

# “All Students Matter”: The Place of Race in Discourse on Student Debt in a Federal Higher Education Policymaking Process

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## Abstract

**Background:** Nearly two decades have passed since the last successful reauthorization of the Higher Education Act. Since then, student loan debt and the accumulation patterns based on race have become a pressing issue to address in U.S. society.

**Purpose:** Student debt is one of the key issues on the federal higher education policy agenda. The purpose of this paper is to examine how race is addressed in a congressional hearing held to discuss the reauthorization of the Higher Education Act. Specifically, we examined one congressional policy markup hearing to understand how members frame student debt and the racialized dynamics embedded within.

**Research Design:** We combined critical race theory and racial frames to discursively analyze 14 hours of congressional hearings on the reauthorization of the Higher Education Act. Through critical discourse analysis, we interrogated the racialized discourse among policymakers as they proposed solutions and alternatives to address the issue of student debt during the policy markup process.

**Conclusions/Recommendations:** Our findings highlight four types of discourse within a policy markup hearing: “All Students” Matter, Paternalistic, Race-Evasive, and Explicit Racial Discourse. We offer recommendations for policymakers and researchers to contend with ahistoricism and race-evasiveness prevalent in policy

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markup hearings and ways for future policy proposals to be more explicit in naming the groups facing disproportionate negative impact, the mechanisms that produce such inequities, and interventions that can address them.

### **Keywords**

student loans, higher education, federal policy, critical race theory, critical policy analysis

Student debt is one of the most pressing issues in U.S. society today. In 2023, total student debt surpassed \$1.7 trillion, affecting nearly one of every five adults in the United States (Hanson, 2023b). Rising student debt levels are partly due to surges in the price of higher education in recent decades and the insufficiency of grant aid to keep pace with these increases (Chakrabarti et al., 2020; Jiménez & Glater, 2020; Ma & Pender, 2023; Mitchell et al., 2019). With the rising cost of college outpacing inflation in the last three decades, more students have relied on loans to participate in higher education (Ma & Pender, 2023). These trends are especially noteworthy since borrowing for college is associated with negative consequences for individuals, including delayed homeownership, marriage postponement, deferral of postbaccalaureate educational pursuits, and ultimately, suppressed ability to build wealth (Baker, 2019a; Hanson, 2023a; Montalto et al., 2019).

No different from many aspects of U.S. society, student debt disproportionately burdens people of color, especially Black people (Hanson, 2023a; Houle & Addo, 2019; Seamster, 2019; Seamster & Charron-Chénier, 2017). These disparities stem largely from historical and ongoing inequities in wealth accumulation among racialized groups, influenced by social, political, and economic factors that have stymied the ability of people of color to build wealth. In 2019, the median net worth for white families was nearly eight times the net worth of Black families and over five times the net worth of Latinx families (Bhutta et al., 2020).<sup>1</sup>

Due in part to constraints on wealth-building and other social forces that produce inequities in income and wealth, racially minoritized students, especially Black students, must take on more student debt and face more significant barriers to repaying it (Baker, 2019b; Seamster & Charron-Chénier, 2017). In addition to disparities in their ability to pay for college, racially minoritized students have higher debt burdens partly because they have been disproportionately subject to “predatory inclusion.” This term captures the phenomenon by which financial actors and for-profit postsecondary institutions “offer needed services to Black households but on exploitative terms” (Bandelj, 2020, p. 565). For these reasons, racially minoritized students, particularly Black students, are more likely to have student debt; they also tend to have higher loan balances and default at higher rates (Baker, 2019b; Hanson, 2023a; Scott-Clayton, 2018). Even more troubling, more than half of Black students have student debt balances that exceed their net worth, and almost half of Black students owe more than they

borrowed four years after graduation (Hanson, 2023a). These dire statistics underscore the racialized nature of student debt.

The fact that student debt differentially affects borrowers across racialized groups is well-known in education policy spaces. As the Lumina Foundation observes, “Stark differences by race and ethnicity exist in student borrowing trends—as anyone worth their salt in postsecondary education should know by now” (Lumina Foundation, 2021, p. 3). With this backdrop, we ask how federal policymakers on a congressional committee tasked with higher education policymaking discuss the racialized nature of student debt. The problems with student debt in the United States are structural and connected to racialized systems, from schooling to the labor market (Reskin, 2012); therefore, solutions must likewise be structural (Addo & Baker, 2021). Thus, we also explore the degree to which policy discourse recognizes the structural nature of student debt, as opposed to adopting deficit-based narratives that pathologize people of color and attribute blame for racialized patterns of borrowing and debt.

Guided by critical race theory (CRT) (e.g., Bell, 1987; Delgado & Stefancic, 2001; Ladson-Billings & Tate, 1995) and Bonilla-Silva’s (2006, 2009) racial frames, we build on the premise that racism is endemic. Further, we recognize that policy action and inaction—both in education and in other policy domains (e.g., housing)—have contributed to the manifestation and reproduction of the extant disparities we observe in educational attainment across racialized groups (Anderson, 2016; Hochschild & Shen, 2014; Michener & Brower, 2020; Reskin, 2012; Rodriguez et al., 2022). Thus, we posit that disparities in college student debt across racialized groups must be addressed *explicitly* through policy. Policymaking processes have crucial consequences for racial justice, and racial disparities in education will persist without race-explicit policy action to repair historical wrongs (Bonilla-Silva, 2006). Therefore, it is important to understand whether and how race is addressed in policymaking processes.

Student debt is one of the key issues on the federal higher education policy agenda (Beeler, 2021; Gándara & Jones, 2020), so policymakers have ample opportunities to address its incongruent effect on racially minoritized students. In this study, we examine how race is addressed within one congressional hearing held to discuss the reauthorization of the Higher Education Act (HEA). The HEA is an apt policy for this inquiry because it was enacted as part of a broader package of legislation amidst the 1960s American Civil Rights Movement. The HEA primarily sought to expand higher education opportunities for Americans, including Black Americans, who had been excluded from postsecondary education.

The following questions guide our study:

1. What is the racial discourse embedded in federal policymaking related to student debt?
  - a. How is racial discourse framed (e.g., what proxies are used)?
  - b. What are the silences in this racial discourse?

2. In what ways does racial discourse related to student debt advance or constrain racial equity in higher education policy?

To answer these questions, we employ critical discourse analysis (CDA; Fairclough, 1993, 2013; Reisigl & Wodak, 2001) undergirded by CRT (Bell, 1987; Delgado & Stefancic, 2001; Ladson-Billings & Tate, 1995) and Bonilla-Silva's (2006, 2009) racial frames. Our data comprise 14 hours of policy discourse within the U.S. House of Representatives Committee on Education and Labor. The findings illuminate how the committee, comprising primarily white policymakers, reinforces racial inequities through their discourse and policy proposals, emphasizing individual-level solutions in lieu of addressing structural issues related to the racialized issue of student debt. Through this work, we answer calls by Rosino (2016) to examine "micro-level processes of contestation over the formation of agendas, platforms, and policies" (p. 947).

## **The Evolution and Racialization of Student Debt**

Civil rights groups, higher education advocates, policy intermediaries, and progressive policymakers have sounded the alarm about the disproportionate negative impact of college student loan debt on communities of color (Brooks & Harrington, 2021; Charron-Chenier et al., 2020; Jiménez & Glater, 2020; Lumina Foundation, 2021). Some have attempted to explain this disparate impact on racial and "cultural" differences in financial literacy and responsibility (Fan & Chatterjee, 2019; Zachary Finney & Finney, 2018). However, empirical evidence paints a much more complicated picture. A deeper examination of the sociohistorical evolution of educational opportunities for racially minoritized students and student loans highlights how the systematic disenfranchisement of communities of color intertwines with current racial disparities in student debt.

### *Systematic Disenfranchisement and the Rise of the Student Debt Crisis*

Access to higher education has always been a contested issue, especially in expanding opportunities and support for racially minoritized students to attain college degrees (Bowen et al., 2005). Tactics used to segregate and exclude racially minoritized students from participating in higher education include the misuse of test scores, profiling of students, use of violence to intimidate and block entry, and creation and application of discriminatory laws (Hodson et al., 2002; Synnott, 2017). These efforts to exclude and disenfranchise communities of color from the benefits of higher education extend to access to financial aid. The first mass governmental effort to support student financial aid for higher education was the Servicemen's Readjustment Act of 1944 (GI Bill). Unlike most federal aid today, the GI Bill was not given in the form of loans; it was, in fact, "free" aid to veterans. For over two decades, this aid primarily benefited white World War II veterans, because the GI Bill predated the Civil Rights Act and the

Higher Education Act of 1965, which promoted more educational opportunities for persons of color (Katznelson, 2005; Ottley, 2014).

The first student-loan program sponsored by the federal government was tied to the 1958 National Defense Education Act and targeted students who excelled in math and sciences. That loan program was the precursor to what is now known as the Perkins Loan. At the time, its distribution was primarily directed at high-achieving white students (Portis, 2020). However, the 1960s Civil Rights Movement brought significant changes and hypervisibility to how racially minoritized students were shut out of educational opportunities. With the advent of the Civil Rights Act of 1965, the HEA included a government-sponsored student-loan program designed to benefit disadvantaged students en masse. The Guaranteed Student Loan Program, commonly referred to as the Federal Family Education Loan Program (FFELP), allowed banks and other private institutions to provide government-subsidized and guaranteed loans for college (Porter, 2020; Watson, 2019).

This period of a government effort to redress past systemic racism and expand higher education access for students of color also gave birth to both the Basic Educational Opportunity Grant (later called the Pell Grant) and the Student Loan Marketing Association (more popularly known as Sallie Mae). Sallie Mae was created to service FFELP loans, and in 1978, Congress instituted the Middle-Income Student Assistance Act to expand and promote these loans. Shermer (2021) provides compelling evidence showing how southern whites, fearing that lower college costs might dismantle segregation, actively promoted the expansion of student loans, prioritizing college access over affordability. Unsurprisingly, the demand and expansion of these loans far outpaced the Pell Grant (Witteveen, 2023). In part due to these efforts to expand opportunities, the racial gap in college attendance had narrowed substantially by the 1990s. Between 1990 and 1999, Latinx student college enrollment increased by 68%, and Black student enrollment grew by 32% (Cavanagh, 2002). During this time of significant gain in access and degree attainment among racially minoritized students, the 1992 Higher Education Amendments expanded student loans, creating the Direct Lending program and unsubsidized Stafford loans. This change also meant students, not the government, had to cover loan interest costs while in school. As a result, the federal government effectively stopped subsidizing student loans at a time when more students of color were pursuing college degrees.

In 2007, the Great Recession hit, creating a wave of housing foreclosures, bankruptcies, and spending cuts at both the federal and state levels. State cuts to higher education appropriations created new economic challenges for institutions. With less state support, many institutions raised tuition and cut need-based aid. This retrenchment was mirrored in federal and state financial aid practices. The shift away from public financing for grants accelerated after the Great Recession. By the late 2000s, the FFELP was eliminated, and the government required all new federal student loans to be housed under the Direct Lending Program. During this time, private lenders began to offer student loans independent of government subsidy or oversight. By

2012, student loan debt had passed \$1 trillion, and the racial gap in student loan debt continued to increase at an alarming rate (Gitlen, 2022).

When the student debt crisis is discussed without attention to race, the monumental burden of student loans appears to be universal. However, the cost-benefit ratio for taking on student debt varies significantly by race. For many white borrowers, student loan debt is still considered a good type of debt, one that can create new opportunities for increased income, wealth, and social mobility (Seamster, 2019). This characterization is not necessarily accurate for borrowers of color, who have historically faced barriers in accessing assets and accumulating wealth, encountered labor market discrimination, and borne a greater economic burden when trying to access college.

### *Racial Disparities in Student Debt*

Student debt is increasingly recognized as a key indicator of systemic racism that causes, reinforces, and exacerbates long-standing racial gaps in wealth and opportunity. Several empirical studies demonstrate racial disparities in socioeconomic needs (Charron-Chenier et al., 2020; Houle & Addo, 2019; Shapiro et al., 2020) as well as student loan borrowing, repayment, and impacts on household income (Houle & Addo, 2019; Li & Kelchen, 2021). Black student borrowers have the highest monthly loan repayments (Hanson, 2023a). Black women are especially bearing the weight of student loan debt compared to other groups of borrowers (American Association of University Women, 2019). By preventing borrowers from buying homes, starting businesses, and saving for retirement (Brooks & Harrington, 2021), student debt plays a role in perpetuating racial wealth gaps.

Some scholars, state higher-education agencies, and policymakers have attempted to explain and address racial disparities in student loans using cultural deficit theories that blame the student and their family's lack of financial literacy and responsible borrowing (Keshner, 2019a). However, these theories do not account for or explain racialized disparities in job opportunities, income, and wealth that create the need for student borrowing or borrowers' ability to repay their loans. On average, people of color are paid less for longer work hours, despite earned degrees (McGee, 2020). A recent Education Trust report indicates that, as of 2018, the median annual income for white men with bachelor's degrees was \$62,000 compared to \$47,600 for Black men with bachelor's degrees. The median annual income for white women with bachelor's degrees was \$50,000 compared to \$42,100 for Black women with the same degrees (Mustaffa & Dawson, 2021). Moreover, regardless of salary, persons of color are more likely to have significantly fewer assets and more debt (Sanchez-Moyano & Shrimali, 2021).

Additionally, numerous factors have contributed to the rising price of higher education, necessitating borrowing for students with lower access to wealth. The sticker price for college has nearly doubled in the last three decades, after adjusting for inflation (Ma & Pender, 2023), while pay wages have failed to keep up with inflation (Zaloom, 2019). At the same time, federal Pell Grants have decreased in the last decade

and fail to cover a significant amount of college costs (Ma & Pender, 2023), especially for lower-income students with greater needs (Hill, 2021). Additionally, colleges often allocate more resources to merit-based aid, attracting wealthier (and often whiter) students. According to the National Center for Education Statistics (2019), students in the highest 25% income bracket receive an average of \$11,300 in nonfederal financial aid compared to those in the lowest 25% income bracket, who on average receive only \$7,500 in nonfederal financial aid. Likewise, at the state level, although the majority of student aid funds continue to be allocated based on need, merit-based financial aid has become increasingly common (Baker et al., 2020). These trends are significant, given how socioeconomic status is tied to racial inequities. In light of these disparities, there is renewed interest in the federal legislative policies that govern and shape how higher education is financed (Jiménez & Glater, 2020; Watson, 2019).

### *Race and Federal Policymaking*

Scholars from various fields note how the American policymaking process excludes, marginalizes, and disenfranchises people of color in areas crucial to social mobility, including education (Anderson, 2018; Hawkesworth, 2003; Nelson & Williams, 2019). Efforts to legislate redress for past exclusion and discrimination are often met with strong political opposition and new strategies to maintain the racial hierarchy (Anderson, 2016). Efforts such as stripping the Voting Rights Act, gerrymandering district lines, and barring incarcerated individuals and felons from voting are legislative tactics aimed at limiting participation in the policymaking process. Policies that exclude and disenfranchise communities of color are linked to reduced public goods, entitlements, and spending in these communities, which only reinforces racial disparities (Flynn, 2017; Gándara & Jones, 2020; Taylor, 2022). Unsurprisingly, racial representation within policymaking continues to favor white citizens (Rosino, 2016).

In the wake of the 2020 racial uprisings, there has been an amplified call for acknowledging the role of race and racism in policymaking (McCoy-Simmons et al., 2022). Many experts contend that race must be considered in any policy discussion regarding student debt because of the disparate impact student loans have on racially minoritized students (Eaton et al., 2021; Mustaffa & Dawson, 2021; Ross et al., 2021; Scott-Clayton, 2018). Indeed, numerous Black borrowers view the student loan debt crisis as a civil rights issue that significantly impacts their financial freedom and quality of life (Mustaffa & Dawson, 2021). Although seemingly race-neutral policies do not explicitly endorse systemic racism, scholars have shown how race-neutral policy assumptions made by policymakers can lead to higher education policies that perpetuate racial inequities (Kahn et al., 2019). For example, according to Ross and colleagues (2021), “Title IV of the HEA grants the federal government regulatory oversight of student loan servicers but *does not* include provisions prohibiting discrimination in loan servicing” (para. 5). In contrast to other areas covered by consumer protection laws, student loans lack rigorous oversight to ensure equity (Frotman, 2020).

This failure to regulate is especially troubling because a disproportionate amount of Black and Latinx students attend schools with higher cohort default rates, including for-profit higher education institutions (Keshner, 2019b; Scott-Clayton, 2018; Webber, 2022). Moreover, careful analyses of for-profit institutions have shown how they benefit from and perpetuate racial inequities (McMillan Cottom, 2017). Also underlining the threats of race-evasive policymaking to racial justice, Pusser and Ericson (2018) argued that an attempt to deregulate for-profit colleges and eliminate specific loan forgiveness programs proposed in the PROSPER Act, a Republican-sponsored bid to reauthorize the HEA, would negatively affect Black, Latinx, American Indian, and low-income students attending for-profit colleges.

### *Using CRT to Examine “Race-Neutral” Policymaking*

Although overt racism in policymaking is widely frowned upon and outlawed, the guise of neutrality can mask the dominant class’s power and privilege. This apparent neutrality can legitimize ignoring the history and legacy of systemic oppression (Settles-Tidwell et al., 2021). Policy scholars need critical frameworks, like CRT, to deconstruct how dominant power is maintained and perpetuates social inequity under prima facie neutrality (George, 2021). The use of CRT to examine racial inequity in educational policymaking has been concentrated within the K–12 sector (Wright et al., 2020). For example, Alemán (2007) applied CRT to discern whether Texas school finance policy had disparate racial effects on school funding for majority-Mexican American school districts. Key to this analysis was a historical analysis of the Texas state context and its treatment of race in schools. They found inequity at various levels in relation to the school finance system.

Education policy researchers have critiqued the assumption undergirding most policy research that policymaking is rational and “neat” (Ball, 1990; Diem et al., 2014). However, there has been some hesitation among researchers to center race and examine racism in educational policymaking, especially at the federal level (Parker, 2003). The rise of CRT in research and education has bred contentious debate and increased controversy (Ray, 2023). Within education research, the use of CRT has been proliferating; however, it is still primarily focused on K–12 (e.g., Alemán, 2007; Gillborn, 2005) or state policy (Felix & Trinidad, 2020; Jones et al. 2017). There have been few examinations of federal higher education policymaking using CRT (e.g., Harper et al., 2009).

In the context of higher education, the adoption of CRT for examining policy has been slower. This hesitance has been attributed to the sector’s meritocratic ideology, which seemingly conflicts with CRT’s focus on structural inequities (Baber, 2016; Tichavakunda, 2024). Previous studies have shown how the policymaking process excludes persons of color without using CRT (Harris, 2018; Welton et al., 2023). More recently, Mustaffa and Dawson (2021) applied a framework of racial capitalism to examine Black student loan debt. With increasing racial contestation over higher education access and student support, there has been growing interest in CRT’s



ability to center how racism operates, overtly and covertly, to reinforce the social and economic racial hierarchy. CRT has been used to examine how higher education policies and laws operate to maintain racial inequities in everything from college rankings to admissions and financial aid (Richards et al., 2018; Winkle-Wagner et al., 2018).

Recently, the scope of CRT application has expanded, with scholars using it to understand students' racialized experiences with student debt. Most of these applications of CRT use counter-stories featuring the narratives and voices of students of color (Bostick et al., 2021; Robie, 2021; Yaskowski, 2020), but we are unaware of inquiries using CRT to examine federal policymaking related to student debt. Although the use of CRT in analyzing federal policy on student debt is novel, we draw from examples, which we review next, of how CRT can offer fresh insights into the racial dynamics underpinning federal policymaking.

## **Theoretical Framing**

Of particular importance for this discursive policy research was bringing in theories that center race and racism and allow us to interrogate how policymakers discuss, omit, evade, or explicitly mention racial inequity within higher education. The ways policymakers discuss and respond to issues of race and their awareness of the underlying causes of racialized inequities in education remain largely unknown (Bensimon, 2018; Rodriguez et al., 2022). The degree to which policymakers understand these social determinants of inequities directly influences how they frame educational problems and, importantly, the potential policy solutions offered (Perna et al., 2019). To examine the racial discourse in federal policymaking, we weave theoretical elements of CRT (Bell, 1987, 1992; Ladson-Billings & Tate, 1995; Solórzano & Yosso, 2002) and Bonilla-Silva's (2006, 2009) racial frames. In the following sections, we discuss how combining these theories allows us to interrogate the ways race, structural racism, and racial disparities are discussed and embedded in higher education federal policymaking.

### ***Critical Race Theory***

Critical race theory (CRT), developed in legal studies (Bell, 1987, 1992; Delgado & Stefancic, 2001; Matsuda, 1987), examines the pervasiveness of racism in the law, uncovers patterns and practices that perpetuate racial inequities, and actively seeks to dismantle differential treatment in the legal system. Applied in the context of education, CRT seeks to understand the pernicious influence of race and racism in schooling and work toward creating a more just system for racially minoritized students (Dixson et al., 2017; Ladson-Billings & Tate, 1995; Solórzano & Delgado Bernal, 2001). In our work, we draw on four elements of CRT: acknowledging the permanence of racism, challenging ahistoricism, considering interest convergence, and pursuing justice-oriented scholarship (Ladson-Billings, 2008).

First, we center and recognize the pervasive and enduring role of racism in society, policymaking, and higher education. Second, CRT compels us to consider how “our racial past exerts contemporary effects on present contexts of race and racism,” making sure any critical analysis challenges ahistoricism (Gill et al., 2017, p. 159). This level of analysis is necessary in federal policymaking, where discussions on race and the historical impact of racism have been limited, if not altogether omitted, from the legislative process (Carter et al., 2019). Third, we apply the principle of interest convergence, which emphasizes that any gains by racially minoritized communities must coincide with, if not primarily benefit, white interest (Bell, 1992; Felix & Trinidad, 2020). Lastly, we use CRT to critically analyze federal policymaking and challenge how legislative actors consider, discuss, and formulate policies related to racially minoritized populations. In particular, policymakers must understand and explicitly address racial dynamics within policymaking to address racial inequity, especially the disproportionate impact of the student debt burden on racially minoritized students. To this end, our scholarship seeks to deepen understanding of the role of race in policymaking and provide insights that can advance more race-conscious policymaking (Rodriguez et al., 2022; Tichavakunda, 2024).

### Racial Frames

Complementing CRT, we draw on Bonilla-Silva’s (2006, 2009) scholarship highlighting how race-evasive<sup>2</sup> (Annamma et al., 2017) ideologies, which seek to avoid, minimize, or excuse racism in society, are dominant in the United States. Bonilla-Silva’s work describes four ideological frames—abstract liberalism, naturalization, cultural racism, and minimization of race—that allow scholars to explore how people interpret and explain race and racism in society. *Abstract liberalism*, regarded as the most important of the four, describes a shift from understanding racism as a structural issue to one of individualism, opportunity, and choice aligned with political and economic liberalism (Carter et al., 2019). *Naturalization* is a frame that seeks to explain differential experiences and outcomes based on race as naturally occurring. *Cultural racism* is grounded in deficit notions of racially minoritized communities and what they value, such as “Mexicans do not put much emphasis on education” to explain racial stratification (Bonilla-Silva, 2006, p. 28). Lastly, *the minimization of race* suggests that we live in a postracial society, and racial discrimination is no longer a central factor in shaping minoritized communities’ experiences or outcomes.

Applying and operationalizing these four racial frames within our inquiry helps us understand how legislators make sense of race, its salience in policymaking, and how educational inequity and proposed solutions are framed in race-conscious or race-evasive ideologies. Harper (2012) argues that Bonilla-Silva’s work is consistent with the tenets of CRT that seek to critique “claims of neutrality, objectivity, and [race-evasiveness] in the law, in policymaking processes, and U.S. social structures” (p. 11). Bonilla-Silva’s frames have been applied to examine the racial discourse in affirmative action cases argued in the U.S. Supreme Court (Carter et al., 2019), the ways

diversity frameworks in higher education include issues of race (Chun & Feagin, 2019), and how racism tends to be minimized in social science research (Harper, 2012). Applying racial frames in the context of federal policymaking allows us to identify and illuminate the ways congressional members discuss and omit issues of race and racism. Taken together, these theoretical elements provide a comprehensive framework to interrogate the racial discourse embedded in spaces of deliberations intended to introduce, amend, and pass policy proposals that improve higher education nationally.

## **Methodological Rationale**

Selecting the appropriate policy setting to examine student debt was essential. The discourse on student debt is informed by a diverse web of actors, including the President of the United States, legislators, lobbyists, and activists. Various federal policy arenas are pivotal in shaping discourse and policies on student debt, including the White House, Congress, the courts, governmental agencies such as the Department of Education, and intermediary organizations. Although each of these policy arenas and their actors contribute to understanding how discourse shapes student debt policy, federal legislative committees are often overlooked despite playing a crucial role. These committees not only set the policy agenda but also cultivate the language associated with federal policy. Furthermore, legislative committees have been noted for taking efforts to mask deliberations (Hearing before the Committee on Oversight and Government Reform, 2013). For these reasons, it is important to examine the discourse on student debt within the context of a legislative committee hearing.

We employ critical discourse analysis (CDA) (Fairclough, 2013; Reisigl & Wodak, 2001) to interpret the conversations among policymakers as they propose solutions and alternatives to address the issue of student debt during the policy markup process. The markup process is a period during which congressional members make changes to a proposed bill by introducing, deliberating, and deciding which amendments advance. Unlike in some other legislative hearings where external witnesses are invited to offer testimony and respond to queries, typically only committee members participate in markup hearings. In the markup hearing we analyzed, House committee members were taking up amendments over three days to revise the 2019 College Affordability Act, which sought to overhaul and update the federal government's laws, resources, and supports to higher education. By using CDA, we can move beyond normative approaches to policy studies and illuminate how discourse is influenced by social dynamics such as power, ideologies, racism, and white supremacy (Felix & Trinidad, 2020; Kolluri & Young, 2021). CDA enables us to examine "social actors engaged in political activity and in the policymaking arena" and interrogate how taken-for-granted and often concealed values, ideologies, and worldviews directly shape deliberations and action related to educational problems and so-called solutions (Fairclough, 2013, p. 194).

Through CDA, we center racial discourse, addressing the tendency of policymakers to sidestep conversations on race and racism and its endemic role in

society (Bonilla-Silva, 2006; Carter et al., 2019). This pattern holds in educational policymaking where conversations around problem identification and proposed solutions are found to be race-evasive (Gándara et al., 2023; Garces & Bilyalov, 2019; McCambly & Mulroy, 2024) and tend to use proxy terms such as “underrepresented,” “low-income,” or “first-generation” to veil racialized concerns and comments (Pollock, 2004). In our analysis, we draw on four elements from CRT (Ladson-Billings, 2008)—*emphasizing the permanence of race, challenging ahistoricism, considering interest convergence, and conducting scholarship that leads to justice*—as well as Bonilla-Silva’s (2006) four racial frames—*abstract liberalism, naturalization, cultural racism, and minimization of racism* (see Table 1). This theoretical framework allowed us to explore how policymakers interpret and discuss race and racism in the formal markup process for a bill to reauthorize the HEA. Our combined approach illuminates the racial discourse within recent attempts to reauthorize the HEA and helps to highlight the language, framing, and back-and-forth discussion during the formal policy markup process.

### Data Collection

This paper analyzes the policy discourse produced by members of the House Committee on Education and Labor. Specifically, we examined the discourse and discussions within this committee during the policy markup for House Resolution (H.R.) 4674, the College Affordability Act, which was sponsored by Democrats. The markup hearing took place during the 116th Congress between October 29 and October 31, 2019, when Bobby Scott (D-VA) chaired the House committee and Virginia Foxx (R-NC) was the senior ranking member for Republicans. As added context, policymakers were rebounding from a federal shutdown during the second year of the Trump presidency. This period was marked by hyper-partisanship limiting the opportunities to move federal legislation beyond committee hearings and debates (Westwood, 2022). The 2019 markup of H.R. 4674, the College Affordability Act, spanned more than 14 hours across three days and was transcribed into 184 single-spaced pages of text for analysis. This full committee markup aimed to craft and adopt a comprehensive bill designed to reauthorize the HEA and improve the lives of students and families by “lowering the cost of college, improving quality, and expand[ing] opportunity for all students of all backgrounds to succeed” (Committee on Education and Labor, 2019).

During this markup process, Republican and Democratic committee members discussed and voted on amendments, aiming to find consensus for new legislation on the federal government’s role in supporting higher education. According to the Congressional Research Service, in markup proceedings, “The burden is on those who would change the provisions of the base text; it is up to them to devise alternatives to that text and convince a majority of their committee colleagues to vote for those alternatives” (Schneider, 2018, p. 2). Given the concentrated time to discuss the challenges facing higher education and the role the federal government plays in intervening with

policy solutions, these markup sessions allow us to gain insight into the framing of student debt and the conversations policymakers have around addressing the racialized nature of student debt accumulation in higher education.

### *Analytic Process*

Our analytic approach proceeded in four steps. First, we began the analytic process by reading through the transcripts and gaining familiarity with the structure of conversation and subsequently the content of conversation. Through this process, we reviewed the hundreds of pages of policy discourse and began to narrow conversations relevant to student debt. This step was critical because there were 30 bipartisan proposals presented during the markup process on topics like gainful employment, institutional accountability, addressing food insecurities, the defrauding of students, and potential expansion of the Pell Grant where the House committee was seeking to “work in good faith with Republican colleagues to find and build areas of agreement,” as stated in Bobby Scott’s (D-VA) opening remarks. Our second step then systematically narrowed down the markup discourse to focus on student debt–related policy proposals and conversations. We each independently reviewed the 184 pages of transcript and searched for any relevant discourse related to student debt, repayment, and forgiveness. In our search process, we focused on root words and terms like “loan\*,” “debt\*,” and “borrow\*” as well as key phrases like “financial aid,” “repayment,” “borrower,” and “forgiveness.” We then came together as a team to sort through the excerpts categorized as “student debt discourse” and agreed on the subset to include in our coding process. We prioritized identifying discourse of interest by using chunk coding at the conversation level rather than sentence- or line-level coding to avoid decontextualizing the discourse in the analysis process (Elliott, 2018). This allowed us to analyze the back-and-forth discourse between legislators as they deliberated how to address the pressing issue of student debt, repayment programs, and loan forgiveness.

Third, to standardize our approach across the corpus of data, we developed an analytic framework to drive our theory-informed analysis of policy markup discourse (see Table 1). Specifically, we used eight theory-driven codes to analyze our data deductively. These a priori codes drawing from the tenets of CRT and racial frame were *abstract liberalism*, *ahistoricism*, *the centrality of race*, *cultural racism*, *interest convergence*, *justice-oriented*, *minimization of race*, and *naturalization of racism*. Before analyzing the entire corpus of data, we examined a 30-page section of the transcript to apply the analytic framework, refine the coding strategy, and develop a level of trustworthiness within our research team. Through this process, we refined our analytic framework, created more explicit code descriptions, and prepared to analyze the complete dataset in Dedoose.

Fourth, as we coded the 14 hours of policy discourse, we created opportunities to continuously capture our emerging insight through analytic memos and team debrief

**Table 1.** Theoretical Codes.

Codes	Description
<b>AHISTORICISM</b> Ahistoricism Minimization of race	Discourse that fails to consider the historical, systemic, and permanence of racism in higher education Discourse that refers to a postracial society or alludes that race is no longer a central factor in creating educational inequity
<b>ALL STUDENTS</b> Interest convergence Abstract liberalism	Discourse that frames addressing racialized student debt in ways that benefit all communities, society, or the economy Discourse focused on taking an “all students” approach rather than race-conscious policy alternatives
<b>DEFICIT-ORIENTED</b> Naturalization Cultural racism	Discourse that explains racial inequity as a natural or common occurrence Discourse that describes causes of racial inequity as stemming from the student, family, community, and culture
<b>JUSTICE-ORIENTED</b> Justice-oriented	Discourse that explicitly discusses the issue of race or racial inequity in education and proposes reforms that advance justice and equity for racially minoritized groups
<b>RACIAL DISCOURSE</b> Centrality of race	Discourse that mentions individuals, institutions, and student debt in racialized ways that captures how policymakers introduce, discuss, or frame race, racial inequity, or racially minoritized communities during the markup process

meetings. This structure helped us collapse and expand our theory-driven codes to respond to the robust discussions in the policy markup meetings. As we completed the analysis, we utilized Dedoose to explore our coding patterns, visualize coding frequencies, and identify areas of interest that could help answer our research questions. Given our project research questions, we concluded the analysis process by collapsing our theoretical codes into discourse-oriented categories that capture the silences around race and racism, the veiled language used to discuss issues of race, and the more explicit racial discourse.

## Findings: The Racial Discourse Embedded in a Policy Markup Hearing

We categorized policymakers’ conversations on student debt into four types of discourse: “All Students” Matter, Paternalistic, Race-Evasive, and Explicit Racial Discourse. These categorizations were informed by our conceptual framework and helped us to understand how underlying ideologies and frames like cultural racism, abstract liberalism, and ahistoricism were imbued, if at all, into Congressional members’ conversations as they introduced, debated, and voted on policies to be included in the next iteration of the HEA. Across our findings, we provide examples of the identified discourse patterns shaping discussions and decisions during a markup

hearing, with particular attention to how members frame the racialized dynamics of student loan debt and the policy alternatives presented to address them.

### *“All Students Matter” Discourse*

A significant portion of the discourse focused on addressing the burdens of loan debt as experienced by “all students.” Our analysis captured how policymakers discussed topics like affordability, creating new loan caps, and the possibility of debt relief in ways that would benefit “all borrowers.” This framing created a discourse that downplayed the racialized nature of loan accumulation and prompted solutions based on a more rigid notion of “fairness” that aims to treat “all students from all stations” the *same* regardless of circumstance or context.

Representative Bobby Scott (D-VA) set the tone of the markup hearing with his opening statement, declaring, “We’re here to markup H.R. 4674, the College Affordability Act, a comprehensive reauthorization of the Higher Education Act that will lower the cost of college, improve the quality of higher education, and expand opportunity for students of all backgrounds to succeed.” He further emphasized the need to, “fulfill the promise of making higher education affordable for all students” and “assure that all Americans have a fair shot in a modern economy.” Throughout the markup hearing, policymakers anchored their conversations with terms like “all students,” “all Americans,” or “all borrowers” to describe issues of student debt as well as specific proposals and amendments included in the College Affordability Act. Echoing Scott’s opening statement, other legislators described how their amendments focused on improving conditions for students from “all backgrounds,” “all stations,” and ensuring that “Americans from all corners” would benefit from the promise of higher education.

Democrats and Republicans alike took an “All Students Matter” approach during this hearing. For example, Representative Joaquin Castro (D-TX) began his remarks by stating, “The [College Affordability Act] is a vital down payment on our education system that would bolster higher education benefits for all Americans.” Similarly, Jim Banks (R-ID) shared, “when considering a comprehensive reauthorization of the Higher Education Act, we should be sure that all students can receive quality education . . . and ensure federal law doesn’t stand in the way of innovation.” As noted, policymakers were consistent in discussing educational inequity and their potential solutions in ways that focused on and benefited “the average borrower,” as noted by Elise Stefanik (R-NY). We found this “all students” discourse limited nuanced conversations on the well-documented racial disparities in access, affordability, and success, which combine to adversely impact communities of color into the burden of student loan debt. Consequently, this race-evasive and decontextualized approach became central to discussions about student debt, focusing on minimizing loan accumulation, improving the repayment process, and expanding forgiveness programs.

When discussing loan relief, there was limited conversation on the wide-ranging experience of debt accumulation based on students’ characteristics (e.g., race/ethnicity, class status) or institution type (e.g., for-profit, minority-serving). When policymakers

did discuss student debt and policy alternatives for repayment, relief, or forgiveness, the discussion centered on notions of fairness that sought to treat everyone equally, regardless of their context. For example, when debating an amendment to improve loan servicing and repayment, Susan Wild (D-PA) shared, “we must streamline the student loan application and repayment processes to ensure that all students, regardless of income or background, can choose plans that will serve their interest.” During these conversations, congressional members consistently promoted *equality*, advancing solutions that could benefit all students. This approach, however, contrasts with the concept of equity, which advocates for differentiated treatment based on individual circumstances.

This discourse emphasizing fairness was especially prominent among Republican members. For example, Representative Virginia Foxx (R-NC), the longstanding ranking Republican member, encapsulated the fairness approach during the CCA markup hearing, stating, “Everybody should be held to the same standards. Let’s just do that. Let’s be fair” when discussing proposed amendments to target relief for borrowers at for-profit institutions that leave students with high debt levels and a low probability of degree completion. Similarly, Russ Fulcher (R-ID) added, “One of the concerns I have about the . . . [CCA] legislation that’s before us today is that it doesn’t treat everyone equally. With that inequity comes additional confusion and burden that ultimately limits access to education.” In addition to reflecting race-evasiveness, these comments relating to proposed accountability measures for for-profit institutions capture another phenomenon we observed: co-opting the language of equity and fairness to benefit and avoid burdening private interests.

In addition, many Republicans adhered strictly to “fairness” and “equality” when discussing student loan forgiveness. For example, in the context of expanding the PSLF program, many Republicans, like Russ Fulcher (R-ID), used the notion of fairness to describe how the targeted programs were “inequitable” because they do not “treat everyone the same.” In this regard, PSLF itself was an inequitable policy because it benefits public-service workers over private-sector workers, even though individuals outside of public employment may actually “contribute most to the public good.” In these arguments, Rep. Foxx (R-NC) opposed the current PSLF and its expansion, criticizing it for “sow[ing] confusion for borrowers and creat[ing] unequal benefits for similar occupations.”

Moving beyond PSLF and to general loan forgiveness proposals, partisan arguments, often unsubstantiated and misleading, were employed to impede potential policy amendments under the guise of fairness. Illustratively, Rep. Foxx (R-NC) argued:

I think there’s another reason that we want to oppose this amendment because we know the economic results of such extremist ideas. The analysis [has] been done, and loan forgiveness is overall nothing more than a bailout for the wealthy and provides more . . . white households relief than Black or Hispanic.

This section of “All Students Matter” highlights how policymakers consistently favored the concept of equality over equity throughout the hearing. Discussions



grounded in fairness seemed to be a covert way to oppose and block proposals that could explicitly target and benefit groups experiencing historical and contemporary inequities. This type of discourse is consistent with abstract liberalism and prompted policymakers to favor proposals that would benefit all students rather than specific groups known to be disproportionately harmed by loan practices, predatory institutions, and historical wealth gaps.

### *Paternalistic Discourse*

Another dominant framing in the hearing was a paternalistic discourse, portraying student loan borrowers as naïve individuals who lacked the knowledge to make good and responsible decisions, in need of financial literacy education, and susceptible to government dependence. This paternalistic discourse frequently led to policy proposals emphasizing discipline (Soss et al., 2011), limiting student access to aid, and pathologizing students with high levels of debt, depicting loan accumulation as a personal mistake. Further, one Congressional representative cited the lack of literacy around student loan borrowing as fostering a “culture of looking to the government for help,” where college students were “taking out loans in order to buy [a] fancy cell-phone.” The excerpts presented in this section were primarily captured by our deficit-oriented analytic codes, especially cultural racism, which help to establish how some policymakers take a paternalistic framing of student loan borrowers and their debt. In addition, this theme corresponded to abstract liberalism, which emphasizes individualism and personal responsibility over structural and systemic forces shaping individual opportunities and choices.

It was sometimes challenging to identify whether the paternalistic discourse was racialized or targeted at the poor and working class. However, this sort of ambiguity only underscores the complexity and difficulty of disentangling race from class, especially when they are inextricably linked, and race neutrality is preferred. Although this discourse was not race-explicit, it echoes the narrative and policy choices associated with racialized controlling images, such as “welfare queens,” which are manifestations of cultural racism (Fording et al., 2011; Hancock, 2004; Quadagno, 1994; Soss et al., 2008).

Paternalistic policy proposals ensued throughout the markup hearing. For example, Representative Glenn Grothman (R-WI) advocated for federal loan limits, suggesting students might struggle to refrain from borrowing more than necessary:

From talking to my universities, they feel that some of their students are taking out loans for more than is necessary. We want to go back to the days in which individual institutions can determine loan limits. For example, under current law many students take out a loan of \$9,000 a year. I think I'd make [it] go to \$5,000 a year. I don't want to let them take out too much because it may be fun to take out that loan today and get that check. When you're 30 or 35, you're going to wish you didn't take out such a big loan. So, we call this the institution-determined loan limits amendment.

Grothman's remarks help us unpack the paternalistic ideology, depicting students as intentionally borrowing "more than is necessary" and doing it because it may be "fun . . . to get that check." These comments solidify the notion that college borrowers are like impulsive children, borrowing the maximum amount because they can, disregarding any consequences to their future or when they are 35 years old and wished they knew better. Grothman continued this narrative, framing borrowing as "fun" and assuming students take out large sums of money for enjoyment rather than education. As Representative Grothman (R-WI) discussed his amendment to limit institutional aid, he exclaimed: "there are good institutions who wish they could limit the amount of loans that are taken out because they know full well that a given number of students at their institution are just taking out those big loans for [a] fancy cell phone or fancier lifestyle." Consistent with abstract liberalism, these comments are grounded in notions of individual responsibility and overlook other factors influencing students' decisions to take out loans, such as liquidity constraints hindering their ability to pay for the costs of attending college.

In response, Representative Suzanne Bonamici (D-OR) opposed the amendment, calling it "shortsighted" and criticizing its aim to "[limit] financial aid for people" who need it and can benefit from an undergraduate degree to "do good in society." Representative Bonamici (D-OR) argued that the proposed loan limits would be detrimental to students and society, restricting who could attend higher education. In the same discussion, Bobby Scott (D-VA) acknowledged concerns with over-borrowing but disagreed with the specific policy proposal, stating:

The gentleman makes a good point; people shouldn't take out more loans than they need. That's why the counseling provisions are in the bills, to make sure that people are well aware of what they're doing and only take out the kind of loans they actually need. Not the kind of money they would like or would want, but what they actually need. But this amendment limits opportunities and I think, therefore, should be opposed.

Rather than outright limit levels of borrowing, Representative Scott (D-VA) argued that literacy around borrowing was the appropriate solution, but both caps and counseling on loan debt still placed the responsibility of affordability and cost on the individual, consistent with abstract liberalism. This section demonstrates the paternalistic framing, where policymakers portray students as taking excessive loans, necessitating government action to educate and restrict borrowing to what they "actually need." In the following section, we explore how policymakers use proxy terms such as "disadvantaged," "marginalized," and "struggling borrowers" to obscure racialized undertones in their discourse during the hearing.

### *Race-Evasive Discourse*

The discourse on student debt within this markup hearing was rife with mentions of "discrimination" and "inequity" in higher education policymaking, but rarely did these

appeals explicitly reference racially minoritized students. This omission is noteworthy, considering the unequivocally racialized nature of college student debt. In this way, race-evasive discourse seeks to minimize race-specific discussions or use veiled descriptors to discuss policy problems and potential legislation that is “well-intended” to support “diverse students” yet still maintain and reproduce racialized stratification and inequitable practices. Drawing on data coded as “All Students,” which includes proxy terms used to refer to disadvantaged students without mentioning race, we highlight ways members used veiled terms or actively omitted racial discourse, failing to address the barriers facing racially minoritized populations in postsecondary education.

When policymakers were not discussing “All Students” or blaming their accumulation of loan debt on buying “fancy phones,” most used race-evasive descriptors to allude to the experiences of student loan borrowers. Instead of being direct and specific about the students discussed in policy amendments, Congressional members resorted to a litany of veiled terms, such as “some students,” “many students,” “other students,” “today’s students,” “students truly in need,” and “struggling borrowers” as well as umbrella terms like “underrepresented,” “underserved,” “minority,” “diverse,” “disenfranchised,” and “nontraditional” that presumably served as indirect ways of mentioning racially minoritized students. An instance of referencing “historically underrepresented” students came from Suzanne Bonamici (D-OR), who stated:

I’ve heard from far too many people who are struggling with crushing student loan debt. As a nation, we must do more to make sure that people of all backgrounds and especially people from historically underrepresented backgrounds, have the opportunity to access and complete a quality, affordable higher education.

Here, Bonamici (D-OR) gestures towards racially minoritized students and other groups that face “crushing debt” but then shares provisions within the amendment that are race-evasive:

I am pleased that this bill incorporates several of my longtime priorities including provisions . . . empowering students through [the] Financial Counseling Act, which will strengthen financial counseling for student borrowers. The Opportunities for Success Act, which will modernize the federal work-study program to direct funding to students who need it most and help align work-study with students’ interests and career goals.

Lacking specificity, the proposed amendments sought to support “students who need it most” and failed to offer straightforward ways that the provisions can benefit and address racially minoritized students. We also observed how policymakers preferred discussing racially minoritized students through proxies like the minority-serving institutions (MSIs) and Pell Grant status. Making statements like, “I hope everybody will support this amendment that gets to the heart of affordability and success for students in minority-serving institutions and historically black colleges and universities

[HBCUs]”; “This amendment allows students to truly succeed by helping students afford their education. Without Congressional action, MSIs and HBCUs will remain largely unchanged, and Congress will have sadly missed an opportunity to provide for our students’ future”; and “The Democrats use American taxpayer money to give illegal immigrants tuition, free community college and Pell Grants, which are funds that should be directed towards low-income students to help pay for college.” Again, this highlights the omissions and silences in policy discourse and how Congressional members gesture toward race-specific issues by mentioning MSIs, but never the actual students who attend these colleges and universities. Throughout the markup process, the absence of race-conscious conversations was apparent, with policymakers using veiled descriptors and MSIs to substitute or avoid explicit discussion of how racialized structures and practices contribute to the disproportionate accumulation and effects of loan debt.

Despite the general absence of race from the discourse, members explicitly mentioned other populations like veterans, farmers, and low-income students. For example, one member declared, “And, yes, we can paint the for-profit industry in general with, I think a negative cast. In general, the industry has not served our veterans well. It’s not served the low-income students well.” In this quote, the member mentions two target populations who disproportionately attend for-profit institutions: veterans and low-income students. Yet, racially minoritized students, especially Black students, who are overrepresented at and targeted by for-profit institutions, are conspicuously absent from this denunciation of these institutions. In fact, research has uncovered predatory practices targeting racially minoritized individuals explicitly (McMillian Cottom, 2017; Seamster, 2019). In addition to veterans and low-income students, members noted that other populations deserved policy benefits. For instance, in discussing the PSLF, members mentioned “middle-class families,” “adjunct and contingent faculty,” “young farmers,” “health care providers,” “nurses,” “mental health counselors,” “childcare professionals,” and “teachers.” Although racially minoritized populations certainly are members of these other groups, the failure to explicitly identify racially minoritized populations in a discussion that has been widely cited as racialized constitutes a glaring omission.

In contrast to discourse that generalizes all students, infantilizes student borrowers, or speaks in veiled ways, our final theme highlights the scant examples of explicit racial discourse aimed at advancing policy proposals to improve the conditions of racially minoritized populations.

### *Explicit Racial Discourse: The Counter-Narratives of Women of Color*

Finally, we identified discourse that directly mentioned racially minoritized students and countered the deficit-based frames presented in the previous section. Notably, these counter-narratives were advanced primarily by women of color. This theme is derived from excerpts coded as “Justice Oriented,” which capture discourse implicitly

or explicitly advocating for racial justice as well as those coded as “Racial Discourse,” which explicitly mention race and racism.

**Rejecting cultural racism.** In response to deficit-based narratives pathologizing individuals who use public (welfare) benefits and those who take out more debt than “what they actually need,” Representative Jahana Hayes (D-CT), an African American Congresswoman expressed,

I’m kind of biting my tongue because I’ve had to sit and look in the face of kids who came to school hungry and, therefore, could not learn. . . . This [is] not a bill or an attempt to—I don’t even know how my colleague put it—encourage students to rely on public assistance. . . . I think that comes on the heels of some of the comments we heard yesterday. Like we could have predicted that they would work in factories or they’re taking out loans in order to buy fancy cell phones. That is not the landscape of today’s young people on campus. These are just students trying to take advantage of every opportunity to change the trajectory of their future.

Although these comments do not explicitly address race or racism, in a discourse that is decidedly race-evasive, Representative Hayes humanizes the students who are the subjects of the preceding comments. She also draws a connection between the narratives claiming that the bill encourages reliance on public assistance to racialized comments made the previous day (e.g., that we could predict certain students who do not complete college would work in factories). As a woman of color and former educator, she rejects the culturally racist and classist suggestions presented in her colleagues’ remarks, offering opposing perspectives.

In another example of a perspective challenging cultural racism, a few members discussed a population that is overwhelmingly racially minoritized, undocumented students. Similarly, Representative Frederica Wilson (D-FL), an African American Congresswoman, depicted these students as having “hopes for a brighter future” and the potential to “thrive”:

We have 98,000 undocumented immigrants who graduate from the United States high schools every year. They graduate with hopes for a brighter future. If we enable them to thrive, we not only help them but it’s good for our whole country. It helps our economy. Yet, financial barriers make it difficult for these students to attend college.

This quote also exemplifies an argument of interest convergence, urging support for undocumented students by appealing to the benefits to all people, including white people.

**Naming race and racism.** As noted previously, the discourse in this markup process was largely void of explicit mentions of race or racism. However, some women, especially women of color, acknowledged race in their comments and offered race-conscious

proposals, as captured by our “Racial Discourse” code. For instance, Representative Pramila Jayapal (D-WA), of Indian American descent, observed that Black and Latinx students have lower postsecondary attainment rates than their peers. In her remarks, she also noted structural problems, including lower levels of funding for institutions that serve most racially minoritized students, and the potential of the College Affordability Act to address some of these barriers:

I’m a proud co-sponsor of the [College Affordability Act] because it recognizes the fact that we have a responsibility at the federal level to make more federal investments to help states close the racial achievement gaps in higher education. It reinvests in some of the most under-resourced public institutions that overwhelmingly enroll Black and Latinx students by creating a federal–state partnership to make community college free. . . . It is critically important that we reinvest in our public colleges that disproportionately enroll Black and Brown students across the country.

Representative Frederica Wilson (D-FL) likewise argued, “Public institutions should help reduce, not exacerbate, racial inequalities and further the public interest by ensuring that everyone, regardless of race or ethnicity, can seek and earn a college degree.” Similarly, Representative Hayes (D-CT) mentioned racially minoritized students explicitly and argued for systemic solutions, recognizing the systemic causes of inequitable educational opportunities:

The financial benefits of a college degree are greatest to those who are least likely to enroll, such as students of color and individuals from low-income families. We also know that those are the students that are most likely to lose if they are not given access to college education. So, we must work together to remove the systemic barriers.

Although most explicit mentions of race and racism came from women of color, Representative Suzanne Bonamici (D-OR), a white woman, also observed, “We’ve made some progress [expanding educational opportunity] over the years, but many students of color, first-generation students, low-income students still have to overcome a lack of resources and other barriers to enter into and complete college.” As reflected in the previous quotes, in the rare instances racially minoritized students were discussed, other groups were also mentioned, including low-income and first-generation students. In contrast, mentions of low-income students often stood alone.

Two policy amendments recognized the racialized nature of student debt. First, Representative Ilhan Omar (D-MN), who is Somali American, proposed a commission to study “the real life, long-term impact of student debt . . . and what impact [student-debt cancellation] would have on economic growth, income inequality and the racial wealth gap.” Second, Representative Pramila Jayapal (D-WA) proposed an amendment requiring the Government Accountability Office to report racial and socioeconomic disparities in enrollment, completion, and debt repayment. While recognizing the racial implications of student debt, these proposals to study the issue of racialized debt would not allocate material benefits to racially minoritized students.

## Discussion

Using critical discourse analysis undergirded by critical race theory (Dixon et al., 2017; Ladson-Billings & Tate, 1995; Solórzano & Delgado Bernal, 2001) and Bonilla-Silva's (2006) racial frames, we examined the racial discourse around student debt during the 2019 markup of H.R. 4674, the College Affordability Act. Our analysis was designed to address the following research questions:

1. What is the racial discourse embedded in federal policymaking related to student debt?
  - a. How is racial discourse framed (e.g., what proxies are used)?
  - b. What are the silences in this racial discourse?
2. In what ways does racial discourse related to student debt advance or constrain racial equity in higher education policy?

We uncovered four types of racial discourses within federal policymaking on student debt, "All Students" Matter, Paternalistic, Race-Evasive, and Explicit Racial Discourse. Informed by our conceptual framework, these racial discourses exposed how policymakers considered (and failed to consider) race in deliberations concerning a policy problem that is highly racialized in its origins and impacts.

### *Racial Discourse Embedded in Federal Policymaking Related to Student Debt*

Throughout the markup hearing, race was minimized to the point where it was rarely mentioned, even when highly relevant. The most glaring example of this was the discussion of the impact of student debt on working-class borrowers and families. Not only was there a consistent focus on "all students," but there was no mention of race or racially minoritized borrowers, even though there is an overwhelming consensus that the student debt crisis has a disparate impact on racially minoritized borrowers who also disproportionately come from working-class families. It is not clear if the use of the term "working class" was meant to be a proxy for racially minoritized borrowers or an umbrella term designed to refer to borrowers across racialized groups, but what is clear is that the discussion about the working-class struggle with student debt was decidedly race-neutral and race-evasive.

Similarly, policymakers made numerous references to low-income students, consistent with findings from Gándara and Jones (2020). For example, members discussed low-income students' vulnerability to predatory for-profit institutions. It has been well established that racially minoritized students, particularly Black women from low-income backgrounds, are the most vulnerable to abuses from this industry (Kahn et al., 2019; Seamster & Charron-Chénier, 2017). However, policymakers repeatedly referenced "low-income" students instead of naming racially minoritized students. In

addition, race evasiveness was so prevalent throughout this deliberation that we found it difficult to discern when proxies were being used for racialized groups and when racialized groups were simply being ignored. This ambiguity concerning even implicit racial discourses often benefits the consideration of poor whites more than racially minoritized students (Jones & Nichols, 2020).

Beyond “working class” and “low income,” proxies that were more likely about students of color included “others” (as in “low-income students and others”), “background,” and “zip code.” Within the context of the discourse, the latter two proxies are clearly linked to America’s racially segregated socioeconomic system, which CRT would underscore as symbols of how the country’s racial past has shaped the contexts that shape racially minoritized students’ opportunities and experiences. Although the use of proxies suggests the members who used them were attentive to racially minoritized students and how student debt affected them, policymakers failed to advance racially just policies by circumventing race. As Anderson (2007) points out, using these kinds of racial proxies instead of referring outright to race is an old and ingrained tradition within federal policymaking. He points out that “the framers of the Fourteenth Amendment . . . encoded race as a proxy without a name” (p. 252). This evasion underscores how policymakers consistently fail to address the consequences of systemic racial oppression with race-neutral language that divorces the proposed remedy from the white racist hegemony that created the problem being addressed. This is complicated by the reality of the political stakes associated with naming race within policymaking. For example, Johnson and Caraballo (2018) used interest convergence to examine multicultural policy reforms in both New York and London, and found that policies that explicitly identified race and racialized populations were vulnerable to rollbacks and backlash when they stopped converging with elite interests (p. 9). Nowhere is this more evident than in the decades-old battle to end the consideration of race in college admissions. The fight to end Affirmative Action began almost immediately after it was implemented, and in the wake of the 2023 Supreme Court decision to end Affirmative Action there have been mounting legal attacks to end other race-conscious policies and programs designed to aid historically marginalized people of color (Donastorg, 2023; Egelko, 2023). In fact, in 2023, 22 states proposed anti-diversity, equity, and inclusion (DEI) legislation (Chronicle of Higher Education, 2023). Although even the most progressive legislators may be sensitive to this political reality, it only underscores the need for courageous policymaking that supports those who have been historically disenfranchised. The current political climate should not be used as an excuse to preserve a policymaking culture that excludes the consideration and articulation of race. Doing so sends a message to the public about who matters and who is deserving. The use of proxies is not enough; race-neutral policymaking often fails to address racial inequity (Jones & Nichols, 2020), and evasiveness can lead to disenchantment among racially minoritized voters (Michener, 2019).

Although paternalistic discourse was not explicitly tied to racially minoritized borrowers, race has become so tied to proxies, such as income and residential zip code, that they can result in implicit racial bias. This racial bias, in turn, shapes data-driven



decision making in covert ways that sidestep outright discrimination (Vincent & Viljoen, 2020; Wiggins, 2020). Consequently, proxies, such as low income and residential zip codes, can be constructed as examples of personal or familial failure or the result of poor choices often ascribed to racialized communities while also diverting discussion about the state-sponsored systemic disenfranchisement leveled at communities of color seeking access to postsecondary education.

Consistent with the general avoidance of race in the hearing, white students were not specifically named in this discourse. However, members mentioned proxies, groups that are widely conceptualized as white. For instance, in the discussion of groups' deservingness of PSLF benefits, members identified groups such as "middle-class families," "young farmers," "health care providers," "childcare professionals," and "teachers." Of course, these groups all include racially minoritized persons; however, these groups are often depicted as white in American media and political ads (Haney-López, 2014; Torices, 2021). The avoidance of explicitly identifying racially minoritized students as a group, and the overwhelmingly white representation of these other groups, demonstrates how the policymaking discourse favors the discussion of material benefits when it supports the interests of white constituents.

One of the clearest examples of this is the focused discussion about veterans. Both Democratic and Republican representatives rallied around veterans to frame arguments about the deservingness of benefits and protection from injustices connected to the for-profit sector. According to the U.S. Department of Veteran Affairs (n.d.), "although veterans comprise a richly diverse group, most veterans are white, non-Hispanic, married males"; this demographic is represented widely in the media. For example, honoring veterans was often used as an argument to curtail Black police brutality protests that involved kneeling during the national anthem. Darda (2021) explains how regardless of partisan politics, white men rallied around the image of the long-suffering battle-worn white male veteran as the most oppressed and deserving of public sympathy and benefits. However, even this conceptualization of the deserving white male veteran is inconsistent with empirical evidence. In recent years, there has been an increasing rise in ethnoracial diversity within the military, with racially minoritized individuals representing 35%. Nevertheless, systemic racism continues to disproportionately shape racially minoritized veteran students' military and postmilitary experiences, affecting their postsecondary choices and vulnerability to the for-profit sector. The lack of discussion about this disparate impact underscores how the removal of the discussion of historical and systemic racism decontextualized the discourse.

### *Barriers to Advancing Racial Equity in Policymaking*

This higher education policy session was constrained in its ability to advance racial equity. In particular, policymakers employed four distinctive strategies that limited attention to addressing racial equity related to student debt: (1) the persistent focus on all students and silences around race, (2) the coupling of race-evasiveness and

ahistoricism, (3) race-neutral but racially coded deficit narratives, and (4) co-opting equity language for private interests. One consequence of addressing problems rooted in systemic racism without explicit attention to race and racism is that proposed solutions target individuals rather than oppressive systems and structures. This analysis of a markup hearing revealed how paternalistic discourse, predicated on cultural racism manifested as long-held deficit narratives, anchored individual proposed solutions. For instance, policymakers discussed low-income students “taking out more loans than they need,” implying that the disproportionate loan debt incurred by racially minoritized students is a result of poor decision making rather than systemic barriers, such as constraints on wealth-building, labor-market discrimination, and predatory inclusion. Researchers have refuted the over-simplistic and deficit-oriented argument that debt results from poor decision making (Darity & Mullen, 2022; Gándara & Zerquera, 2021).

There were notable silences around how race and systemic racism have created a racial wealth gap. The rhetoric of “all students” pervaded the session and served as an effective tool for decontextualizing the racial inequities in student debt from the racially stratified American system that produces student debt. Rather than addressing the systemic sociohistorical racial inequity that is both the cause and consequence of the student debt crisis, deliberations were largely framed in ways that are consistent with abstract liberalism by either focusing on “all” or emphasizing individualism and student choice to pursue different types of postsecondary education pathways. Scholars have pointed out how framing the discussion of college affordability around student choice obscures the way systemic racism and disenfranchisement have created limited options, both financial and academic, for racially minoritized students who are seeking educational opportunities that will lead to better job opportunities (Freeman, 2005; Mustaffa & Dawson, 2021).

We found that the discourse taken up by legislators had a chilling effect on addressing racial equity in higher education policy. In particular, race-evasive discourse is the most insidious because it uses terms like “underrepresented” or “diverse” to reference racially minoritized groups broadly but stays abstract in ways that the policy amendments proposed do nothing to explicitly benefit or support communities of color (Felix & Trinidad, 2020). In this way, race-evasive discourse seeks to minimize race-specific discussions or use veiled descriptors to discuss policy problems and potential legislation that is “well-intended” to support “diverse students” yet still maintain and reproduce racialized stratification and inequitable practices. There must be clarity and explicit intent to address and support racial equity, so appropriate measures and outcomes can be developed (Bensimon et al., 2016). Silence on racial inequity constrains the legislative body’s ability to even consider material provisions that could advance racial equity related to college affordability and relieve student debt.

Closely related to Congress’s silence around race in this markup are the use of racially veiled language and failure to address the sociohistorical conditions that have shaped the postsecondary financial aid needs and choices racially minoritized students make. As Jiménez and Glater (2020) point out, “the size of the racial wealth and wage

gaps in the United States means that more Black students and families must borrow, and borrow more, to pay for higher education” (p. 136). By enacting race-evasiveness, policymakers discussed students of color in seemingly racially neutral ways, ignored America’s history of systemic racial disenfranchisement, and identified other causes of student debt, some of which are deficit in nature. These silences around racism and America’s history of systemic racial oppression present an interesting methodological quandary in our discourse analysis (Felix & Nienhusser, 2023). The refusal to address the sociohistorical conditions that give rise to the “choices” racially minoritized college students must make exemplifies how ahistoricism operates within this discourse. Additionally, the use of racially veiled language constrained the discourse about racial equity, especially considering provisions that would result in material benefits for racially minoritized students. As Jones and Nichols (2020) point out, “. . .higher education has used racist policies to exclude students, therefore, race-conscious policies are necessary to achieve racial justice” (p. 4).

Finally, policymakers often employed the language of equity in ways that diverted attention and support for racially minoritized populations. The language of equity and fairness was frequently co-opted to advocate for privatized interests that have been shown to be detrimental to students of color. Scholars have warned and provided examples of how the language of equity can be weaponized to maintain power and control for the elite (Ching et al., 2020; Lewis-Durham, 2020). Within this markup, fairness and equity are framed to protect the interests of the for-profit sector and, consequently, their ability to continue predatory practices targeting racially minoritized students, particularly Black students. Mustaffa and Dawson (2021) also warn that this type of co-optation of the language of inclusion is associated with the racial capitalism of the student debt crisis in which the government sanctions efforts to use predatory means to exploit group-differentiated vulnerabilities (Mustaffa & Dawson, 2021, p. 7). This markup shows the language of opportunity and choice used repeatedly for the most vulnerable students. Meanwhile, the language of protection, equity, and fairness is used to protect a sector that has preyed on these students.

### *Recommendations for Future Research*

This analysis offered new insight into the racial discourse of federal policymaking on student debt that highlights lingering gaps and raises new questions. Although we contend that ahistoricism was prevalent in this markup, the absence of discourse about the racialized sociohistorical conditions that created racial gaps in college affordability and student debt needs closer examination. As Münchow (2018) points out, “silences can describe what does not need to be said because it is shared knowledge . . . or what cannot be said because it would be socially unacceptable” (p. 215). Further quantitative and qualitative inquiry ought to examine how policymakers are socialized to discuss or avoid discussing race and racially minoritized populations. Scholars should also analyze other spaces where policies on college affordability and student debt are crafted. What are the conditions that enable more explicit discourse around race? How

does the discourse in other policy spaces (e.g., within intermediaries) shape the discourse in a markup session like this? Who participates in policy discussions about college affordability and student debt before the markup session (e.g., intermediaries and for-profit sector lobbyists), and how do they influence the discourse and decisions?

Our study highlights the implicit nature of racial discourse within federal policy-making. We found very little explicit racial discourse, and when it emerged, it was used to make appeals either for material benefits for “all students” or to combat racially coded deficit narratives connected to policy proposals shown to be harmful to students of color. This lack of specificity is an example of what CRT defines as interest convergence, in which benefits for the majority must be made to make benefits for the minoritized more palatable. We recommend that more empirical examination be done on the CRT tenet of interest convergence, particularly regarding how material benefits are proposed and considered within deliberations and policy.

Racially minoritized students were explicitly referenced in some of the counter-narratives offered by women of color representatives; however, even in these counter-narratives, the discussion around race and student debt is muted. There were no references to sociohistorical and systemic oppression, the racial wealth gap, or fewer job opportunities and lower pay for minoritized graduates (Hernandez et al., 2019; Houle & Addo, 2019). The appeals made on behalf of minoritized students were connected to nonmaterial benefits instead of policy provisions for aid or relief that could mitigate student debt. This pattern is also true for referenced groups that have been racialized, such as undocumented and justice-impacted students. We recommend that more empirical examinations be conducted on counter-narratives related to racially minoritized students in policy and how nonmaterial benefits emerge in connection to appeals made on their behalf. Finally, there needs to be more examination of women of color policymakers, primarily focused on how they are constrained in their advocacy on behalf of racially minoritized students within policymaking sessions.

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### **Notes**

1. Throughout the manuscript, we use the term “Latinx” to refer to individuals with Latin American heritage. When referring to data reporting on the racial/ethnic category “Hispanic,” we use the term “Hispanic” for precision.

2. We refer to Bonilla-Silva's work as "racial frames" to avoid the use of "frames of color-blind racism," which perpetuates ableism through language. We also use the term "race-evasive" instead of "color-blind" in our manuscript.

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