

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 Belated 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, 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)

For-Profit and Predatory Schools

Policy Analysis

Reports & Briefs

- 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)
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- 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 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

- 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

- 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

- 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

- 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

- 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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- 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.

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- 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)
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- 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

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Letters

- 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.
- 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 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