

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)

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

- Group Letter to Secretary of Education Cardona Requesting Relief for the Borrower Defense Fund, April 13, 2021
- NCLC and SBPC letter to Acting Secretary of Education Rosenfelt Calling for Immediate Covid-19 Relief for Commercial Federal Family Education Loan Program (FFELP) Borrowers, February 16, 2021
- NCLC and 237 other organizations call on Biden Administration to Cancel Student Loan Debt on Day 1, Nov. 18, 2020
- Group letter to U.S. Senate opposing the Safely Back to School and Back to Work Act, July 28, 2020

- Consumer and industry groups' letter urging Congress to extend CARES Act relief to all federal student loan borrowers, April 13, 2020
- 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

- Statement on Education Department's Appointment of Richard Cordray to Oversee Trillion Dollar Federal Student Aid, May 4, 2021
- NCLC and SPBC Statements on Partial Administrative Action to Protect Student Loan Borrowers During the Pandemic, March 30, 2021
- U.S. Department of Education's Action on Discharges for Borrowers with Total and Permanent Disabilities Falls Short, Mar. 29, 2021
- Joint Statement: Advocates Urge President-Elect Biden to Provide More Student Debt Relief, January 8, 2020
- Joint Statement: We Applaud Pressley/Omar/Adams/Waters Resolution to Cancel Student, December 22, 2020
- NCLC Advocates Applaud Schumer/Warren Senate Resolution Calling for \$50,000 in Debt Cancellation for 43 Million Student Loan Borrowers, Sept. 17, 2020
- Student Loan Borrowers Need Real Relief, Not a COVID Stimulus Plan that Will Bury Them Deeper in Debt, July 27, 2020
- Advocates Praise Senators for Bold Student Loan Principles, March 19, 2020
- Covid 19: What the U.S. Dept. of Education, Lenders and Student Loan Borrowers Should Do Now, March 13, 2020
- 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=edit> 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

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