

September 22, 2021

The Honorable Miguel Cardona  
Secretary  
United States Department of Education  
400 Maryland Avenue SW  
Washington, DC 20202

Secretary Cardona:

We, the more than 200 undersigned union, student, consumer, higher education, public health, workforce, public interest, professional, military, and faith organizations representing millions of public service workers and student loan borrowers are writing to urge you to take administrative action to ensure that all public service workers who have completed a decade of service receive the debt relief they were promised. As part of this administrative action, the Department of Education must guarantee that any and all changes to the Public Service Loan Forgiveness (PSLF) program aren't just prospective but provide retroactive relief to all dedicated public service workers with student debt. This action should be immediate and need not wait for the Department of Education to write new rules.

Since the Department of Education called for comments on the future of PSLF, nearly 45,000 individual student loan borrowers from all 50 states have shared their stories— demanding the Biden Administration restore the promise of this critical protection. These public comments describe how workers across the country have faced widespread, systemic barriers to PSLF while responding to an unprecedented public health emergency, navigating a deep economic recession, and struggling to emerge from an unequal economic recovery. Throughout the pandemic, public service workers have remained on the hook for debts they should not owe, taking a heavy psychological and financial toll month after month.

Congress, in a bipartisan fashion, made a promise more than a decade ago that public service workers who choose to give back to their communities and our country wouldn't be locked in a lifetime of debt. This promise ensured aspiring nurses, educators, and millions of others were not precluded from pursuing these careers due to the dual financial pressures of stagnant wages and ever-rising student loan balances, and that underserved communities were able to attract public service professionals to their communities.

This promise has been broken.

Since the first public service workers became eligible for debt cancellation in 2017, 98 percent of those who applied have been rejected. Despite reassurances from the Department of Education that these were just initial missteps and that rates of debt cancellation granted under this program would improve over time, year after year we continue to see widespread denials without explanation and no serious effort to address the underlying problems driving this systemic failure.

Throughout the history of this program, government mismanagement and industry abuses have knocked a generation of dedicated public service workers off track, including student loan borrowers across the public sector and those serving at nonprofit organizations. This led to predictably poor results, highlighted in warnings from government auditors,<sup>1</sup> regulators,<sup>2</sup> law enforcement officials,<sup>3</sup> and Members of Congress.<sup>4</sup>

Millions of people who planned their lives and livelihoods around the promise of PSLF deserve better. That's why, earlier this year, the largest international labor unions<sup>5</sup>; organizations representing servicemembers, veterans, and their families<sup>6</sup>; a coalition of 100 student, consumer, civil rights, and public interest organizations<sup>7</sup>; and more than 50 U.S. Senators and Members of Congress<sup>8</sup> called on you to immediately take critical steps to restore the promise of the PSLF program.

Building on this call to action, we urge you to follow these three central principles when delivering overdue debt relief to our nation's dedicated public service workforce:

- **Eliminate all student debt owed by those who have served for a decade or more.**  
We call on you to establish new, streamlined criteria for a simple, straightforward path to cancel debt for all who have worked in public service for a decade or more. The current payment pause presents a unique opportunity to bring an end to the mismanagement and abuse that have become the hallmarks of PSLF. Simply, our remedy cannot require dedicated public service workers to start anew, following an equally complicated multi-year pathway to access relief, as the prior Administration had done. This relief must also be extended regardless of current employment status, ensuring all who have served can benefit. The elimination of public service workers' debts must be underway before restarting student loan payments and before the imminent departure of the Education

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<sup>1</sup> <https://www.gao.gov/products/gao-18-547>

<sup>2</sup> [https://files.consumerfinance.gov/f/documents/201706\\_cfpb\\_PSLF-midyear-report.pdf](https://files.consumerfinance.gov/f/documents/201706_cfpb_PSLF-midyear-report.pdf)

<sup>3</sup> <https://www.mass.gov/news/ag-healey-sues-to-protect-public-service-loan-forgiveness>;  
<https://ag.ny.gov/press-release/2019/ag-james-sues-student-loan-servicer-mismanaging-loan-forgiveness-program>;

<https://oag.ca.gov/news/press-releases/attorney-general-becerra-sues-secretary-devos-and-us-department-education>

<sup>4</sup>

<https://www.cardin.senate.gov/imo/media/doc/Bicameral%20Oversight%20Letter%20to%20Ed%20Dept%20on%20PSLF%20Implementation.pdf>;

<https://quigley.house.gov/sites/quigley.house.gov/files/PSLF%20IL%20Letter%202019.05.03.pdf>

<sup>5</sup>

<https://educationvotes.nea.org/wp-content/uploads/2021/04/FINAL-labor-letter-on-emergency-PSLF-action.pdf.pdf>

<sup>6</sup> <https://vetsedsuccess.org/our-letter-to-dod-ed-asking-them-to-improve-pslf/>

<sup>7</sup> <https://protectborrowers.org/advocates-pslf-letter/>

<sup>8</sup>

[https://sarbanes.house.gov/sites/sarbanes.house.gov/files/05.05.2021\\_LETTER\\_Sec-Cardona-PSLF-Improvements.pdf](https://sarbanes.house.gov/sites/sarbanes.house.gov/files/05.05.2021_LETTER_Sec-Cardona-PSLF-Improvements.pdf)

Department's primary PSLF loan contractor— ensuring no public service worker who has served for a decade ever receives another student loan bill.

- **Grant one year of credit for each year of service for all public service workers who owe any type of federal student loan.** This effort should grant prorated credit toward PSLF for every public service worker with student debt who has served for less than a decade. Regardless of borrowers' loan type, loan status, or repayment plan, the Department of Education must recognize and reward borrowers' service, consistent with congressional intent. By reorienting the criteria for eligibility to focus solely on the duration of public service performed, the Department of Education will also make public service workers whole where they have been the victims of widespread deception and fraud by the student loan industry.<sup>9</sup>
- **Ensure relief to public service workers is automatic.** To the maximum extent possible, the Department of Education should automate the process of verifying and awarding credit to borrowers who owe these debts, relying on information already collected or available through other government agencies. Last month, the Department of Education used this approach to protect military borrowers, delivering debt relief to more than 47,000 current and former active duty service members by leveraging existing government records about borrowers' employment to automatically waive interest charges.<sup>10</sup> The Department of Education should build on this framework, leveraging a wide range of federal, state and local government records—including employment records maintained by the federal Office of Personnel Management, Internal Revenue Service records of employer tax status, and personnel logs maintained by public school districts—to identify and automate access to PSLF for all borrowers who can be identified as public service workers.

As noted above, in the weeks since launching this public inquiry, ED has received nearly 45,000 comments from affected student loan borrowers and other stakeholders, offering new insight into the myriad failures of the failed program. These comments have come from educators, frontline workers, legal aid workers and public defenders, firefighters, contingent faculty members, workers laid off due to COVID-19, social workers, among other key segments of our nation's public service workforce. Yet the consequences of breakdowns around PSLF cannot be captured in a rejection rate or an average loan balance. Individual borrowers' narratives illustrate the heavy toll that widespread government mismanagement and industry abuses have taken from public service workers with student loan debt.<sup>11</sup>

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<sup>9</sup> <https://protectborrowers.org/public-service-loan-forgiveness-2/>

<sup>10</sup>

<https://www.ed.gov/news/press-releases/us-department-education-grants-interest-rate-benefit-more-4700-0-service-members>

<sup>11</sup> For example, **military borrowers**: <https://bit.ly/3u25YnC>; **FFEL borrowers**: <https://bit.ly/3zCfCyl>; **teachers**: <https://bit.ly/3zDG6zS>; **frontline workers**: <https://bit.ly/39syFk7>; **legal service workers and public defenders**: <https://bit.ly/3zx4q6i>; **fire fighters**: <https://bit.ly/3kwr6iR>; **nurses**: <https://bit.ly/3iLLHPG>; **social workers**: <https://bit.ly/3kwza31>; and **Connecticut borrowers**: <https://bit.ly/3nYiiEA>.

During your confirmation hearing, you committed to using all of the tools at your disposal to provide student loan borrowers with immediate relief. You also committed to “boldly address” inequities across our education system.<sup>12</sup> The burden of student debt falls disproportionately on Black and Brown borrowers— those who, as a result of a racial wealth gap driven by systemic racism, most often lack the familial wealth necessary to obtain a debt-free higher education in America. Unfortunately, a growing body of evidence also demonstrates that these borrowers frequently miss out on existing avenues for debt relief enacted by Congress.<sup>13</sup> For these reasons, fixing existing loan forgiveness programs so that the Department lives up to the promises required under law should be one of the first places you start.

Should the Department identify legal, statutory, or regulatory barriers to implementing the steps described above, we believe you must invoke your authority under the Higher Education Relief Opportunities for Students Act or other statutory authorities, that allow you to waive or modify statute and regulations as necessary.<sup>14</sup>

Once again, we urge you to take immediate administrative action outside of the rulemaking process to deliver the promise that all public service workers who have completed a decade of service see their student debt eliminated, that those workers who have completed less than a decade of service have their past work credited toward full relief, and ensure any action is not limited to prospective change, but delivers retroactive relief for all public service workers. As you take the actions described above, we look forward to meeting with you and your staff to discuss the timeline and tactics the Department will deploy to fix the Public Service Loan Forgiveness program. We stand ready to assist you and President Biden in this effort.

Sincerely,

Student Borrower Protection Center  
American Federation of Teachers

Equal Justice Works  
National Education Association

603 Forward  
AASA, The School Superintendents Association  
Accountable.US  
Administration of Resources and Choices (ARC)  
Affordable Homeownership Foundation Inc.  
Affordable Housing Centers of PA  
ALAA UAW Local 2325  
Alaska PIRG  
Alliance for Youth Action  
American Association of Colleges for Teacher Education  
American Association of University Professors

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<sup>12</sup> <https://www.help.senate.gov/imo/media/doc/Cardona.pdf>

<sup>13</sup> [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3726183](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3726183)

<sup>14</sup> P.L. 108-76

American Federation of Government Employees (AFGE)  
American Federation of State, County and Municipal Employees (AFSCME)  
American Library Association  
American Psychological Association  
Americans for Financial Reform Education Fund  
Arizona Housing Coalition  
Asian Pacific American Labor Alliance, AFL-CIO  
Association of Educational Service Agencies (AESAs)  
Association of Latino Administrators and Superintendents (ALAS)  
Association of People Supporting Employment First (APSE)  
Association of Schools Advancing Health Professions  
Association of Schools and Programs of Public Health  
Association of Young Americans  
Autistic Self Advocacy Network  
Bet Tzedek  
Blue Future  
Broome County Urban League Inc  
California Association of Nonprofits  
CCCS of Buffalo  
Center for Economic Integrity  
Center for LGBTQ Economic Advancement & Research (CLEAR)  
Center for Responsible Lending  
Center for Workers' Rights  
Central American Resource Center-CARECEN  
Central Islip Civic Council, Inc.  
Charlotte Center for Legal Advocacy  
Chicago Foundation for Women  
Child Care Law Center  
Citizens for Public Schools  
Civil Service Bar Association  
Clarifi  
CNC  
Coastal Enterprises, Inc.  
Committee of Interns and Residents / SEIU  
Community Reinvestment Solutions, Inc,  
Community Service Society of New York  
Congregation of Our Lady of Charity of the Good Shepherd, U.S. Provinces  
Consumer Action  
Consumer Credit and Budget Counseling, Inc d/b/a National Foundation for Debt Management  
Consumer Credit Counseling Service of Maryland and Delaware, Inc.  
Consumer Federation of America  
Consumer Federation of California  
Consumer Reports  
Consumers for Auto Reliability and Safety

Cook County Public Defenders Office  
Cooperative Baptist Fellowship of Texas  
Council on Social Work Education  
Cuban American National Council, Inc.  
CWA Local 1036  
CWA Local 1081  
Cypress Hills Local Development Corporation  
DC37 Municipal Employees Legal Services  
Debt Collective  
Debt-Free MD, Inc. (Maryland)  
DevNW  
Disability Rights Maine  
Empire Justice Center  
Equal Rights Advocates  
Equality Maine  
Financial Inclusion for All Illinois  
Financial Pathways of the Piedmont  
Forum for Youth Investment  
Fossil Fuel Divest Harvard  
Fosterus  
Frayser CDC  
Greenpeace USA  
Heartland Alliance  
Hildreth Institute  
HomeFree-USA  
Horizons, A Family Service Alliance  
Housing Action Illinois  
Housing and Economic Rights Advocates  
Housing Opportunities of Fort Worth, Inc.  
Housing Options & Planning Enterprises, Inc.  
Hudson County Housing Resource Center  
Illinois PIRG  
International Association of Fire Fighters (IAFF)  
International Federation of Professional and Technical Engineers (IFPTE)  
Inversant  
Investor Advocates for Social Justice  
Ironbound Community Corporation  
Jain Family Institute  
La Vida Scholars  
Law Foundation of Silicon Valley  
Law Students for Climate Accountability  
Latino Action Network  
Lawrence CommunityWorks  
LCLAA

Legal Action Chicago  
Legal Aid at Work  
Los Angeles Center for Law and Justice  
Maine Center for Economic Policy  
Maine Community Action Partnership  
Maine Education Association  
Maine Immigrants Rights Coalition  
Maine Public Health Association  
Maine Youth for Climate Justice  
Margert Community Corporation  
Maryland Consumer Rights Coalition  
Massachusetts Affordable Housing Alliance  
Miami Valley Community Action Partnership  
Midwest College Project  
Minority Veterans of America  
Mobilization for Justice  
Mt. Airy CDC  
National Action Network  
National Advocacy Center of the Sisters of the Good Shepherd  
National Association of Consumer Advocates  
National Association of Consumer Bankruptcy Attorneys (NACBA)  
National Association of Pediatric Nurse Practitioners  
National Association of Social Workers  
National CAPACD- National Coalition for Asian Pacific American Community Development  
National Consumer Law Center (on behalf of our low-income clients)  
National Disability Rights Network (NDRN)  
National Housing Law Project  
National Housing Resource Center  
National League for Nursing  
National NeighborWorks Association  
National Rural Education Association  
Navicore Solutions  
New Era Colorado  
New Hampshire Youth Movement  
New Jersey Citizen Action  
New Jersey State Conference of the AAUP  
New York Legal Assistance Group  
New York State Defenders Association, Inc.  
New Yorkers for Responsible Lending  
Newtown Community Development Corporation  
NextGen California  
NHS of Los Angeles County  
Nonprofit Professional Employees Union, IFPTE Local 70  
North Carolina Council of Churches

Northeast Ohio Black Health Coalition  
Northfield Community LDC  
OCA – Asian Pacific American Advocates  
Office of the External Affairs Vice President, Associated Students of the University of California  
Ohio Student Association  
OneJustice  
OnTrack WNC Financial Education & Counseling  
Our Revolution  
Partnership for College Completion  
Peace Financial Center  
Penquis  
People's Parity Project  
PHENOM (Public Higher Education Network of Massachusetts)  
Project LIFT  
Public Counsel  
Public Justice Center  
Public Law Center  
Refugee Family Assistance Program  
Revolving Door Project  
Rise  
Rockland Housing Action Coalition, Inc.  
Sandhills Community Action Program Inc  
SC Appleseed Legal Justice Center  
SEIU local 509  
Service Employees International Union  
Sisters of St. Francis of Philadelphia  
Social Security Works  
Sowing Empowerment & Economic Development, Inc.  
Spanish American Committee  
SparkAction  
St. Petersburg Neighborhood Housing Services, Inc. dba Neighborhood Home Solutions  
Student Debt Crisis Center (SDCC)  
Student Veterans of America  
Suzanne Hawley Counseling, LLC  
Tanglewood Nature Center & Museum- non-profit  
Texas Appleseed  
The Homeowners Employment Corporation  
The People's Lobby  
The Western New York Law Center, Inc.  
Trellis  
Tri-City Peoples Corporation  
Troy Rehabilitation and Improvement Program, Inc.  
Tzedek DC  
uAspire



UnidosUS  
United States Student Association  
United Way Bay Area  
United Ways of Texas  
UnKoch My Campus  
Urban League of Middle Tennessee  
Urban League of Northwest Indiana  
Urban League of Portland  
Urban League of Racine and Kenosha  
Urban League of Rochester  
U.S. PIRG  
Virginia Poverty Law Center  
Women Employed  
Working Families Party  
Worksafe  
Wyandanch Community Development Corporation  
Young Invincibles  
Zero Debt Massachusetts