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November 2, 2026

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

Dear Secretary McMahon:

I write to express concern over changes that the Department of Education (Department) made recently to student loan borrowers' ability to participate in the Public Service Loan Forgiveness (PSLF) program. Established in 2007, PSLF allows eligible borrowers to have the balance of their loans forgiven after ten years (120 months) of on-time payments made while working for a qualifying public service employer.[1] Specifically, the Department made changes to borrowers' PSLF eligible payment counts and limited the ability of certain borrowers to participate in the PSLF buyback program with neither advance notice nor justification for the changes. Such shifts come against the backdrop of other dramatic changes made to the student loan system via law[2] and regulation.[3] These changes, such as the elimination of many affordable repayment options and the impending restart of default loan collections, have already left borrowers feeling in distress.[4] To avoid causing further confusion and unexpected negative financial implications to borrowers, I demand that you provide detailed information about recent updates on relevant changes that will affect borrowers' ability utilize PSLF.

Borrowers have recently reported that their number of PSLF-qualifying payments, tracked on a counter on the Office for Federal Student Aid's (FSA's) website, appeared incorrect.[5] The

[1] 20 U.S.C. § 1087e(m).
[2] Pub. L. No. 119-21, 139 Stat. 72 (2025).
[3] Reimagining and Improving Student Education-Federal Student Loan Program Final Regulations, 91 Fed. Reg. 23768 (May 1, 2026).
[4] It is worth noting that nearly 90 organizations wrote Committee leaders about the recent changes that are having a negative impact on borrowers. Letter from Protect Borrowers et al. to Bill Cassidy, Chair, S. Comm. on Health, Educ., Labor & Pensions, et al. (Sept. 21, 2026), https://protectborrowers.org/wp-content/uploads/2026/09/Coalition-Letter-Calling-for-Oversight-September-2026.pdf.
[5] Adam Minsky, *Student Loan Forgiveness Credit Gets Erased Overnight, Prompting Panic*, Forbes (Aug. 7, 2026) https://www forbes.com/sites/adamminsky/2026/08/07/student-loan-forgiveness-credit-gets-erased-overnight-prompting-panic/.

Department disclosed the fact of this error to Congress in early October, but gave limited information as to its scope or source. To my knowledge, the Department has neither provided borrowers with information regarding how their individual qualifying PSLF payments were determined nor have they detailed the scope of the coding error or the number of borrowers impacted. The only public acknowledgement of the situation was an alert, that has since been removed, on the FSA website acknowledging there had been a "data issue"; that borrowers qualifying PSLF payments on their accounts were incorrect; and, that the Department was working to address the issue. The Department provided no additional context in this alert or why it has since been deleted.[6] This explanation seemed to be contradicted by a later news report where Department officials indicated that changes to borrower PSLF counts were in fact due to the Department rolling back PSLF credits previously provided to borrowers.[7] Without additional information from the Department, borrowers cannot know whether changes to the PSLF qualifying payment count were the result of an error that will be fixed; if it is a decision that can be appealed; or if the statement reflects an unappealable decision made by this Administration. Without any additional information, borrowers are left in the dark as to why they must remain in repayment longer than the law requires. This is particularly concerning if a borrower believes they have met all the statutory and regulatory requirements to have their debt forgiven through the PSLF.

Recent reporting also indicates that the Department has disallowed borrowers enrolled in either the tiered standard plan or the Repayment Assistance Plan (RAP) from qualifying for the PSLF buyback program.[8] The PSLF buyback program allows borrowers to "buyback" and receive PSLF credit for months where they had qualifying employment at a public service job, but did not make a qualifying payment.[9] The tiered standard plan and the RAP are new repayment plans authorized in Public Law 119-21 and accompanying regulations.[10] In recent months, the Department encouraged borrowers to enroll in those new repayment plans. However, the Department has not confirmed or denied the reporting about these plan's eligibility for PSLF buyback, leaving borrowers with questions.[11] In publicizing these new plans, the Department has a duty to make all terms and repayment options clear, especially one that could disqualify a

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[6] Letter from Protect Borrowers et al., *supra* note 2.
[7] Rebecca Carballo, *'Profoundly Cruel': Errors Upend Student Loan Forgiveness Program*, Politico Pro (Aug. 16, 2026), https://subscriber.politicopro.com/article/2026/08/path-student-loan-forgiveness-longer-01038742.; Hugh T. Ferguson, *Reports Indicate PSLF Data Errors Have Resulted in Inaccurate Payment Counts*, NASFAA (Aug. 16, 2026), https://www.nasfaa.org/news-item/39604/Reports_Indicate_PSLF_Data_Errors_Have_Resulted_in_Inaccurate_Payment_Counts.
[8] Adam Minsky, *Education Department Blocks Student Loan Forgiveness Benefit for New Repayment Plans*, Forbes (Sept. 2, 2026) https://www forbes.com/sites/adamminsky/2026/09/02/education-department-blocks-student-loan-forgiveness-benefit-for-new-repayment-plans/.
[9] U.S. Dep't of Educ., Off. of Fed. Student Aid, Public *Service Loan Forgiveness (PSLF) Buyback*, https://studentaid.gov/manage-loans/forgiveness-cancellation/public-service/public-service-loan-forgiveness-buyback (last visited Sept. 25, 2026).
[10] Reimagining and Improving Student Education—Federal Student Loan Program, 91 Fed. Reg. 23768 (May 1, 2026), https://www.federalregister.gov/documents/2026/05/01/2026-08556/reimagining-and-improving-student-education-federal-student-loan-program-final-regulations.
[11] Press Release, U.S. Dep't of Educ., *U.S. Department of Education Announces Next Steps for Borrowers Enrolled in the Unlawful SAVE Plan* (Mar. 27, 2026) https://www.ed.gov/about/news/press-release/us-department-of-education-announces-next-steps-borrowers-enrolled-unlawful-save-plan.

borrower from PSLF buyback. Otherwise, borrowers were effectively making consequential changes to their outstanding student loans unaware they were giving up eligibility for a program they potentially had planned their financial future around. Further, this news comes at a time when the PSLF buyback program as of May of this year had a backlog of 88,000 borrowers waiting for action on their applications and no clear plan from the Department to address the mounting queue.[12]

Borrowers are grappling with actual and potential changes to the federal student loan program as the Administration's efforts to dismantle the Department have left borrowers without a place to turn for answers to crucial questions regarding their PSLF status. Last year, the Department laid off 300 FSA employees and lost an additional 650 due to retirement or deferred resignation, including staff critical to the implementation and oversight of the core functions of FSA.[13] While it is well understood that servicers generally handle the day-to-day interfacing with borrowers on general questions regarding the status of their loans, the Department has taken on the direct responsibility of contact with borrowers regarding PSLF related matters.[14] Since ED's reduction in staff, borrowers have struggled to receive clear accurate information regarding the status of the qualifying PSLF payments or buyback from the Department. Additionally, the Government Accountability Office (GAO) recently reviewed FSA's oversight of servicers and found that the FSA no longer has the capacity to judge servicers on both call quality and accuracy.[15]

If the Department is not going to prioritize ensuring borrowers receive accurate information regarding their student loan payment status, then Congress must exercise its oversight role to protect borrowers and the federal investment in higher education. In order to understand further how the Department plans to address its most recent errors in student loan repayment, I request you provide written answers in response to the following questions no later than two weeks after receipt of this letter:

1) How many borrowers were impacted by the coding error?
2) How many qualifying payments did the average borrower lose or gain due to the error?
3) What plan is being taken to ensure these sorts of errors do not occur again? Please include as much detail as possible.
4) Has there been auditing or review of:
    a. How this error occurred?

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[12] *Am. Fed'n of Teachers v. U.S. Dep't of Educ.*, No. 1:25-cv-802-RBW (D.D.C. May 19, 2026) Status Report (Complete Version of ECF 64) at 2, https://storage.courtlistener.com/recap/gov.uscourts.dcd.278527/gov.uscourts.dcd.278527.65.0.pdf

[13] Zachary Schermele, *With Hundreds Fewer Workers, Can the Federal Student Aid Office Still Function?*, USA Today (Mar. 21, 2025) https://www.usatoday.com/story/news/education/2025/03/21/federal-student-aid-staff-layoffs/82520174007/

[14] See, e.g., *Public Service Loan Forgiveness (PSLF) Buyback*, MOHELA, https://www.mohela.com/pslf (last visited Sept. 24, 2026).

[15] U.S. Gov't Accountability Office, GAO-25-107396, *Department of Education: Gaps in Federal Student Aid Contract Oversight and System Testing Need Immediate Attention* (2025), https://www.gao.gov/assets/gao-25-107396.pdf.

   b. Why it went unnoticed until borrowers began reaching out? If either answer is YES, please provide more detail as to the audit or review results.

5) What is the Department's communication plan to let borrowers know whether the tiered standard plan or RAP will or will not qualify for PSLF buyback?
6) If one or both of these plans will not qualify for PSLF buyback, will the Department permit borrowers to return to a plan they were enrolled in if it does qualify for PSLF buyback?

Thank you for your attention to this critical matter.

Sincerely,



ROBERT C. "BOBBY" SCOTT
Ranking Member