Congress of the United States
Washington, DC 20510

October 3, 2022

The Honorable Miguel Cardona
Secretary of Education
U.S. Department of Education
400 Maryland Ave, SW
Washington, D.C. 20202

Dear Secretary Cardona:

Thank you for your continued efforts to improve the Public Service Loan Forgiveness (PSLF) program. As you are aware, the limited PSLF waiver, announced last October, has significantly improved the lives of the more than 189,000[1] public servants who have had their student loans forgiven though the program and the one million[2] who have received an average of one additional year of PSLF credit. Given the upcoming October 31, 2022 limited PSLF waiver deadline, we write to reiterate our request[3] that the Department of Education extend its deadline until July 1, 2023—when the Department's new PSLF regulations will take effect—in order to ensure that *all* public servants with federal student loans are able to benefit from this historic waiver.

To date, the waiver has been overwhelmingly successful in reducing barriers for borrowers to receive PSLF relief, as the waiver accounts for almost all (91%) of the borrowers who have received forgiveness through the PSLF program through July 31, 2022.[4] The limited waiver is also a lifeline for Federal Family Education Loan (FFEL) borrowers who—for the first time—have seen their payments acknowledged in the PSLF program. Yet, data indicates that only a fraction of the public servants who are eligible for PSLF have utilized the waiver. According to the Student Borrower Protection Center's estimates, only 15% of the 9 million public service workers with student debt have filed paperwork to track their qualifying payments under PSLF.[5]

As more than 20 state attorneys general have pointed out, "[g]iven the essential benefits provided by the limited PSLF waiver, and the fact that fundamental problems with the PSLF program will

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[1] U.S. Dep't of Educ. (ED), *Public Service Loan Forgiveness Data: July 2022,* https://studentaid.gov/data-center/student/loan-forgiveness/pslf-data [hereinafter ED July 2022 PSLF data].
[2] ED, *U.S Department of Education Announces Transformational Changes to the Public Service Loan Forgiveness Program* (Oct. 6, 2021), 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 [hereinafter 10/6/21 ED Announcement].
[3] Letter from 100 members of Congress to President Biden and Secretary Cardona (Jul. 28, 2022), https://www.menendez.senate.gov/newsroom/press/menendez-booker-warren-schumer-underwood-cardenas-pressley-lead-100-colleagues-in-urging-biden-administration-to-extend-student-loan-payment-pause.
[4] ED July PSLF data, *supra* note 1.
[5] *See* Student Borrower Protection Ctr. (SBPC), *More than 9 Million Public Service Workers with Federal Student Loans Eligible for Debt Cancellation, Fewer than 2% Have Received Relief, and only 15% on Track* (Jun. 9, 2022), https://protectborrowers.org/new-analysis-more-than-9-million-public-service-workers-with-federal-student-loans-eligible-for-debt-cancellation-fewer-than-2-percent-have-received-relief-and-only-15-percent-on-track/.

immediately return (likely in an exacerbated form) upon the waiver's end, we have grave concerns about the plans to end the waiver . . . before the Department's new PSLF regulations take effect."[6] These attorneys general, alongside the education advocacy, government, and non-profit community as a whole, agree that operationalizing and explaining the waiver has been an incredible challenge for the Department, as well as its servicers. Such challenges have left numerous public servants confused about how the waiver, consolidation, and the Department's one-time review to fix forbearance and deferment failures will work. This is especially true for FFEL borrowers and borrowers who still hold joint consolidated loans from the Department, many of whom are still unaware that they may have an opportunity to qualify for PSLF under the limited PSLF waiver.

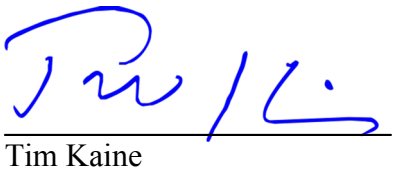
Importantly, extending the PSLF waiver will also allow more military service members and federal employees to make progress towards loan forgiveness through PSLF. Though the Department has announced that it is currently working to ensure that all federal agencies and departments automatically provide credit for PSLF for members of the military and federal employees, this program is not yet in place. Military and federal data matches are critical to ensuring that the Department can identify which borrowers are eligible for PSLF and provide them automatic relief.

Since the deadline of October 31, 2022 to qualify for PSLF under the waiver program is less than one month away, we ask that the Department extend this deadline in order to ensure that *all* public servants with federal student loans are able to benefit from this historic waiver.

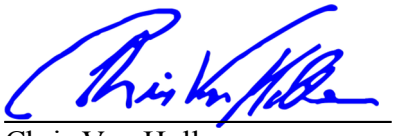
Sincerely,

Robert Menendez
United States Senator

Kirsten Gillibrand
United States Senator



Tim Kaine
United States Senator



Chris Van Hollen
United States Senator

[6] Letter from 19 states and the D.C. Attorney's General to President Biden and Secretary Cardona (Jul. 29. 2022), https://www.mass.gov/doc/multistate-letter-to-biden-administration-on-pslf-waiver/download.

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