



August 11, 2022

President Joseph R. Biden
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Secretary Miguel A. Cardona
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear President Biden and Secretary Cardona,

The Consortium for Constituents with Disabilities (CCD) Financial Security and Poverty Task Force write to urge you to extend the federal student loan payment pause and not require borrowers to resume payments in September. CCD's mission is to engage in concerted advocacy for national public policy that ensures the self-determination, independence, empowerment, integration, and inclusion of children and adults with disabilities in all aspects of society free from racism, ableism, sexism, and xenophobia, as well as LGBTQ+ based discrimination and religious intolerance; that enhances the civil rights and quality of life of all people with disabilities and their families; and that reflects the values of the Americans with Disabilities Act and all civil rights law.

We again want to take this opportunity to thank the Administration and the U.S. Department of Education for the actions already taken to bring much-needed relief to federal student loan borrowers. We thank the Department for carrying out a negotiated rulemaking to make regulatory changes to programs authorized by Title IV of the Higher Education Act of 1965. We are particularly thankful that the rulemaking includes issuing new regulations to improve the Total and Permanent Disability (TPD) Discharge process. We are also thankful for the improvements to the TPD discharge process the Department announced in August 2021, including the provision of automatic discharges to eligible borrowers with disabilities identified through a data match with the Social Security Administration. We know these actions will result in needed relief for many borrowers with disabilities.

Putting the uncertainty surrounding the pandemic and the economy aside, we know that several aspects of the student loan system are broken and that restarting payments before those issues have been addressed by the Administration will lead to unnecessary defaults, seizures, and other financial harm for struggling borrowers. We would urge that payments not resume before TPD regulations are implemented.

We also continue to have serious concerns about whether loan servicers are adequately prepared for the restart of payments. Currently, there is a risk of inadequate loan servicing capability during this challenging transition at a time when millions of borrower accounts are also being transferred to new servicers, and servicers are working to implement important changes related to the IDR account adjustment, Public Service Loan Forgiveness waiver, and the Fresh Start for borrowers with defaulted loans. Servicers' inability to quickly, effectively, and accurately communicate relief options and answer borrowers' calls for help will hurt all borrowers, but will hurt borrowers who need loan relief the most. Vulnerable borrowers will also pay for servicer mistakes and delays in identifying borrowers eligible for relief and processing relief applications. We are concerned that borrowers with disabilities who need support to understand and access their loan relief options will not get the help they need and will fall into delinquency and default.

Again, while we are thankful for the improvements made by the Administration and the Department for borrowers with disabilities and for those who are low income, we believe it would be imprudent to restart payments in September and urge you to extend the pause ideally, at least until the TPD regulations are implemented. Please contact Alpha Taylor (ataylor@nclc.org) or Cyrus Huncharek (cyrus.huncharek@ndrn.org) with any questions or to arrange a meeting.

Sincerely,

Association of University Centers on Disabilities
Autistic Self Advocacy Network
Autistic Women & Nonbinary Network
National Consumer Law Center
National Disability Rights Network (NDRN)
National Women's Law Center
RespectAbility
The Arc

CC:

James Kvaal, Under Secretary, Department of Education
Richard Cordray, Chief Operating Officer, Office of Federal Student Aid, Department of Education