

United States Senate

WASHINGTON, DC 20510

February 18, 2026

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

Dear Secretary McMahon:

We write regarding our concerns that the U.S. Department of Education (ED or the Department) is obstructing Congressional efforts to hold federal student loan servicers accountable for underperformance. Servicers' history of egregious failures have caused undue financial and emotional distress for borrowers in the past, and the public deserves to know whether loan servicers are meeting their obligations to borrowers and their contractual obligations to ED.¹ While both ED and servicers have released servicer performance data in the past,² under your tenure as Secretary, ED has not only ignored repeated Congressional requests for servicer performance data but now appears to have progressed to active obstruction of efforts to obtain this information directly from the servicers. To protect taxpayers and student loan borrowers, we demand that ED release this information.

On June 4, 2025, Senator Warren formally requested data from the Department on the impact of President Trump and Secretary McMahon's dismantling of ED on customer service for student loan borrowers.³ In its July 21 response, ED claimed that it was continuing to "review the performance of all our current contractors" but declined to provide details on how it was doing so and refused to provide more information.⁴ Despite ED's statements that Federal Student Aid (FSA) is "prioritizing efforts to improve customer service to students and parent borrowers"⁵ and a face-to-face meeting between Senator Warren and Secretary McMahon in which you promised to provide complete responses to written requests regarding oversight of loan servicers and other

¹ Consumer Financial Protection Bureau, "Annual Report of the CFPB Student Loan Ombudsman," November 2024, pp. 4-5, https://files.consumerfinance.gov/f/documents/cfpb_2024-annual-student-loan-ombudsmans-report_2024-11.pdf.

² Letter from EdFinancial CEO Wm. Anthony Hollin to U.S. Senator Elizabeth Warren, August 1, 2023, <https://www.warren.senate.gov/imo/media/doc/Servicers%20Responses.pdf>; Letter from Maximus President and CEO Bruce Caswell to U.S. Senator Elizabeth Warren, August 1, 2023, <https://www.warren.senate.gov/imo/media/doc/Servicers%20Responses.pdf>; Letter from MOHELA to U.S. Senator Elizabeth Warren, August 8, 2023, <https://www.warren.senate.gov/imo/media/doc/Servicers%20Responses.pdf>; Letter from Nelnet President Joe Popevis to U.S. Senator Elizabeth Warren, August 4, 2023, <https://www.warren.senate.gov/imo/media/doc/Servicers%20Responses.pdf>.

³ Letter from U.S. Senator Elizabeth Warren to Secretary of Education Linda McMahon, June 4, 2025, https://www.warren.senate.gov/imo/media/doc/letter_to_secretary_mcmahon_re_ew-mcmahon_meeting1.pdf.

⁴ Letter from ED Acting Assistant Secretary Sarah Ursprung to U.S. Senator Elizabeth Warren, July 21, 2025, https://www.warren.senate.gov/imo/media/doc/dept_of_ed_responds_to_senator_warren_tmv5uf85r1vy.pdf.

⁵ *Id.*

issues facing student borrowers,⁶ ED’s response refused to provide performance data for each federal student loan servicer on topics such as abandon rates, customer satisfaction scores, and average speed to answer calls.⁷ This data and other customer service performance metrics were regularly published by ED prior to the current Trump administration taking office.⁸

On August 6, 2025, in the wake of ED’s lackluster July response, Senator Warren again wrote to ED requesting customer service metrics for all current student loan servicers and to request information regarding ED’s plans to ensure that servicers will be held accountable for poor performance.⁹ On September 17, 2025, ED reiterated its claim that FSA is “prioritizing efforts to improve [loan servicer] customer service” but once again ignored a Congressional request to provide contemporary servicer performance data.¹⁰

Given ED’s repeated refusal to provide student loan servicer performance data, on December 7, 2025, members of the Senate sent a letter directly to the five federal student loan servicers—MOHELA, EdFinancial, Maximus, CRI, and Nelnet—requesting comprehensive customer service and performance data concerning their company’s readiness to assist borrowers.¹¹

Beginning January 5, 2026, all five servicers sent virtually identical responses directing the Senators back to the Department, with some reporting that ED had blocked them from complying with the Senators’ request.¹² The responses explained that because the Senators’ letter “requested data maintained by the Department’s office of Federal Student Aid, [the servicers] respectfully ask[ed] that the request be redirected to the Department via the Office of Legislation

⁶ Letter from U.S. Senator Elizabeth Warren to Secretary of Education Linda McMahon, August 6, 2025, https://www.warren.senate.gov/imo/media/doc/response_letter_to_secretary_mcmahon.pdf.

⁷ *Id.*

⁸ Federal Student Aid, “Servicer Performance Metrics and Allocations,” <https://studentaid.gov/data-center/business-info/contracts/loan-servicing/servicer-performance>.

⁹ Letter from U.S. Senator Elizabeth Warren to Secretary of Education Linda McMahon, August 6, 2025, https://www.warren.senate.gov/imo/media/doc/response_letter_to_secretary_mcmahon.pdf.

¹⁰ Letter from ED Under Secretary Nicholas Kent to U.S. Senator Elizabeth Warren, September 17, 2025, https://www.warren.senate.gov/imo/media/doc/response_from_the_department_of_education_on_office_of_federal_student_aid_and_student_loan_repayment.pdf.

¹¹ Letter from U.S. Senator Elizabeth Warren to MOHELA CEO Scott Giles, December 7, 2025, https://www.warren.senate.gov/imo/media/doc/letters_to_student_loan_servicers_on_servicer_customer_service.pdf; Letter from U.S. Senator Elizabeth Warren to Nelnet CEO Jeffrey Noordhoek, December 7, 2025, https://www.warren.senate.gov/imo/media/doc/letters_to_student_loan_servicers_on_servicer_customer_service.pdf; Letter from U.S. Senator Elizabeth Warren to Maximus CEO Bruce Caswell, December 7, 2025, https://www.warren.senate.gov/imo/media/doc/letters_to_student_loan_servicers_on_servicer_customer_service.pdf; Letter from U.S. Senator Elizabeth Warren to EdFinancial CEO Anthony Hollin, December 7, 2025, https://www.warren.senate.gov/imo/media/doc/letters_to_student_loan_servicers_on_servicer_customer_service.pdf; Letter from U.S. Senator Elizabeth Warren to CRI CEO Andra Grasis, December 7, 2025, https://www.warren.senate.gov/imo/media/doc/letters_to_student_loan_servicers_on_servicer_customer_service.pdf.

¹² Letter from Maximus to U.S. Senator Elizabeth Warren, January 28, 2026, [on file with the Office of U.S. Senator Elizabeth Warren]; Letter from Nelnet to U.S. Senator Elizabeth Warren, January 5, 2026 [on file with the Office of U.S. Senator Elizabeth Warren]; Email from MOHELA to the Office of U.S. Senator Elizabeth Warren, January 5, 2026, [on file with the Office of U.S. Senator Elizabeth Warren]; Letter from EdFinancial to U.S. Senator Elizabeth Warren, January 29, 2026 [on file with the Office of U.S. Senator Elizabeth Warren]; Email from CRI to the Office of U.S. Senator Elizabeth Warren, January 7, 2026, [on file with the Office of U.S. Senator Elizabeth Warren].

and Congressional Affairs.”¹³ One servicer elaborated that they had “compiled the requested information and prepared a written response” but is “contractually required to share [their] intended response … for the Department’s review and approval prior to sending.”¹⁴ After the servicer provided their draft response to FSA, their “FSA Contracting Officer … did not grant [the servicer] authority to send the response.”¹⁵ Another servicer similarly stated that their contract requires that they “notify FSA before providing information in response to third-party requests, including congressional requests,” and that FSA did not provide approval.¹⁶

In short, ED has repeatedly refused to comply with Congressional requests for basic servicer performance data and now appears to be refusing to allow federal student loan servicers to provide this information, despite previous Administrations granting such requests.¹⁷ Given ED’s directive that Congressional requests to the servicers should be redirected to ED itself, we hope this indicates that ED is now prepared to provide specific and substantive responses to our questions. Therefore, we copy the set of questions sent to each servicer below, in addition to a new set of questions on ED’s communications with the servicers regarding the release of the requested data, and ask that you provide answers with respect to all five servicers by March 5, 2026.

For each of MOHELA, EdFinancial, Maximus, CRI, and Nelnet:

1. How many student loan borrowers does this servicer currently service?
 - a. How many borrowers do you anticipate this company will service by May 1, 2026?
 - b. How many borrowers have contacted this company, through either call or written communication, in each full calendar month since January 1, 2025?
2. Customer service metrics: For each of the following questions, please provide both (1) aggregate data since January 1, 2025 and (2) per-month data for each month since January 2025. Where applicable, please state whether the reported performance data meets the minimum threshold set by the terms of this servicer’s federal contract with ED.
 - a. Has this company received any negative performance incentives (NPI) since January 1, 2025? If so, what percentage of contracts that this company services have received an NPI?
 - b. What is the average weekly call center volume for student loan borrowers that this company services? How has this volume changed since January 1, 2025?
 - c. What is the average speed to answer for borrowers contacting this servicer’s customer service call center?

¹³ *Id.*

¹⁴ Response on file with the Office of U.S. Senator Elizabeth Warren.

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ Letter from EdFinancial CEO Wm. Anthony Hollin to U.S. Senator Elizabeth Warren, August 1, 2023, <https://www.warren.senate.gov/imo/media/doc/Servicers%20Responses.pdf>; Letter from Maximus President and CEO Bruce Caswell to U.S. Senator Elizabeth Warren, August 1, 2023, <https://www.warren.senate.gov/imo/media/doc/Servicers%20Responses.pdf>; Letter from MOHELA to U.S. Senator Elizabeth Warren, August 8, 2023, <https://www.warren.senate.gov/imo/media/doc/Servicers%20Responses.pdf>; Letter from Nelnet President Joe Popevis to U.S. Senator Elizabeth Warren, August 4, 2023, <https://www.warren.senate.gov/imo/media/doc/Servicers%20Responses.pdf>.

- d. What is the average call “abandon rate” for borrowers, defined as “the percentage of borrowers who ask to speak with a customer service representative but hang up before being connected with a representative?”¹⁸
- e. On average, how long does it take for a borrower to receive a response to an inquiry submitted via phone or in writing? What are this servicer’s projected wait times for borrowers to receive a response to inquiries through the remainder of 2026?
- f. What is the average customer satisfaction score for call and written communications?
- g. Given that the online application for IDR plans was restored on ED’s website in March 2025 as a result of litigation, please provide the above performance statistics (including application volume, application backlog, and customer service ratings) for IDR applications specifically.

3. Customer service staff

- a. How many customer service staff did this servicer employ on January 1, 2025, and how many customer service staff did this servicer employ as of January 1, 2026? How many call center staff did this servicer employ on January 1, 2025, and how many call center staff did this servicer employ as of January 1, 2026?
- b. How did the U.S. federal government shutdown beginning in October 2025 impact the quantity or quality of customer service this servicer was able to provide to borrowers?
 - i. Did this servicer lay off any employees as a result of the shutdown?
- c. Does this servicer anticipate increasing either the quantity or required training of call center staff to compensate for the recent RIFs at FSA?
- d. Does this servicer use AI tools at any stage of the customer service process, including internal usage?
 - i. Please describe specifics for all use cases and any internal oversight conducted to ensure output quality.
 - ii. Is there any stage in this servicer’s customer service process in which a borrower interacts directly with an AI tool, such as an AI assistant or chatbot?
 - iii. If so, are borrowers given the option of transferring to a human customer service representative instead?

e. Loan re-allocations

- i. Has this servicer received any requests from ED to re-allocate loans it previously serviced to other student loan servicers since January 1, 2025? If so, how many loans have been transferred to date, and to which servicers?
- ii. Which types of loans, if any, have been transferred?
- iii. What percentage of transferred loans are under the PSLF program?
- iv. What percentage of transferred loans are part of an IDR plan?
- v. What is the anticipated timeline for any future loan re-allocations?

¹⁸ U.S. Department of Education, “Servicer Performance Metrics and Allocations,” <https://studentaid.gov/datacenter/business-info/contracts/loan-servicing/servicer-performance>.

- f. Has this servicer been the recipient of any re-allocated loans since January 1, 2025? If so, how many loans have been transferred to this servicer, and from which servicers?
 - i. How many borrowers transferred to this servicer since January 1 have set up an account with this servicer?
 - ii. Of borrowers transferred to this servicer that have completed account setup, how many borrowers were previously enrolled in auto-debit or auto-pay?
 - iii. Are borrowers previously enrolled in auto-debit through their previous servicer required to re-enroll in auto-debit with this servicer? If so, how long on average did it take borrowers required to re-enroll to set up autodebit for their new account?
 - iv. After receiving a loan account transfer and associated borrower payment history data, what steps does this servicer take to audit the information for accuracy and completeness?
 - g. Communication to borrowers in delinquency and default
 - i. What measures is this servicer taking to prepare for and adequately serve the increased number of borrowers entering or approaching delinquency?
 - ii. Does this servicer proactively reach out to borrowers who are at risk of, but have not yet entered, delinquency or default? If so, please describe this servicer's process for determining when borrowers are considered at risk and what information is communicated to them.
 - iii. What information does this servicer provide to borrowers once they miss a payment and become delinquent?
 1. What, if any, information does this servicer provide to borrowers once they are 270 days behind and have defaulted on their loans?
 2. Please provide what actionable steps this servicer suggests to borrowers.
 - iv. What medium(s) does this servicer use to communicate to borrowers that they have entered delinquency or default (e.g., mail to home address, email, phone call)?
 - v. What information does this servicer provide to borrowers who are delinquent or in default and contact the servicer's customer service to discuss their options?
 - vi. Does this servicer have internal data on the number of borrowers who are delinquent or in default on their loans for each month since January 2025? If so, please provide them.
 4. Regarding ED's communications with this servicer:
 - a. What communications, including any written or oral correspondence, has ED had with this servicer regarding the Senators' December 7 letter? Please provide the dates, participants, text of correspondence (where relevant), and summary of these discussions.
 - b. Did this servicer prepare and share with ED a written response to the Senators' December 7 letter?
 - c. Did this servicer request ED's permission to respond to the Senators' December 7 letter? Did ED grant this permission?

- d. Please provide a record of any instances in which this servicer has previously sought permission from ED to respond to a Congressional request and ED's responses to the servicer.
 - i. Has this servicer previously received approval from ED to respond to a Congressional request?
 - ii. Has ED previously refused to grant approval to this servicer to respond to a Congressional request?

We look forward to your prompt response and attention to this matter.

Sincerely,



Elizabeth Warren
United States Senator



Jeffrey A. Merkley
United States Senator