

January 17, 2023

Max Lubin  
Chief Executive Officer  
Rise Inc  
PO Box 361580  
Los Angeles, CA 90036

Dear Mr. Lubin,

I write to seek information about how Republican-led objections and extremist judges' decisions to block President Biden's historic decision to cancel up to \$20,000 in student debt<sup>1</sup> have affected the 43 million borrowers who are due relief. We are specifically seeking information on how the courts' delay of student loan relief has impacted Rise Free's members, and to learn more about what this relief could mean for them.

On August 24, 2022, the Biden-Harris Administration announced a historic decision to provide student debt relief to borrowers who need it the most.<sup>2</sup> As part of its three-part plan, the administration will (1) cancel up to \$20,000 in debt for as many as 43 million borrowers, "including cancelling the full remaining balance for roughly 20 million borrowers"; (2) reform the student loan system for current and future borrowers by creating a new income-driven repayment (IDR) plan that cuts monthly payments in half for undergraduate loans and improves the Public Service Loan Forgiveness (PSLF) program; and (3) strengthen efforts to hold colleges accountable for price increases.<sup>3</sup> Together, these reforms will significantly ease the burden of student debt on working and middle-class families the most, with nearly 90 percent of the one-time relief dollars going to people making less than \$75,000 per year.<sup>4</sup> On October 17, 2022, the application for student debt cancellation officially became available,<sup>5</sup> and as of November 3, 2022, close to 26 million people have applied for the President's loan cancellation program.<sup>6</sup>

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<sup>1</sup> The White House, "Fact Sheet: President Biden Announces Student Loan Relief for Borrowers Who Need It Most," press release, August 24, 2022, [https://www.whitehouse.gov/briefing-room/statements-releases/2022/08/24/fact-sheet-president-biden-announces-student-loan-relief-for-borrowers-who-need-it-most/?utm\\_source=link](https://www.whitehouse.gov/briefing-room/statements-releases/2022/08/24/fact-sheet-president-biden-announces-student-loan-relief-for-borrowers-who-need-it-most/?utm_source=link).

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*

<sup>4</sup> U.S. Department of Education, "U.S. Department of Education Estimate: Biden-Harris Student Debt Relief to Cost an Average of \$30 Billion Annually Over Next Decade," press release, September 29, 2022, <https://www.ed.gov/news/press-releases/us-department-education-estimate-biden-harris-student-debt-relief-cost-average-30-billion-annually-over-next-decade>.

<sup>5</sup> The New York Times, "Biden Opens Applications for Student Debt Cancellation," Stacy Cowley and Alan Rappeport, October 17, 2022, <https://www.nytimes.com/2022/10/17/business/student-loans-cancel-debt-applications.html>.

<sup>6</sup> The White House, "By The Numbers: Millions of Americans' Student Loan Costs Will Rise Dramatically Under Republican Officials' Plans," press release, November 3, 2022, <https://www.whitehouse.gov/briefing-room/statements-releases/2022/11/03/by-the-numbers-millions-of-americans-student-loan-costs-will-rise-dramatically-under-republican-officials-plans/>.

But, on November 14, the U.S. Court of Appeals for the Eighth Circuit sided with a coalition of six Republican-led states to institute an emergency injunction that blocks this student loan relief through the court system.<sup>7</sup> In their ruling, the three-judge panel argued that the state of Missouri has the necessary standing to bring the lawsuit on behalf of the Missouri Higher Education Loan Authority (MOHELA), a federal loan servicer.<sup>8</sup> The lawsuit claims that the MOHELA would lose revenue as they process direct loans that are eligible for cancellation which in turn would financially harm the state if the loans they service are wiped away.<sup>9</sup> And on November 11, a federal judge in Texas blocked President Biden’s student debt cancellation plan, endangering the possibility of relief for millions of borrowers.<sup>10</sup> Judge Mark Pittman, an appointee of former President Trump and the judge who wrote the opinion in the Texas case, claimed that the cancellation plan was an “unconstitutional exercise of Congress’s legislative power.”<sup>11</sup> On December 19, 2022, the Supreme Court announced that justices would hear oral arguments in both cases challenging the legality of President Biden’s student debt cancellation plan on February 28, 2023.<sup>12</sup>

There is little merit to these cases. The President of the United States has legal jurisdiction to provide student loan relief under the *Higher Education Relief Opportunities for Students (HEROES) Act of 2003*.<sup>13</sup> HEROES lawfully gives the Secretary of Education the ability to relieve student debts for people affected by a national emergency. If not for the courts and Republican efforts, roughly 16 million Americans could have been approved and seen up to \$20,000 in student debt cancelled.<sup>14</sup> Instead, these partisan and legally tenuous attempts to block the President’s authority have left these borrowers in limbo.

Republican officials are standing in the way of hardworking middle- and working-class Americans who are getting crushed by student debt. Right now, over 70 percent of Black undergraduate borrowers who are Pell Grant recipients are not able to get up to \$20,000 of cancellation, almost half of Latino borrowers cannot see their entire student debt balance cancelled, and borrowers who didn’t graduate but earned a certificate – such as dental assistants and welders – cannot receive the relief they need.<sup>15</sup> Without cancellation, millions of Americans’

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<sup>10</sup> The Wall Street Journal, “Federal Judge in Texas Strikes Down Biden Student-Loan Forgiveness Program,” Gabriel T. Rubin and Andrew Restuccia, November 10, 2022, <https://www.wsj.com/articles/federal-judge-in-texas-strikes-down-biden-student-debt-cancellation-program-11668127159>.

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<sup>12</sup> Politico, “Supreme Court sets February date for arguments on Biden's student debt relief,” Michael Stratford, December 19, 2022, <https://www.politico.com/news/2022/12/19/scotus-date-arguments-student-debt-relief-00074552>.

<sup>13</sup> 20 U.S.C. § 1098bb(a)(1), (2)(A); Inside Higher Ed, “Debt Relief Blocked Again,” Katherine Knott, November 14, 2022, <https://www.insidehighered.com/news/2022/11/14/biden-administration-appeals-debt-relief-ruling>.

<sup>14</sup> Inside Higher Ed, “Debt Relief Blocked Again,” Katherine Knott, November 14, 2022, <https://www.insidehighered.com/news/2022/11/14/biden-administration-appeals-debt-relief-ruling>.


<sup>15</sup> The White House, “By The Numbers: Millions of Americans’ Student Loan Costs Will Rise Dramatically Under Republican Officials’ Plans,” press release, November 3, 2022, <https://www.whitehouse.gov/briefing->

monthly costs could rise dramatically once student loan payments resume.<sup>16</sup>

In an effort to fully understand the beneficial impact of student debt cancellation and how attempts to deny relief affect your members, I request that you answer the following questions by January 31, 2023:

1. What would student debt cancellation mean for your members?
  - a) Who stands to benefit the most from cancellation?
2. Does your organization believe that President Biden has the legal authority to cancel student loan debt?
3. How are the legal challenges to President Biden's student debt cancellation program affecting your members?
  - a) Have attempts to deny cancellation affected your members' ability to make financial decisions? If so, please explain.
  - b) What would the impact be on your members if a decision to deny student loan relief is upheld?
4. How can the federal government help protect and expand relief to your members who are experiencing financial hardship due to student loan debt?

Sincerely,



Elizabeth Warren  
United States Senator

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[room/statements-releases/2022/11/03/by-the-numbers-millions-of-americans-student-loan-costs-will-rise-dramatically-under-republican-officials-plans/](https://www.consumerfinance.gov/about-us/blog/office-of-research-blog-update-on-student-loan-borrowers-during-payment-suspension/).

<sup>16</sup> Consumer Financial Protection Bureau, "Office of Research blog: Update on student loan borrowers during payment suspension," Thomas Conkling and Christa Gibbs, November 2, 2022, <https://www.consumerfinance.gov/about-us/blog/office-of-research-blog-update-on-student-loan-borrowers-during-payment-suspension/>.

January 17, 2023

Mike Pierce  
Executive Director  
Student Borrower Protection Center  
1025 Connecticut Ave NW, #717  
Washington, DC 20036

Dear Mr. Pierce,

I write to seek information about how Republican-led objections and extremist judges' decisions to block President Biden's historic decision to cancel up to \$20,000 in student debt<sup>1</sup> have affected the 43 million borrowers who are due relief. We are specifically seeking information on how the courts' delay of student loan relief has impacted the Student Borrower Protection Center's (SBPC) members, and to learn more about what this relief could mean for them.

On August 24, 2022, the Biden-Harris Administration announced a historic decision to provide student debt relief to borrowers who need it the most.<sup>2</sup> As part of its three-part plan, the administration will (1) cancel up to \$20,000 in debt for as many as 43 million borrowers, "including cancelling the full remaining balance for roughly 20 million borrowers"; (2) reform the student loan system for current and future borrowers by creating a new income-driven repayment (IDR) plan that cuts monthly payments in half for undergraduate loans and improves the Public Service Loan Forgiveness (PSLF) program; and (3) strengthen efforts to hold colleges accountable for price increases.<sup>3</sup> Together, these reforms will significantly ease the burden of student debt on working and middle-class families the most, with nearly 90 percent of the one-time relief dollars going to people making less than \$75,000 per year.<sup>4</sup> On October 17, 2022, the application for student debt cancellation officially became available,<sup>5</sup> and as of November 3, 2022, close to 26 million people have applied for the President's loan cancellation program.<sup>6</sup>

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<sup>2</sup> *Id.*

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<sup>4</sup> U.S. Department of Education, "U.S. Department of Education Estimate: Biden-Harris Student Debt Relief to Cost an Average of \$30 Billion Annually Over Next Decade," press release, September 29, 2022, <https://www.ed.gov/news/press-releases/us-department-education-estimate-biden-harris-student-debt-relief-cost-average-30-billion-annually-over-next-decade>.

<sup>5</sup> The New York Times, "Biden Opens Applications for Student Debt Cancellation," Stacy Cowley and Alan Rappoport, October 17, 2022, <https://www.nytimes.com/2022/10/17/business/student-loans-cancel-debt-applications.html>.

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But, on November 14, the U.S. Court of Appeals for the Eighth Circuit sided with a coalition of six Republican-led states to institute an emergency injunction that blocks this student loan relief through the court system.<sup>7</sup> In their ruling, the three-judge panel argued that the state of Missouri has the necessary standing to bring the lawsuit on behalf of the Missouri Higher Education Loan Authority (MOHELA), a federal loan servicer.<sup>8</sup> The lawsuit claims that the MOHELA would lose revenue as they process direct loans that are eligible for cancellation which in turn would financially harm the state if the loans they service are wiped away.<sup>9</sup> And on November 11, a federal judge in Texas blocked President Biden’s student debt cancellation plan, endangering the possibility of relief for millions of borrowers.<sup>10</sup> Judge Mark Pittman, an appointee of former President Trump and the judge who wrote the opinion in the Texas case, claimed that the cancellation plan was an “unconstitutional exercise of Congress’s legislative power.”<sup>11</sup> On December 19, 2022, the Supreme Court announced that justices would hear oral arguments in both cases challenging the legality of President Biden’s student debt cancellation plan on February 28, 2023.<sup>12</sup>

There is little merit to these cases. The President of the United States has legal jurisdiction to provide student loan relief under the *Higher Education Relief Opportunities for Students (HEROES) Act of 2003*.<sup>13</sup> HEROES lawfully gives the Secretary of Education the ability to relieve student debts for people affected by a national emergency. If not for the courts and Republican efforts, roughly 16 million Americans could have been approved and seen up to \$20,000 in student debt cancelled.<sup>14</sup> Instead, these partisan and legally tenuous attempts to block the President’s authority have left these borrowers in limbo.

Republican officials are standing in the way of hardworking middle- and working-class Americans who are getting crushed by student debt. Right now, over 70 percent of Black undergraduate borrowers who are Pell Grant recipients are not able to get up to \$20,000 of cancellation, almost half of Latino borrowers cannot see their entire student debt balance cancelled, and borrowers who didn’t graduate but earned a certificate – such as dental assistants

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<sup>12</sup> Politico, “Supreme Court sets February date for arguments on Biden’s student debt relief,” Michael Stratford, December 19, 2022, <https://www.politico.com/news/2022/12/19/scotus-date-arguments-student-debt-relief-00074552>.

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and welders – cannot receive the relief they need.<sup>15</sup> Without cancellation, millions of Americans’ monthly costs could rise dramatically once student loan payments resume.<sup>16</sup>

In an effort to fully understand the beneficial impact of student debt cancellation and how attempts to deny relief affect your members, I request that you answer the following questions by January 31, 2023:

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  - a) Who stands to benefit the most from cancellation?
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  - b) What would the impact be on your members if a decision to deny student loan relief is upheld?
4. How can the federal government help protect and expand relief to your members who are experiencing financial hardship due to student loan debt?

Sincerely,



Elizabeth Warren  
United States Senator

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January 17, 2023

Natalia Abrams  
President  
Student Debt Crisis Center

Dear President Abrams,

I write to seek information about how Republican-led objections and extremist judges' decisions to block President Biden's historic decision to cancel up to \$20,000 in student debt<sup>1</sup> have affected the 43 million borrowers who are due relief. We are specifically seeking information on how the courts' delay of student loan relief has impacted the Student Debt Crisis Center's (SDCC) members, and to learn more about what this relief could mean for them.

On August 24, 2022, the Biden-Harris Administration announced a historic decision to provide student debt relief to borrowers who need it the most.<sup>2</sup> As part of its three-part plan, the administration will (1) cancel up to \$20,000 in debt for as many as 43 million borrowers, "including cancelling the full remaining balance for roughly 20 million borrowers"; (2) reform the student loan system for current and future borrowers by creating a new income-driven repayment (IDR) plan that cuts monthly payments in half for undergraduate loans and improves the Public Service Loan Forgiveness (PSLF) program; and (3) strengthen efforts to hold colleges accountable for price increases.<sup>3</sup> Together, these reforms will significantly ease the burden of student debt on working and middle-class families the most, with nearly 90 percent of the one-time relief dollars going to people making less than \$75,000 per year.<sup>4</sup> On October 17, 2022, the application for student debt cancellation officially became available,<sup>5</sup> and as of November 3, 2022, close to 26 million people have applied for the President's loan cancellation program.<sup>6</sup>

But, on November 14, the U.S. Court of Appeals for the Eighth Circuit sided with a coalition

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of six Republican-led states to institute an emergency injunction that blocks this student loan relief through the court system.<sup>7</sup> In their ruling, the three-judge panel argued that the state of Missouri has the necessary standing to bring the lawsuit on behalf of the Missouri Higher Education Loan Authority (MOHELA), a federal loan servicer.<sup>8</sup> The lawsuit claims that the MOHELA would lose revenue as they process direct loans that are eligible for cancellation which in turn would financially harm the state if the loans they service are wiped away.<sup>9</sup> And on November 11, a federal judge in Texas blocked President Biden’s student debt cancellation plan, endangering the possibility of relief for millions of borrowers.<sup>10</sup> Judge Mark Pittman, an appointee of former President Trump and the judge who wrote the opinion in the Texas case, claimed that the cancellation plan was an “unconstitutional exercise of Congress’s legislative power.”<sup>11</sup> On December 19, 2022, the Supreme Court announced that justices would hear oral arguments in both cases challenging the legality of President Biden’s student debt cancellation plan on February 28, 2023.<sup>12</sup>

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monthly costs could rise dramatically once student loan payments resume.<sup>16</sup>

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  - b) What would the impact be on your members if a decision to deny student loan relief is upheld?
4. How can the federal government help protect and expand relief to your members who are experiencing financial hardship due to student loan debt?

Sincerely,



Elizabeth Warren  
United States Senator

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January 17, 2023

Thomas Gorkey  
The Debt Collective  
PO Box 593  
Canton, NY 13617

Dear Mr. Gorkey,

I write to seek information about how Republican-led objections and extremist judges' decisions to block President Biden's historic decision to cancel up to \$20,000 in student debt<sup>1</sup> have affected the 43 million borrowers who are due relief. We are specifically seeking information on how the courts' delay of student loan relief has impacted The Debt Collective's members, and to learn more about what this relief could mean for them.

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But, on November 14, the U.S. Court of Appeals for the Eighth Circuit sided with a coalition of six Republican-led states to institute an emergency injunction that blocks this student loan relief through the court system.<sup>7</sup> In their ruling, the three-judge panel argued that the state of Missouri has the necessary standing to bring the lawsuit on behalf of the Missouri Higher Education Loan Authority (MOHELA), a federal loan servicer.<sup>8</sup> The lawsuit claims that the MOHELA would lose revenue as they process direct loans that are eligible for cancellation which in turn would financially harm the state if the loans they service are wiped away.<sup>9</sup> And on November 11, a federal judge in Texas blocked President Biden’s student debt cancellation plan, endangering the possibility of relief for millions of borrowers.<sup>10</sup> Judge Mark Pittman, an appointee of former President Trump and the judge who wrote the opinion in the Texas case, claimed that the cancellation plan was an “unconstitutional exercise of Congress’s legislative power.”<sup>11</sup> On December 19, 2022, the Supreme Court announced that justices would hear oral arguments in both cases challenging the legality of President Biden’s student debt cancellation plan on February 28, 2023.<sup>12</sup>

There is little merit to these cases. The President of the United States has legal jurisdiction to provide student loan relief under the *Higher Education Relief Opportunities for Students (HEROES) Act of 2003*.<sup>13</sup> HEROES lawfully gives the Secretary of Education the ability to relieve student debts for people affected by a national emergency. If not for the courts and Republican efforts, roughly 16 million Americans could have been approved and seen up to \$20,000 in student debt cancelled.<sup>14</sup> Instead, these partisan and legally tenuous attempts to block the President’s authority have left these borrowers in limbo.

Republican officials are standing in the way of hardworking middle- and working-class Americans who are getting crushed by student debt. Right now, over 70 percent of Black undergraduate borrowers who are Pell Grant recipients are not able to get up to \$20,000 of cancellation, almost half of Latino borrowers cannot see their entire student debt balance cancelled, and borrowers who didn’t graduate but earned a certificate – such as dental assistants and welders – cannot receive the relief they need.<sup>15</sup> Without cancellation, millions of Americans’

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<sup>8</sup> *Id.*

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<sup>11</sup> *Id.*

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<sup>13</sup> 20 U.S.C. § 1098bb(a)(1), (2)(A); Inside Higher Ed, “Debt Relief Blocked Again,” Katherine Knott, November 14, 2022, <https://www.insidehighered.com/news/2022/11/14/biden-administration-appeals-debt-relief-ruling>.

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monthly costs could rise dramatically once student loan payments resume.<sup>16</sup>

In an effort to fully understand the beneficial impact of student debt cancellation and how attempts to deny relief affect your members, I request that you answer the following questions by January 31, 2023:

1. What would student debt cancellation mean for your members?
  - a) Who stands to benefit the most from cancellation?
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3. How are the legal challenges to President Biden's student debt cancellation program affecting your members?
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  - b) What would the impact be on your members if a decision to deny student loan relief is upheld?
4. How can the federal government help protect and expand relief to your members who are experiencing financial hardship due to student loan debt?

Sincerely,



Elizabeth Warren  
United States Senator

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<sup>16</sup> Consumer Financial Protection Bureau, "Office of Research blog: Update on student loan borrowers during payment suspension," Thomas Conkling and Christa Gibbs, November 2, 2022, <https://www.consumerfinance.gov/about-us/blog/office-of-research-blog-update-on-student-loan-borrowers-during-payment-suspension/>.

January 17, 2023

Jeff Hauser  
Executive Director  
Revolving Door Project  
1611 Connecticut Ave NW #400  
Washington, DC 20009

Dear Mr. Hauser,

I write to seek information about how Republican-led objections and extremist judges' decisions to block President Biden's historic decision to cancel up to \$20,000 in student debt<sup>1</sup> have affected the 43 million borrowers who are due relief. We are specifically seeking information on how the courts' delay of student loan relief has impacted the Revolving Door Project's members, and to learn more about what this relief could mean for them.

On August 24, 2022, the Biden-Harris Administration announced a historic decision to provide student debt relief to borrowers who need it the most.<sup>2</sup> As part of its three-part plan, the administration will (1) cancel up to \$20,000 in debt for as many as 43 million borrowers, "including cancelling the full remaining balance for roughly 20 million borrowers"; (2) reform the student loan system for current and future borrowers by creating a new income-driven repayment (IDR) plan that cuts monthly payments in half for undergraduate loans and improves the Public Service Loan Forgiveness (PSLF) program; and (3) strengthen efforts to hold colleges accountable for price increases.<sup>3</sup> Together, these reforms will significantly ease the burden of student debt on working and middle-class families the most, with nearly 90 percent of the one-time relief dollars going to people making less than \$75,000 per year.<sup>4</sup> On October 17, 2022, the application for student debt cancellation officially became available,<sup>5</sup> and as of November 3, 2022, close to 26 million people have applied for the President's loan cancellation program.<sup>6</sup>

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<sup>1</sup> The White House, "Fact Sheet: President Biden Announces Student Loan Relief for Borrowers Who Need It Most," press release, August 24, 2022, [https://www.whitehouse.gov/briefing-room/statements-releases/2022/08/24/fact-sheet-president-biden-announces-student-loan-relief-for-borrowers-who-need-it-most/?utm\\_source=link](https://www.whitehouse.gov/briefing-room/statements-releases/2022/08/24/fact-sheet-president-biden-announces-student-loan-relief-for-borrowers-who-need-it-most/?utm_source=link).

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<sup>5</sup> The New York Times, "Biden Opens Applications for Student Debt Cancellation," Stacy Cowley and Alan Rappeport, October 17, 2022, <https://www.nytimes.com/2022/10/17/business/student-loans-cancel-debt-applications.html>.

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There is little merit to these cases. The President of the United States has legal jurisdiction to provide student loan relief under the *Higher Education Relief Opportunities for Students (HEROES) Act of 2003*.<sup>13</sup> HEROES lawfully gives the Secretary of Education the ability to relieve student debts for people affected by a national emergency. If not for the courts and Republican efforts, roughly 16 million Americans could have been approved and seen up to \$20,000 in student debt cancelled.<sup>14</sup> Instead, these partisan and legally tenuous attempts to block the President’s authority have left these borrowers in limbo.

Republican officials are standing in the way of hardworking middle- and working-class Americans who are getting crushed by student debt. Right now, over 70 percent of Black undergraduate borrowers who are Pell Grant recipients are not able to get up to \$20,000 of cancellation, almost half of Latino borrowers cannot see their entire student debt balance cancelled, and borrowers who didn’t graduate but earned a certificate – such as dental assistants and welders – cannot receive the relief they need.<sup>15</sup> Without cancellation, millions of Americans’

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<sup>13</sup> 20 U.S.C. § 1098bb(a)(1), (2)(A); Inside Higher Ed, “Debt Relief Blocked Again,” Katherine Knott, November 14, 2022, <https://www.insidehighered.com/news/2022/11/14/biden-administration-appeals-debt-relief-ruling>.

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<sup>15</sup> The White House, “By The Numbers: Millions of Americans’ Student Loan Costs Will Rise Dramatically Under Republican Officials’ Plans,” press release, November 3, 2022, <https://www.whitehouse.gov/briefing->

monthly costs could rise dramatically once student loan payments resume.<sup>16</sup>

In an effort to fully understand the beneficial impact of student debt cancellation and how attempts to deny relief affect your members, I request that you answer the following questions by January 31, 2023:

1. What would student debt cancellation mean for your members?
  - a) Who stands to benefit the most from cancellation?
2. Does your organization believe that President Biden has the legal authority to cancel student loan debt?
3. How are the legal challenges to President Biden's student debt cancellation program affecting your members?
  - a) Have attempts to deny cancellation affected your members' ability to make financial decisions? If so, please explain.
  - b) What would the impact be on your members if a decision to deny student loan relief is upheld?
4. How can the federal government help protect and expand relief to your members who are experiencing financial hardship due to student loan debt?

Sincerely,

  
Elizabeth Warren  
United States Senator

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January 17, 2023

Felicia Wong  
President & CEO  
Roosevelt Institute  
570 Lexington Avenue 5th Floor  
New York, NY 10022

Dear President Wong,

I write to seek information about how Republican-led objections and extremist judges' decisions to block President Biden's historic decision to cancel up to \$20,000 in student debt<sup>1</sup> have affected the 43 million borrowers who are due relief. We are specifically seeking information on how the courts' delay of student loan relief has impacted the Roosevelt Institute's members, and to learn more about what this relief could mean for them.

On August 24, 2022, the Biden-Harris Administration announced a historic decision to provide student debt relief to borrowers who need it the most.<sup>2</sup> As part of its three-part plan, the administration will (1) cancel up to \$20,000 in debt for as many as 43 million borrowers, "including cancelling the full remaining balance for roughly 20 million borrowers"; (2) reform the student loan system for current and future borrowers by creating a new income-driven repayment (IDR) plan that cuts monthly payments in half for undergraduate loans and improves the Public Service Loan Forgiveness (PSLF) program; and (3) strengthen efforts to hold colleges accountable for price increases.<sup>3</sup> Together, these reforms will significantly ease the burden of student debt on working and middle-class families the most, with nearly 90 percent of the one-time relief dollars going to people making less than \$75,000 per year.<sup>4</sup> On October 17, 2022, the application for student debt cancellation officially became available,<sup>5</sup> and as of November 3, 2022, close to 26 million people have applied for the President's loan cancellation program.<sup>6</sup>

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<sup>1</sup> The White House, "Fact Sheet: President Biden Announces Student Loan Relief for Borrowers Who Need It Most," press release, August 24, 2022, [https://www.whitehouse.gov/briefing-room/statements-releases/2022/08/24/fact-sheet-president-biden-announces-student-loan-relief-for-borrowers-who-need-it-most/?utm\\_source=link](https://www.whitehouse.gov/briefing-room/statements-releases/2022/08/24/fact-sheet-president-biden-announces-student-loan-relief-for-borrowers-who-need-it-most/?utm_source=link).

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4. How can the federal government help protect and expand relief to your members who are experiencing financial hardship due to student loan debt?

Sincerely,

  
Elizabeth Warren  
United States Senator

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[room/statements-releases/2022/11/03/by-the-numbers-millions-of-americans-student-loan-costs-will-rise-dramatically-under-republican-officials-plans/](#)

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January 17, 2023

Ray Curry  
President  
United Automobile, Aerospace and Agricultural Implement Workers of America  
8000 East Jefferson Avenue  
Detroit, MI 48214

Dear Mr. Gamble,

I write to seek information about how Republican-led objections and extremist judges' decisions to block President Biden's historic decision to cancel up to \$20,000 in student debt<sup>1</sup> have affected the 43 million borrowers who are due relief. We are specifically seeking information on how the courts' delay of student loan relief has impacted the United Automobile, Aerospace and Agricultural Implement Workers of America's (UAW) members, and to learn more about what this relief could mean for them.

On August 24, 2022, the Biden-Harris Administration announced a historic decision to provide student debt relief to borrowers who need it the most.<sup>2</sup> As part of its three-part plan, the administration will (1) cancel up to \$20,000 in debt for as many as 43 million borrowers, "including cancelling the full remaining balance for roughly 20 million borrowers"; (2) reform the student loan system for current and future borrowers by creating a new income-driven repayment (IDR) plan that cuts monthly payments in half for undergraduate loans and improves the Public Service Loan Forgiveness (PSLF) program; and (3) strengthen efforts to hold colleges accountable for price increases.<sup>3</sup> Together, these reforms will significantly ease the burden of student debt on working and middle-class families the most, with nearly 90 percent of the one-time relief dollars going to people making less than \$75,000 per year.<sup>4</sup> On October 17, 2022, the application for student debt cancellation officially became available,<sup>5</sup> and as of November 3, 2022, close to 26 million people have applied for the President's loan cancellation program.<sup>6</sup>

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<sup>13</sup> 20 U.S.C. § 1098bb(a)(1), (2)(A); Inside Higher Ed, “Debt Relief Blocked Again,” Katherine Knott, November 14, 2022, <https://www.insidehighered.com/news/2022/11/14/biden-administration-appeals-debt-relief-ruling>.


<sup>14</sup> Inside Higher Ed, “Debt Relief Blocked Again,” Katherine Knott, November 14, 2022, <https://www.insidehighered.com/news/2022/11/14/biden-administration-appeals-debt-relief-ruling>.

and welders – cannot receive the relief they need.<sup>15</sup> Without cancellation, millions of Americans’ monthly costs could rise dramatically once student loan payments resume.<sup>16</sup>

In an effort to fully understand the beneficial impact of student debt cancellation and how attempts to deny relief affect your members, I request that you answer the following questions by January 31, 2023:

1. What would student debt cancellation mean for your members?
  - a) Who stands to benefit the most from cancellation?
2. Does your organization believe that President Biden has the legal authority to cancel student loan debt?
3. How are the legal challenges to President Biden’s student debt cancellation program affecting your members?
  - a) Have attempts to deny cancellation affected your members’ ability to make financial decisions? If so, please explain.
  - b) What would the impact be on your members if a decision to deny student loan relief is upheld?
4. How can the federal government help protect and expand relief to your members who are experiencing financial hardship due to student loan debt?

Sincerely,

  
Elizabeth Warren  
United States Senator

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<sup>15</sup> The White House, “By The Numbers: Millions of Americans’ Student Loan Costs Will Rise Dramatically Under Republican Officials’ Plans,” press release, November 3, 2022, <https://www.whitehouse.gov/briefing-room/statements-releases/2022/11/03/by-the-numbers-millions-of-americans-student-loan-costs-will-rise-dramatically-under-republican-officials-plans/>.

<sup>16</sup> Consumer Financial Protection Bureau, “Office of Research blog: Update on student loan borrowers during payment suspension,” Thomas Conkling and Christa Gibbs, November 2, 2022, <https://www.consumerfinance.gov/about-us/blog/office-of-research-blog-update-on-student-loan-borrowers-during-payment-suspension/>.

January 17, 2023

Dr. Michael L. Lomax  
President & CEO  
United Negro College Fund  
1805 7th St NW  
Washington, DC 20001

Dear President Lomax,

I write to seek information about how Republican-led objections and extremist judges' decisions to block President Biden's historic decision to cancel up to \$20,000 in student debt<sup>1</sup> have affected the 43 million borrowers who are due relief. We are specifically seeking information on how the courts' delay of student loan relief has impacted the United Negro College Fund's (UNCF) members, and to learn more about what this relief could mean for them.

On August 24, 2022, the Biden-Harris Administration announced a historic decision to provide student debt relief to borrowers who need it the most.<sup>2</sup> As part of its three-part plan, the administration will (1) cancel up to \$20,000 in debt for as many as 43 million borrowers, "including cancelling the full remaining balance for roughly 20 million borrowers"; (2) reform the student loan system for current and future borrowers by creating a new income-driven repayment (IDR) plan that cuts monthly payments in half for undergraduate loans and improves the Public Service Loan Forgiveness (PSLF) program; and (3) strengthen efforts to hold colleges accountable for price increases.<sup>3</sup> Together, these reforms will significantly ease the burden of student debt on working and middle-class families the most, with nearly 90 percent of the one-time relief dollars going to people making less than \$75,000 per year.<sup>4</sup> On October 17, 2022, the application for student debt cancellation officially became available,<sup>5</sup> and as of November 3, 2022, close to 26 million people have applied for the President's loan cancellation program.<sup>6</sup>

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<sup>1</sup> The White House, "Fact Sheet: President Biden Announces Student Loan Relief for Borrowers Who Need It Most," press release, August 24, 2022, [https://www.whitehouse.gov/briefing-room/statements-releases/2022/08/24/fact-sheet-president-biden-announces-student-loan-relief-for-borrowers-who-need-it-most/?utm\\_source=link](https://www.whitehouse.gov/briefing-room/statements-releases/2022/08/24/fact-sheet-president-biden-announces-student-loan-relief-for-borrowers-who-need-it-most/?utm_source=link).

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*

<sup>4</sup> U.S. Department of Education, "U.S. Department of Education Estimate: Biden-Harris Student Debt Relief to Cost an Average of \$30 Billion Annually Over Next Decade," press release, September 29, 2022, <https://www.ed.gov/news/press-releases/us-department-education-estimate-biden-harris-student-debt-relief-cost-average-30-billion-annually-over-next-decade>.

<sup>5</sup> The New York Times, "Biden Opens Applications for Student Debt Cancellation," Stacy Cowley and Alan Rappaport, October 17, 2022, <https://www.nytimes.com/2022/10/17/business/student-loans-cancel-debt-applications.html>.

<sup>6</sup> The White House, "By The Numbers: Millions of Americans' Student Loan Costs Will Rise Dramatically Under Republican Officials' Plans," press release, November 3, 2022, <https://www.whitehouse.gov/briefing-room/statements-releases/2022/11/03/by-the-numbers-millions-of-americans-student-loan-costs-will-rise-dramatically-under-republican-officials-plans/>.

But, on November 14, the U.S. Court of Appeals for the Eighth Circuit sided with a coalition of six Republican-led states to institute an emergency injunction that blocks this student loan relief through the court system.<sup>7</sup> In their ruling, the three-judge panel argued that the state of Missouri has the necessary standing to bring the lawsuit on behalf of the Missouri Higher Education Loan Authority (MOHELA), a federal loan servicer.<sup>8</sup> The lawsuit claims that the MOHELA would lose revenue as they process direct loans that are eligible for cancellation which in turn would financially harm the state if the loans they service are wiped away.<sup>9</sup> And on November 11, a federal judge in Texas blocked President Biden’s student debt cancellation plan, endangering the possibility of relief for millions of borrowers.<sup>10</sup> Judge Mark Pittman, an appointee of former President Trump and the judge who wrote the opinion in the Texas case, claimed that the cancellation plan was an “unconstitutional exercise of Congress’s legislative power.”<sup>11</sup> On December 19, 2022, the Supreme Court announced that justices would hear oral arguments in both cases challenging the legality of President Biden’s student debt cancellation plan on February 28, 2023.<sup>12</sup>

There is little merit to these cases. The President of the United States has legal jurisdiction to provide student loan relief under the *Higher Education Relief Opportunities for Students (HEROES) Act of 2003*.<sup>13</sup> HEROES lawfully gives the Secretary of Education the ability to relieve student debts for people affected by a national emergency. If not for the courts and Republican efforts, roughly 16 million Americans could have been approved and seen up to \$20,000 in student debt cancelled.<sup>14</sup> Instead, these partisan and legally tenuous attempts to block the President’s authority have left these borrowers in limbo.

Republican officials are standing in the way of hardworking middle- and working-class Americans who are getting crushed by student debt. Right now, over 70 percent of Black undergraduate borrowers who are Pell Grant recipients are not able to get up to \$20,000 of cancellation, almost half of Latino borrowers cannot see their entire student debt balance cancelled, and borrowers who didn’t graduate but earned a certificate – such as dental assistants and welders – cannot receive the relief they need.<sup>15</sup> Without cancellation, millions of Americans’

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<sup>7</sup> The Washington Post, “Appeals court grants injunction against Biden’s student loan forgiveness,” Danielle Douglas-Gabriel, November 14, 2022, <https://www.washingtonpost.com/education/2022/11/14/appeals-halts-student-loan-forgiveness/>.

<sup>8</sup> *Id.*

<sup>9</sup> *Id.*

<sup>10</sup> The Wall Street Journal, “Federal Judge in Texas Strikes Down Biden Student-Loan Forgiveness Program,” Gabriel T. Rubin and Andrew Restuccia, November 10, 2022, <https://www.wsj.com/articles/federal-judge-in-texas-strikes-down-biden-student-debt-cancellation-program-11668127159>.

<sup>11</sup> *Id.*

<sup>12</sup> Politico, “Supreme Court sets February date for arguments on Biden's student debt relief,” Michael Stratford, December 19, 2022, <https://www.politico.com/news/2022/12/19/scotus-date-arguments-student-debt-relief-00074552>.

<sup>13</sup> 20 U.S.C. § 1098bb(a)(1), (2)(A); Inside Higher Ed, “Debt Relief Blocked Again,” Katherine Knott, November 14, 2022, <https://www.insidehighered.com/news/2022/11/14/biden-administration-appeals-debt-relief-ruling>.

<sup>14</sup> Inside Higher Ed, “Debt Relief Blocked Again,” Katherine Knott, November 14, 2022, <https://www.insidehighered.com/news/2022/11/14/biden-administration-appeals-debt-relief-ruling>.


<sup>15</sup> The White House, “By The Numbers: Millions of Americans’ Student Loan Costs Will Rise Dramatically Under Republican Officials’ Plans,” press release, November 3, 2022, <https://www.whitehouse.gov/briefing->

monthly costs could rise dramatically once student loan payments resume.<sup>16</sup>

In an effort to fully understand the beneficial impact of student debt cancellation and how attempts to deny relief affect your members, I request that you answer the following questions by January 31, 2023:

1. What would student debt cancellation mean for your members?
  - a) Who stands to benefit the most from cancellation?
2. Does your organization believe that President Biden has the legal authority to cancel student loan debt?
3. How are the legal challenges to President Biden's student debt cancellation program affecting your members?
  - a) Have attempts to deny cancellation affected your members' ability to make financial decisions? If so, please explain.
  - b) What would the impact be on your members if a decision to deny student loan relief is upheld?
4. How can the federal government help protect and expand relief to your members who are experiencing financial hardship due to student loan debt?

Sincerely,

  
Elizabeth Warren  
United States Senator

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[room/statements-releases/2022/11/03/by-the-numbers-millions-of-americans-student-loan-costs-will-rise-dramatically-under-republican-officials-plans/](https://www.consumerfinance.gov/about-us/blog/office-of-research-blog-update-on-student-loan-borrowers-during-payment-suspension/).

<sup>16</sup> Consumer Financial Protection Bureau, "Office of Research blog: Update on student loan borrowers during payment suspension," Thomas Conkling and Christa Gibbs, November 2, 2022, <https://www.consumerfinance.gov/about-us/blog/office-of-research-blog-update-on-student-loan-borrowers-during-payment-suspension/>.



January 17, 2023

Janet Murguía  
President and CEO  
UnidosUS  
1126 16th St NW #600  
Washington, DC 20036

Dear President Murguía,

I write to seek information about how Republican-led objections and extremist judges' decisions to block President Biden's historic decision to cancel up to \$20,000 in student debt<sup>1</sup> have affected the 43 million borrowers who are due relief. We are specifically seeking information on how the courts' delay of student loan relief has impacted UnidosUS' members, and to learn more about what this relief could mean for them.

On August 24, 2022, the Biden-Harris Administration announced a historic decision to provide student debt relief to borrowers who need it the most.<sup>2</sup> As part of its three-part plan, the administration will (1) cancel up to \$20,000 in debt for as many as 43 million borrowers, "including cancelling the full remaining balance for roughly 20 million borrowers"; (2) reform the student loan system for current and future borrowers by creating a new income-driven repayment (IDR) plan that cuts monthly payments in half for undergraduate loans and improves the Public Service Loan Forgiveness (PSLF) program; and (3) strengthen efforts to hold colleges accountable for price increases.<sup>3</sup> Together, these reforms will significantly ease the burden of student debt on working and middle-class families the most, with nearly 90 percent of the one-time relief dollars going to people making less than \$75,000 per year.<sup>4</sup> On October 17, 2022, the application for student debt cancellation officially became available,<sup>5</sup> and as of November 3, 2022, close to 26 million people have applied for the President's loan cancellation program.<sup>6</sup>

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<sup>1</sup> The White House, "Fact Sheet: President Biden Announces Student Loan Relief for Borrowers Who Need It Most," press release, August 24, 2022, [https://www.whitehouse.gov/briefing-room/statements-releases/2022/08/24/fact-sheet-president-biden-announces-student-loan-relief-for-borrowers-who-need-it-most/?utm\\_source=link](https://www.whitehouse.gov/briefing-room/statements-releases/2022/08/24/fact-sheet-president-biden-announces-student-loan-relief-for-borrowers-who-need-it-most/?utm_source=link).

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*

<sup>4</sup> U.S. Department of Education, "U.S. Department of Education Estimate: Biden-Harris Student Debt Relief to Cost an Average of \$30 Billion Annually Over Next Decade," press release, September 29, 2022, <https://www.ed.gov/news/press-releases/us-department-education-estimate-biden-harris-student-debt-relief-cost-average-30-billion-annually-over-next-decade>.

<sup>5</sup> The New York Times, "Biden Opens Applications for Student Debt Cancellation," Stacy Cowley and Alan Rappaport, October 17, 2022, <https://www.nytimes.com/2022/10/17/business/student-loans-cancel-debt-applications.html>.

<sup>6</sup> The White House, "By The Numbers: Millions of Americans' Student Loan Costs Will Rise Dramatically Under Republican Officials' Plans," press release, November 3, 2022, <https://www.whitehouse.gov/briefing-room/statements-releases/2022/11/03/by-the-numbers-millions-of-americans-student-loan-costs-will-rise-dramatically-under-republican-officials-plans/>.

But, on November 14, the U.S. Court of Appeals for the Eighth Circuit sided with a coalition of six Republican-led states to institute an emergency injunction that blocks this student loan relief through the court system.<sup>7</sup> In their ruling, the three-judge panel argued that the state of Missouri has the necessary standing to bring the lawsuit on behalf of the Missouri Higher Education Loan Authority (MOHELA), a federal loan servicer.<sup>8</sup> The lawsuit claims that the MOHELA would lose revenue as they process direct loans that are eligible for cancellation which in turn would financially harm the state if the loans they service are wiped away.<sup>9</sup> And on November 11, a federal judge in Texas blocked President Biden’s student debt cancellation plan, endangering the possibility of relief for millions of borrowers.<sup>10</sup> Judge Mark Pittman, an appointee of former President Trump and the judge who wrote the opinion in the Texas case, claimed that the cancellation plan was an “unconstitutional exercise of Congress’s legislative power.”<sup>11</sup> On December 19, 2022, the Supreme Court announced that justices would hear oral arguments in both cases challenging the legality of President Biden’s student debt cancellation plan on February 28, 2023.<sup>12</sup>

There is little merit to these cases. The President of the United States has legal jurisdiction to provide student loan relief under the *Higher Education Relief Opportunities for Students (HEROES) Act of 2003*.<sup>13</sup> HEROES lawfully gives the Secretary of Education the ability to relieve student debts for people affected by a national emergency. If not for the courts and Republican efforts, roughly 16 million Americans could have been approved and seen up to \$20,000 in student debt cancelled.<sup>14</sup> Instead, these partisan and legally tenuous attempts to block the President’s authority have left these borrowers in limbo.

Republican officials are standing in the way of hardworking middle- and working-class Americans who are getting crushed by student debt. Right now, over 70 percent of Black undergraduate borrowers who are Pell Grant recipients are not able to get up to \$20,000 of cancellation, almost half of Latino borrowers cannot see their entire student debt balance cancelled, and borrowers who didn’t graduate but earned a certificate – such as dental assistants and welders – cannot receive the relief they need.<sup>15</sup> Without cancellation, millions of Americans’

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<sup>8</sup> *Id.*

<sup>9</sup> *Id.*

<sup>10</sup> The Wall Street Journal, “Federal Judge in Texas Strikes Down Biden Student-Loan Forgiveness Program,” Gabriel T. Rubin and Andrew Restuccia, November 10, 2022, <https://www.wsj.com/articles/federal-judge-in-texas-strikes-down-biden-student-debt-cancellation-program-11668127159>.

<sup>11</sup> *Id.*

<sup>12</sup> Politico, “Supreme Court sets February date for arguments on Biden's student debt relief,” Michael Stratford, December 19, 2022, <https://www.politico.com/news/2022/12/19/scotus-date-arguments-student-debt-relief-00074552>.

<sup>13</sup> 20 U.S.C. § 1098bb(a)(1), (2)(A); Inside Higher Ed, “Debt Relief Blocked Again,” Katherine Knott, November 14, 2022, <https://www.insidehighered.com/news/2022/11/14/biden-administration-appeals-debt-relief-ruling>.

<sup>14</sup> Inside Higher Ed, “Debt Relief Blocked Again,” Katherine Knott, November 14, 2022, <https://www.insidehighered.com/news/2022/11/14/biden-administration-appeals-debt-relief-ruling>.


<sup>15</sup> The White House, “By The Numbers: Millions of Americans’ Student Loan Costs Will Rise Dramatically Under Republican Officials’ Plans,” press release, November 3, 2022, <https://www.whitehouse.gov/briefing->

monthly costs could rise dramatically once student loan payments resume.<sup>16</sup>

In an effort to fully understand the beneficial impact of student debt cancellation and how attempts to deny relief affect your members, I request that you answer the following questions by January 31, 2023:

1. What would student debt cancellation mean for your members?
  - a) Who stands to benefit the most from cancellation?
2. Does your organization believe that President Biden has the legal authority to cancel student loan debt?
3. How are the legal challenges to President Biden's student debt cancellation program affecting your members?
  - a) Have attempts to deny cancellation affected your members' ability to make financial decisions? If so, please explain.
  - b) What would the impact be on your members if a decision to deny student loan relief is upheld?
4. How can the federal government help protect and expand relief to your members who are experiencing financial hardship due to student loan debt?

Sincerely,

  
Elizabeth Warren  
United States Senator

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[room/statements-releases/2022/11/03/by-the-numbers-millions-of-americans-student-loan-costs-will-rise-dramatically-under-republican-officials-plans/](https://www.consumerfinance.gov/about-us/blog/office-of-research-blog-update-on-student-loan-borrowers-during-payment-suspension/).

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January 17, 2023

Melissa Byrne  
Founder  
We, the 45 M  
24 North Myrtle Street  
Vineland, New Jersey 08306

Dear Ms. Byrne,

I write to seek information about how Republican-led objections and extremist judges' decisions to block President Biden's historic decision to cancel up to \$20,000 in student debt<sup>1</sup> have affected the 43 million borrowers who are due relief. We are specifically seeking information on how the courts' delay of student loan relief has impacted We, The 45 M's members, and to learn more about what this relief could mean for them.

On August 24, 2022, the Biden-Harris Administration announced a historic decision to provide student debt relief to borrowers who need it the most.<sup>2</sup> As part of its three-part plan, the administration will (1) cancel up to \$20,000 in debt for as many as 43 million borrowers, "including cancelling the full remaining balance for roughly 20 million borrowers"; (2) reform the student loan system for current and future borrowers by creating a new income-driven repayment (IDR) plan that cuts monthly payments in half for undergraduate loans and improves the Public Service Loan Forgiveness (PSLF) program; and (3) strengthen efforts to hold colleges accountable for price increases.<sup>3</sup> Together, these reforms will significantly ease the burden of student debt on working and middle-class families the most, with nearly 90 percent of the one-time relief dollars going to people making less than \$75,000 per year.<sup>4</sup> On October 17, 2022, the application for student debt cancellation officially became available,<sup>5</sup> and as of November 3, 2022, close to 26 million people have applied for the President's loan cancellation program.<sup>6</sup>

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<sup>1</sup> The White House, "Fact Sheet: President Biden Announces Student Loan Relief for Borrowers Who Need It Most," press release, August 24, 2022, [https://www.whitehouse.gov/briefing-room/statements-releases/2022/08/24/fact-sheet-president-biden-announces-student-loan-relief-for-borrowers-who-need-it-most/?utm\\_source=link](https://www.whitehouse.gov/briefing-room/statements-releases/2022/08/24/fact-sheet-president-biden-announces-student-loan-relief-for-borrowers-who-need-it-most/?utm_source=link).

<sup>2</sup> *Id.*

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<sup>5</sup> The New York Times, "Biden Opens Applications for Student Debt Cancellation," Stacy Cowley and Alan Rappeport, October 17, 2022, <https://www.nytimes.com/2022/10/17/business/student-loans-cancel-debt-applications.html>.

<sup>6</sup> The White House, "By The Numbers: Millions of Americans' Student Loan Costs Will Rise Dramatically Under Republican Officials' Plans," press release, November 3, 2022, <https://www.whitehouse.gov/briefing-room/statements-releases/2022/11/03/by-the-numbers-millions-of-americans-student-loan-costs-will-rise-dramatically-under-republican-officials-plans/>.

But, on November 14, the U.S. Court of Appeals for the Eighth Circuit sided with a coalition of six Republican-led states to institute an emergency injunction that blocks this student loan relief through the court system.<sup>7</sup> In their ruling, the three-judge panel argued that the state of Missouri has the necessary standing to bring the lawsuit on behalf of the Missouri Higher Education Loan Authority (MOHELA), a federal loan servicer.<sup>8</sup> The lawsuit claims that the MOHELA would lose revenue as they process direct loans that are eligible for cancellation which in turn would financially harm the state if the loans they service are wiped away.<sup>9</sup> And on November 11, a federal judge in Texas blocked President Biden’s student debt cancellation plan, endangering the possibility of relief for millions of borrowers.<sup>10</sup> Judge Mark Pittman, an appointee of former President Trump and the judge who wrote the opinion in the Texas case, claimed that the cancellation plan was an “unconstitutional exercise of Congress’s legislative power.”<sup>11</sup> On December 19, 2022, the Supreme Court announced that justices would hear oral arguments in both cases challenging the legality of President Biden’s student debt cancellation plan on February 28, 2023.<sup>12</sup>

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<sup>8</sup> *Id.*

<sup>9</sup> *Id.*

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<sup>11</sup> *Id.*

<sup>12</sup> Politico, “Supreme Court sets February date for arguments on Biden's student debt relief,” Michael Stratford, December 19, 2022, <https://www.politico.com/news/2022/12/19/scotus-date-arguments-student-debt-relief-00074552>.

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<sup>14</sup> Inside Higher Ed, “Debt Relief Blocked Again,” Katherine Knott, November 14, 2022, <https://www.insidehighered.com/news/2022/11/14/biden-administration-appeals-debt-relief-ruling>.


<sup>15</sup> The White House, “By The Numbers: Millions of Americans’ Student Loan Costs Will Rise Dramatically Under Republican Officials’ Plans,” press release, November 3, 2022, <https://www.whitehouse.gov/briefing->

monthly costs could rise dramatically once student loan payments resume.<sup>16</sup>

In an effort to fully understand the beneficial impact of student debt cancellation and how attempts to deny relief affect your members, I request that you answer the following questions by January 31, 2023:

1. What would student debt cancellation mean for your members?
  - a) Who stands to benefit the most from cancellation?
2. Does your organization believe that President Biden has the legal authority to cancel student loan debt?
3. How are the legal challenges to President Biden's student debt cancellation program affecting your members?
  - a) Have attempts to deny cancellation affected your members' ability to make financial decisions? If so, please explain.
  - b) What would the impact be on your members if a decision to deny student loan relief is upheld?
4. How can the federal government help protect and expand relief to your members who are experiencing financial hardship due to student loan debt?

Sincerely,

  
Elizabeth Warren  
United States Senator

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[room/statements-releases/2022/11/03/by-the-numbers-millions-of-americans-student-loan-costs-will-rise-dramatically-under-republican-officials-plans/](#)

<sup>16</sup> Consumer Financial Protection Bureau, "Office of Research blog: Update on student loan borrowers during payment suspension," Thomas Conkling and Christa Gibbs, November 2, 2022, <https://www.consumerfinance.gov/about-us/blog/office-of-research-blog-update-on-student-loan-borrowers-during-payment-suspension/>.

January 17, 2023

Sophie Ackoff and Martin Lemos  
Co-Executive Directors  
National Young Farmers Coalition  
P.O. Box 1074  
Hudson, NY 12534

Dear Ms. Ackoff and Mr. Lemos,

I write to seek information about how Republican-led objections and extremist judges' decisions to block President Biden's historic decision to cancel up to \$20,000 in student debt<sup>1</sup> have affected the 43 million borrowers who are due relief. We are specifically seeking information on how the courts' delay of student loan relief has impacted the Young Farmer's members, and to learn more about what this relief could mean for them.

On August 24, 2022, the Biden-Harris Administration announced a historic decision to provide student debt relief to borrowers who need it the most.<sup>2</sup> As part of its three-part plan, the administration will (1) cancel up to \$20,000 in debt for as many as 43 million borrowers, "including cancelling the full remaining balance for roughly 20 million borrowers"; (2) reform the student loan system for current and future borrowers by creating a new income-driven repayment (IDR) plan that cuts monthly payments in half for undergraduate loans and improves the Public Service Loan Forgiveness (PSLF) program; and (3) strengthen efforts to hold colleges accountable for price increases.<sup>3</sup> Together, these reforms will significantly ease the burden of student debt on working and middle-class families the most, with nearly 90 percent of the one-time relief dollars going to people making less than \$75,000 per year.<sup>4</sup> On October 17, 2022, the application for student debt cancellation officially became available,<sup>5</sup> and as of November 3, 2022, close to 26 million people have applied for the President's loan cancellation program.<sup>6</sup>

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<sup>1</sup> The White House, "Fact Sheet: President Biden Announces Student Loan Relief for Borrowers Who Need It Most," press release, August 24, 2022, [https://www.whitehouse.gov/briefing-room/statements-releases/2022/08/24/fact-sheet-president-biden-announces-student-loan-relief-for-borrowers-who-need-it-most/?utm\\_source=link](https://www.whitehouse.gov/briefing-room/statements-releases/2022/08/24/fact-sheet-president-biden-announces-student-loan-relief-for-borrowers-who-need-it-most/?utm_source=link).

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There is little merit to these cases. The President of the United States has legal jurisdiction to provide student loan relief under the *Higher Education Relief Opportunities for Students (HEROES) Act of 2003*.<sup>13</sup> HEROES lawfully gives the Secretary of Education the ability to relieve student debts for people affected by a national emergency. If not for the courts and Republican efforts, roughly 16 million Americans could have been approved and seen up to \$20,000 in student debt cancelled.<sup>14</sup> Instead, these partisan and legally tenuous attempts to block the President’s authority have left these borrowers in limbo.

Republican officials are standing in the way of hardworking middle- and working-class Americans who are getting crushed by student debt. Right now, over 70 percent of Black undergraduate borrowers who are Pell Grant recipients are not able to get up to \$20,000 of cancellation, almost half of Latino borrowers cannot see their entire student debt balance cancelled, and borrowers who didn’t graduate but earned a certificate – such as dental assistants and welders – cannot receive the relief they need.<sup>15</sup> Without cancellation, millions of Americans’

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<sup>11</sup> *Id.*

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<sup>13</sup> 20 U.S.C. § 1098bb(a)(1), (2)(A); Inside Higher Ed, “Debt Relief Blocked Again,” Katherine Knott, November 14, 2022, <https://www.insidehighered.com/news/2022/11/14/biden-administration-appeals-debt-relief-ruling>.

<sup>14</sup> Inside Higher Ed, “Debt Relief Blocked Again,” Katherine Knott, November 14, 2022, <https://www.insidehighered.com/news/2022/11/14/biden-administration-appeals-debt-relief-ruling>.

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monthly costs could rise dramatically once student loan payments resume.<sup>16</sup>

In an effort to fully understand the beneficial impact of student debt cancellation and how attempts to deny relief affect your members, I request that you answer the following questions by January 31, 2023:

1. What would student debt cancellation mean for your members?
  - a) Who stands to benefit the most from cancellation?
2. Does your organization believe that President Biden has the legal authority to cancel student loan debt?
3. How are the legal challenges to President Biden’s student debt cancellation program affecting your members?
  - a) Have attempts to deny cancellation affected your members’ ability to make financial decisions? If so, please explain.
  - b) What would the impact be on your members if a decision to deny student loan relief is upheld?
4. How can the federal government help protect and expand relief to your members who are experiencing financial hardship due to student loan debt?

Sincerely,

  
Elizabeth Warren  
United States Senator

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[room/statements-releases/2022/11/03/by-the-numbers-millions-of-americans-student-loan-costs-will-rise-dramatically-under-republican-officials-plans/](https://www.consumerfinance.gov/about-us/blog/office-of-research-blog-update-on-student-loan-borrowers-during-payment-suspension/).

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January 17, 2023

Kristin McGuire  
Executive Director  
Young Invincibles  
1201 Connecticut Ave NW #600  
Washington, D.C. 20036

Dear Ms. McGuire,

I write to seek information about how Republican-led objections and extremist judges' decisions to block President Biden's historic decision to cancel up to \$20,000 in student debt<sup>1</sup> have affected the 43 million borrowers who are due relief. We are specifically seeking information on how the courts' delay of student loan relief has impacted the Young Invincibles' members, and to learn more about what this relief could mean for them.

On August 24, 2022, the Biden-Harris Administration announced a historic decision to provide student debt relief to borrowers who need it the most.<sup>2</sup> As part of its three-part plan, the administration will (1) cancel up to \$20,000 in debt for as many as 43 million borrowers, "including cancelling the full remaining balance for roughly 20 million borrowers"; (2) reform the student loan system for current and future borrowers by creating a new income-driven repayment (IDR) plan that cuts monthly payments in half for undergraduate loans and improves the Public Service Loan Forgiveness (PSLF) program; and (3) strengthen efforts to hold colleges accountable for price increases.<sup>3</sup> Together, these reforms will significantly ease the burden of student debt on working and middle-class families the most, with nearly 90 percent of the one-time relief dollars going to people making less than \$75,000 per year.<sup>4</sup> On October 17, 2022, the application for student debt cancellation officially became available,<sup>5</sup> and as of November 3, 2022, close to 26 million people have applied for the President's loan cancellation program.<sup>6</sup>

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<sup>1</sup> The White House, "Fact Sheet: President Biden Announces Student Loan Relief for Borrowers Who Need It Most," press release, August 24, 2022, [https://www.whitehouse.gov/briefing-room/statements-releases/2022/08/24/fact-sheet-president-biden-announces-student-loan-relief-for-borrowers-who-need-it-most/?utm\\_source=link](https://www.whitehouse.gov/briefing-room/statements-releases/2022/08/24/fact-sheet-president-biden-announces-student-loan-relief-for-borrowers-who-need-it-most/?utm_source=link).

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*

<sup>4</sup> U.S. Department of Education, "U.S. Department of Education Estimate: Biden-Harris Student Debt Relief to Cost an Average of \$30 Billion Annually Over Next Decade," press release, September 29, 2022, <https://www.ed.gov/news/press-releases/us-department-education-estimate-biden-harris-student-debt-relief-cost-average-30-billion-annually-over-next-decade>.

<sup>5</sup> The New York Times, "Biden Opens Applications for Student Debt Cancellation," Stacy Cowley and Alan Rappaport, October 17, 2022, <https://www.nytimes.com/2022/10/17/business/student-loans-cancel-debt-applications.html>.

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But, on November 14, the U.S. Court of Appeals for the Eighth Circuit sided with a coalition of six Republican-led states to institute an emergency injunction that blocks this student loan relief through the court system.<sup>7</sup> In their ruling, the three-judge panel argued that the state of Missouri has the necessary standing to bring the lawsuit on behalf of the Missouri Higher Education Loan Authority (MOHELA), a federal loan servicer.<sup>8</sup> The lawsuit claims that the MOHELA would lose revenue as they process direct loans that are eligible for cancellation which in turn would financially harm the state if the loans they service are wiped away.<sup>9</sup> And on November 11, a federal judge in Texas blocked President Biden’s student debt cancellation plan, endangering the possibility of relief for millions of borrowers.<sup>10</sup> Judge Mark Pittman, an appointee of former President Trump and the judge who wrote the opinion in the Texas case, claimed that the cancellation plan was an “unconstitutional exercise of Congress’s legislative power.”<sup>11</sup> On December 19, 2022, the Supreme Court announced that justices would hear oral arguments in both cases challenging the legality of President Biden’s student debt cancellation plan on February 28, 2023.<sup>12</sup>

There is little merit to these cases. The President of the United States has legal jurisdiction to provide student loan relief under the *Higher Education Relief Opportunities for Students (HEROES) Act of 2003*.<sup>13</sup> HEROES lawfully gives the Secretary of Education the ability to relieve student debts for people affected by a national emergency. If not for the courts and Republican efforts, roughly 16 million Americans could have been approved and seen up to \$20,000 in student debt cancelled.<sup>14</sup> Instead, these partisan and legally tenuous attempts to block the President’s authority have left these borrowers in limbo.

Republican officials are standing in the way of hardworking middle- and working-class Americans who are getting crushed by student debt. Right now, over 70 percent of Black undergraduate borrowers who are Pell Grant recipients are not able to get up to \$20,000 of cancellation, almost half of Latino borrowers cannot see their entire student debt balance cancelled, and borrowers who didn’t graduate but earned a certificate – such as dental assistants and welders – cannot receive the relief they need.<sup>15</sup> Without cancellation, millions of Americans’

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monthly costs could rise dramatically once student loan payments resume.<sup>16</sup>

In an effort to fully understand the beneficial impact of student debt cancellation and how attempts to deny relief affect your members, I request that you answer the following questions by January 31, 2023:

1. What would student debt cancellation mean for your members?
  - a) Who stands to benefit the most from cancellation?
2. Does your organization believe that President Biden has the legal authority to cancel student loan debt?
3. How are the legal challenges to President Biden’s student debt cancellation program affecting your members?
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  - b) What would the impact be on your members if a decision to deny student loan relief is upheld?
4. How can the federal government help protect and expand relief to your members who are experiencing financial hardship due to student loan debt?

Sincerely,

  
Elizabeth Warren  
United States Senator

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January 17, 2023

Shakya Cherry-Donaldson  
Executive Director  
1000 Women Strong  
PO Box 5651  
Tallahassee, FL 32314

Dear Ms. Cherry-Donaldson,

I write to seek information about how Republican-led objections and extremist judges' decisions to block President Biden's historic decision to cancel up to \$20,000 in student debt<sup>1</sup> have affected the 43 million borrowers who are due relief. We are specifically seeking information on how the courts' delay of student loan relief has impacted the Alliance for Justice's members, and to learn more about what this relief could mean for them.

On August 24, 2022, the Biden-Harris Administration announced a historic decision to provide student debt relief to borrowers who need it the most.<sup>2</sup> As part of its three-part plan, the administration will (1) cancel up to \$20,000 in debt for as many as 43 million borrowers, "including cancelling the full remaining balance for roughly 20 million borrowers"; (2) reform the student loan system for current and future borrowers by creating a new income-driven repayment (IDR) plan that cuts monthly payments in half for undergraduate loans and improves the Public Service Loan Forgiveness (PSLF) program; and (3) strengthen efforts to hold colleges accountable for price increases.<sup>3</sup> Together, these reforms will significantly ease the burden of student debt on working and middle-class families the most, with nearly 90 percent of the one-time relief dollars going to people making less than \$75,000 per year.<sup>4</sup> On October 17, 2022, the application for student debt cancellation officially became available,<sup>5</sup> and as of November 3, 2022, close to 26 million people have applied for the President's loan cancellation program.<sup>6</sup>

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Sincerely,

  
Elizabeth Warren  
United States Senator

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January 17, 2023

Rakim Brooks  
President  
Alliance for Justice  
11 Dupont Circle NW, Suite 500  
Washington, DC 20036

Dear President Brooks,

I write to seek information about how Republican-led objections and extremist judges' decisions to block President Biden's historic decision to cancel up to \$20,000 in student debt<sup>1</sup> have affected the 43 million borrowers who are due relief. We are specifically seeking information on how the courts' delay of student loan relief has impacted the Alliance for Justice's members, and to learn more about what this relief could mean for them.

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<sup>5</sup> The New York Times, "Biden Opens Applications for Student Debt Cancellation," Stacy Cowley and Alan Rappoport, October 17, 2022, <https://www.nytimes.com/2022/10/17/business/student-loans-cancel-debt-applications.html>.

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But, on November 14, the U.S. Court of Appeals for the Eighth Circuit sided with a coalition of six Republican-led states to institute an emergency injunction that blocks this student loan relief through the court system.<sup>7</sup> In their ruling, the three-judge panel argued that the state of Missouri has the necessary standing to bring the lawsuit on behalf of the Missouri Higher Education Loan Authority (MOHELA), a federal loan servicer.<sup>8</sup> The lawsuit claims that the MOHELA would lose revenue as they process direct loans that are eligible for cancellation which in turn would financially harm the state if the loans they service are wiped away.<sup>9</sup> And on November 11, a federal judge in Texas blocked President Biden’s student debt cancellation plan, endangering the possibility of relief for millions of borrowers.<sup>10</sup> Judge Mark Pittman, an appointee of former President Trump and the judge who wrote the opinion in the Texas case, claimed that the cancellation plan was an “unconstitutional exercise of Congress’s legislative power.”<sup>11</sup> On December 19, 2022, the Supreme Court announced that justices would hear oral arguments in both cases challenging the legality of President Biden’s student debt cancellation plan on February 28, 2023.<sup>12</sup>

There is little merit to these cases. The President of the United States has legal jurisdiction to provide student loan relief under the *Higher Education Relief Opportunities for Students (HEROES) Act of 2003*.<sup>13</sup> HEROES lawfully gives the Secretary of Education the ability to relieve student debts for people affected by a national emergency. If not for the courts and Republican efforts, roughly 16 million Americans could have been approved and seen up to \$20,000 in student debt cancelled.<sup>14</sup> Instead, these partisan and legally tenuous attempts to block the President’s authority have left these borrowers in limbo.

Republican officials are standing in the way of hardworking middle- and working-class Americans who are getting crushed by student debt. Right now, over 70 percent of Black undergraduate borrowers who are Pell Grant recipients are not able to get up to \$20,000 of cancellation, almost half of Latino borrowers cannot see their entire student debt balance cancelled, and borrowers who didn’t graduate but earned a certificate – such as dental assistants and welders – cannot receive the relief they need.<sup>15</sup> Without cancellation, millions of Americans’

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<sup>7</sup> The Washington Post, “Appeals court grants injunction against Biden’s student loan forgiveness,” Danielle Douglas-Gabriel, November 14, 2022, <https://www.washingtonpost.com/education/2022/11/14/appeals-halts-student-loan-forgiveness/>.

<sup>8</sup> *Id.*

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<sup>10</sup> The Wall Street Journal, “Federal Judge in Texas Strikes Down Biden Student-Loan Forgiveness Program,” Gabriel T. Rubin and Andrew Restuccia, November 10, 2022, <https://www.wsj.com/articles/federal-judge-in-texas-strikes-down-biden-student-debt-cancellation-program-11668127159>.

<sup>11</sup> *Id.*

<sup>12</sup> Politico, “Supreme Court sets February date for arguments on Biden's student debt relief,” Michael Stratford, December 19, 2022, <https://www.politico.com/news/2022/12/19/scotus-date-arguments-student-debt-relief-00074552>.

<sup>13</sup> 20 U.S.C. § 1098bb(a)(1), (2)(A); Inside Higher Ed, “Debt Relief Blocked Again,” Katherine Knott, November 14, 2022, <https://www.insidehighered.com/news/2022/11/14/biden-administration-appeals-debt-relief-ruling>.

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<sup>15</sup> The White House, “By The Numbers: Millions of Americans’ Student Loan Costs Will Rise Dramatically Under Republican Officials’ Plans,” press release, November 3, 2022, <https://www.whitehouse.gov/briefing->

monthly costs could rise dramatically once student loan payments resume.<sup>16</sup>

In an effort to fully understand the beneficial impact of student debt cancellation and how attempts to deny relief affect your members, I request that you answer the following questions by January 31, 2023:

1. What would student debt cancellation mean for your members?
  - a) Who stands to benefit the most from cancellation?
2. Does your organization believe that President Biden has the legal authority to cancel student loan debt?
3. How are the legal challenges to President Biden's student debt cancellation program affecting your members?
  - a) Have attempts to deny cancellation affected your members' ability to make financial decisions? If so, please explain.
  - b) What would the impact be on your members if a decision to deny student loan relief is upheld?
4. How can the federal government help protect and expand relief to your members who are experiencing financial hardship due to student loan debt?

Sincerely,



Elizabeth Warren  
United States Senator

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[room/statements-releases/2022/11/03/by-the-numbers-millions-of-americans-student-loan-costs-will-rise-dramatically-under-republican-officials-plans/](#)

<sup>16</sup> Consumer Financial Protection Bureau, "Office of Research blog: Update on student loan borrowers during payment suspension," Thomas Conkling and Christa Gibbs, November 2, 2022, <https://www.consumerfinance.gov/about-us/blog/office-of-research-blog-update-on-student-loan-borrowers-during-payment-suspension/>.

January 17, 2023

Derrick Johnson  
President & CEO  
NAACP  
4805 Mount Hope Drive  
Baltimore, MD 21215

Dear President Johnson,

I write to seek information about how Republican-led objections and extremist judges' decisions to block President Biden's historic decision to cancel up to \$20,000 in student debt<sup>1</sup> have affected the 43 million borrowers who are due relief. We are specifically seeking information on how the courts' delay of student loan relief has impacted the National Association for the Advancement of Colored People's (NAACP) members, and to learn more about what this relief could mean for them.

On August 24, 2022, the Biden-Harris Administration announced a historic decision to provide student debt relief to borrowers who need it the most.<sup>2</sup> As part of its three-part plan, the administration will (1) cancel up to \$20,000 in debt for as many as 43 million borrowers, "including cancelling the full remaining balance for roughly 20 million borrowers"; (2) reform the student loan system for current and future borrowers by creating a new income-driven repayment (IDR) plan that cuts monthly payments in half for undergraduate loans and improves the Public Service Loan Forgiveness (PSLF) program; and (3) strengthen efforts to hold colleges accountable for price increases.<sup>3</sup> Together, these reforms will significantly ease the burden of student debt on working and middle-class families the most, with nearly 90 percent of the one-time relief dollars going to people making less than \$75,000 per year.<sup>4</sup> On October 17, 2022, the application for student debt cancellation officially became available,<sup>5</sup> and as of November 3, 2022, close to 26 million people have applied for the President's loan cancellation program.<sup>6</sup>

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<sup>1</sup> The White House, "Fact Sheet: President Biden Announces Student Loan Relief for Borrowers Who Need It Most," press release, August 24, 2022, [https://www.whitehouse.gov/briefing-room/statements-releases/2022/08/24/fact-sheet-president-biden-announces-student-loan-relief-for-borrowers-who-need-it-most/?utm\\_source=link](https://www.whitehouse.gov/briefing-room/statements-releases/2022/08/24/fact-sheet-president-biden-announces-student-loan-relief-for-borrowers-who-need-it-most/?utm_source=link).

<sup>2</sup> *Id.*

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<sup>5</sup> The New York Times, "Biden Opens Applications for Student Debt Cancellation," Stacy Cowley and Alan Rappoport, October 17, 2022, <https://www.nytimes.com/2022/10/17/business/student-loans-cancel-debt-applications.html>.

<sup>6</sup> The White House, "By The Numbers: Millions of Americans' Student Loan Costs Will Rise Dramatically Under Republican Officials' Plans," press release, November 3, 2022, <https://www.whitehouse.gov/briefing->

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There is little merit to these cases. The President of the United States has legal jurisdiction to provide student loan relief under the *Higher Education Relief Opportunities for Students (HEROES) Act of 2003*.<sup>13</sup> HEROES lawfully gives the Secretary of Education the ability to relieve student debts for people affected by a national emergency. If not for the courts and Republican efforts, roughly 16 million Americans could have been approved and seen up to \$20,000 in student debt cancelled.<sup>14</sup> Instead, these partisan and legally tenuous attempts to block the President’s authority have left these borrowers in limbo.

Republican officials are standing in the way of hardworking middle- and working-class Americans who are getting crushed by student debt. Right now, over 70 percent of Black undergraduate borrowers who are Pell Grant recipients are not able to get up to \$20,000 of cancellation, almost half of Latino borrowers cannot see their entire student debt balance cancelled, and borrowers who didn’t graduate but earned a certificate – such as dental assistants

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<sup>8</sup> *Id.*

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<sup>13</sup> 20 U.S.C. § 1098bb(a)(1), (2)(A); Inside Higher Ed, “Debt Relief Blocked Again,” Katherine Knott, November 14, 2022, <https://www.insidehighered.com/news/2022/11/14/biden-administration-appeals-debt-relief-ruling>.


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and welders – cannot receive the relief they need.<sup>15</sup> Without cancellation, millions of Americans’ monthly costs could rise dramatically once student loan payments resume.<sup>16</sup>

In an effort to fully understand the beneficial impact of student debt cancellation and how attempts to deny relief affect your members, I request that you answer the following questions by January 31, 2023:

1. What would student debt cancellation mean for your members?
  - a) Who stands to benefit the most from cancellation?
2. Does your organization believe that President Biden has the legal authority to cancel student loan debt?
3. How are the legal challenges to President Biden’s student debt cancellation program affecting your members?
  - a) Have attempts to deny cancellation affected your members’ ability to make financial decisions? If so, please explain.
  - b) What would the impact be on your members if a decision to deny student loan relief is upheld?
4. How can the federal government help protect and expand relief to your members who are experiencing financial hardship due to student loan debt?

Sincerely,



Elizabeth Warren  
United States Senator

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<sup>15</sup> The White House, “By The Numbers: Millions of Americans’ Student Loan Costs Will Rise Dramatically Under Republican Officials’ Plans,” press release, November 3, 2022, <https://www.whitehouse.gov/briefing-room/statements-releases/2022/11/03/by-the-numbers-millions-of-americans-student-loan-costs-will-rise-dramatically-under-republican-officials-plans/>.

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January 17, 2023

Lezli Baskerville  
President & CEO  
National Association for Equal Opportunity in Higher Education  
600 Maryland Avenue S.W.  
Suite 800E Washington, D.C. 20024

Dear President Baskerville,

I write to seek information about how Republican-led objections and extremist judges' decisions to block President Biden's historic decision to cancel up to \$20,000 in student debt<sup>1</sup> have affected the 43 million borrowers who are due relief. We are specifically seeking information on how the courts' delay of student loan relief has impacted the National Association for Equal Opportunity in Higher Education's (NAFEO) members, and to learn more about what this relief could mean for them.

On August 24, 2022, the Biden-Harris Administration announced a historic decision to provide student debt relief to borrowers who need it the most.<sup>2</sup> As part of its three-part plan, the administration will (1) cancel up to \$20,000 in debt for as many as 43 million borrowers, "including cancelling the full remaining balance for roughly 20 million borrowers"; (2) reform the student loan system for current and future borrowers by creating a new income-driven repayment (IDR) plan that cuts monthly payments in half for undergraduate loans and improves the Public Service Loan Forgiveness (PSLF) program; and (3) strengthen efforts to hold colleges accountable for price increases.<sup>3</sup> Together, these reforms will significantly ease the burden of student debt on working and middle-class families the most, with nearly 90 percent of the one-time relief dollars going to people making less than \$75,000 per year.<sup>4</sup> On October 17, 2022, the application for student debt cancellation officially became available,<sup>5</sup> and as of November 3, 2022, close to 26 million people have applied for the President's loan cancellation program.<sup>6</sup>

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<sup>1</sup> The White House, "Fact Sheet: President Biden Announces Student Loan Relief for Borrowers Who Need It Most," press release, August 24, 2022, [https://www.whitehouse.gov/briefing-room/statements-releases/2022/08/24/fact-sheet-president-biden-announces-student-loan-relief-for-borrowers-who-need-it-most/?utm\\_source=link](https://www.whitehouse.gov/briefing-room/statements-releases/2022/08/24/fact-sheet-president-biden-announces-student-loan-relief-for-borrowers-who-need-it-most/?utm_source=link).

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There is little merit to these cases. The President of the United States has legal jurisdiction to provide student loan relief under the *Higher Education Relief Opportunities for Students (HEROES) Act of 2003*.<sup>13</sup> HEROES lawfully gives the Secretary of Education the ability to relieve student debts for people affected by a national emergency. If not for the courts and Republican efforts, roughly 16 million Americans could have been approved and seen up to \$20,000 in student debt cancelled.<sup>14</sup> Instead, these partisan and legally tenuous attempts to block the President’s authority have left these borrowers in limbo.

Republican officials are standing in the way of hardworking middle- and working-class Americans who are getting crushed by student debt. Right now, over 70 percent of Black undergraduate borrowers who are Pell Grant recipients are not able to get up to \$20,000 of cancellation, almost half of Latino borrowers cannot see their entire student debt balance cancelled, and borrowers who didn’t graduate but earned a certificate – such as dental assistants

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<sup>13</sup> 20 U.S.C. § 1098bb(a)(1), (2)(A); Inside Higher Ed, “Debt Relief Blocked Again,” Katherine Knott, November 14, 2022, <https://www.insidehighered.com/news/2022/11/14/biden-administration-appeals-debt-relief-ruling>.


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and welders – cannot receive the relief they need.<sup>15</sup> Without cancellation, millions of Americans’ monthly costs could rise dramatically once student loan payments resume.<sup>16</sup>

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3. How are the legal challenges to President Biden’s student debt cancellation program affecting your members?
  - a) Have attempts to deny cancellation affected your members’ ability to make financial decisions? If so, please explain.
  - b) What would the impact be on your members if a decision to deny student loan relief is upheld?
4. How can the federal government help protect and expand relief to your members who are experiencing financial hardship due to student loan debt?

Sincerely,



Elizabeth Warren  
United States Senator

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January 17, 2023

Richard Dubois  
Executive Director  
National Consumer Law Center  
7 Winthrop Square  
Boston, MA 02110-1245

Dear Mr. Dubois,

I write to seek information about how Republican-led objections and extremist judges' decisions to block President Biden's historic decision to cancel up to \$20,000 in student debt<sup>1</sup> have affected the 43 million borrowers who are due relief. We are specifically seeking information on how the courts' delay of student loan relief has impacted National Consumer Law Center's (NCLC) members, and to learn more about what this relief could mean for them.

On August 24, 2022, the Biden-Harris Administration announced a historic decision to provide student debt relief to borrowers who need it the most.<sup>2</sup> As part of its three-part plan, the administration will (1) cancel up to \$20,000 in debt for as many as 43 million borrowers, "including cancelling the full remaining balance for roughly 20 million borrowers"; (2) reform the student loan system for current and future borrowers by creating a new income-driven repayment (IDR) plan that cuts monthly payments in half for undergraduate loans and improves the Public Service Loan Forgiveness (PSLF) program; and (3) strengthen efforts to hold colleges accountable for price increases.<sup>3</sup> Together, these reforms will significantly ease the burden of student debt on working and middle-class families the most, with nearly 90 percent of the one-time relief dollars going to people making less than \$75,000 per year.<sup>4</sup> On October 17, 2022, the application for student debt cancellation officially became available,<sup>5</sup> and as of November 3, 2022, close to 26 million people have applied for the President's loan cancellation program.<sup>6</sup>

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<sup>8</sup> *Id.*

<sup>9</sup> *Id.*

<sup>10</sup> The Wall Street Journal, “Federal Judge in Texas Strikes Down Biden Student-Loan Forgiveness Program,” Gabriel T. Rubin and Andrew Restuccia, November 10, 2022, <https://www.wsj.com/articles/federal-judge-in-texas-strikes-down-biden-student-debt-cancellation-program-11668127159>.

<sup>11</sup> *Id.*

<sup>12</sup> Politico, “Supreme Court sets February date for arguments on Biden's student debt relief,” Michael Stratford, December 19, 2022, <https://www.politico.com/news/2022/12/19/scotus-date-arguments-student-debt-relief-00074552>.

<sup>13</sup> 20 U.S.C. § 1098bb(a)(1), (2)(A); Inside Higher Ed, “Debt Relief Blocked Again,” Katherine Knott, November 14, 2022, <https://www.insidehighered.com/news/2022/11/14/biden-administration-appeals-debt-relief-ruling>.

<sup>14</sup> Inside Higher Ed, “Debt Relief Blocked Again,” Katherine Knott, November 14, 2022, <https://www.insidehighered.com/news/2022/11/14/biden-administration-appeals-debt-relief-ruling>.


<sup>15</sup> The White House, “By The Numbers: Millions of Americans’ Student Loan Costs Will Rise Dramatically Under Republican Officials’ Plans,” press release, November 3, 2022, <https://www.whitehouse.gov/briefing->

monthly costs could rise dramatically once student loan payments resume.<sup>16</sup>

In an effort to fully understand the beneficial impact of student debt cancellation and how attempts to deny relief affect your members, I request that you answer the following questions by January 31, 2023:

1. What would student debt cancellation mean for your members?
  - a) Who stands to benefit the most from cancellation?
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3. How are the legal challenges to President Biden's student debt cancellation program affecting your members?
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  - b) What would the impact be on your members if a decision to deny student loan relief is upheld?
4. How can the federal government help protect and expand relief to your members who are experiencing financial hardship due to student loan debt?

Sincerely,



Elizabeth Warren  
United States Senator

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[room/statements-releases/2022/11/03/by-the-numbers-millions-of-americans-student-loan-costs-will-rise-dramatically-under-republican-officials-plans/](https://www.consumerfinance.gov/about-us/blog/office-of-research-blog-update-on-student-loan-borrowers-during-payment-suspension/).

<sup>16</sup> Consumer Financial Protection Bureau, "Office of Research blog: Update on student loan borrowers during payment suspension," Thomas Conkling and Christa Gibbs, November 2, 2022, <https://www.consumerfinance.gov/about-us/blog/office-of-research-blog-update-on-student-loan-borrowers-during-payment-suspension/>.

January 17, 2023

Rebecca Pringle  
President  
National Education Association  
1201 16th Street, NW  
Washington, DC 20036

Dear President Pringle,

I write to seek information about how Republican-led objections and extremist judges' decisions to block President Biden's historic decision to cancel up to \$20,000 in student debt<sup>1</sup> have affected the 43 million borrowers who are due relief. We are specifically seeking information on how the courts' delay of student loan relief has impacted the National Education Association's (NEA) members, and to learn more about what this relief could mean for them.

On August 24, 2022, the Biden-Harris Administration announced a historic decision to provide student debt relief to borrowers who need it the most.<sup>2</sup> As part of its three-part plan, the administration will (1) cancel up to \$20,000 in debt for as many as 43 million borrowers, "including cancelling the full remaining balance for roughly 20 million borrowers"; (2) reform the student loan system for current and future borrowers by creating a new income-driven repayment (IDR) plan that cuts monthly payments in half for undergraduate loans and improves the Public Service Loan Forgiveness (PSLF) program; and (3) strengthen efforts to hold colleges accountable for price increases.<sup>3</sup> Together, these reforms will significantly ease the burden of student debt on working and middle-class families the most, with nearly 90 percent of the one-time relief dollars going to people making less than \$75,000 per year.<sup>4</sup> On October 17, 2022, the application for student debt cancellation officially became available,<sup>5</sup> and as of November 3, 2022, close to 26 million people have applied for the President's loan cancellation program.<sup>6</sup>

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<sup>1</sup> The White House, "Fact Sheet: President Biden Announces Student Loan Relief for Borrowers Who Need It Most," press release, August 24, 2022, [https://www.whitehouse.gov/briefing-room/statements-releases/2022/08/24/fact-sheet-president-biden-announces-student-loan-relief-for-borrowers-who-need-it-most/?utm\\_source=link](https://www.whitehouse.gov/briefing-room/statements-releases/2022/08/24/fact-sheet-president-biden-announces-student-loan-relief-for-borrowers-who-need-it-most/?utm_source=link).

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*

<sup>4</sup> U.S. Department of Education, "U.S. Department of Education Estimate: Biden-Harris Student Debt Relief to Cost an Average of \$30 Billion Annually Over Next Decade," press release, September 29, 2022, <https://www.ed.gov/news/press-releases/us-department-education-estimate-biden-harris-student-debt-relief-cost-average-30-billion-annually-over-next-decade>.

<sup>5</sup> The New York Times, "Biden Opens Applications for Student Debt Cancellation," Stacy Cowley and Alan Rappaport, October 17, 2022, <https://www.nytimes.com/2022/10/17/business/student-loans-cancel-debt-applications.html>.

<sup>6</sup> The White House, "By The Numbers: Millions of Americans' Student Loan Costs Will Rise Dramatically Under Republican Officials' Plans," press release, November 3, 2022, <https://www.whitehouse.gov/briefing-room/statements-releases/2022/11/03/by-the-numbers-millions-of-americans-student-loan-costs-will-rise-dramatically-under-republican-officials-plans/>.

But, on November 14, the U.S. Court of Appeals for the Eighth Circuit sided with a coalition of six Republican-led states to institute an emergency injunction that blocks this student loan relief through the court system.<sup>7</sup> In their ruling, the three-judge panel argued that the state of Missouri has the necessary standing to bring the lawsuit on behalf of the Missouri Higher Education Loan Authority (MOHELA), a federal loan servicer.<sup>8</sup> The lawsuit claims that the MOHELA would lose revenue as they process direct loans that are eligible for cancellation which in turn would financially harm the state if the loans they service are wiped away.<sup>9</sup> And on November 11, a federal judge in Texas blocked President Biden’s student debt cancellation plan, endangering the possibility of relief for millions of borrowers.<sup>10</sup> Judge Mark Pittman, an appointee of former President Trump and the judge who wrote the opinion in the Texas case, claimed that the cancellation plan was an “unconstitutional exercise of Congress’s legislative power.”<sup>11</sup> On December 19, 2022, the Supreme Court announced that justices would hear oral arguments in both cases challenging the legality of President Biden’s student debt cancellation plan on February 28, 2023.<sup>12</sup>

There is little merit to these cases. The President of the United States has legal jurisdiction to provide student loan relief under the *Higher Education Relief Opportunities for Students (HEROES) Act of 2003*.<sup>13</sup> HEROES lawfully gives the Secretary of Education the ability to relieve student debts for people affected by a national emergency. If not for the courts and Republican efforts, roughly 16 million Americans could have been approved and seen up to \$20,000 in student debt cancelled.<sup>14</sup> Instead, these partisan and legally tenuous attempts to block the President’s authority have left these borrowers in limbo.

Republican officials are standing in the way of hardworking middle- and working-class Americans who are getting crushed by student debt. Right now, over 70 percent of Black undergraduate borrowers who are Pell Grant recipients are not able to get up to \$20,000 of cancellation, almost half of Latino borrowers cannot see their entire student debt balance cancelled, and borrowers who didn’t graduate but earned a certificate – such as dental assistants and welders – cannot receive the relief they need.<sup>15</sup> Without cancellation, millions of Americans’

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<sup>7</sup> The Washington Post, “Appeals court grants injunction against Biden’s student loan forgiveness,” Danielle Douglas-Gabriel, November 14, 2022, <https://www.washingtonpost.com/education/2022/11/14/appeals-halts-student-loan-forgiveness/>.

<sup>8</sup> *Id.*

<sup>9</sup> *Id.*

<sup>10</sup> The Wall Street Journal, “Federal Judge in Texas Strikes Down Biden Student-Loan Forgiveness Program,” Gabriel T. Rubin and Andrew Restuccia, November 10, 2022, <https://www.wsj.com/articles/federal-judge-in-texas-strikes-down-biden-student-debt-cancellation-program-11668127159>.

<sup>11</sup> *Id.*

<sup>12</sup> Politico, “Supreme Court sets February date for arguments on Biden's student debt relief,” Michael Stratford, December 19, 2022, <https://www.politico.com/news/2022/12/19/scotus-date-arguments-student-debt-relief-00074552>.

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