Congress of the United States

Washington, DC 20515

August 20, 2026

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

Dear Secretary McMahon,

We write regarding the Department's implementation of the new federal student loan proration requirements established under the reconciliation law (PL 119-21). Colleges and universities have begun implementing these changes, and while the Department recently released a FAQ document, financial aid administrators continue to raise significant concerns about how the new requirements should be applied in practice.[1]

Under the new regulations, a student's annual federal loan eligibility is tied to the number of credit hours the student is enrolled in for the academic year. While the statutory change appears straightforward, financial aid administrators have raised significant implementation questions that remain unanswered. As a result, institutions must decide how to treat students who add or drop courses, withdraw during a term, transfer between institutions, or make up credits later in the year. Those decisions affect both the amount a student may borrow and whether previously disbursed loan funds must be returned.

Reports say Department staff have held implementation office hours, and these sessions are often the best indication of ED's current thinking on unresolved questions.[2] But those answers come with real limits: they are not formally vetted the way published FAQs are, they are not official guidance unless and until they are incorporated into the FAQ or Knowledge Center, and they are subject to change. Further, attendees report that answers provided in one office hours session are frequently contradicted in subsequent sessions, making it impossible to know which answer is accurate.

Institutions should not be expected to make compliance decisions affecting students' federal aid based on informal conversations that may later be revised or contradicted. Without clear written guidance from ED, colleges face uncertainty in administering the law, and students face uncertainty about whether they will have enough aid to remain enrolled.

This change also comes as institutions implement the broader higher education provisions of the reconciliation law (PL 119-21), including new borrowing limits and changes to repayment. Institutions need timely written guidance to administer these requirements correctly and provide students with clear, accurate information before financial aid decisions are made.

Accordingly, we request responses to the following questions...

- When will the Department issue additional written guidance beyond the August 2026 FAQ document for institutions and borrowers, including specific scenarios detailing loan proration steps and calculations, rather than just general rules?

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[1] https://fsapartners.ed.gov/sites/default/files/2026-08/FAQReducingAnnualLoanLimitsLessthanFullTimeEnrollment.pdf
[2] https://www.insidehighered.com/news/government/student-aid-policy/2026/07/29/financial-aid-experts-seek-clarity-loan-proration

- For questions not answered in the Department's published guidance, can institutions rely on answers provided by OB3schoolquestions@ed.gov for compliance purposes? If not, where should institutions seek an official answer? [3]
- Should institutions consider information provided during the Department's virtual office hours to be official guidance?
- Will the Department provide compliance flexibilities during the first year of implementation while institutions transition to the new requirements?
- Similarly, when will the Department issue formal guidance on how institutions should calculate annual enrollment for students who enroll during the summer term? The Department has offered verbal clarification on this topic during its virtual office hours but again has not published official guidance.
- Beyond information posted online, what steps has the Department taken to directly notify students and borrowers that the new proration requirements may reduce their federal loan eligibility if they enroll less than full-time or change their enrollment during the academic year?

Sincerely,

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

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Member of Congress

Frederica S. Wilson
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[3] https://studentaid.gov/announcements-events/big-updates/definitions

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