

**Congress of the United States**  
**House of Representatives**  
**Washington, D.C. 20515**

March 2, 2026

The Honorable Linda McMahon  
Secretary  
U.S. Department of Education  
400 Maryland Avenue SW  
Washington, DC 20202

RE: Docket ID ED-2025-OPE-0944

Dear Secretary McMahon:

We write to share our views on the Department of Education's (Department's) Notice of Proposed Rulemaking (NPRM) on graduate and professional student lending. The Reimagining and Improving Student Education (RISE) Committee addressed federal student loan borrowing and repayment changes made to the *Higher Education Act of 1965* (HEA) in Public Law 119-21 (P.L. 119-21).<sup>1</sup> The Department's proposed rule implements newly imposed loan limits from P.L. 119-21 and establishes parameters and regulations for new repayment plans and loan forgiveness.<sup>2</sup> We are concerned that this new structure of federal graduate lending will further restrict higher education access, particularly for low- and middle-income borrowers. It is crucial that the Department prioritize providing all students with access to federal student aid to finance their education, regardless of economic status, and protect students from unaffordable debt.

**Support for Struggling and Defaulted Borrowers**

America is facing a student loan debt crisis.<sup>3</sup> As of April 2025, over 4 million federal student loan borrowers were in late stage loan delinquency on their federal student loans, and 5 million have defaulted on their loans.<sup>4</sup> The consequences of loan default may include wage garnishment,

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<sup>1</sup> U.S. Dept. of Educ., *Negotiated Rule Making for Higher Education 2025*, <http://www.ed.gov/laws-and-policy/higher-education-laws-and-policy/higher-education-policy/negotiated-rulemaking-for-higher-education-2025-2026#reimagining-and-improving-student-education-rise-committee> (last visited Feb. 3, 2026).

<sup>2</sup> *Reimagining and Improving Student Education*, 91 Fed. Reg. 4254 (Jan. 30, 2026) (to be codified at 34 C.F.R. §§ 674, 682, 685) (*hereinafter* "NPRM").

<sup>3</sup> See e.g., Tiara Moultrie, *Hitting the Brakes on a Student Loan Default Cliff*, The Century Found. (May 2, 2025).

<sup>4</sup> Press Release, U.S. Dep't of Educ., U.S. Department of Education to Begin Federal Student Loan Collections, Other Actions to Help Borrowers Get Back into Repayment (Apr. 21, 2025), <https://www.ed.gov/about/news/press-release/us-department-of-education-begin-federal-student-loan-collections-other-actions-help-borrowers-get-back-repayment>.

tax refund withholding, federal student aid ineligibility, and damaged credit.<sup>5</sup> Survey data suggests that unmanageable student loan debt is making it harder for borrowers to “keep up with their other bills, to find secure housing, or to save for retirement.”<sup>6</sup> In a recent study, 42 percent of borrowers reported having to choose between covering their basic needs and making a loan payment.<sup>7</sup> No person should have to decide between repaying their loans or having housing, food, or child care. Thus, the Department must do all it can within the confines of the law to support borrowers and help more of them from falling into delinquency or default.

Prior to the passage of P.L. 119-21, borrowers could rehabilitate their loan *once* by making nine “voluntary, reasonable, and affordable monthly payments (as determined by your loan holder) within 20 days of the due date across a ten-month period.”<sup>8</sup> P.L. 119-21 allows borrowers starting in 2027 to rehabilitate their loans and suspend wage garnishment and tax withholdings *twice*.<sup>9</sup> The Department estimates that roughly 91,700 borrowers could benefit from this opportunity.<sup>10</sup> By rehabilitating their defaulted loans, borrowers will be able to return to good standing on their loans, access federal student aid, and revert any negative credit impacts. While double rehabilitation is a good start, more support for delinquent and defaulted borrowers is necessary.

***The Department should automatically enroll delinquent borrowers in an IDR plan.***

We strongly urge the Department to automatically enroll borrowers who are at least 75 days delinquent on their loan payments into an income-driven repayment (IDR) plan. The Department has the authority through the *Fostering Undergraduate Talent by Unlocking Resources for Education (FUTURE) Act* to securely access federal tax information from the Internal Revenue Service (IRS)<sup>11</sup>, and it should exercise this authority to ensure delinquent borrowers have the lowest possible monthly payments. This would reduce defaults by eliminating the administrative burdens that often impede struggling borrowers from getting back on track.<sup>12</sup> Automatic enrollment is a critical tool that will prevent default and help low-income borrowers who cannot afford their loan payments under the Standard Repayment Plan.

***The Department should count payments made while in default towards timed forgiveness.***

For low-income borrowers, timed forgiveness under IDR plans is a critical tool to prevent a lifetime of student loan debt. Further, the default collections process often takes more money out

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<sup>5</sup> *What are the consequences of default?*, U.S. Dep’t of Educ., Off. of Fed. Student Aid (last accessed Feb. 5, 2026), <https://studentaid.gov/help-center/answers/article/what-are-consequences-of-default>.

<sup>6</sup> Michele Zampini, *On the Edge of a “Default Cliff”: New Survey Shows Student Loan Borrowers Are Struggling to Keep Up*, The Inst. For Coll. Access & Success (Dec. 5, 2025), <https://ticas.org/affordability-2/2025-student-debt-survey-blog/>.

<sup>7</sup> *Id.*

<sup>8</sup> *Getting Out of Default*, U.S. Dep’t of Educ., Off. of Fed. Student Aid (last accessed Feb. 5, 2026), <https://studentaid.gov/manage-loans/default/get-out>; see 34 C.F.R. § 685.211(f).

<sup>9</sup> Pub. L. 119-21 § 82003(a)(1)(2025); NPRM at 4344.

<sup>10</sup> NPRM at 4324.

<sup>11</sup> *Fostering Undergraduate Talent by Unlocking resources for Education (FUTURE) Act*, Pub. L. No. 116-91.

<sup>12</sup> Jason Cohn, *Automatically Enrolling Student Loan Borrowers in Income-Driven Repayment Could Prevent Most Defaults*, Urban Inst. (Mar. 2, 2023), <https://www.urban.org/urban-wire/automatically-enrolling-student-loan-borrowers-income-driven-repayment-could-prevent>.

of a borrower's pocket than a payment under an IDR plan.<sup>13</sup> Currently, under 34 C.F.R. § 685.209, borrowers in default may have their nine voluntary, on-time payments made in pursuit of loan rehabilitation count as qualifying payments under the Income Based Repayment (IBR) plan.<sup>14</sup> We urge the Department to maintain this regulatory language to explicitly allow payments made while a borrower is in default to count as qualifying payments for the purpose of timed forgiveness in all legacy IDR plans, and the new Repayment Assistance Plan. In addition to helping defaulted borrowers make meaningful progress paying down their loans, maintaining this policy would also “reduce confusion between payment requirements in the repayment system and the default system.”<sup>15</sup>

We urge the Department to fully implement these provisions *before* restarting any wage garnishment and tax withholding efforts. Together, auto-enrollment and credit for payments made while in default will go a long way in helping protect borrowers from the long-term negative consequences of loan default.

***The Secretary should exercise her authority under HEA §§ 428(b)(1)(L)(i) and 455(a)(1) to ensure all borrowers in the tiered standard repayment plan have affordable payments.***

All borrowers should have access to affordable repayment options for their student loans. Currently, borrowers have several income-driven repayment options to choose from to meet their needs,<sup>16</sup> however P.L. 119-21 phases those plans out after July 1, 2028. Borrowers that do not qualify for the Repayment Assistance Plan (RAP), the only available IDR plan after July 1, 2028, will be forced into the tiered standard repayment plan, which offers borrowers different repayment term lengths depending on their loan balance without taking their income into consideration.<sup>17</sup>

Under the tiered standard repayment plan, the minimum monthly payment is \$50. The NPRM cites the newly updated HEA, specifically section 428(b)(1)(L)(i), as justification for the \$50 payment under the tiered standard repayment plan. However, section 428(b)(1)(L)(i) also states the annual payment amount under a standard repayment plan “**shall not, unless the borrower and the lender otherwise agree, be less than \$600**”,<sup>18</sup> establishing that the statutory minimum can be adjusted when the lender and borrower agree.

At least one other HEA provision with fairly similar language has been interpreted to give the Department the authority to adjust payment. Specifically, in 2023, the Department interpreted HEA § 428H(e) and the corresponding provision in § 455(a)(1) to authorize, *but not compel*, capitalization upon entry into repayment.<sup>19</sup> That same reasoning supports the Department's

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<sup>13</sup> Sarah Sattelmeyer et al., *Income-Driven Repayment: Option for Consideration as part of the Department' of Education's 2021 Negotiated Rulemaking Process* (Oct. 1, 2021), <https://ticas.org/affordability-2/income-driven-repayment-options-for-consideration-as-part-of-the-department-of-educations-2021-negotiated-rulemaking-process/>.

<sup>14</sup> 34 C.F.R. § 685.209(k)(5)(i).

<sup>15</sup> Sattelmeyer et al., *supra* n. 13.

<sup>16</sup> 34 C.F.R. § 685.209(a)(1)-(4).

<sup>17</sup> Pub. L. 119-21 § 82001(b)(2) (2025).

<sup>18</sup> 20 U.S.C. § 1078(b)(1)(L)(i).

<sup>19</sup> Student Assistance General Provisions, Federal Perkins Loan Program, Federal Family Education Loan Program, and William D. Ford Federal Direct Loan Program, 87 Fed. Reg. 41,878 (July 13, 2022),

authority to agree to a minimum payment lower than the \$50 threshold for Direct Loan borrowers. In the Direct Loan program, the Department is the lender in question, and it has previously interpreted parallel statutory language as permissive rather than mandatory.<sup>20</sup> It is worth noting that negotiators discussed this issue extensively during negotiated rulemaking, with legal aid, consumer, and civil rights representatives urging a \$10 minimum payment under the tiered plan to align it with the RAP plan, to reduce incentives for borrowers to shift into a plan associated with lower rates of full repayment, and to simplify administration across repayment options.<sup>21</sup>

Given the statutory flexibility and the Department's past interpretation of similar provisions of law, we urge the Secretary to adopt regulations that would facilitate borrowers reducing their minimum monthly payment under the tiered standard repayment plan to \$10, in an effort to promote consistency, success, and administrative cohesion.

***The Department should ensure the on-time payment and prepayment regulations do not negatively impact borrowers in the Repayment Assistance Plan (RAP).***

IDR plans are designed to keep student loan payments affordable by basing monthly obligations on a borrower's income and family size rather than the amount they owe.<sup>22</sup> This structure ensures that borrowers with low or fluctuating incomes can remain in good standing even when their loan balances are high. Approximately 39 percent of all borrowers with federally serviced loans are currently enrolled in an IDR plan.<sup>23</sup>

Currently, borrower payments are applied first to accumulated interest and then to principal.<sup>24</sup> Under 34 CFR § 685.211(a), any amount paid above the amount due is treated as a "prepayment" that moves the next due date of the next payment unless the borrower opts out.<sup>25</sup> According to the proposed rule, prepayments that move the due date would not count as "on-time" for purposes of receiving RAP matching principal payments and interest subsidies.<sup>26</sup> The Department claims that since borrowers will be given the option to opt out of advancing their due date so they can receive RAP benefits, this approach "strikes the right balance" between borrower choice and statutory compliance.<sup>27</sup> However, this approach has the potential to confuse both borrowers and servicers.

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<https://www.federalregister.gov/documents/2022/07/13/2022-14631/student-assistance-general-provisions-federal-perkins-loan-program-federal-family-education-loan#p-445> at 41878.

<sup>20</sup> *Id.*

<sup>21</sup> U.S. Dep't of Educ., 2025 RISE: Setting the Minimum Payment Amount for Fixed Repayment Plans (public comment submitted by Tamar Hoffman), <https://www.ed.gov/media/document/2025-rise-setting-minimum-payment-amount-fixed-repayment-plans-submitted-tamar-hoffman-112556.pdf>.

<sup>22</sup> U.S. Dep't of Educ., Off. of Fed. Stud. Aid, *What's the Difference Between IDR, IBR, and Other Repayment Plans?*, <https://studentaid.gov/help-center/answers/article/difference-between-idr-ibr-other-plans>.

<sup>23</sup> *Id.*

<sup>24</sup> 34 C.F.R. § 685.211(a); See Consumer Fin. Prot. Bur., *Tips for Managing Student Loan Debt*, (Sept. 6, 2024), [https://www.consumerfinance.gov/paying-for-college/repay-student-debt/student-loan-debt-tips/#stay-on-track-with-income-driven-repayment-\(idr\)](https://www.consumerfinance.gov/paying-for-college/repay-student-debt/student-loan-debt-tips/#stay-on-track-with-income-driven-repayment-(idr)).

<sup>25</sup> 34 C.F.R. § 685.211(a).

<sup>26</sup> NPRM at 4284.

<sup>27</sup> *Id.*

In addition to adding unnecessary confusion, some current IDR borrowers could be punished under the RAP solely due to their financial situation. Currently some IDR borrowers make payments in installments to reach their full monthly payment and avoid delinquency. However, without additional flexibility, these borrowers may lose access to RAP's matching and subsidy benefits simply because their payments do not align neatly with the "on-time" payment definition. During negotiated rulemaking, several negotiators urged the Department to avoid an all-or-nothing approach to subsidies and allow flexibility to ensure borrowers are not punished for paying in a way that works best for them and their families.<sup>28</sup>

We urge the Department to provide borrowers making payments with as much flexibility as possible to ensure the new RAP functions equitably and fulfills its purpose for low-income borrowers.

***The Department should explore what options exist to ensure Parent PLUS borrowers have access to Public Service Loan Forgiveness (PSLF).***

Parent PLUS loans are federal loans available to parents of dependent students pursuing an undergraduate degree to help students afford their education.<sup>29</sup> While Parent PLUS loans originally targeted wealthier families, rising costs led to an expansion of the program. Research indicates that while the majority of Parent PLUS borrowers still come from higher income families,<sup>30</sup> low- and middle- income Black and Hispanic parents have been disproportionately impacted by the negative outcomes of the program, such as higher debt-to-income ratios, despite their borrowing relatively smaller absolute amounts than other parents in the program.<sup>31</sup>

Currently, Parent PLUS loans can only qualify for PSLF when borrowers consolidate their Parent PLUS loans and enroll in an Income-Contingent Repayment (ICR) plan.<sup>32</sup> The NPRM states that Parent PLUS borrowers are not eligible to enroll in the RAP plan, while simultaneously saying that the tiered standard repayment plan does not qualify for PSLF.<sup>33</sup> Further, the NPRM would only consider payments made in ICR as a qualifying payments for PSLF if they are "made on or before June 30, 2028" since the ICR plan sunsets on July 1, 2028.<sup>34</sup> This leaves Parent PLUS borrowers with no viable pathway to qualify for PSLF starting in 2028. We urge the Department to explore all options available for Parent PLUS borrowers, such as instituting a

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<sup>28</sup> U.S. Dep't of Educ., 2025 RISE: Principles for the Application of Interest and Principal Subsidies (public comment submitted by Tamar Hoffman), <https://www.ed.gov/media/document/2025-rise-principles-application-of-interest-and-principal-subsidies-submitted-tamar-hoffman-112561.pdf.r-hoffman-112561.pdf>.").

<sup>29</sup> 20 U.S.C. § 1078-2; see Victoria Jackson et al., *Parent PLUS Loans Are a Double-Edged Sword for Black Borrowers*, Ed Trust, (Jun. 07, 2023), <https://edtrust.org/rti/parent-plus-loans-are-a-double-edged-sword-for-black-borrowers/#:~:text=Parent%20PLUS%20loans%20are%20fixed%2Dinterest%20federal%20loans,to%20help%20pay%20for%20their%20children's%20education>.

<sup>30</sup> Rachel Fishman, *The Wealth Gap PLUS Debt Revisited*, New America, Jun. 28, 2025, <https://www.newamerica.org/education-policy/edcentral/the-wealth-gap-plus-debt-revisited/#:~:text=Parent%20PLUS%20borrowers%20tend%20to,in>.

<sup>31</sup> Arnav Dharmagadda & Sarah Turner, *Capping the Wrong Problem: Why Parent PLUS Loan Limits May Miss the Mark*, BROOKINGS, Sept. 24, 2025, <https://www.brookings.edu/articles/capping-the-wrong-problem-why-parent-plus-loan-limits-may-miss-the-mark/>.

<sup>32</sup> 34 C.F.R. § 685.219.

<sup>33</sup> See NPRM at 4280, 4282.

<sup>34</sup> NPRM at 4289.

grandfather provision, so that they can have access to repayment options that allow them to work towards PSLF, especially if they have been working towards debt relief through public service for several years.

### **Loan Limits**

P.L. 119-21 made significant changes to both annual and aggregate loan limits and established new lifetime loan limits.<sup>35</sup> These changes will create an affordability gap for many students. Two of the most concerning policies are the immediate provision of loan limits for part-time students and the narrow definition of a professional degree for the purposes of student loans. In order to reduce the significant burden these appalling requirements will impose on borrowers, it is imperative that the Department uses as much of its regulatory authority as possible to ease the burden on student borrowers seeking to obtain their education.

### ***The Department should provide a transition period for part-time borrowers that is similar to other loan limit provisions in the NPRM.***

According to the National Center for Education Statistics, nearly 6 million undergraduate students are enrolled at a postsecondary institutions part-time.<sup>36</sup> Some students attend college with a mix of full- and part-time enrollment while obtaining their degree.<sup>37</sup> Part-time students are also more likely to work while obtaining their degree.<sup>38</sup> However, they typically take longer to finish their degree leading to lost earnings over a lifetime.<sup>39</sup> It is also worth noting that part-time enrollment status does not impact all student populations in the same way. Black and Latino students disproportionately attend college part-time due to family obligations, work responsibilities, and financial need.<sup>40</sup> Nontraditional students, those 25 years old and older, are also more likely to attend college part-time.<sup>41</sup>

Currently part-time undergraduate students have the same federal student loan caps as their fulltime counterparts.<sup>42</sup> P.L. 119-21 changes this by prorating annual loan limits for part-time students.<sup>43</sup> As proposed in the NPRM, the new loan limits would take effect beginning in the upcoming academic year.<sup>44</sup> This leaves part-time students with limited opportunity to prepare for

<sup>35</sup> Pub. L. No. 119-21 § 81001.

<sup>36</sup> U.S. Dep't on Educ., Nat'l Ctr. for Educ. Stat., College Student Employment, Condition of Education (2022), <https://nces.ed.gov/programs/coe/indicator/ssa>.

<sup>37</sup> Part-Time Students Must Be a Full-Time Priority, Complete Coll. Am. (Aug. 2022), <https://completecollege.org/wp-content/uploads/2025/08/CCA-Part-Time-Brief-07252022.pdf>.

<sup>38</sup> U.S. Dep't on Educ., *supra* n. 37.

<sup>39</sup> Wil Del Pilar & Dhanfu E. Elston, *Higher Ed Is Failing Black and Latino Students*, Inside Higher Ed, Nov. 8, 2022, <https://www.insidehighered.com/opinion/views/2022/11/08/higher-eds-promise-dims-students-color-opinion>.

<sup>40</sup> Jon Marcus, *The College Degree Gap Between Black and White Americans Was Always Bad. It's Getting Worse*, The Hechinger Report, May 15, 2023, <https://hechingerreport.org/the-college-going-gap-between-black-and-white-americans-was-always-bad-its-getting-worse/>; Tabatha Cruz, *Closing Persistence Gaps for Part-Time Students*, Complete Coll. Am., (Feb. 16, 2023), <https://www.higheredtoday.org/2023/02/16/closing-persistence-gaps-for-part-time-students/>.

<sup>41</sup> Part-Time Students, *supra* n. 38.

<sup>42</sup> Urban Institute, *Understanding College Affordability: Borrowing by Student Characteristics*, [https://collegeaffordability.urban.org/covering-expenses/borrowing/#/by\\_student\\_characteristics](https://collegeaffordability.urban.org/covering-expenses/borrowing/#/by_student_characteristics) (last visited Feb. 5, 2026).

<sup>43</sup> Pub. L. No. 119-21 §81001, 139 STAT. 336.

<sup>44</sup> Urban Institute, *supra* n. 34.

the financial impact, secure alternative aid, or modify educational plans, which increases the likelihood that they may turn to predatory private loans.<sup>45</sup>

We urge the Department to implement an on-ramp period for part-time loan limit reductions that aligns with the phased implementation adopted for graduate and professional loan limits in P.L. 119-21. The law directs the Department to publish a schedule for establishing loan limits for part-time students that does not require immediate implementation to students who are already enrolled and financially committed to their programs.<sup>46</sup> It is worth noting, that, the American Enterprise Institute, who supports the loan limits, emphasizes that failing to phase in loan limit changes risks pushing already-enrolled students out of the system, thereby increasing default risk and undermining repayment outcomes.<sup>47</sup> A transition period would reduce administrative burden on institutions, provide clearer messaging to borrowers, and mitigate foreseeable harm to students who are already pursuing their degrees.

***The Department must adopt a more expansive definition of “professional degree” to address graduate school affordability gaps created by P.L.119-21.***

When Congress authorized the Graduate PLUS program in 2005, it acknowledged that graduate and professional students were increasingly relying on private loans and stated that the creation of Grad PLUS loans was “intended to help reduce the cost burden of obtaining graduate and professional education.”<sup>48</sup> P.L. 119-21 eliminated the Graduate PLUS program, eliminating a key tool to access higher education for many low-and middle-income students. As experts debate how to address the unmanageable debt that may come with uncapped loans, they agree that any capping of graduate school lending must be complemented by an influx in targeted front-end aid to students and institutions.<sup>49</sup>

While we certainly recognize the importance of preventing borrowers from accruing unrepayable debt, P.L. 119-21 created an unaddressed affordability gap by eliminating Grad PLUS. The law establishes a \$20,500 annual loan limit and \$100,000 aggregate loan limit for students in graduate programs and a \$50,000 annual loan limit and \$200,000 aggregate loan limit for students in professional degree programs.<sup>50</sup> Analysis by the Postsecondary Education & Economics Research (PEER) Center found that roughly 28 percent of graduate borrowers borrowed “above the[se] new federal limits...and on average would need supplemental funds of about \$21,700.”<sup>51</sup> Within those borrowers, 38 percent will likely be unable to secure private

<sup>45</sup> NPRM at 4254, 4257; Laura W. Perna, *Understanding the Working College Student*, ACADeme (2010), <https://www.aaup.org/academe/issues/2010-issues-2/understanding-working-college-student>.

<sup>46</sup> Pub. L. No. 119-21 §81001, 139 STAT. 336.

<sup>47</sup> Beth Akers, *Want to Protect Part-Time Students? Phase In Loan Limit Changes*, AEI (Sept. 11, 2025), <https://www.aei.org/education/want-to-protect-part-time-students-phase-in-loan-limit-changes/>.

<sup>48</sup> S. Rep. No. 109-218 at 52 (2006).

<sup>49</sup> Nathan Arnold et al., *Taking a Balanced Approach: Six Proposals to Fairly and Effectively Reform Federal Graduate Financing Policy from Across the Ideological Spectrum*, EdCounsel (Nov. 20, 2024), [https://educationcounsel.com/our\\_work/publications/higher-ed/taking-a-balanced-approach-six-proposals-to-fairly-and-effectively-reform-federal-graduate-financing-policy-from-across-the-ideological-spectrum](https://educationcounsel.com/our_work/publications/higher-ed/taking-a-balanced-approach-six-proposals-to-fairly-and-effectively-reform-federal-graduate-financing-policy-from-across-the-ideological-spectrum).

<sup>50</sup> Pub. L. No. 119-21 §81001, 139 STAT. 334-336.

<sup>51</sup> Tomás Monarrez et al., *Student Loans for Graduate School: Who Will Be Affected by the New Federal Lending Limits?* Fed. Res. Bank of Philadelphia Consumer Fin. Inst., 6 (Dec. 2025), <https://www.philadelphiafed.org/consumer-finance/education-finance/student-loans-for-graduate-school>.

student loans without having a cosigner.<sup>52</sup> This means that without front-end grant aid or increased Direct Loan limits, many low-income students who will have to choose between using predatory private loan products or walking away from their career goals. Private loans come with many risks for low-income students and students with poor credit history because they lack the consumer protections that come with federal loans, including low interest rates, income-driven repayment options, and the ability to discharge loans through programs like PSLF or Closed School Discharge. Beyond these unfavorable terms and conditions, some private lenders even “subject borrowers to deceptive or abuse servicing and debt collection practices.”<sup>53</sup>

The NPRM makes the situation even worse by establishing a needlessly narrow definition of a professional degree for the purposes of federal student loans. Currently, federal student loan policy generally does not distinguish between graduate and professional students for purposes of loan limits.<sup>54</sup> However, the NPRM incorporates the definition of “professional degree” found in 34 C.F.R. § 668.2 that was originally developed for the purposes of determining general title IV eligibility, such as cohort default rate enforcement, rather than for determining borrowing capacity across advanced academic programs.<sup>55</sup> The proposed approach to defining “professional degree” exacerbates the affordability gap that P. L. 119-21 created. Under the Department’s proposed definition, only programs in certain fields of study with specific four-digit CIP codes<sup>56</sup> would qualify as professional degrees. Specifically, the NPRM proposes to narrow the definition, and thereby restrict the number of students who can access higher loan limits, to include only degrees awarded in the following fields: pharmacy (Pharm.D.), Dentistry (D.D.S. or D.M.D.), Veterinary Medicine (D.V.M.), Chiropractic (DC or DCM.), Law (L.L.B. or J.D.), Medicine (M.D.), Optometry (O.D.), Osteopathic Medicine (D.O.), Podiatry (D.P.M., D.P., or Pod.D.), Theology (M.Div., or M.H.L.), and Clinical Psychology (Psy.D. or Ph.D.).<sup>57</sup> All other graduate programs will be subject to the lower annual and aggregate loan limits.

As drafted, the NPRM risks worsening the workforce shortages in many critical fields, including, but certainly not limited to, health care.<sup>58</sup> For example, these classifications risk exacerbating the devastating cuts to health care in P.L. 119-21, leaving many communities—especially rural

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<sup>52</sup> *Id.*

<sup>53</sup> Carolyn Fast & Ella Azoulay, *Private Lenders Would Cash In on Congress’s Student Loan Changes*, The Cent. Found. (May 20, 2025), <https://tcf.org/content/commentary/private-lenders-would-cash-in-on-congresss-student-loan-changes/>.

<sup>54</sup> Alexandra Hegji, Cong. Research Serv., R48768, *The Department of Education’s Proposed Rule to Define “Professional Student”: Frequently Asked Questions*, Cong. Research Serv., R48768 (2025), [https://crs.gov/Reports/R48768?source=search#\\_Toc216948704](https://crs.gov/Reports/R48768?source=search#_Toc216948704).

<sup>55</sup> 34 C.F.R. § 668.2. For example, this definition could be used to “describe appeals available to [institutions] at risk of losing HEA Title IV eligibility due to high cohort default rates” of these students. See Hegji, *supra* n. 2.

<sup>56</sup> According to the National Center for Education Statistics “[t]he Classification of Instructional Programs (CIP) provides a taxonomic scheme that supports the accurate tracking and reporting of fields of study and program completions activity. CIP was originally developed by the U.S. Department of Education’s National Center for Education Statistics (NCES) in 1980, [with revisions over the years, most recently 2020].” See U.S. Dep’t of Educ., Nat’l Ctr. for Educ. Stats., *The Classification of Instructional Programs* (last visited Feb. 9, 2026), <https://nces.ed.gov/ipeds/cipcode/Default.aspx>

<sup>57</sup> NPRM at 4332.

<sup>58</sup> See e.g. Sara Fletcher, *‘Professional Degree’ Definition Could Jeopardize Future Health-Care Workforce*, Inside Higher Ed (Dec. 3, 2025), <https://www.insidehighered.com/opinion/views/2025/12/03/eds-problematic-professional-degree-definition-opinion>.

communities—with less access to health care.<sup>59</sup> Analysis also shows that many other programs that prepare students for public service-oriented careers will be impacted, too. Therefore, the federal government should continue to provide robust access to federal graduate student loans. With the recent harmful limitations placed on students by law, we urge the Department to adopt a more expansive definition of professional degree that ensures students retain access to sufficient federal loan funding to complete their education within statutory limits, while avoiding unnecessary reliance on private loans that expose borrowers to higher costs and fewer protections.

### **Consumer and Servicer Communications**

Low-income and financially insecure borrowers are often less likely to be aware of the protections and repayment plans available to help them keep their loans in good standing.<sup>60</sup> However when they are informed about options such as income-driven repayment (IDR) they enroll at higher rates; this highlights the importance of clear and accessible information.<sup>61</sup> Because federal loan servicers are often a borrower’s primary point of contact, servicers ability to provide accurate, timely, and supportive guidance is essential to successful repayment. A recent survey found that 48 percent of borrowers experienced long wait times when contacting their servicer and nearly one-quarter reported receiving incorrect information.<sup>62</sup> It is encouraging that the NPRM acknowledges throughout the text that repayment changes will be communicated to both borrowers and servicers, and that the Department recognizes the need for system updates, training, and coordinated communications in advance of the July 1, 2026 implementation timeline.<sup>63</sup> We urge the Department to provide clear, consistent, and proactive communication with borrowers and servicers to ensure that borrowers understand their repayment options, avoid inadvertent placement into non-qualifying plans, and remain in good standing.

In conclusion, P.L. 119-21 destabilizes our higher education system and harm students struggling to afford college through, by raising the cost of college for students and families by restricting access to federal student aid and eliminating affordable loan repayment plans. We urge the Department to put students and borrowers first and consider how each decision will impact a student’s ability to afford their education. Thank you for your attention to our concerns.

Sincerely,

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<sup>59</sup> Kevin O’Reilly, *Senate budget-reconciliation bill risks worsening access to care*, Amer. Med. Assoc’n. (Jun. 25, 2025), <https://www.ama-assn.org/health-care-advocacy/federal-advocacy/senate-budget-reconciliation-bill-risks-worsening-access-care>.

<sup>60</sup> The Pew Charitable Trusts, *Pew Encourages Effective Communications with Federal Student Loan Borrowers* (Nov. 13, 2024), <https://www.pew.org/en/research-and-analysis/speeches-and-testimony/2024/11/13/pew-encourages-effective-communications-with-federal-student-loan-borrowers>.

<sup>61</sup> *Id.*

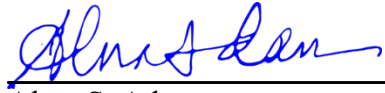
<sup>62</sup> Zampini, *supra* n. 6.

<sup>63</sup> *E.g.*, NPRM at 4324 (“This will also require servicers to update their systems, including eligibility logic for the updated repayment plans, train staff, and make edits to communications materials.”).



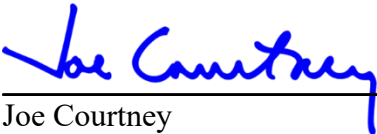
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Robert C. "Bobby" Scott  
Member of Congress  
Ranking Member, Committee  
on Education and Workforce



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Alma S. Adams  
Member of Congress  
Ranking Member,  
Subcommittee on Higher  
Education and Workforce  
Development



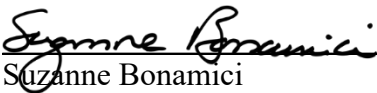
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Joe Courtney  
Member of Congress



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Frederica S. Wilson  
Member of Congress



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Suzanne Bonamici  
Member of Congress



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Mark Takano  
Member of Congress



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Mark DeSaulnier  
Member of Congress



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Donald Norcross  
Member of Congress




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Lucy McBath  
Member of Congress



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Jahana Hayes  
Member of Congress



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Ilhan Omar  
Member of Congress



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Greg Casar  
Member of Congress



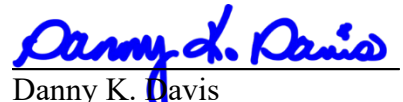
Summer L. Lee  
Member of Congress



John W. Mannion  
Member of Congress



Adelita S. Grijalva  
Member of Congress



Danny K. Davis  
Member of Congress




Betty McCollum  
Member of Congress



Delia C. Ramirez  
Member of Congress



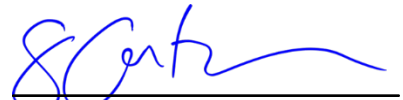
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Member of Congress



Grace Meng  
Member of Congress



Mike Thompson  
Member of Congress



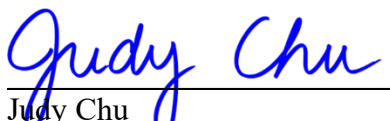
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Member of Congress



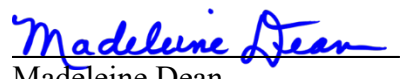
Greg Landsman  
Member of Congress



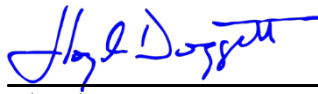
Sharice L. Davids  
Member of Congress



Judy Chu  
Member of Congress




Madeleine Dean  
Member of Congress



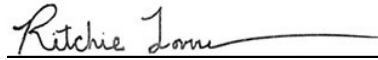
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Lloyd Doggett  
Member of Congress



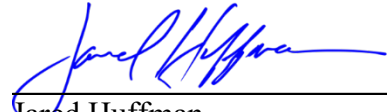
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Jamie Raskin  
Member of Congress



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Ritchie Torres  
Member of Congress



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Jared Huffman  
Member of Congress



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Mike Quigley  
Member of Congress



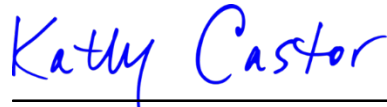
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Dan Goldman  
Member of Congress



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Julia Brownley  
Member of Congress



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Kathy Castor  
Member of Congress



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Diana DeGette  
Member of Congress



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Pramila Jayapal  
Member of Congress



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Lois Frankel  
Member of Congress



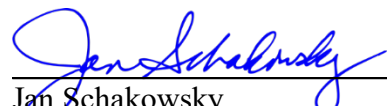
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Emily Randall  
Member of Congress



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Chellie Pingree  
Member of Congress

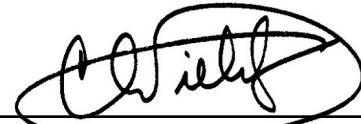


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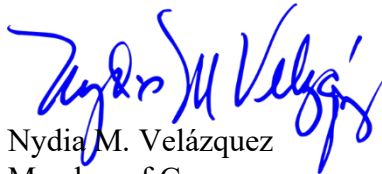
Jan Schakowsky  
Member of Congress



Steve Cohen  
Member of Congress



Cleo Fields  
Member of Congress



Nydia M. Velázquez  
Member of Congress



Robin L. Kelly  
Member of Congress



Ro Khanna  
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J. Luis Correa  
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Henry C. "Hank" Johnson, Jr.  
Member of Congress



Nikki Budzinski  
Member of Congress



Sylvia R. Garcia  
Member of Congress



Raja Krishnamoorthi  
Member of Congress



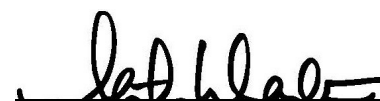
Dwight Evans  
Member of Congress



Sara Jacobs  
Member of Congress



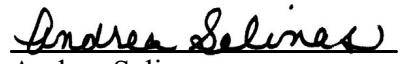
Kelly Morrison  
Member of Congress



SETH MOULTON  
Member of Congress



George Lathier  
Member of Congress



Andrea Salinas  
Member of Congress



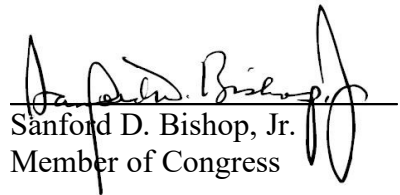
Jesús G. "Chuy" García  
Member of Congress



Val Hoyle  
Member of Congress



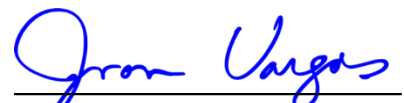
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Member of Congress



Sanford D. Bishop, Jr.  
Member of Congress



Eric Swalwell  
Member of Congress



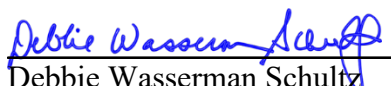
Juan Vargas  
Member of Congress




Richard E. Neal  
Member of Congress



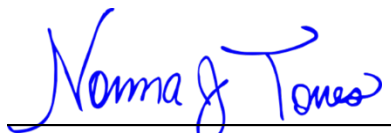
Kevin Mullin  
Member of Congress



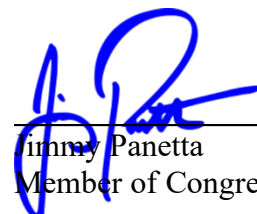
Debbie Wasserman Schultz  
Member of Congress



Hillary J. Scholten  
Member of Congress



Norma J. Torres  
Member of Congress

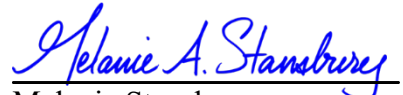


Jimmy Panetta  
Member of Congress



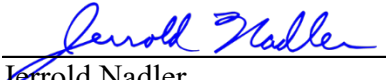
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Jennifer L. McClellan  
Member of Congress



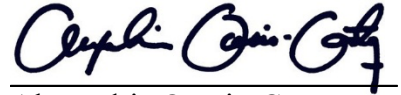
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Melanie Stansbury  
Member of Congress



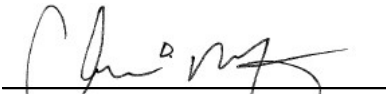
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Terrold Nadler  
Member of Congress



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Alexandria Ocasio-Cortez  
Member of Congress



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Christian D. Menefee  
Member of Congress



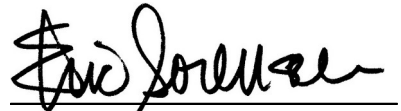
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John Garamendi  
Member of Congress



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Rashida Tlaib  
Member of Congress




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Eric Sorensen  
Member of Congress



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James P. McGovern  
Member of Congress



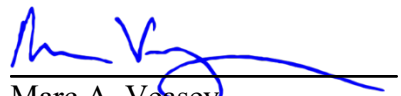
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Dave Min  
Member of Congress



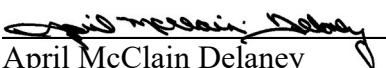
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Jim Tokuda  
Member of Congress



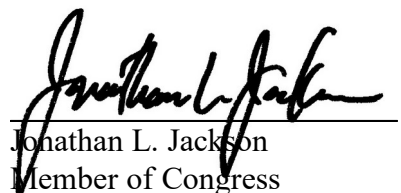
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Marc A. Veasey  
Member of Congress



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April McClain Delaney  
Member of Congress



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Jonathan L. Jackson  
Member of Congress

The Honorable Linda McMahon

March 2, 2026

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Darren Soto  
Member of Congress



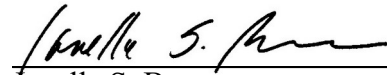
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Donald S. Beyer Jr.  
Member of Congress



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Lori Trahan  
Member of Congress



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Janelle S. Bynum  
Member of Congress