling Student Loan Borrower Complaints, Feb. 4, 2020
- Advocates Applaud U.S. House Vote to Restore Rule to Protect Borrowers from School Fraud and Closures, Jan. 16, 2020
- Advocates Condemn U.S. Department of Education Delays on Student Debt Relief for Disabled Veterans, Nov. 22, 2019
- Statement of National Consumer Law Center Attorney and Negotiator Robyn Smith on U.S. Department of Education's Harmful Departure from Consensus on State Authorization Distance Education Regulations, Nov. 1, 2019
- Education Department Erects New Barriers to Relief for Students Harmed by School Fraud and Closures; Protects For-Profit College Industry at Expense of Students, August 30, 2019
- Statement Regarding Support of Bills to Relieve Student Loan Debt, July 23, 2019
- National Consumer Law Center Attorney to Testify on June 11 before U.S. House Oversight Committee on Student Loan Servicing, June 10, 2019
- Press Release: Advocates: Dept. of Education Plan to Redo Rule that Protects Students Harmed by Illegal School Conduct Falls Short, Jan. 18, 2019
- Press Release: After Multiple Lawsuits and Court Order, Education Department Finally Agrees to Provide Relief to Students Hurt By School Closures, Dec. 14, 2018
- Statement of NCLC attorney Abby Shafroth re: U.S. Department of Education Proposal to

Abandon Rule Protecting Students and Taxpayers from Schools that Fail to Deliver Value, Aug. 10, 2018

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Litigation

- *New York Legal Assistance Group v. Devos and U.S. Department of Education*, July 20, 2020. Amicus Brief.
- *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.
- *National Consumer Law Center v. U.S. Department of Education*, April 19, 2018, Complaint
The National Consumer Law Center filed a lawsuit in the U.S. District Court for Massachusetts against the U.S. Department of Education for records related to its purported justification for delaying implementation of a rule to protect student loan borrowers from school fraud and abuse, including records of communications between agency officials and representatives of the for-profit college industry. NCLC filed a FOIA request for these records last summer and received limited, heavily redacted materials in response. NCLC asks the court to declare that the Department's search was inadequate and its withholding of the records is unlawful, and to order the agency to make the requested records available without delay. Public Citizen is serving as co-counsel on the case.
- 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 (Commonwealth of Mass. et al v. Department of Education, 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 (Bauer v. DeVos, September 28, 2017)

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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

- 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
- Report: Going to School on Robo-signing: How to Help Borrowers and Stop the Abuses in Private Student Loan Collection Cases (2014)
- Report: The Sallie Mae Saga: A Government-Created, Student Debt Fueled Profit Machine (2014)
- Report: Searching for Relief: Desperate Borrowers and the Growing Student Loan “Debt Relief” Industry (2013)
- Report: The Student Loan Default Trap (2012)
- Report: Piling It On: The Growth of Proprietary School Loans and the Consequences for Students (2011)

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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

- 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.

Student Loans Policy Analysis Archive

Federal Student Loans

2021 Federal Priorities for the Student Debt Crisis

Policy Analysis

Reports, Briefs & Videos

- 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
- Fact Sheet: Top 10 Ways New Rules on Borrower Defense, School Closures, and Arbitration are Worse for Borrowers, September 2019
- Report: Inequitable Judgments Examining Race and Federal Student Loan Collection Lawsuits, April 2019 Press Release; 2-Page Overview
- Brief: The Dark Side of Payroll Withholding to Repay Student Loans, Feb. 11, 2019 (Press Release)
- Report: Voices of Despair: Student Borrowers Trapped in Poverty When Government Seizes Their Earned Income Tax Credit Report and Press Release (2018)
- Issue Brief: Federal Student Loan Relief after a Disaster: Your Guide to Short-Term and Long-Term Options, January 2018 (1-page Guide to Short-Term Relief with Two Quick Calls)
 - Préstamos Estudiantiles Después de un Desastre Natural: Su Guía Sobre Opciones de Asistencia a Corto y Largo Plazo, Enero 2018
 - Préstamos Federales Estudiantiles Después de un Desastre Natural: Su Guía para Obtener Asistencia Temporal con sólo dos Rápidas Llamadas, Enero 2018
- Report: Pushed into Poverty: How Student Loan Collections Threaten the Financial Security of Older Americans and Press Release (2017)
- Report: The Sallie Mae Saga: A Government-Created, Student Debt Fueled Profit Machine(2014)
- Report: Pounding Student Loan Borrowers: The Heavy Costs of the Government's Partnership with Debt Collection Agencies (2014)
- Report: Improving college success for poor students (2014)
- Report: Searching for Relief: Desperate Borrowers and the Growing Student Loan "Debt Relief" Industry (2013)
- Report: The Student Loan Default Trap (2012)

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Comments

- 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
- Legal Aid Coalition comments to the Dep't of Education re: Proposed Deregulatory Rulemaking on Higher Ed Consumer Protections, Sep. 14, 2018
- Group comments to DOE re: Proposed Regulations on Borrower Defenses and Use of Forced Arbitration by Schools in the Direct Loan Program, and Proposed Amendments to Closed School and False Certification Discharge Regulations, Aug. 30, 2018

- Group comments in opposition to the Department of Education’s proposed rewrite of the Borrower Defense Rule, Aug. 30, 2018
- Coalition comments to the Department of Education on Evaluating Undue Hardship Claims in Bankruptcy, May 22, 2018
- NCLC comments on Reauthorization of the Higher Education Act of 1965 to the Senate Committee on Health, Education, Labor and Pensions, February 23, 2018

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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
- 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
- Testimony of NCLC Attorney before U.S. Senate re: Financial Aid Simplification and Transparency, January 17, 2018

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Letters

- 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
- Coalition letter to the U.S. House Ways and Means Committee supporting passage of The Stop EITC (Earned Income Tax Credit) and CTC (Child Tax Credit) Seizures Act (H.R. 5114) to protect families’ opportunity for economic mobility, and their financial stability, Dec. 10, 2019
- Coalition letter to the Senate strongly urging the immediate passage of S. 1279, the Fostering Undergraduate Talent by Unlocking Resources for Education (FUTURE) Act, to restore funding to serve students of color and native students, Nov. 22, 2019
- Letter regarding the Freedom of Information Act Request (FOIA) requesting public records of the U.S. Department of Education regarding income driven repayment (IDR) forgiveness, July 1, 2019; Press release. Response from U.S. Department of Education.
- Group letter to Sec. DeVos re: Harm to Defaulted Borrowers as a Result of System Wide Staffing Shortage, April 15, 2019
- Coalition letter to Senators Hassan and Durbin in support of the PROTECT Students Act, April 2, 2019

- NCLC replied to a letter by Senators Jones, Warren, Harris, and Cortez Masto requesting ideas on how to address racial disparities in student debt and the broader challenges faced by students of color in college and career training, Feb. 15, 2019
- 66 Organizations Urge House and Senate Appropriators to Protect Pell in FY19 Spending Bill, June 25, 2018
- Letter opposing the House's troubling HEA reauthorization bill, Feb. 5, 2018

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Press Releases

- 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
- Advocates Applaud Senate Vote to Restore Rule to Protect Borrowers from School Fraud and Closures, March 11, 2020
- Statement Regarding CFPB and U.S. Department of Education MOU on Handling Student Loan Borrower Complaints, Feb. 4, 2020
- Advocates Applaud U.S. House Vote to Restore Rule to Protect Borrowers from School Fraud and Closures, Jan. 16, 2020
- Advocates Condemn U.S. Department of Education Delays on Student Debt Relief for Disabled Veterans, Nov. 22, 2019
- National Consumer Law Center Advocate
State <https://www.nclc.org/wp-admin/post.php?post=14028&action=editment> Opposing Sen. Alexander's Legislation to Reform Higher Education Act, September 26, 2019
- Education Department Erects New Barriers to Relief for Students Harmed by School Fraud and Closures; Protects For-Profit College Industry at Expense of Students, August 30, 2019
- U.S. General Accountability Office Report Misses the Mark on Income-Driven Repayment Plans, July 25, 2019
- Statement Regarding Support of Bills to Relieve Student Loan Debt, July 23, 2019
- National Consumer Law Center Attorney to Testify on June 11 before U.S. House Oversight Committee on Student Loan Servicing, June 10, 2019
- National Consumer Law Center Sues U.S. Education Department to Obtain Copy of Student Loan Servicing Contract, Apr. 18, 2019
- Press Statement of NCLC's Persis Yu Regarding Report on Dept. of Education's Sweetheart Deal for Student Loan Servicers, Feb. 14, 2019

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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

Student Loans Policy Analysis Archive

Obduskey v. McCarthy & Holthus L.L.P.

On March 20, 2019, the Supreme Court's unanimous decision in *Obduskey v. McCarthy & Holthus L.L.P.* examined liability for violations of the Fair Debt Collection Practices Act (FDCPA) that are committed in non-judicial foreclosures.

This webpage provides resources to consumer attorneys litigating FDCPA cases arising from foreclosures. This webpage will be updated as more materials become available. Please email akuehnhoff@nclc.org with any submissions of relevant materials.

Articles Discussing Case Development

- Viable FDCPA Claims Arising from Foreclosures After March 20 Supreme Court Decision by NCLC attorneys Geoff Walsh and April Kuehnhoff, March 26, 2019

Sample Obduskey Briefing

- *Amodio v. Ocwen Loan Servicing LLC, et al.* (M.D. Tenn.)
 - Memorandum in Opposition to Summary Judgment
 - Memorandum and Order Denying Summary Judgment (5/7/2019)
- *Eastman v NPL Capital LLC*, No. 1:17-cv-03074 (D. Colo.)
 - Second Amended Complaint
 - Motion to Dismiss Complaint
 - Response to Motion to Dismiss Complaint
 - Order Denying Motion to Dismiss Complaint (4/15/2019)
- *Sevela v. Kozeny & McCubbin, L.C.*, Case No. 18-cv-390 (D. Neb.)
- *Smith v. Bank of New York Mellon*, No. 2:19-cv-00538 (W.D. Wash.)
 - Response to Motion to Dismiss

Additional Resources

- National Association of Consumer Advocates (NACA) webinar: The Scope of the FDCPA: Implications of the *Obduskey* Decision, June 26, 2019. Note: Non-members of NACA must be vetted prior to purchasing. Please e-mail rebecca@consumeradvocates.org

- *Obduskey v. McCarthy & Holthus L.L.P.*, Supreme Court Decision, March 20, 2019