



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 Citizens 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 on February 1, 2022. 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.

While the resumption of federal student loan payments in February is of great concern to our task force, we also 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.

The Administration and Department should protect the progress it is making in reforming the federal student loan system in ways that will better support vulnerable borrowers by extending the current student loan pause. Given the ongoing pandemic, with experts warning of a

devastating Omicron wave in the coming months, and the economic stress and uncertainty for low-income workers, especially women of color, and for people with disabilities, now is not the time to declare the emergency over and to end borrower relief. Restarting payments and collection in February threatens borrowers' economic security and recovery, putting struggling borrowers at risk of immediate seizure of social security benefits, wages, and tax refunds including the Child Tax Credit and Earned Income Tax Credit.

Putting 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. Why restart payments before the new Income-Driven Repayment (IDR) and TPD regulations are completed this year, or before implementation of data-matching to automatically enroll and recertify vulnerable borrowers in IDR? We also have serious concerns about whether loan servicers are adequately prepared for the restart of payments in February. 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 sent to new servicers. 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 understanding and accessing their loan relief options, including income-driven repayment, borrower defense, and TPD discharges, 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 February and urge you to extend the pause. Please contact Bethany Lilly ([lilly@thearc.org](mailto:lilly@thearc.org)) or Cyrus Huncharek ([cyrus.huncharek@ndrn.org](mailto:cyrus.huncharek@ndrn.org)) with any questions or to arrange a meeting.

Sincerely,

Association of University Centers on Disabilities  
Autistic Self Advocacy Network  
Center for Law and Social Policy (CLASP)  
Disability Rights Education & Defense Fund  
National Association of Councils on Developmental Disabilities  
National Consumer Law Center (on behalf of its low-income clients)  
National Disability Institute  
National Disability Rights Network (NDRN)  
Partnership for Inclusive Disaster Strategies  
RespectAbility  
The Arc of the United States

CC:

James Kvaal, Under Secretary, Department of Education

Richard Cordray, Chief Operating Officer, Office of Federal Student Aid, Department of Education