August 23, 2023

President Joseph R. Biden
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear President Biden:

We are extremely disappointed and concerned that the Supreme Court substituted politics for the rule of law to deny as many as 43 million hard working Americans life-changing relief from crushing student loan debt. In the wake of this outrageous decision, we appreciate your announcement initiating a rulemaking under the Higher Education Act of 1965 to deliver on debt relief and write to urge you to swiftly carry out your commitment to working and middle class families, and cancel student debt by early 2024.

Last year, you made the historic decision to cancel up to $20,000 in student debt for working Americans. Your plan would have provided targeted relief to families across the country, with nearly 90 percent of relief dollars going to borrowers earning less than $75,000 a year. An estimated 20 million people would have seen their student debt balances eliminated entirely, including nearly half of all Latino borrowers and one out of four Black borrowers.

5 Id.
Providing student debt relief would not only provide breathing room for families still recovering from the COVID-19 pandemic, it would allow families to start a business, buy a home, or save for retirement.

We are facing a student loan crisis that impacts generations of borrowers who collectively hold more than $1.6 trillion in student loan debt. The burden of student debt is ever-present among vulnerable communities. Nearly one-third of Americans who hold student debt have no degree or credential. Roughly 16 percent of borrowers – including almost one-third of senior citizens holding student debt – are in default, with disastrous consequences for their credit and financial health, including the garnishment of wages and government benefits. In fact, nearly three million people over the age of 62 owed more than $110 billion in federal student loans, putting seniors at risk of having their Social Security benefits garnished. More than a third of borrowers eligible for student debt cancellation under your plan are age 40 or older.

In your August 2022 announcement to provide student debt relief, you recognized the role that providing relief would have had in narrowing the racial wealth gap. If enacted, it was estimated that almost half of Latino borrowers would have had their entire debt balance forgiven. In addition, Black families are more likely to borrow to go to school, take on higher

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16 Id.
levels of debt, and disproportionately struggle with repayment compared to their white peers. Further, Black and Latino borrowers are also more likely than their white peers to default on their loans.

We recognize that the Fiscal Responsibility Act of 2023 codifies the termination of the suspension on loan payments, interest, and collections related to the COVID-19 pandemic on August 30, 2023. Accordingly, after more than three and a half years, the interest on student loans will resume on September 1, 2023 and payments will restart by October. Recent findings from the Consumer Financial Protection Bureau, however, indicate that one in five borrowers are at risk of facing difficulties when payments resume. While we understand your administration’s efforts in providing a 12-month “on-ramp” starting on October 1, 2023 to protect borrowers during the transition to repayment, we remain gravely concerned about the Department of Education’s projections that without additional relief, student debt delinquencies and defaults will spike once repayment resumes. The Department of Education should work to ensure that implementation of the final rule to provide debt relief does not happen after the 12-month on ramp ends in effort to further reduce the risk of delinquency and default.

You have always stood by working and middle class families. Since the beginning of your administration, you’ve demonstrated this commitment through the $116.6 billion in student loans you have forgiven for more than 3.4 million borrowers. Although the Supreme Court has chosen to stand in the way of your initial student debt relief plan, we recognize that as President of the United States, you have additional tools to provide relief. Working and middle class


families need this relief to come as soon as possible. We urge you to continually find ways to use
your authority to bring down student debt, address the rising cost of college, and make
postsecondary education affordable for all students who choose that path. Borrowers have
already waited nearly a year for the relief you announced in August 2022,\(^\text{27}\) and critics of your
plan to help 43 million Americans are likely to renew their attacks with regard to your
rulemaking announcement. We urge you to reject their bad-faith, partisan attempts to delay relief
and carry out your efforts to help borrowers as quickly as possible.

Sincerely,

Elizabeth Warren
United States Senator

Charles E. Schumer
United States Senator

Alex Padilla
United States Senator

Raphael Warnock
United States Senator

Ayanna Pressley
Member of Congress

Ilhan Omar
Member of Congress

\(^{27}\) 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/
James E. Clyburn
Member of Congress

Frederica S. Wilson
Member of Congress
Ranking Member,
Subcommittee on Higher Education and Workforce Development

Eleanor Holmes Norton
Member of Congress

Katie Porter
Member of Congress

Veronica Escobar
Member of Congress

James P. McGovern
Member of Congress

John B. Larson
Member of Congress

Jan Schakowsky
Member of Congress

Mazie K. Hirono
United States Senator

Jasmine Crockett
Member of Congress
Henry C. "Hank" Johnson, Jr.  
Member of Congress

MARK TAKANO  
Member of Congress

André Carson  
Member of Congress

Nikema Williams  
Member of Congress

Robert Menendez  
United States Senator

Edward J. Markey  
United States Senator

Glenn Ivey  
Member of Congress

Dwight Evans  
Member of Congress

Ro Khanna  
Member of Congress

Kathy Castor  
Member of Congress
Pramila Jayapal  
Member of Congress

Bernard Sanders  
United States Senator

Yvette D. Clarke  
Member of Congress

Nydia M. Velázquez  
Member of Congress

Jill Tokuda  
Member of Congress

Barbara Lee  
Member of Congress

Dan Goldman  
Member of Congress

Ron Wyden  
United States Senator

Delia C. Ramirez  
Member of Congress

Richard Blumenthal  
United States Senator
Jimmy Gomez
Member of Congress

Jeffrey A. Merkley
United States Senator

Jesús G. "Chuy" García
Member of Congress

Mark Pocan
Member of Congress

Cory A. Booker
United States Senator

Bennie G. Thompson
Member of Congress

Nanette Diaz Barragán
Member of Congress

Salud Carbajal
Member of Congress

Alexandria Ocasio-Cortez
Member of Congress

Grace F. Napolitano
Member of Congress
Sheldon Whitehouse
United States Senator

Alma S. Adams, Ph.D.
Member of Congress

Madeleine Dean
Member of Congress

Adam B. Schiff
Member of Congress

David J. Trone
Member of Congress

Maxwell Alejandro Frost
Member of Congress

Ted W. Lieu
Member of Congress

Tony Cárdenes
Member of Congress

Jamaal Bowman, Ed.D.
Member of Congress

Tammy Duckworth
United States Senator
Cori Bush
Member of Congress

Robert Garcia
Member of Congress

Jonathan L. Jackson
Member of Congress

John Fetterman
United States Senator

Greg Casar
Member of Congress

Patty Murray
United States Senator

Peter Welch
United States Senator

Troy Carter
Member of Congress

Becca Balint
Member of Congress

Jerrold Nadler
Member of Congress