



June 24, 2019

The Honorable Frank Pallone
Chairman
House Committee on Energy and Commerce
2125 Rayburn House Office Building
Washington, DC 20515

The Honorable Greg Walden
Ranking Member
House Committee on Energy and Commerce
2322 Rayburn House Office Building
Washington, DC 20515

The Honorable Mike Doyle
Chairman
Subcommittee on Communications and Technology
306 Cannon House Office Building
Washington, DC 20515

The Honorable Robert Latta
Ranking Member
Subcommittee on Communications and Technology
2467 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Pallone, Ranking Member Walden, Chairman Doyle, and Ranking Member Latta:

On behalf of the membership of the Education Finance Council (EFC), National Council of Higher Education Resources (NCHER), and Student Loan Servicing Alliance (SLSA), we write in opposition to the Eshoo amendment that is slated to be offered to H.R. 3375, the Stopping Bad Robocalls Act. The amendment includes the text of the *HANGUP Act*, which would repeal an important provision included in the Bipartisan Budget Act of 2015 that allows the federal government and its contractors to use advanced, efficient calling technology to call or text cell phones solely to collect debt owed to or guaranteed by the United States.

EFC, NCHER, and SLSA represent state, nonprofit, and private federal student loan contractors and partners involved in the administration of federal education loan programs. Our collective membership has a long history of educating, informing, and guiding borrowers through the complicated world of federal loan repayment plans; this guidance allows federal student loan servicers to assist borrowers and inform them of their borrower rights and responsibilities. The current language in the Telephone Consumer Protection Act (TCPA) helps student loan borrowers across the country by:

- Enabling federal contractors and partners to effectively contact and communicate with those student and parent borrowers who are struggling. This includes helping them to navigate the often-confusing array of student loan repayment options and working to provide tailored solutions that prevent unnecessary delinquencies and defaults. **The Eshoo amendment would severely restrict the ability of federal student loan organizations to help students enroll in income-based repayment plans and other helpful tools to keep them out of delinquency and default. This would hurt struggling borrowers who need more help – not less – and is counter to recent efforts in Congress to provide more support to borrowers at risk of delinquency and default.**

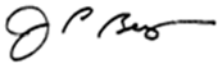
- Giving students and parents an efficient way to communicate with their servicer to increase their chances of successfully managing their debt. Servicers have reported that when they can speak to a borrower, nine out of ten times they can resolve the borrower’s problem. **The Eshoo amendment would impose an unnecessary barrier between federal student loan organizations and students and parent borrowers when it comes to communication and rely on outdated modes – such as landlines and snail mail – to reach struggling borrowers.**

With federal student loan debt totaling almost \$1.5 trillion, and surpassing auto loan and credit card debt, Congress should continue to support efforts that allow government partners to reach out to student and parent borrowers to provide important information on how to effectively repay their loans, reduce delinquencies, avert defaults, and therefore protect borrower’s credit and reduce their costs. This is especially important when you consider the fact that federal contractors do not make telemarketing calls—these are calls about existing federal accounts, that provide information on federal repayment options, and help borrowers bring their loans back into good standing.

EFC, NCHER, and SLSA commend the committee for its efforts to crack down on illegal robocalls. However, the Eshoo amendment is inconsistent with the principles of the underlying bill and is anti-consumer and could put more borrowers at risk of default, which harms them and taxpayers as it would impose barriers that prevent our members from assisting struggling student loan borrowers. We urge the committee to preserve this important provision and oppose the Eshoo amendment.

If you have any questions or need additional information, please contact Debra Chromy with EFC at (202) 955-5510 (debrac@efc.org), James Bergeron with NCHER at (202) 822-2106 (jbergeron@ncher.us), or Scott Buchanan with SLSA at (202) 955-6055 (scott.buchanan@slsa.net).

Sincerely,



James P. Bergeron
President, NCHER



Scott Buchanan
Executive Director, SLSA



Debra J. Chromy, Ed.D.
President, EFC