

September 17, 2025

Linda McMahon  
Secretary, U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202

**Re: Docket ID ED-2025-OPE-0016**

Dear Secretary McMahon,

We, the undersigned 254 organizations representing millions of students, borrowers, healthcare workers, government workers, educators, people of color, veterans, women, immigrants, people with disabilities, and consumers crushed under the weight of student loan debt, write in opposition to the Department of Education's (ED) Notice of Proposed Rulemaking (NPRM) published to the Federal Register on Monday, August 18th that would make unlawful changes to the Public Service Loan Forgiveness (PSLF) program.

The proposed rule would grant the Secretary authority to revoke PSLF eligibility from a public service employer if the Secretary determines that the employer has engaged in activities with a "substantial illegal purpose," a [novel](#) legal concept this Administration is clearly using as a proxy for protected activity with which it ideologically disagrees, such as work advancing immigrants' rights, transgender persons' rights, racial equity and inclusion, and peaceful demonstrations. This is blatantly unconstitutional, illegal, and harmful to millions of borrowers across the country, including those working to support historically marginalized communities. The proposed rule would also impose a chilling effect on workers entering public service fields, which could deter those with postsecondary education from seeking employment with non-profit organizations, state and local governments, hospitals, and employers working on the frontlines addressing our nation's most critical challenges.

We urge the Department to withdraw this NPRM, which is a clear effort to intimidate and punish state and local governments and 501(c)(3) non-profit organizations that refuse to support the Trump Administration's political agenda.

**The Trump Administration's Proposal to Weaponize the PSLF Program is Illegal.**

This proposed rule is a clear, unlawful attempt to weaponize the PSLF program in an effort to intimidate and punish governments and 501(c)(3) non-profit organizations whose work does not fall in line with the Trump Administration's political agenda, such as organizations working to support immigrant communities, provide gender-affirming healthcare to minors, promote diversity and inclusion, engage in peaceful protest, and more. It both conflicts with the PSLF program as authorized in the Higher Education Act and violates the U.S. Constitution.

When Congress created the PSLF program through the College Cost Reduction and Access Act of 2007, it defined PSLF-eligible employers as including any kind of employment for any government or any 501(c)(3) non-profit organization. *See* 20 U.S.C. § 1087e(m)(3)(B)(i). However, ED's proposed rule seeks to usurp the plain letter of the law and Congress's authority to determine what constitutes a PSLF-qualifying employer. The proposed rule would grant the Secretary of Education authority to

disqualify statutorily eligible employers—government and 501(c)(3) non-profit alike—based on whether the employer supports the Trump Administration’s agenda. Congress has never given the Secretary the authority to exclude **any** government and 501(c)(3) non-profit organizations from PSLF for **any** reason, including the ideological reasons in the proposed rule. ED is seeking to unlawfully stretch the bounds of its authority and violate the plain text of the nearly twenty-year old PSLF statute.

The proposed rule is also unconstitutional. The criteria for activity with a “substantial illegal purpose” are a clear attempt to target certain groups performing work deemed anathema to the Trump Administration’s political priorities. This language is [borrowed](#) from the Internal Revenue Service (IRS) and its process for assessing organizational tax obligations. ED does not possess the expertise or authority to make determinations of tax status separate from IRS, nor does it possess the expertise or authority to assess compliance with criminal codes. This proposed rule would also allow the Secretary of Education to be the judge and jury in declaring an organization has engaged in actions with a “substantial illegal purpose,” clearly undercutting due process rights. Ideologically targeting protected conduct is a clear violation of the First Amendment freedoms of speech and association, and is a blatant attack on civil liberties and individual rights.

### **The Proposed Rule Threatens Undeniable Harm to Hundreds of Thousands of Borrowers and Employers.**

The Trump Administration’s proposed rule would harm public service workers, employers, and the communities that rely on them. The PSLF program helps millions of people, including nurses, educators, military service members, firefighters and other first responders, social workers, and legal aid attorneys, pursue careers in the public interest, knowing full well that they otherwise could not afford these occupations while burdened by crushing student debt. The proposed rule would have a chilling effect on employers’ ability to recruit and retain qualified staff working in critical fields and with rural and other marginalized communities, including Black, Brown and Indigenous communities all over the country. Even worse, just the threat of crossing this administration and being dubbed ineligible will likely chill thousands of non-profit organizations and government agencies from engaging in mission-critical work to respond to the greatest needs of their communities. Wielding the federal government’s role as a source of financial aid—a critical tool that allows students from all backgrounds to access postsecondary education—is a gross abuse of power. Weaponizing the PSLF program to advance this administration’s ideological goals—many of which conflict with existing state and federal law—is anti-democratic and unlawful.

We urge you to immediately withdraw this blatantly illegal Notice of Proposed Rulemaking altogether and implement the Public Service Loan Forgiveness program as Congress intended. Millions of workers undertook their careers with the understanding that student loan forgiveness was promised by Congress in statute in exchange for their work in public service fields. These workers and the communities they serve deserve better than to be treated as pawns in this administration’s campaign to chill and silence speech.

Sincerely,

## **National Organizations**

Protect Borrowers

AACTE: American Association of Colleges for Teacher Education

Accountable.US

Advancement Project

Affordable Homeownership Foundation

AFL-CIO

AFT

Alliance for a Just Society

American Association of University Women (AAUW)

American Federation of State, County and Municipal Employees (AFSCME)

Appleseed Foundation

Arab American Institute (AAI)

Autistic Women & Nonbinary Network

Center for American Progress

Center for Law and Social Policy (CLASP)

Center for LGBTQ Economic Advancement & Research (CLEAR)

CenterLink: The Community of LGBTQ Centers

Clearinghouse on Women's Issues

Clinical Social Work Association

Coalition on Human Needs

Communications Workers of America (CWA)

Consumer Action

Consumer Reports

Council for Global Equality

Council on Social Work Education

Debt Collective

EdTrust

Empowering Pacific Islander Communities (EPIC)

Equal Justice Society

Equity Research Cooperative

Feminist Majority Foundation

Formerly Incarcerated College Graduates Network

Fosterus

Franciscan Action Network

GLBTQ Legal Advocates and Defenders (GLAD Law)

HBCU Collective

HEAL (Health, Environment, Agriculture, Labor) Food Alliance

Heartland Human Care Services

Hispanic Federation

Immigration Equality

Indivisible

International Federation of Professional and Technical Engineers (IFPTE)

International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW)  
KAIROS DEMOCRACY PROJECT  
Lawyers for Good Government  
League of United Latin American Citizens (LULAC)  
MDC  
Movement Advancement Project  
MoveOn  
MPower Change Action Fund  
NAACP  
National Action Network  
National Association of Social Workers  
National Center for Law and Economic Justice  
National Center for LGBTQ Rights  
National Council of Asian Pacific Islander Physicians  
National Education Association (NEA)  
National Employment Law Project  
National Fair Housing Alliance  
National Immigration Law Center (NILC)  
National LGBTQ+ Bar Association  
National Nurses United  
National Organization of Legal Services Workers, UAW Local 2320  
National Partnership for Women & Families  
National Women's Law Center  
NBJC  
Nonprofit Professional Employees Union, IFPTE Local 70  
People Power United  
Project on Predatory Student Lending  
Public Advocacy for Kids (PAK)  
Public Counsel  
RootsAction  
Secular Student Alliance  
Service Employees International Union (SEIU)  
Southeast Asia Resource Action Center (SEARAC)  
Student Debt Crisis Center  
Swipe Out Hunger  
Task Force for Democracy  
The Cancer Network  
The Institute for College Access & Success (TICAS)  
The Institute for Health Research & Policy at Whitman-Walker  
The Leadership Conference on Civil and Human Rights  
URGE: Unite for Reproductive & Gender Equity  
Voto Latino  
Young Center for Immigrant Children's Rights

Young Invincibles

## **State & Local Organizations**

10,000 Degrees  
4Cs SEIU 1973  
ACT-UAW Local 7902  
Advanced Consulting, LLC  
AFT- Oklahoma  
Alliance for Girls  
Arizona Student Association  
Arkansas Community Organizations  
Associated Students of the University of California (ASUC) External Affairs Office  
Association of Legal Advocates and Attorneys/UAW 2325  
Black Economic Council of Massachusetts, Inc.  
BLU Educational Foundation  
Cabrini Green Legal Aid  
California Rural Legal Assistance, Inc.  
CAMBA/ CAMBA Legal Services  
Capital Area College Access Network, Lansing MI  
CASH Campaign of Maryland  
Center for Economic Integrity  
Center for Elder law & Justice  
Chase Brexton Health Care  
Child Care Law Center  
Church Women United in New York State  
Civil Service Bar Association  
College Now Greater Cleveland  
Columbia Legal Services  
Communities for Our Colleges  
Community Legal Aid Society, Inc. (Delaware)  
Community Service Society of New York  
Connecticut Voices for Children  
Consumer Federation of California  
Convencion Bautista Hispana de Texas  
Economic Action Maryland Fund  
Education Forward Arizona  
Education Minnesota  
El Pueblo Unido of Atlantic City  
Empire Justice Center  
Equality California  
Equality Illinois  
Equality New Mexico  
Erie County Bar Association Volunteer Lawyers Project

Family Counseling Services of the Finger Lakes  
FCSFL  
Florida Justice Institute  
Georgia Budget & Policy Institute  
Hawai'i State Teachers Association  
Housing and Economic Rights Advocates  
Illinois Stewardship Alliance  
Jacksonville Area Legal Aid, Inc  
Legacy Bridge CDC  
Legal Aid Association of California  
Legal Aid Bureau of Buffalo, Inc.  
Long Beach Alliance for Clean Energy  
Los Angeles LGBT Center  
Lyon-Martin Community Health Services  
Maryland Center for Collegiate Financial Wellness  
Mazzoni Center  
Mental Health Advocacy Services  
Mobilization for Justice  
Mountain State Justice  
National Association of Social Workers DC Metro Chapter  
National Association of Social Workers, Alabama Chapter  
National Association of Social Workers, Alaska Chapter  
National Association of Social Workers, Arizona Chapter  
National Association of Social Workers, Arkansas Chapter  
National Association of Social Workers, California Chapter  
National Association of Social Workers, Colorado Chapter  
National Association of Social Workers, Connecticut Chapter  
National Association of Social Workers, Delaware Chapter  
National Association of Social Workers, Florida Chapter  
National Association of Social Workers, Georgia Chapter  
National Association of Social Workers, Guam Chapter  
National Association of Social Workers, Hawaii Chapter  
National Association of Social Workers, Idaho Chapter  
National Association of Social Workers, Illinois Chapter  
National Association of Social Workers, Indiana Chapter  
National Association of Social Workers, Iowa Chapter  
National Association of Social Workers, Kansas Chapter  
National Association of Social Workers, Kentucky Chapter  
National Association of Social Workers, Louisiana Chapter  
National Association of Social Workers, Maine Chapter  
National Association of Social Workers, Maryland Chapter  
National Association of Social Workers, Massachusetts Chapter  
National Association of Social Workers, Michigan Chapter  
National Association of Social Workers, Minnesota Chapter

National Association of Social Workers, Mississippi Chapter  
National Association of Social Workers, Missouri Chapter  
National Association of Social Workers, Montana Chapter  
National Association of Social Workers, Nebraska Chapter  
National Association of Social Workers, Nevada Chapter  
National Association of Social Workers, New Hampshire Chapter  
National Association of Social Workers, New Jersey Chapter  
National Association of Social Workers, New Mexico Chapter  
National Association of Social Workers, New York Chapter  
National Association of Social Workers, North Carolina Chapter  
National Association of Social Workers, North Dakota Chapter  
National Association of Social Workers, Ohio Chapter  
National Association of Social Workers, Oklahoma Chapter  
National Association of Social Workers, Oregon Chapter  
National Association of Social Workers, Pennsylvania Chapter  
National Association of Social Workers, Puerto Rico Chapter  
National Association of Social Workers, Rhode Island Chapter  
National Association of Social Workers, South Carolina Chapter  
National Association of Social Workers, South Dakota Chapter  
National Association of Social Workers, Texas Chapter  
National Association of Social Workers, Utah Chapter  
National Association of Social Workers, Vermont Chapter  
National Association of Social Workers, Virgin Islands Chapter  
National Association of Social Workers, Virginia Chapter  
National Association of Social Workers, Washington Chapter  
National Association of Social Workers, West Virginia Chapter  
National Association of Social Workers, Wisconsin Chapter  
National Association of Social Workers, Wyoming Chapter  
New Economy Project  
New Era Colorado Action Fund  
New Jersey Appleseed Public Interest Law Center  
New Jersey Association of Mental Health and Addiction Agencies, Inc.  
New Jersey Institute for Social Justice  
NextGen California  
NMIC  
North Carolina Council of Churches  
Northwest Justice Project  
Nourish California  
Oasis Legal Services  
Ohio Student Association  
On Point for College  
Progress Virginia  
Progressive Leadership Alliance of Nevada  
Public Justice Center

Quiet Creek Herb Farm & School of Country Living  
Renewing the Countryside  
Safety Net Project - Urban Justice Center  
SEIU Local 500  
SEIU Local 509  
Silver State Equality  
South Carolina Appleseed Legal Justice Center  
Southern California College Attainment Network  
Step Forward  
Student Loan Fund  
Students Engaged in Advancing Texas (SEAT)  
Students United  
Texas American Federation of Teachers  
Texas State Teachers Association  
The Arizona Students' Association  
The Center for Access to QDROs  
The Collaborative NC  
The Counseling Lounge, LLC  
The Rebuild, Overcome, and Rise (ROAR) Center at the University of MD, Baltimore  
The RP Group  
UAW Local 259  
UAW Region 9A  
United University Professions  
United Way of Southern Cameron County  
Universal Health Care Foundation of Connecticut  
University of California Student Association (UCSA)  
University of Connecticut chapter of the American Association of University Professors  
Urban Justice Center  
Urban Tilth  
Vermont-NEA  
Volunteer Lawyers Project of CNY, Inc.  
Washington Education Association  
Washington State Office of the Student Loan Advocate  
Washington Student Association (WSA)  
West Virginia Citizen Action Group  
Westchester residential opportunities  
WI Appleseed  
William E. Morris Institute for Justice  
Wisconsin Education Association Council  
Women Employed