

December 6, 2021

John "Jack" Remondi
CEO
Navient Corporation
123 S Justison Street
Wilmington, DE 19801

Dear Mr. Remondi:

On behalf of millions of members represented by our unions, we are writing to you regarding the implementation of recent changes to the Public Service Loan Forgiveness (PSLF) program as they pertain to your role as an owner and/or servicer of federal student loans originated under the Federal Family Education Loan Program (FFELP). We request that you immediately make public your plans for sustained, tailored outreach to public service employees nationwide.

Federal and state consumer protection officials and the U.S. Department of Education (ED) each have broad and overlapping authority to oversee your firm's practices with respect to the PSLF waiver.¹ Given your industry's track record with regard to consumer protection—discussed below—these agencies can be expected to exercise this authority expansively. This letter is intended to ensure successful implementation of changes to the PSLF program *before* the need for federal intervention should arise.

On October 6, 2021, ED announced sweeping modifications to the eligibility requirements that federal student loan borrowers must meet to secure debt relief through PSLF.² Among other changes, ED is now providing a time-sensitive waiver allowing all payments by student loan borrowers to count toward PSLF regardless of whether borrowers made those payments on loans that are eligible for forgiveness through the program.

These changes are particularly relevant for public service employees, who have been the victims of extensive industry efforts to keep borrowers from accessing PSLF, in repayment on FFELP loans.³ In particular, while borrowers owing on FFELP loans can become eligible for PSLF by simply consolidating their loans into a federal Direct loan, FFELP loan holders and servicers have historically gone to great lengths to keep borrowers from taking this key step. For years, federal regulators,⁴ state law enforcement officials,⁵ and advocates⁶ alike have warned that FFELP owners and servicers were providing borrowers bad information, misrepresenting eligibility requirements for PSLF, and falsely assuring FFELP borrowers that they were already on track to secure forgiveness after 10 years of repayment.

¹ See, e.g., 20 USC § 1082, 12 USC § 5531

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The results are stark—ED recently indicated that “close to half” of borrowers rejected from PSLF for a lack of qualifying payments have been in repayment for 10 years or more but lost progress due to the timing of the consolidation of FFELP loans into Direct loans.⁷

The public service workers rejected due to industry schemes are members of the armed forces, nurses, educators, firefighters, and librarians, many of whom planned their entire financial lives around the hope of eventual loan forgiveness.⁸ Moreover, it appears that the industry’s sad history of misleading FFELP borrowers continues. Just this past summer, the Consumer Financial Protection Bureau reported that it had caught servicers misleadingly telling FFELP borrowers that they were not eligible for PSLF without going on to explain the simple steps that they could take to remedy that situation.⁹

Against this historical backdrop, there is reason for concern about the steps that FFELP borrowers must take to secure loan forgiveness under the waiver that ED announced on October 6. In particular, while payments made on FFELP loans will now generally count as qualifying payments toward PSLF, borrowers will still need to consolidate into Direct loans.¹⁰ Doing so may involve or necessitate interaction between borrowers and servicers, creating opportunities for errors and outright misinformation to arise.

This must not be tolerated. It is every FFELP servicer’s job to prepare its staff to deliver timely, accurate information to public service workers whose loans they service, and it should be every FFELP servicer’s understanding that poor or malfeasant implementation of ED’s waiver will not be tolerated.

It is time for FFELP holders and servicers to prioritize the millions of public service workers who make our communities thrive over industry’s own short-term financial interests. In order to ensure your industry is guiding our members toward loan forgiveness, we urge you to immediately publish any communication plans, training materials, or other operational guidance you have prepared to ready your own workforce and borrowers for the implementation of ED’s waiver.

Further, we expect a public update every 30 days regarding: the number of borrowers you service who requested and secured a consolidation over that time period; the number of borrowers you service who requested and secured a consolidation over the same time period last year and the year before as a reference; and the amount of student loan debt owed by borrowers who consolidated over the last 30 days.

Public service workers have already faced more than a decade of abuse and broken promises at the hands of companies that had no qualms about cheating them out of earned student loan

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Sincerely,

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The Coalition of Labor Union Women
International Federation of Professional and Technical Engineers
Labor Council for Latin American Advancement
National Treasury Employees Union, Independent Staff Union
Nonprofit Professional Employees Union (IFPTE Local 70)
Service Employees International Union

CC:

Hon. Miguel Cardona, Secretary, Department of Education
Hon. Rohit Chopra, Director, Consumer Financial Protection Bureau

December 6, 2021

Jeffrey Noordhoek
CEO
Nelnet, Inc.
121 South 13th Street, Suite 201
Lincoln, NE 68508

Dear Mr. Noordhoek:

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CC:

Hon. Miguel Cardona, Secretary, Department of Education
Hon. Rohit Chopra, Director, Consumer Financial Protection Bureau

December 6, 2021

William Rogers Jr.
CEO
Truist Financial Corporation
214 N Tryon Street
Charlotte, NC 28202

Dear Mr. Rogers:

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Service Employees International Union

CC:

Hon. Miguel Cardona, Secretary, Department of Education
Hon. Rohit Chopra, Director, Consumer Financial Protection Bureau

December 6, 2021

Ben Litle
President & CEO
The Brazos Higher Education Service Corporation, Inc.
2600 Washington Avenue
Waco, TX 76710

Dear Mr. Litle:

On behalf of millions of members represented by our unions, we are writing to you regarding the implementation of recent changes to the Public Service Loan Forgiveness (PSLF) program as they pertain to your role as an owner and/or servicer of federal student loans originated under the Federal Family Education Loan Program (FFELP). We request that you immediately make public your plans for sustained, tailored outreach to public service employees nationwide.

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December 6, 2021

James Steeley
CEO
Pennsylvania Higher Education Assistance Agency
1200 N 7th Street
Harrisburg, PA 17102

Dear Mr. Steeley:

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Sincerely,

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American Federation of Teachers
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Nonprofit Professional Employees Union (IFPTE Local 70)
Service Employees International Union

CC:

Hon. Miguel Cardona, Secretary, Department of Education
Hon. Rohit Chopra, Director, Consumer Financial Protection Bureau

December 6, 2021

Jeremy Wheaton
President & CEO
ECMC Group
111 Washington Avenue South, Suite 1400
Minneapolis, MN 55401

Dear Mr. Wheaton:

On behalf of millions of members represented by our unions, we are writing to you regarding the implementation of recent changes to the Public Service Loan Forgiveness (PSLF) program as they pertain to your role as an owner and/or servicer of federal student loans originated under the Federal Family Education Loan Program (FFELP). We request that you immediately make public your plans for sustained, tailored outreach to public service employees nationwide.

Federal and state consumer protection officials and the U.S. Department of Education (ED) each have broad and overlapping authority to oversee your firm's practices with respect to the PSLF waiver.⁵¹ Given your industry's track record with regard to consumer protection—discussed below—these agencies can be expected to exercise this authority expansively. This letter is intended to ensure successful implementation of changes to the PSLF program *before* the need for federal intervention should arise.

On October 6, 2021, ED announced sweeping modifications to the eligibility requirements that federal student loan borrowers must meet to secure debt relief through PSLF.⁵² Among other changes, ED is now providing a time-sensitive waiver allowing all payments by student loan borrowers to count toward PSLF regardless of whether borrowers made those payments on loans that are eligible for forgiveness through the program.

These changes are particularly relevant for public service employees, who have been the victims of extensive industry efforts to keep borrowers from accessing PSLF, in repayment on FFELP loans.⁵³ In particular, while borrowers owing on FFELP loans can become eligible for PSLF by simply consolidating their loans into a federal Direct loan, FFELP loan holders and servicers have historically gone to great lengths to keep borrowers from taking this key step. For years, federal regulators,⁵⁴ state law enforcement officials,⁵⁵ and advocates⁵⁶ alike have warned that FFELP owners and servicers were providing borrowers bad information, misrepresenting eligibility requirements for PSLF, and falsely assuring FFELP borrowers that they were already on track to secure forgiveness after 10 years of repayment.

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The results are stark—ED recently indicated that “close to half” of borrowers rejected from PSLF for a lack of qualifying payments have been in repayment for 10 years or more but lost progress due to the timing of the consolidation of FFELP loans into Direct loans.⁵⁷

The public service workers rejected due to industry schemes are members of the armed forces, nurses, educators, firefighters, and librarians, many of whom planned their entire financial lives around the hope of eventual loan forgiveness.⁵⁸ Moreover, it appears that the industry’s sad history of misleading FFELP borrowers continues. Just this past summer, the Consumer Financial Protection Bureau reported that it had caught servicers misleadingly telling FFELP borrowers that they were not eligible for PSLF without going on to explain the simple steps that they could take to remedy that situation.⁵⁹

Against this historical backdrop, there is reason for concern about the steps that FFELP borrowers must take to secure loan forgiveness under the waiver that ED announced on October 6. In particular, while payments made on FFELP loans will now generally count as qualifying payments toward PSLF, borrowers will still need to consolidate into Direct loans.⁶⁰ Doing so may involve or necessitate interaction between borrowers and servicers, creating opportunities for errors and outright misinformation to arise.

This must not be tolerated. It is every FFELP servicer’s job to prepare its staff to deliver timely, accurate information to public service workers whose loans they service, and it should be every FFELP servicer’s understanding that poor or malfeasant implementation of ED’s waiver will not be tolerated.

It is time for FFELP holders and servicers to prioritize the millions of public service workers who make our communities thrive over industry’s own short-term financial interests. In order to ensure your industry is guiding our members toward loan forgiveness, we urge you to immediately publish any communication plans, training materials, or other operational guidance you have prepared to ready your own workforce and borrowers for the implementation of ED’s waiver.

Further, we expect a public update every 30 days regarding: the number of borrowers you service who requested and secured a consolidation over that time period; the number of borrowers you service who requested and secured a consolidation over the same time period last year and the year before as a reference; and the amount of student loan debt owed by borrowers who consolidated over the last 30 days.

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CC:

Hon. Miguel Cardona, Secretary, Department of Education
Hon. Rohit Chopra, Director, Consumer Financial Protection Bureau

December 6, 2021

Kenneth Ruggiero
Chairman & CEO
Goal Structured Solutions, Inc.
402 West Broadway
San Diego, CA 92101

Dear Mr. Ruggiero:

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Service Employees International Union

CC:

Hon. Miguel Cardona, Secretary, Department of Education
Hon. Rohit Chopra, Director, Consumer Financial Protection Bureau

December 6, 2021

Christopher Chapman
President & CEO
AccessLex Institute
10 North High Street, Suite 400
West Chester, PA 19380

Dear Mr. Chapman:

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CC:

Hon. Miguel Cardona, Secretary, Department of Education
Hon. Rohit Chopra, Director, Consumer Financial Protection Bureau

December 6, 2021

John Falb
President & CEO
College Loan Corporation
350 S. Rampart Boulevard, Suite 200
Las Vegas, Nevada 89145

Dear Mr. Falb:

On behalf of millions of members represented by our unions, we are writing to you regarding the implementation of recent changes to the Public Service Loan Forgiveness (PSLF) program as they pertain to your role as an owner and/or servicer of federal student loans originated under the Federal Family Education Loan Program (FFELP). We request that you immediately make public your plans for sustained, tailored outreach to public service employees nationwide.

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December 6, 2021

William Demchak
Chairman, President & CEO
The PNC Financial Services Group
300 Fifth Avenue
Pittsburgh, PA 15222

Dear Mr. Demchak:

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The public service workers rejected due to industry schemes are members of the armed forces, nurses, educators, firefighters, and librarians, many of whom planned their entire financial lives around the hope of eventual loan forgiveness.⁹⁸ Moreover, it appears that the industry’s sad history of misleading FFELP borrowers continues. Just this past summer, the Consumer Financial Protection Bureau reported that it had caught servicers misleadingly telling FFELP borrowers that they were not eligible for PSLF without going on to explain the simple steps that they could take to remedy that situation.⁹⁹

Against this historical backdrop, there is reason for concern about the steps that FFELP borrowers must take to secure loan forgiveness under the waiver that ED announced on October 6. In particular, while payments made on FFELP loans will now generally count as qualifying payments toward PSLF, borrowers will still need to consolidate into Direct loans.¹⁰⁰ Doing so may involve or necessitate interaction between borrowers and servicers, creating opportunities for errors and outright misinformation to arise.

This must not be tolerated. It is every FFELP servicer’s job to prepare its staff to deliver timely, accurate information to public service workers whose loans they service, and it should be every FFELP servicer’s understanding that poor or malfeasant implementation of ED’s waiver will not be tolerated.

It is time for FFELP holders and servicers to prioritize the millions of public service workers who make our communities thrive over industry’s own short-term financial interests. In order to ensure your industry is guiding our members toward loan forgiveness, we urge you to immediately publish any communication plans, training materials, or other operational guidance you have prepared to ready your own workforce and borrowers for the implementation of ED’s waiver.

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National Treasury Employees Union, Independent Staff Union
Nonprofit Professional Employees Union (IFPTE Local 70)
Service Employees International Union

CC:

Hon. Miguel Cardona, Secretary, Department of Education
Hon. Rohit Chopra, Director, Consumer Financial Protection Bureau

December 6, 2021

John Arnold
President & CEO
SouthEast Bank
12700 Kingston Pike
Farragut, TN 37934

Dear Mr. Arnold:

On behalf of millions of members represented by our unions, we are writing to you regarding the implementation of recent changes to the Public Service Loan Forgiveness (PSLF) program as they pertain to your role as an owner and/or servicer of federal student loans originated under the Federal Family Education Loan Program (FFELP). We request that you immediately make public your plans for sustained, tailored outreach to public service employees nationwide.

Federal and state consumer protection officials and the U.S. Department of Education (ED) each have broad and overlapping authority to oversee your firm's practices with respect to the PSLF waiver.¹⁰¹ Given your industry's track record with regard to consumer protection—discussed below—these agencies can be expected to exercise this authority expansively. This letter is intended to ensure successful implementation of changes to the PSLF program *before* the need for federal intervention should arise.

On October 6, 2021, ED announced sweeping modifications to the eligibility requirements that federal student loan borrowers must meet to secure debt relief through PSLF.¹⁰² Among other changes, ED is now providing a time-sensitive waiver allowing all payments by student loan borrowers to count toward PSLF regardless of whether borrowers made those payments on loans that are eligible for forgiveness through the program.

These changes are particularly relevant for public service employees, who have been the victims of extensive industry efforts to keep borrowers from accessing PSLF, in repayment on FFELP loans.¹⁰³ In particular, while borrowers owing on FFELP loans can become eligible for PSLF by simply consolidating their loans into a federal Direct loan, FFELP loan holders and servicers have historically gone to great lengths to keep borrowers from taking this key step. For years, federal regulators,¹⁰⁴ state law enforcement officials,¹⁰⁵ and advocates¹⁰⁶ alike have warned that FFELP owners and servicers were providing borrowers bad information, misrepresenting eligibility requirements for PSLF, and falsely assuring FFELP borrowers that they were already on track to secure forgiveness after 10 years of repayment.

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Service Employees International Union

CC:

Hon. Miguel Cardona, Secretary, Department of Education
Hon. Rohit Chopra, Director, Consumer Financial Protection Bureau

December 6, 2021

Richard George
President & CEO
Northstar Guarantee
2501 International Lane
Madison, WI 53704

Dear Mr. George:

On behalf of millions of members represented by our unions, we are writing to you regarding the implementation of recent changes to the Public Service Loan Forgiveness (PSLF) program as they pertain to your role as an owner and/or servicer of federal student loans originated under the Federal Family Education Loan Program (FFELP). We request that you immediately make public your plans for sustained, tailored outreach to public service employees nationwide.

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These changes are particularly relevant for public service employees, who have been the victims of extensive industry efforts to keep borrowers from accessing PSLF, in repayment on FFELP loans.¹¹³ In particular, while borrowers owing on FFELP loans can become eligible for PSLF by simply consolidating their loans into a federal Direct loan, FFELP loan holders and servicers have historically gone to great lengths to keep borrowers from taking this key step. For years, federal regulators,¹¹⁴ state law enforcement officials,¹¹⁵ and advocates¹¹⁶ alike have warned that FFELP owners and servicers were providing borrowers bad information, misrepresenting eligibility requirements for PSLF, and falsely assuring FFELP borrowers that they were already on track to secure forgiveness after 10 years of repayment.

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CC:

Hon. Miguel Cardona, Secretary, Department of Education
Hon. Rohit Chopra, Director, Consumer Financial Protection Bureau

December 6, 2021

David Schwanke
Executive Director
Utah Higher Education Assistance Authority
60 S 400 W
Salt Lake City, UT 84101

Dear Mr. Schwanke:

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CC:

Hon. Miguel Cardona, Secretary, Department of Education
Hon. Rohit Chopra, Director, Consumer Financial Protection Bureau

December 6, 2021

Raymond Bayer, Jr.
Executive Director & CEO
Missouri Higher Education Loan Authority
633 Spirit Drive
Chesterfield, MO 63005

Dear Mr. Bayer:

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Hon. Rohit Chopra, Director, Consumer Financial Protection Bureau

December 6, 2021

Andrea Poole
Executive Director
North Carolina State Education Assistance Authority
2917 Highwoods Boulevard
Raleigh, NC 27604

Dear Ms. Poole:

On behalf of millions of members represented by our unions, we are writing to you regarding the implementation of recent changes to the Public Service Loan Forgiveness (PSLF) program as they pertain to your role as an owner and/or servicer of federal student loans originated under the Federal Family Education Loan Program (FFELP). We request that you immediately make public your plans for sustained, tailored outreach to public service employees nationwide.

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On October 6, 2021, ED announced sweeping modifications to the eligibility requirements that federal student loan borrowers must meet to secure debt relief through PSLF.¹⁴² Among other changes, ED is now providing a time-sensitive waiver allowing all payments by student loan borrowers to count toward PSLF regardless of whether borrowers made those payments on loans that are eligible for forgiveness through the program.

These changes are particularly relevant for public service employees, who have been the victims of extensive industry efforts to keep borrowers from accessing PSLF, in repayment on FFELP loans.¹⁴³ In particular, while borrowers owing on FFELP loans can become eligible for PSLF by simply consolidating their loans into a federal Direct loan, FFELP loan holders and servicers have historically gone to great lengths to keep borrowers from taking this key step. For years, federal regulators,¹⁴⁴ state law enforcement officials,¹⁴⁵ and advocates¹⁴⁶ alike have warned that FFELP owners and servicers were providing borrowers bad information, misrepresenting eligibility requirements for PSLF, and falsely assuring FFELP borrowers that they were already on track to secure forgiveness after 10 years of repayment.

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The results are stark—ED recently indicated that “close to half” of borrowers rejected from PSLF for a lack of qualifying payments have been in repayment for 10 years or more but lost progress due to the timing of the consolidation of FFELP loans into Direct loans.¹⁴⁷

The public service workers rejected due to industry schemes are members of the armed forces, nurses, educators, firefighters, and librarians, many of whom planned their entire financial lives around the hope of eventual loan forgiveness.¹⁴⁸ Moreover, it appears that the industry’s sad history of misleading FFELP borrowers continues. Just this past summer, the Consumer Financial Protection Bureau reported that it had caught servicers misleadingly telling FFELP borrowers that they were not eligible for PSLF without going on to explain the simple steps that they could take to remedy that situation.¹⁴⁹

Against this historical backdrop, there is reason for concern about the steps that FFELP borrowers must take to secure loan forgiveness under the waiver that ED announced on October 6. In particular, while payments made on FFELP loans will now generally count as qualifying payments toward PSLF, borrowers will still need to consolidate into Direct loans.¹⁵⁰ Doing so may involve or necessitate interaction between borrowers and servicers, creating opportunities for errors and outright misinformation to arise.

This must not be tolerated. It is every FFELP servicer’s job to prepare its staff to deliver timely, accurate information to public service workers whose loans they service, and it should be every FFELP servicer’s understanding that poor or malfeasant implementation of ED’s waiver will not be tolerated.

It is time for FFELP holders and servicers to prioritize the millions of public service workers who make our communities thrive over industry’s own short-term financial interests. In order to ensure your industry is guiding our members toward loan forgiveness, we urge you to immediately publish any communication plans, training materials, or other operational guidance you have prepared to ready your own workforce and borrowers for the implementation of ED’s waiver.

Further, we expect a public update every 30 days regarding: the number of borrowers you service who requested and secured a consolidation over that time period; the number of borrowers you service who requested and secured a consolidation over the same time period last year and the year before as a reference; and the amount of student loan debt owed by borrowers who consolidated over the last 30 days.

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Nonprofit Professional Employees Union (IFPTE Local 70)
Service Employees International Union

CC:

Hon. Miguel Cardona, Secretary, Department of Education
Hon. Rohit Chopra, Director, Consumer Financial Protection Bureau

December 6, 2021

Trey Simon
President & CEO
South Carolina Student Loan Corporation
8906 Two Notch Road
Columbia, SC 29223

Dear Mr. Simon:

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Nonprofit Professional Employees Union (IFPTE Local 70)
Service Employees International Union

CC:

Hon. Miguel Cardona, Secretary, Department of Education
Hon. Rohit Chopra, Director, Consumer Financial Protection Bureau

December 6, 2021

Charles Swanson
President
PCG Academic Loan Group
1266 W. Paces Ferry Road, Suite 406
Atlanta, GA 30327

Dear Mr. Swanson:

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CC:

Hon. Miguel Cardona, Secretary, Department of Education
Hon. Rohit Chopra, Director, Consumer Financial Protection Bureau

December 6, 2021

Eugene Hutchins
Executive Director & CEO
Kentucky Higher Education Student Loan Corporation
10180 Linn Station Road, Suite C200
Louisville, KY 40223

Dear Mr. Hutchins:

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CC:

Hon. Miguel Cardona, Secretary, Department of Education
Hon. Rohit Chopra, Director, Consumer Financial Protection Bureau

December 6, 2021

Kathryn Bryan
Executive Director
North Texas Higher Education Authority
4381 W Green Oaks Boulevard #200
Arlington, TX 76016

Dear Ms. Bryan:

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National Treasury Employees Union, Independent Staff Union
Nonprofit Professional Employees Union (IFPTE Local 70)
Service Employees International Union

CC:

Hon. Miguel Cardona, Secretary, Department of Education
Hon. Rohit Chopra, Director, Consumer Financial Protection Bureau

December 6, 2021

Jonathan Witter
CEO
SLM Corporation
300 Continental Drive
Newark, DE 19713

Dear Mr. Witter:

On behalf of millions of members represented by our unions, we are writing to you regarding the implementation of recent changes to the Public Service Loan Forgiveness (PSLF) program as they pertain to your role as an owner and/or servicer of federal student loans originated under the Federal Family Education Loan Program (FFELP). We request that you immediately make public your plans for sustained, tailored outreach to public service employees nationwide.

Federal and state consumer protection officials and the U.S. Department of Education (ED) each have broad and overlapping authority to oversee your firm's practices with respect to the PSLF waiver.¹⁹¹ Given your industry's track record with regard to consumer protection—discussed below—these agencies can be expected to exercise this authority expansively. This letter is intended to ensure successful implementation of changes to the PSLF program *before* the need for federal intervention should arise.

On October 6, 2021, ED announced sweeping modifications to the eligibility requirements that federal student loan borrowers must meet to secure debt relief through PSLF.¹⁹² Among other changes, ED is now providing a time-sensitive waiver allowing all payments by student loan borrowers to count toward PSLF regardless of whether borrowers made those payments on loans that are eligible for forgiveness through the program.

These changes are particularly relevant for public service employees, who have been the victims of extensive industry efforts to keep borrowers from accessing PSLF, in repayment on FFELP loans.¹⁹³ In particular, while borrowers owing on FFELP loans can become eligible for PSLF by simply consolidating their loans into a federal Direct loan, FFELP loan holders and servicers have historically gone to great lengths to keep borrowers from taking this key step. For years, federal regulators,¹⁹⁴ state law enforcement officials,¹⁹⁵ and advocates¹⁹⁶ alike have warned that FFELP owners and servicers were providing borrowers bad information, misrepresenting eligibility requirements for PSLF, and falsely assuring FFELP borrowers that they were already on track to secure forgiveness after 10 years of repayment.

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The results are stark—ED recently indicated that “close to half” of borrowers rejected from PSLF for a lack of qualifying payments have been in repayment for 10 years or more but lost progress due to the timing of the consolidation of FFELP loans into Direct loans.¹⁹⁷

The public service workers rejected due to industry schemes are members of the armed forces, nurses, educators, firefighters, and librarians, many of whom planned their entire financial lives around the hope of eventual loan forgiveness.¹⁹⁸ Moreover, it appears that the industry’s sad history of misleading FFELP borrowers continues. Just this past summer, the Consumer Financial Protection Bureau reported that it had caught servicers misleadingly telling FFELP borrowers that they were not eligible for PSLF without going on to explain the simple steps that they could take to remedy that situation.¹⁹⁹

Against this historical backdrop, there is reason for concern about the steps that FFELP borrowers must take to secure loan forgiveness under the waiver that ED announced on October 6. In particular, while payments made on FFELP loans will now generally count as qualifying payments toward PSLF, borrowers will still need to consolidate into Direct loans.²⁰⁰ Doing so may involve or necessitate interaction between borrowers and servicers, creating opportunities for errors and outright misinformation to arise.

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CC:

Hon. Miguel Cardona, Secretary, Department of Education
Hon. Rohit Chopra, Director, Consumer Financial Protection Bureau

December 6, 2021

Jamie Dimon
CEO & President
JPMorgan Chase & Co.
383 Madison Avenue
New York, NY 10017

Dear Mr. Dimon:

On behalf of millions of members represented by our unions, we are writing to you regarding the implementation of recent changes to the Public Service Loan Forgiveness (PSLF) program as they pertain to your role as an owner and/or servicer of federal student loans originated under the Federal Family Education Loan Program (FFELP). We request that you immediately make public your plans for sustained, tailored outreach to public service employees nationwide.

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CC:

Hon. Miguel Cardona, Secretary, Department of Education
Hon. Rohit Chopra, Director, Consumer Financial Protection Bureau

December 6, 2021

Mike Green
President
Montana Higher Education Student Assistance Corporation
7 West 6th Avenue, Suite 610
Helena, MT 59601

Dear Mr. Green:

On behalf of millions of members represented by our unions, we are writing to you regarding the implementation of recent changes to the Public Service Loan Forgiveness (PSLF) program as they pertain to your role as an owner and/or servicer of federal student loans originated under the Federal Family Education Loan Program (FFELP). We request that you immediately make public your plans for sustained, tailored outreach to public service employees nationwide.

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CC:

Hon. Miguel Cardona, Secretary, Department of Education
Hon. Rohit Chopra, Director, Consumer Financial Protection Bureau

December 6, 2021

William R. Hansen
Chief Administrative Officer
ALL Student Loan Corporation
840 Apollo Street #306
El Segundo, CA 90245

Dear Mr. Hansen:

On behalf of millions of members represented by our unions, we are writing to you regarding the implementation of recent changes to the Public Service Loan Forgiveness (PSLF) program as they pertain to your role as an owner and/or servicer of federal student loans originated under the Federal Family Education Loan Program (FFELP). We request that you immediately make public your plans for sustained, tailored outreach to public service employees nationwide.

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CC:

Hon. Miguel Cardona, Secretary, Department of Education
Hon. Rohit Chopra, Director, Consumer Financial Protection Bureau

December 6, 2021

Stephen Hennigan
President & CEO
Credit Human
1703 Broadway, Suite 104
San Antonio, TX 78215

Dear Mr. Hennigan:

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²³¹ See, e.g., 20 USC § 1082, 12 USC § 5531

²³² <https://www.ed.gov/news/press-releases/us-department-education-announces-transformational-changes-public-service-loan-forgiveness-program-will-put-over-550000-public-service-workers-closer-loan-forgiveness>

²³³ <https://protectborrowers.org/why-ffelp-borrowers-are-routinely-denied-access-to-pslf/>

²³⁴ https://files.consumerfinance.gov/f/documents/201706_cfbp_PSLF-midyear-report.pdf#page=31

²³⁵ https://www.dfs.ny.gov/system/files/documents/2019/01/ea190104_conduent.pdf

²³⁶ <https://www.npr.org/2018/10/17/653853227/the-student-loan-whistleblower>

The results are stark—ED recently indicated that “close to half” of borrowers rejected from PSLF for a lack of qualifying payments have been in repayment for 10 years or more but lost progress due to the timing of the consolidation of FFELP loans into Direct loans.²³⁷

The public service workers rejected due to industry schemes are members of the armed forces, nurses, educators, firefighters, and librarians, many of whom planned their entire financial lives around the hope of eventual loan forgiveness.²³⁸ Moreover, it appears that the industry’s sad history of misleading FFELP borrowers continues. Just this past summer, the Consumer Financial Protection Bureau reported that it had caught servicers misleadingly telling FFELP borrowers that they were not eligible for PSLF without going on to explain the simple steps that they could take to remedy that situation.²³⁹

Against this historical backdrop, there is reason for concern about the steps that FFELP borrowers must take to secure loan forgiveness under the waiver that ED announced on October 6. In particular, while payments made on FFELP loans will now generally count as qualifying payments toward PSLF, borrowers will still need to consolidate into Direct loans.²⁴⁰ Doing so may involve or necessitate interaction between borrowers and servicers, creating opportunities for errors and outright misinformation to arise.

This must not be tolerated. It is every FFELP servicer’s job to prepare its staff to deliver timely, accurate information to public service workers whose loans they service, and it should be every FFELP servicer’s understanding that poor or malfeasant implementation of ED’s waiver will not be tolerated.

It is time for FFELP holders and servicers to prioritize the millions of public service workers who make our communities thrive over industry’s own short-term financial interests. In order to ensure your industry is guiding our members toward loan forgiveness, we urge you to immediately publish any communication plans, training materials, or other operational guidance you have prepared to ready your own workforce and borrowers for the implementation of ED’s waiver.

Further, we expect a public update every 30 days regarding: the number of borrowers you service who requested and secured a consolidation over that time period; the number of borrowers you service who requested and secured a consolidation over the same time period last year and the year before as a reference; and the amount of student loan debt owed by borrowers who consolidated over the last 30 days.

Public service workers have already faced more than a decade of abuse and broken promises at the hands of companies that had no qualms about cheating them out of earned student loan

²³⁷ <https://fsapartners.ed.gov/knowledge-center/library/electronic-announcements/2021-06-14/federal-student-aid-posts-two-new-quarterly-portfolio-reports-fsa-data-center-and-highlights-recent-changes-public-service-loan-forgiveness-ea-id-general-21-40>

²³⁸ <https://protectborrowers.org/public-service-workers-who-did-everything-right-are-being-blocked-from-promised-loan-relief-because-of-tricks-and-traps/>

²³⁹ <https://protectborrowers.org/statement-on-illegal-student-loan-industry-practices-plaquin-public-service-loan-forgiveness-revealed-in-new-cfpb-report/>

²⁴⁰ <https://www.ed.gov/news/press-releases/fact-sheet-public-service-loan-forgiveness-pslf-program-overhaul>

relief. We intend to remain extremely vigilant to ensure that these borrowers are never again denied their rights.

Sincerely,

National Education Association
American Federation of Teachers
Student Borrower Protection Center
American Association of University Professors
American Federation of Government Employees
American Federation of State, County and Municipal Employees
The Coalition of Labor Union Women
International Federation of Professional and Technical Engineers
Labor Council for Latin American Advancement
National Treasury Employees Union, Independent Staff Union
Nonprofit Professional Employees Union (IFPTE Local 70)
Service Employees International Union

CC:

Hon. Miguel Cardona, Secretary, Department of Education
Hon. Rohit Chopra, Director, Consumer Financial Protection Bureau