

March 2, 2026

SUBMITTED VIA FEDERAL eRULEMAKING PORTAL

Ms. Tamy Abernathy
Office of Postsecondary Education
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

**Re: Comment on the Notice of Proposed Rulemaking
Reimagining and Improving Student Education
Agency/Docket Number: ED-2025-OPE-0944
RIN: 1840-AD98
Document Number: 2026-01912**

Dear Ms. Abernathy:

As President / Co-Founder and Senior Counsel at the Defense of Freedom Institute for Policy Studies (“DFI”), we are delighted to provide DFI’s public comment regarding the U.S. Department of Education’s (“Department”) Notice of Proposed Rulemaking, 91 Fed. Reg. 4254 (Docket ID: ED-2025-OPE-0944), entitled “Reimagining and Improving Student Education” (“NPRM”). DFI strongly supports the Department’s commitment, under the leadership of Secretary Linda McMahon, to address the challenges of reining in student debt as illustrated in the NPRM.

DFI is a national nonprofit organization focused on providing thoughtful, conservative solutions to the challenges presented by education, workforce, labor, and employment issues. DFI is led by former senior leaders at the Department who bring a unique blend of policy and legal expertise to these issues. DFI regularly



contributes this expertise to debates concerning education law and policy, particularly the Department’s regulations issued under the Higher Education Act of 1965, as amended (“HEA”).¹ On student loan matters, DFI has been a leading voice for reform, including major publications and amicus briefs opposing President Biden’s illegal efforts to engage in the mass cancellation of student loan debt.²

The NPRM, published January 30, 2026, seeks public comment on the consensus regulations negotiated by the Reimagining and Improving Student Education Committee (“RISE Committee”).³ The underlying purpose of the negotiations was

¹ 20 U.S.C. § 1001 *et seq.*

² See, Brief for the New Civil Liberties Alliance et al. as Amici Curiae Supporting Applicants’ Request for Vacatur of Stay, *Alaska v. Dep’t of Educ.*, 145 S. Ct. 109 (2024) (No. 24A11); JASON DELISLE, DEFYING INTENT: BIDEN’S SAVE PLAN AND THE ORIGINAL GOAL OF INCOME-CONTINGENT REPAYMENT FOR STUDENT LOANS (2024), available at https://dfipolicy.org/wp-content/uploads/2024/06/Defying_Intent_Jason_Delisle.pdf; Michael Brickman & Robert Eitel, *Save America from SAVE Loan Forgiveness*, REAL CLEAR POL’Y (Feb. 5, 2024), https://www.realclearpolicy.com/articles/2024/02/05/save_america_from_save_loan_forgiveness_1009670.html; Robert S. Eitel & Paul Zimmerman, *Biden’s Zombie Student-Loan Bailout Continues to Stalk Taxpayers*, NAT’L REV. (Oct. 9, 2023), <https://www.nationalreview.com/2023/10/bidens-zombie-student-loan-bailout-continues-to-stalk-taxpayers/>; Angela Morabito, *Biden Just Invented a New Way to Rob Taxpayers for Student Debt Heist*, FOX NEWS (Sep. 22, 2023), <https://www.foxnews.com/opinion/biden-invented-new-way-rob-taxpayers-student-debt-heist>; Letter from Robert S. Eitel, Def. of Freedom Inst. for Pol’y Studs., et al. to Nasser Paydar, Assistant Sec’y for Postsecondary Educ., U.S. Dep’t of Educ. (Apr. 25, 2023), available at <https://dfipolicy.org/wp-content/uploads/2023/04/IDR-NPRM-Cost-Estimate-04.25.2023.pdf>; Letter from Robert S. Eitel & Paul F. Zimmerman, Def. of Freedom Inst. for Pol’y Studs., to Miguel Cardona, U.S. Sec’y of Educ. (Feb. 10, 2023), available at <https://dfipolicy.org/wp-content/uploads/2023/02/DFI-Comment-IDR-NPRM-02.10.2023.pdf>; Brief for Elisabeth DeVos et al. as Amici Curiae Supporting Respondents, *Biden v. Nebraska*, 600 U.S. 477 (2023) (No. 22-506).

³ 90 Fed. Reg. 57,454 (Jan. 30, 2026).



to implement the statutory changes to the Title IV, HEA programs included in the One Big Beautiful Bill Act (“OBBB”) signed into law by President Trump on July 4, 2025. The relevant changes for the RISE Committee included establishing new loan limits for graduate students, professional students, and parents and phasing out the Graduate PLUS Program. The Department achieved consensus from the RISE Committee in support of these reforms.

DFI limits our comments to the promulgation of regulations regarding the definition of “professional student.” We write to express our support for the Department’s definition and encourage maintaining the consensus language in the Final Rule. Our analysis concludes that the regulation: 1) is appropriately and legally grounded in the HEA; 2) complies with congressional intent; 3) moves institutions to correct past bad behavior; and 4) implements sound policy for students and taxpayers.

We have organized our comment as follows. First, we analyze the relevant provisions of the OBBB, the legislative history, and the RISE Committee negotiations. We also briefly address the consensus language defining a “professional student.” Second, we offer an analysis of the proposed “professional” student and program language. Finally, we explain why the Department’s consensus regulation is appropriate, grounded in statute and legislative history, and represents good policy.

In sum, DFI strongly supports the Department’s proposed definition of “professional student” and urges the Department to retain the RISE Committee’s consensus language in the Final Rule without expansion. Doing otherwise would undermine statutory loan caps, reintroduce incentives for tuition inflation and credential creep, and place both students and taxpayers at renewed risk of unsustainable debt.

Ultimately, the Department must faithfully implement the legislative will of Congress, which spoke clearly and strongly on the need to curb student loan debt, and ignore public relations stunts and pressure campaigns that seek to undermine a faithful implementation of the OBBB Act by removing the necessary and reasonable guardrails negotiated by the RISE Committee.



I. The OBBB, Department Rulemaking, and Special Interest Response

Evaluating and commenting upon the Department’s proposed definition of a “professional student” requires first grounding the analysis in the legislative and regulatory history of the OBBB. From its introduction in the House through Senate enactment, Congress made specific choices about how “professional student” would be defined and how closely that concept would track the existing regulatory framework.

Those statutory decisions, in turn, shaped the scope of the Department’s authority during negotiated rulemaking and informed the work of the RISE Committee. The Department’s regulatory development reflects an effort to operationalize the statute through objective, administrable criteria reached by consensus among stakeholders that are in keeping with congressional intent and which appropriately address runaway student loan debt. This history provides essential context for assessing both the substance and the legal defensibility of the definition of “professional student” proposed in the NPRM.

A. Legislative History

Originally proposed on May 20, 2025, the initial version of the OBBB—H.R. 1— included certain relevant provisions that would eventually be incorporated into the Senate bill, but with significant revisions. The House version defined “professional student” as a student enrolled in a program of study that “awards a professional degree upon completion.”

On May 22, the House passed H.R. 1 and sent the bill to the Senate, which opened debate on June 28. The Senate’s version of H.R. 1 defined “professional student” as “a student enrolled in a program of study that awards a professional degree, as defined under section 668.2 of title 34 [of the *Code of Federal Regulations*].”⁴ The Senate passed this amended version on July 1, 2025, without a floor debate on the

⁴ Subtitle B, Sec. 81001(C).



“professional student” definition. The House acted quickly to pass the Senate version on July 3, 2025. On July 4, 2025, President Trump signed the OBBB into law.

B. The Department’s Rulemaking Process

Later in July 2025, the Department announced that it would establish the RISE Committee for the purpose of initiating the rulemaking process to implement, among other aspects of the OBBB, its definition of “professional student.”⁵

The RISE Committee met for the first time on September 29, 2025. During his opening remarks, Under Secretary of Education Nicholas Kent called it “a moment to rise out of a system that has failed too many students for far too long,” adding a call “to reset and strengthen the Federal government’s role in helping students finance their higher education and borrowers repay their loans.”⁶ Under Secretary Kent added that the RISE Committee was created to address the “crisis” resulting from “many years of rising costs, poor accountability, and repayments systems so complex that even experts have struggled having to explain them.”⁷

From September until negotiations closed, the Department made significant changes to the originally proposed regulations, including building out the § 685.102(b) definition of a “professional degree,” which includes a reference to the four-digit program CIP code; stating that the degree is generally at the doctoral level and requires at least six academic years of postsecondary education, including at least two years of post-baccalaureate-level coursework; and adding Clinical Psychology (Psy.D. or Ph.D.) programs to the non-exhaustive list of professional degrees.⁸

⁵ 90 Fed. Reg. 141 (July 25, 2025).

⁶ See, “U.S. Department of Education, Office of Postsecondary Education Negotiated Rulemaking, Reimagining and Improving Student Education (RISE), Session 1, Day 1, Morning Session Transcript,” September 29, 2025, Pg. 11, <https://www.ed.gov/media/document/2025-negreg-rise-9-29-am-session-112466.pdf>.

⁷ *Ibid.* at pg. 12.

⁸ See, U.S. Dep’t of Education, “Draft Consensus Language; “Section 685.102 Definitions 11.05.25.” <https://www.ed.gov/media/document/rise-section-685102->



On November 6, the RISE Committee reached consensus on the rulemaking package, and the Department committed to publishing the regulatory language as agreed upon in the upcoming NPRM.⁹

C. Public Feedback and the Department’s Response

Despite a consensus on the RISE Committee for the regulatory language, the reaction from certain media outlets and interest groups to the proposed regulations was quick and intense. Beginning on November 21, media outlets began twisting the language of the regulations to announce that the Trump Administration no longer considered fields like nursing to be a “professional degree.”¹⁰ Outrage followed on social media.¹¹

[definitions-november-5-2025-112658.pdf](#). Note: The RISE Committee also proposed revising the Department’s definition of “professional student” for purposes of the Direct Loan Program, removing the requirement that a professional student have “completed the equivalent of at least three years of full-time study either prior to entrance into the program as part of the program itself.”

⁹ See, “U.S. Department of Education, Office of Postsecondary Education Negotiated Rulemaking, Reimagining and Improving Student Education (RISE), Session 2, Day 4, Afternoon Session Transcript,” November 6, 2025, Pg. 11, <https://www.ed.gov/media/document/2025-rise-transcript-thurs-11-6-pm-112571.pdf>.

¹⁰ There are many examples of these stories in November, but the first was likely Jasmine Laws, *Nursing Is No Longer Counted as a “Professional Degree” by Trump Admin*, NEWSWEEK (Nov. 20, 2025), <https://www.newsweek.com/nursing-not-professional-degree-trump-admin-11079650>. Similar coverage followed in *Nursing Is Not a “Professional Degree” Amidst Student Loan Changes*, USA TODAY (Nov. 21, 2025), <https://www.usatoday.com/story/news/nation/2025/11/21/what-considered-professional-degree-explained/87396245007/>.

¹¹ See, e.g., https://www.facebook.com/nate.armstrongiii/posts/10231344368338524?ref=embed_post; <https://www.instagram.com/reel/DRP5wx9ksyk/>; and <https://x.com/GeauxGabrielle/status/1991908917459276013/photo/1>.



In addition, professional organizations representing membership communities that were not included in the list of eligible programs began to speak publicly about the consensus language. For example, the American Hospital Association declared that the loan limits on nursing programs would “deter potential students” from pursuing post-baccalaureate programs for nurses, social workers, physician assistants, physical therapists, and occupational therapists, among others.¹² The Association of Schools & Programs of Public Health stated that the Department’s loan limits were “dangerous,” sent “an alarming signal about the understanding of the public health workforce,” “risk[ed] undermining the nation’s ability to prepare practitioners who protect . . . the health of all populations,” and would make “public health education less financially attainable.”¹³

The National Education Association (“NEA”) claimed that the consensus language represented “disrespect” from the Trump Administration, which, they claimed, was “devaluing” the work of NEA members for political gain.¹⁴ Further, the NEA argued that the exclusion of education programs from the definition of “professional degrees” was an effort to “demoralize educators, divide families from school employees, and politicize our classrooms.”¹⁵ They added that the individuals who will “lose” from this change are “NEA Members, especially those from marginalized communities,” who will “find it more difficult to improve their professional practice, increase salaries, and stay in the classroom.

¹² See, “AHA Comments on Department of Education Professional Degree Program Proposal,” December 22, 2025, <https://www.aha.org/lettercomment/2025-12-22-aha-comments-department-education-professional-degree-program-proposal>.

¹³ See, “Department of Education Proposal Excludes Public Health Degrees from ‘Professional Degree’ Definition,” November 12, 2025, <https://aspvh.org/departement-of-education-proposal-excludes-public-health-degrees-from-professional-degree-definition/>.

¹⁴ See, “Graduate Student Loan Caps: End the Disrepect of our Profession,” December 10, 2025, <https://www.nea.org/resource-library/graduate-student-loan-caps-end-disrespect-our-profession>.

¹⁵ *Ibid.*



Into this heated discourse, the Department published a press release on November 24, 2025.¹⁶ In it, the Department wrote that the OBBB placed “commonsense limits” on federal student loans for graduate degrees that will “help drive down the cost of graduate programs and reduce the debt students have to take out” to attend them. Confronting the “fear mongering” head on, the Department explained that the “professional student” language does not reflect value judgments regarding certain programs. The Department added that internal data indicates that 95% of nursing students borrow *below* the annual loan limit and, as a result, are not affected by the new caps.

Indeed, the Department made it clear that the OBBB and proposed regulations have nothing to do with the importance of the degrees that are not included in the definition. Rather, the consensus language is intended to control tuition costs “for credentials with modest earnings potential” and avoid saddling too many borrowers with debts that they find difficult to repay.

II. Analysis of the Proposed “Professional Student” Language

Although the Congressional Record contains no direct floor debate on the precise definition of “professional student,” Congress’s intent in enacting the student loan provisions of the OBBB is nevertheless clear from the structure of the statute, contemporaneous statements by committee leadership, and the problems the law was expressly designed to address.

There is no doubt that, through the OBBB, Congress sought to rein in excessive graduate borrowing, end inflationary lending practices that enabled unlimited debt accumulation, and concentrate higher loan limits on a narrow category of programs with demonstrated value, extended training requirements, and clear workforce outcomes.

¹⁶ U.S. Dep’t of Education, “Myth vs. Fact: The Definition of Professional Degrees,” November 24, 2025, <https://www.ed.gov/about/news/press-release/myth-vs-fact-definition-of-professional-degrees>.



The Department’s proposed regulations and the RISE Committee’s consensus language would faithfully implement that intent by preserving differentiated loan caps and resisting regulatory expansion that would undermine the law’s core cost-containment and debt-reduction objectives.

The analysis below explains why expanding the RISE Committee’s proposed definition of “professional student” would be inconsistent with legislative intent and would risk recreating the very lending dynamics the statute was enacted to dismantle.

A. The Department’s Approach Aligns with Congressional Intent

While the record of floor debate on the definition of “professional student” is nonexistent, we can still deduce what Congress intended to achieve through the passage of the student loan provisions in OBBB. In sum, the law is intended to curb graduate student borrowing amounts, remove the potential for some graduates to owe more than they can pay back, and to limit high borrowing amounts to program areas that have demonstrated value.

Members of Congress have expressed as much. In a media interview, Senator Bill Cassidy (LA), Chairman of the Senate Committee on Health, Education, Labor, and Pensions (“Senate HELP Committee”), stated that the then-House bill was intended to address situations where individuals borrowed more than they can pay back.¹⁷ After OBBB was passed by the Senate, Senator Cassidy added that the law made higher education more affordable by eliminating inflationary loan programs that have resulted in higher tuition costs.¹⁸ Following President Trump’s signature, the

¹⁷ See, Elizabeth Elking and Alex Miller, “Trump’s ‘big, beautiful bill’ cracks down on Biden’s student loan ‘scheme,’ top Republican says,” June 11, 2025, <https://www.foxnews.com/politics/trumps-big-beautiful-bill-cracks-down-bidens-student-loan-scheme-top-republican-says>.

¹⁸ See, “Cassidy Stands with President Trump, Passes One Big Beautiful Bill,” July 1, 2025, <https://www.cassidy.senate.gov/newsroom/press-releases/cassidy-stands-with-president-trump-passes-one-big-beautiful-bill/>.



Senate HELP Committee added that the law would “cap graduate loans at reasonable levels to lower tuition prices and protect students from drowning in debt.”¹⁹

Congressman Tim Walberg (MI-05), Chairman of the House Education and Workforce Committee, has said that the OBBB will reform the student loan system to “help drive down out-of-control college costs.”²⁰ Representative Virginia Foxx (NC-05), Chair of the House Rules Committee, stated that the OBBB “fixes the nation’s broken student loan system . . . targeting assistance to struggling borrowers while limiting subsidies for wealthy borrowers who don’t need them” and “ends uncapped lending . . . to increase simplicity and drive down tuition costs so students are not saddled with excessive debt that they can never repay.”²¹

Given this background, it is plain to see that the Department’s proposed regulations and the consensus work of the RISE Committee are aligned with Congress’s intent in enacting the OBBB’s student loan provisions.

The statute’s definition of “professional student” was designed to better align higher education with workforce needs and limit higher student loan debt amounts to specific programs that are typically lengthy and lead to licensure-oriented fields with higher wages. The Department’s proposed regulations do just that.

¹⁹ See, U.S. Senate Committee on Health, Education, Labor, and Pensions, “President Trump, Republicans Deliver Historic Wins in One Big Beautiful Bill, Reforming America’s Broken Higher Education System,” August 1, 2025, <https://www.help.senate.gov/rep/newsroom/press/president-trump-republicans-deliver-historic-wins-in-one-big-beautiful-bill-reforming-americas-broken-higher-education-system>.

²⁰ See, House Committee on Education and Workforce, “Chairman Walberg on the One Big, Beautiful Bill Heading to President Trump’s Desk,” July 3, 2025, <https://edworkforce.house.gov/news/documentsingle.aspx?DocumentID=412615>

²¹ See, Rep. Virginia Foxx, “Foxx Report,” August 22, 2025, <https://foxx.house.gov/news/email/show.aspx?ID=ZJBPWOTQTJALJAPNQOFE2AOPY>.



B. Expansion of the Definition of “Professional Student” Would Not Align with Congressional Intent

Considering this context, it is clear why expanding the definition of “professional student” or including additional fields in the list of professional degrees would not align with congressional intent. The purpose of OBBB’s “professional student” language was to *reduce* graduate student loan debt, *not* to expand it or to maintain the current status quo.

Hence, the Department should reject any argument in favor of going beyond the definition proposed in the consensus regulations. Given that the purpose of the OBBB reforms was to reduce student loan debt, expanding the kinds of programs in which a “professional student” may enroll and access higher loan limits would undermine the law.

Congress deliberately replaced an open-ended graduate lending regime with differentiated caps, reserving the highest borrowing limits for a narrow category of programs that require extended, mandatory training as a prerequisite to enter a regulated profession. That distinction reflects a judgment that only certain degrees—such as those tied to formal licensure and clearly defined professional practice—justify higher federal exposure to potential losses.

Notably, and further illustrated in the next section, Congress did not intend to include graduate programs that lead to marginal increases in salary for positions that do not require advanced degrees beyond basic requirements. To include such programs would be the opposite of what Congress intended.

Broadening the definition through regulation—beyond what the RISE Committee agreed upon at the negotiating table—would effectively undo the compromise reflected in the statute by allowing institutions to access elevated loan limits for programs Congress chose to treat as standard graduate education, reintroducing the risk of cost inflation and excessive borrowing. In doing so, an expansive definition would unlawfully shift core policy decisions from Congress to the Department, frustrate the statute’s cost-containment objectives, and dilute the



carefully measured line Congress drew between graduate and professional education for purposes of federal student lending.

Further, the Department should be mindful that expanding the definition of “professional student” beyond the proposed narrow set of licensure-based, practice-entry programs would predictably accelerate “credential creep” across higher education.²² Higher federal loan limits for broader, more elastic categories of “professional” programs provide institutions a strong incentive to rebrand or redesign master’s-level offerings as quasi-professional degrees to unlock additional federal borrowing capacity. Indeed, over time, there is also significant risk that employers will respond to the proliferation of higher-priced, higher-credential programs by treating those credentials as baseline expectations rather than value-added qualifications, even where the underlying job functions have not materially changed.²³

The result of such changes in degree programs is an upward pressure on educational requirements: students are pushed to borrow more for degrees that become de facto mandatory for entry-level roles; institutions face reduced incentives to control tuition; and the federal loan system once again subsidizes escalating costs without a corresponding increase in labor-market value.²⁴

²² See, e.g., Michael J. Hicks, Ph.D., “Education After High School is the Path to Middle-Class Life,” Ball State University, Center for Business and Economic Research, December 31, 2023, <https://commentaries.cberdata.org/1244/education-after-high-school-is-the-path-to-middle-class-life>.

²³ See, e.g., Diane Auer Jones, “It’s Time to Break Up the Programmatic Accrediting Agency Monopolies,” *Inside Higher Ed*, November 19, 2025, <https://www.insidehighered.com/opinion/views/2025/11/19/break-programmatic-accrediting-monopolies-opinion>.

²⁴ See, e.g., Neal McCluskey, “Examining Student Loan Servicers and Their Impact on Worker,” Testimony before the Committee on Banking, Housing, and Urban Affairs, U.S. Senate, May 5, 2022, <https://www.cato.org/testimony/examining-student-loan-servicers-their-impact-workers#>. [“[I]f the demands of the job are unchanged, that basically puts workers on a progressively speeding up credential treadmill — they have to run faster educationally just to stay in one place.”]



That gets us back to the status quo. The OBBB was meant to do the opposite.

Loosening the “professional student” definition risks recreating through regulation the same dynamics of unlimited lending and cost inflation that Congress sought to curtail through loan caps in the first place, thus directly frustrating Congress’s intent in enacting the OBBB into law.

III. The Consensus Language Implements Sound Public Policy

The RISE Committee’s consensus language reflects a deliberate, balanced approach, one that faithfully implements Congress’s student loan reforms and advances access to necessary professional education while restoring discipline, accountability, and fiscal restraint to the federal student lending system. By drawing clear, objective distinctions between standard graduate programs and a narrow category of licensure-based, professional degrees, the consensus framework promotes program integrity, enhances institutional clarity and compliance, protects taxpayer dollars, and curbs the structural drivers of runaway student debt.

The following section explains why the consensus language represents a sound, defensible, and administrable policy choice and why efforts to dilute it would frustrate both the letter and the purpose of the OBBB.

A. The Consensus Language Promotes Program Integrity

The RISE Committee’s consensus language promotes program integrity by anchoring federal loan eligibility to objective, program-level characteristics rather than institutional marketing labels or discretionary reclassifications. By tying higher borrowing limits to clearly defined professional degrees, the regulations reduce ambiguity and limit opportunities for institutional manipulation.

As a result of the proposed regulations approved by a consensus of the RISE Committee, institutions would not be able to simply rename or marginally redesign programs to access higher loan caps. Instead, eligibility would turn on whether a program substantively meets the criteria Congress intended and the regulations



permit. This clarity would strengthen compliance, improve enforceability, and preserve a common understanding among institutions, accreditors, and the Department about which programs warrant differentiated treatment under the loan system.

At the same time, the consensus language reinforces accountability by aligning federal investment with a demonstrably educational purpose and labor-market function. Programs would qualify as “professional” because they serve as the recognized gateway into regulated professions, not because they are higher cost or positioned as career enhancing. This alignment would discourage tuition inflation, protect students from excessive borrowing for degrees with uncertain or limited returns, and ensure that elevated loan limits are reserved for programs where higher costs are structurally unavoidable.

In this way, the RISE Committee’s approach would safeguard program integrity by balancing access with restraint, in turn supporting legitimate professional education while preventing the reemergence of the unlimited lending dynamics that undermined confidence in the graduate loan system.

B. The Consensus Language Enhances Institutional Clarity and Compliance

The RISE Committee’s consensus language enhances institutional clarity and compliance by providing a stable, administrable definition of “professional student” that institutions can apply when designing programs and advising students. By grounding that definition in objective, program-based criteria, the regulations reduce uncertainty about eligibility for higher loan limits.

Institutions are thus able to determine whether a program qualifies without relying on informal guidance or case-by-case determinations. This predictability supports accurate disclosures, consistent financial aid packaging, and clearer internal controls.

The consensus language also minimizes compliance risk by narrowing opportunities for subjective interpretation. When eligibility hinges on clearly



articulated program characteristics and a list of eligible programs rather than evolving labor-market claims or institutional intent, both institutions and the Department can evaluate compliance using the same reference markers. That alignment reduces the likelihood of retroactive findings, conflicting interpretations across institutions, or uneven enforcement outcomes.

In practical terms, the RISE Committee’s approach would allow institutions to operationalize the statute in a straightforward manner, support uniform application across the sector, and reinforce a compliance environment in which institutions can focus on delivering quality programs rather than navigating regulatory ambiguity.

C. The Consensus Language Protects Taxpayer Dollars

The RISE Committee’s consensus language protects taxpayer dollars by ensuring that higher federal loan limits are narrowly targeted to programs that Congress and the Department have determined warrant elevated investment. By confining the “professional student” category to clearly defined, licensure-oriented degrees that serve as the required entry point into regulated professions, the proposed regulations would prevent the reemergence of open-ended lending that previously exposed taxpayers to unchecked risk (and students to unmanageable debt).

This disciplined approach would limit federal liability by reserving larger loan amounts for programs with a demonstrated structural need for longer training and higher costs, rather than allowing broad categories of graduate programs to draw down federal funds without any clear justification.

In addition, the consensus language increases the likelihood of loan repayment by aligning borrowing authority with programs that historically have clearer labor-market pathways and more predictable earnings outcomes. When federal lending is calibrated to programs with defined professional endpoints, taxpayers are less likely to absorb losses associated with excessive borrowing for degrees with uncertain or diffuse economic value.



The proposed framework would promote fiscal responsibility by balancing access to necessary professional education with prudent limits on taxpayer exposure, reinforcing Congress’s intent to safeguard public funds while supporting legitimate workforce preparation.

D. The Consensus Language Prevents Perpetuating Runaway Student Debt

Consistent with the legislative purpose of the OBBB, the RISE Committee’s consensus language will help prevent runaway student debt by restoring meaningful limits to a graduate lending system that had become effectively uncapped. By clearly distinguishing between standard graduate education and a narrow category of professional programs, the framework would ensure that higher loan limits are the exception rather than the norm.

This structure would directly address one of the primary drivers of excessive borrowing: the availability of unlimited or near-unlimited federal credit for graduate-level programs that is untethered from program type.²⁵ When borrowing authority is clearly bounded, students are less likely to accumulate debt levels that exceed the reasonable cost of their education or their anticipated ability to repay. Perhaps most importantly, institutions are required to curtail costs and cut excessive and unnecessary spending.²⁶

The consensus language also reduces institutional incentives to fuel debt escalation through program design and pricing. By tying eligibility for higher loan limits to objective, licensure-based criteria and a named listed of degrees, the proposed regulations would limit the ability of institutions to reclassify or rebrand programs to access additional federal funds.

²⁵ See, e.g., Sandra Black, Lesley Turner, and Jeffrey Denning, “Plus or Minus? The Effect of Graduate School Loans on Access, Attainment, and Prices,” National Bureau of Economic Research, May 2023, <https://www.nber.org/papers/w31291>.

²⁶ See, e.g., Dylan Halper, “Trump’s pressure campaign on universities hits year one: where does Duke stand?” *Duke Chronicle*, February 25, 2026, <https://www.dukechronicle.com/article/b75135d5-9377-4182-85a3-9a6cc957b592>.



Without the prospect of expanded loan availability, institutions will face stronger market pressure to control tuition and graduate-level program costs, interrupting the cycle in which increased federal lending capacity enables higher prices, which in turn require even greater borrowing by students.

Finally, the RISE Committee’s approach would protect students from being drawn into unnecessary credential escalation that often accompanies high levels of graduate debt. When only true professional programs qualify for elevated borrowing limits, students are less likely to be persuaded, through explicit or implicit pressure, to pursue additional degrees simply to meet inflated occupational expectations tied to loan availability.

By aligning borrowing limits with genuine educational and professional necessity, the RISE Committee’s consensus language promotes more sustainable borrowing decisions and supports a student loan system that prioritizes long-term financial stability over short-term access to credit.

E. Higher Loan Limits Do Not Correlate with Better Outcomes or Reduced Hardship

Any persuasive argument in favor of an expanded list of programs enrolling “professional students” that are eligible for higher loan limits requires first demonstrating that the underlying costs driving those limits are unavoidable rather than discretionary. The prior graduate lending regime allowed borrowing up to the full cost of attendance, yet, to the detriment of the borrowers, that permissiveness did not correlate with improved outcomes or reduced student hardship. Rather, it coincided with rapid tuition growth, expanded administrative spending, more student debt, and the proliferation of high-cost programs untethered from workforce necessity.²⁷

²⁷ See, e.g., Jeffrey Denning and Lesley Turner, “The Effects of Higher Student Loan Limits on Access to High-Earnings Graduate Programs,” American Economic Association, May 2023, https://lesleyjturner.com/Denning_Turner_GradPLUS_PP_manuscript.pdf&ved=2a



The loudest voices objecting to the RISE Committee’s consensus have sought to distract their target audiences from that abject policy failure by criticizing the Department for supposedly denigrating certain programs by not classifying them as “professional” in the proposed regulations. Setting aside this facile criticism and focusing on the appropriate context in which this definition was proposed, the historical record shows that expanded loan limits accommodated institutional pricing decisions and heightened credential expectations more than genuine educational need. Hence, if advocacy and membership organizations that have attacked the consensus language ultimately convince the Department to expand the regulatory list of degree programs eligible for higher loan limits, they would only “succeed” in saddling their own members and supporters with higher debt levels despite no evidence that the additional loan amounts lead to demonstrably better outcomes.

The consensus language rightly rejects the notion that all graduate or career-oriented programs warrant the same treatment. Instead, consistent with congressional intent, the RISE Committee’s consensus language reflects that truly professional, licensure-based programs—like medicine, dentistry, and the law—have structural cost and training requirements that distinguish them from other programs. Absent evidence that students who are not classified as “professional” under the proposed definition require extended, mandatory training to enter a regulated profession, which opponents have yet to provide, the argument that higher loan limits are essential, collapses into a preference for the status quo rather than a showing of necessity.

Opponents of the consensus language also struggle to reconcile their position with basic principles of borrower protection. Higher loan limits are not neutral tools; they materially increase the risk that students will assume debt levels disconnected from realistic repayment capacity. Critics of the work of the RISE Committee ignore that alternative mechanisms—such as institutional cost control, employer support,

[hUKEwjhwf7 iPISAxXuMlkFHUFfMpMQFnoECA4QAQ&usg=AOvVaw0v7a3r4Wq7lsrQ1BfHJ2oM.](https://www.dfi.org/policy/analysis/2018/05/21/riase-consensus-language)



scholarships, or private financing—could address their concerns without burdening taxpayers or borrowers with unnecessary risk.

If a program’s viability depends on students borrowing substantially more federal dollars, that dependency itself raises questions about program design, pricing discipline, and value, rather than establishing a justification for expanded lending.

The numbers are unquestionably on the side of the RISE Committee. For example, according to NEA data, the average starting salary in 2020–21 for a teacher with a master’s degree (\$45,391) was only \$3,621 more than the starting salary of a teacher with a bachelor’s degree (\$41,770).²⁸ According to recent data, the average cost of a master’s degree in education is \$44,640.²⁹ It is unclear why the NEA would want additional borrowing access for a program *that would already be covered* by the graduate degree loan limits. Further, it is also unclear why a delta of \$3,600 per year in starting salary is worth nearly \$45,000 in student loan debt.

Finally, arguments for higher loan limits overlook Congress’s clear intent to impose discipline after decades of evidence that unlimited federal credit fuels, rather than fixes, affordability problems. The consensus language reflects a deliberate policy judgment: access should be preserved where higher borrowing is unavoidable, but restrained where it merely perpetuates debt escalation.

²⁸ See, National Education Association, “Teacher Salary Benchmark Report,” April 26, 2022, <https://www.nea.org/resource-library/teacher-salary-benchmarks>.

²⁹ See, Melanie Hanson, “Average Cost of a Master’s Degree,” Education Data Initiative, November 23, 2024, <https://educationdata.org/average-cost-of-a-masters-degree>. Notably, there are Master’s degrees in Education that cost upwards of \$140,000 for a two-year program. These programs, rightfully, would not be eligible for the professional student loan limits. See, e.g., Columbia University Teacher’s College: <https://www.tc.columbia.edu/admission/financial-aid/cost-of-attendance--tuition/your-cost-of-attendance/#:~:text=Teachers%20College%2C%20Columbia%20University%2C%20is%20the%20first,also%20perennially%20ranked%20among%20the%20nation's%20best>.



Opponents may prefer broader loan availability, but preference is not necessity. Without concrete evidence that excluded programs cannot function, cannot serve students, or cannot meet workforce needs under the capped framework, demands for higher loan limits amount to ungrounded speculation and run directly counter to the cost-containment and debt-reduction goals Congress sought to advance in the OBBB.

IV. Conclusion

For the reasons described above, DFI strongly supports the Department’s proposed definition of “professional student” and urges the Department to retain the RISE Committee’s consensus language in the Final Rule without expansion. The consensus framework faithfully implements Congress’s intent to curb excessive graduate borrowing, end inflationary lending practices, and reserve higher loan limits for a narrow category of licensure-based programs with demonstrated value and unavoidable cost structures.

Diluting that framework would undermine statutory loan caps, reintroduce incentives for tuition inflation and credential creep, and place both students and taxpayers at renewed risk of unsustainable debt. By contrast, maintaining the consensus language promotes program integrity, enhances institutional compliance, protects public funds, and advances a student loan system grounded in accountability and long-term financial stability.

DFI therefore respectfully encourages the Department to finalize the proposed definition of “professional student” as written.

Sincerely,

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