

# Congress of the United States

Washington, DC 20515

October 25, 2024

The Honorable Miguel Cardona  
Secretary  
U.S. Department of Education  
400 Maryland Avenue SW  
Washington, D.C. 20002

Dear Secretary Cardona:

In light of the disruptions many borrowers face due to ongoing litigation over the Saving on a Valuable Education (SAVE) Plan, we write to urge you to provide clarity and support to minimize the harm posed to affected borrowers.

As you know, the eight million SAVE Plan participants are facing uncertainty after the 8<sup>th</sup> Circuit Court of Appeals halted implementation of the SAVE Plan. While we recognize the Department of Education's efforts to avoid penalizing borrowers by putting their accounts into forbearance, we remain concerned about the numerous challenges borrowers continue to face.

In particular, for those borrowers in the process of pursuing Public Service Loan Forgiveness (PSLF), the current period of forbearance and accompanying disruptions in loan servicing create uncertainty for the status of their loan forgiveness eligibility and financial future. We acknowledge the Department's efforts to provide guidance for borrowers in this situation to apply for different repayment plans or to consider future buybacks for nonrepayment during forbearance, as well as the Department's recent announcement that it is working to restore access to other repayment plan options. We are also encouraged to see the Department reinstate the online application so that borrowers can apply for repayment options. Unfortunately, our constituents report hearing conflicting information from servicers about whether any income-driven repayment plan applications are being accepted and processed. As a result, these borrowers are locked out of making progress toward the qualifying 120 monthly payments for PSLF eligibility even as they continue to serve our communities.

For these and other borrowers currently enrolled in the SAVE plan, we remain concerned about the importance of ensuring that all borrowers have adequate support and information to successfully navigate student loan repayment as litigation continues. The Department must also ensure that it has sufficient plans in place to facilitate a successful and immediate transition for affected borrowers should the final judicial ruling ultimately prevent implementation of the SAVE plan. The Department's plans should include preparing the necessary guidance for borrowers, adjusting contracts and issuing new regulations as needed. Given the instability created by the court's ruling and the resulting widespread impact on borrowers, it is clearly in the public's interest for the Department to move quickly as possible to be prepared for any potential judicial outcome.

Given the Department's duty to protect student loan borrowers, we respectfully request that:

- The Department ensure that the current period of forbearance counts for PSLF borrowers, given that these circumstances are out of their control;
- The Department urgently restore access to other income-based repayment plans during the duration of these court proceedings and conduct robust outreach to borrowers to increase awareness of borrowers' ability to submit online applications with their servicers for available repayment options; and

- The Department plan to immediately ensure access to alternative, pre-existing repayment plans if SAVE is struck down by the courts.

We thank you for your immediate attention to these matters, and we urge you to work as quickly as possible to prevent any further harm to borrowers.

Sincerely,

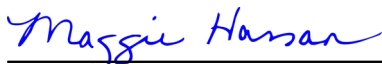
Sincerely,



Jeanne Shaheen  
United States Senator



Brendan F. Boyle  
Member of Congress



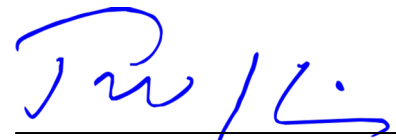
Margaret Wood Hassan  
United States Senator



Jeffrey A. Merkley  
United States Senator



Martin Heinrich  
United States Senator



Tim Kaine  
United States Senator



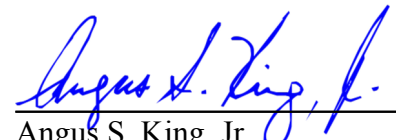
Elizabeth Warren  
United States Senator




Peter Welch  
United States Senator



Chris Van Hollen  
United States Senator



Angus S. King, Jr.  
United States Senator



Raphael Warnock  
United States Senator



Raphael Warnock  
United States Senator




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Bernard Sanders  
United States Senator



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Jack Reed  
United States Senator



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Catherine Cortez Masto  
United States Senator



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Gary C. Peters  
United States Senator



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Paul D. Tonko  
Member of Congress



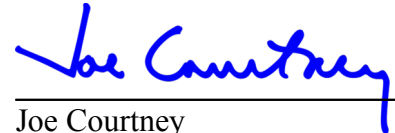
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Maxine Waters  
Member of Congress



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Eleanor Holmes Norton  
Member of Congress



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Joe Courtney  
Member of Congress



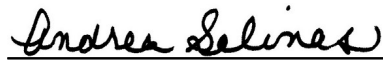
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Danny K. Davis  
Member of Congress



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John P. Sarbanes  
Member of Congress



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Andrea Salinas  
Member of Congress



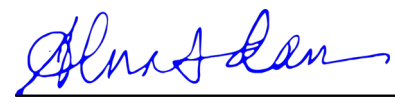
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J. Luis Correa  
Member of Congress



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Richard Blumenthal  
United States Senator



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Alma S. Adams, Ph.D.  
Member of Congress



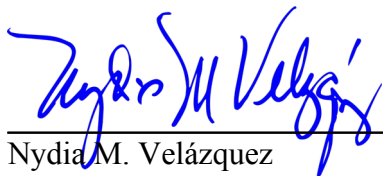
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Frederica S. Wilson  
Member of Congress



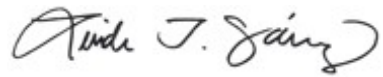
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John Garamendi  
Member of Congress



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Nydia M. Velázquez  
Member of Congress



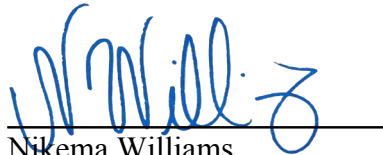
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Linda T. Sánchez  
Member of Congress



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Jamaal Bowman, Ed.D.  
Member of Congress



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Nikema Williams  
Member of Congress



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Debbie Wasserman Schultz  
Member of Congress



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Dan Goldman  
Member of Congress



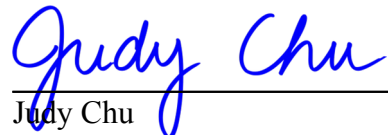
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Barbara Lee  
Member of Congress



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Henry C. "Hank" Johnson, Jr.  
Member of Congress



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Judy Chu  
Member of Congress



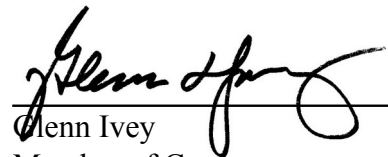
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Kathy Castor  
Member of Congress



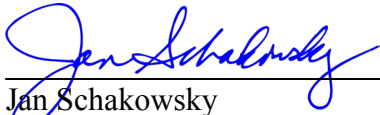
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Gwen S. Moore  
Member of Congress



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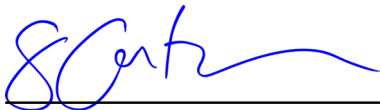
Glenn Ivey  
Member of Congress



Jan Schakowsky  
Member of Congress



Ritchie Torres  
Member of Congress



Sean Casten  
Member of Congress



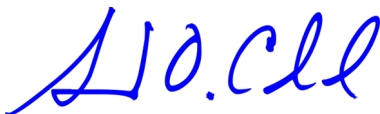
Ed Case  
Member of Congress



Mark DeSaulnier  
Member of Congress



Chellie Pingree  
Member of Congress



Salud Carbajal  
Member of Congress



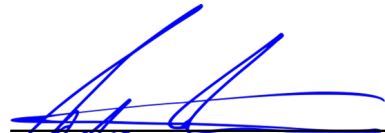
Pramila Jayapal  
Member of Congress



Sheila Cherfilus-McCormick  
Member of Congress



Robert Garcia  
Member of Congress



Adriano Espaillat  
Member of Congress



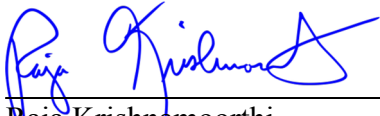
Shri Thanedar  
Member of Congress



Seth Moulton  
Member of Congress



Jamie Raskin  
Member of Congress



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Raja Krishnamoorthi  
Member of Congress



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Donald G. Davis  
Member of Congress



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Val Hoyle  
Member of Congress



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Maria Cantwell  
United States Senator



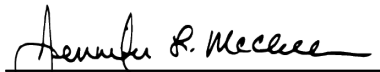
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Ilhan Omar  
Member of Congress



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Tammy Duckworth  
United States Senator



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Jennifer L. McClellan  
Member of Congress



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Greg Casar  
Member of Congress



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Seth Magaziner  
Member of Congress



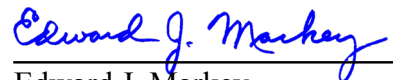
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Adam B. Schiff  
Member of Congress



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Richard J. Durbin  
United States Senator



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Edward J. Markey  
United States Senator



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Sheldon Whitehouse  
United States Senator