

August 18, 2025

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

Dear Secretary McMahon:

We write to express our strong opposition to the Department of Education's ("the department") recent action to suspend forgiveness under the Income-Based Repayment (IBR) Program¹ and to demand information on behalf of the millions of student loan borrowers² who have been stripped of their ability to access forgiveness for which they are entitled to under law.³ At a time when Americans across the country are struggling to meet the costs of health care, food, housing, child care and other basic needs, it is unacceptable for the Trump administration to take any action that delays or denies legally mandated debt relief to borrowers that have been in repayment for over two decades or more.

On July 22nd it was reported that the department had quietly made the decision to suspend IBR forgiveness. This decision was made without first notifying Congress or borrowers that the department would pause forgiveness under the program. This is particularly alarming for several reasons. First, during a briefing with committee staff on Thursday, July 17th, just a few days prior to public reporting of the pause, the department claimed that it was still discharging loans under IBR and actively processing forgiveness. This information was provided in response to a direct question regarding the status of forgiveness under the IBR program. However, it is unclear how that information could be accurate given that just a few days later, it was publicly reported that the department had paused forgiveness earlier in July — several days prior to the briefing provided to Congress. Second, in response to public reporting on the pause, the department stated that the pause was due to the court injunction against the SAVE regulation. However, that injunction has been in place for several months, so it is not clear why the department has suddenly — months after the injunction went into place — decided to pause forgiveness that is clearly required by law and not the subject of ongoing litigation.

The department has also provided no timeline for when it will resume forgiveness under IBR, which is alarming considering many borrowers have already been waiting months for relief. Further, the department has stated that borrowers who have reached the required 20 or 25 years of repayment under IBR can just keep paying on their student loans during the forgiveness pause and receive a refund once forgiveness resumes and is processed. However, borrowers who have been repaying for decades should not be expected to continue paying beyond the 20- or 25-year timeframe required in law, and the department has provided no assurance that refund payments

¹ https://www.washingtonpost.com/education/2025/07/22/trump-administration-student-loan-forgiveness-pause-ibr-plan/?utm_campaign=wp_main&utm_source=threads,twitter&utm_medium=social

² <https://studentaid.gov/data-center/student/portfolio>

³ <https://www.law.cornell.edu/uscode/text/20/1098e>

will be made quickly or in a timely manner. The department should not require borrowers who have fulfilled their legal repayment obligations to continue paying with no guarantee or timeline for relief.

Lastly, borrowers are currently allowed to exempt any forgiven student loan amounts from their federal taxes. However, that tax exemption expires at the end of this calendar year.⁴ The department already has a significant processing backlog for income-driven repayment plans and forgiveness programs,⁵ and that backlog will continue to grow as long as the department has this pause in place. Unless the department acts quickly to ensure that all borrowers entitled to forgiveness under IBR receive that forgiveness as soon as possible, borrowers who should receive forgiveness before the tax exemption expires could face significant tax bills on debt relief that should have been granted to them without penalty.

Given the confusion and lack of clarity surrounding the IBR forgiveness pause, we request you provide written answers to the following questions as soon as possible, but not later than August 30, 2025:

1. When did the department temporarily pause IBR discharges, and why were staff from the relevant authorizing and appropriating committees told that discharges were still ongoing on 7/17? The public reporting on the pause states that guidance on studentaid.gov was updated in early July. If that is the case, then why was the status of IBR forgiveness misrepresented to Congress on 7/17?
2. Does the department have a timeline for when discharges will resume? If not, when will a timeline be made available to Congress and borrowers?
3. The department has stated they need to recalculate what payments qualify for IBR forgiveness. Will the IBR recalculations be completed within 30 days? If not, why?
4. Given that the SAVE injunction has been in place for months, what justification can the department provide for delaying or failing to provide statutorily required forgiveness?
5. For borrowers that have spent all 20 or 25 years enrolled in the income-based repayment program, why can't those borrowers be processed for forgiveness immediately?
6. For borrowers that have fulfilled their 20- or 25-year repayment obligation under IBR, can they request a forbearance until their discharge is processed?
7. Before the pause was implemented, how many borrowers had reached 20 or 25 years of repayment? How many borrowers are currently enrolled in IBR? How many borrowers

⁴ <https://www.newamerica.org/education-policy/edcentral/the-gops-student-loan-forgiveness-trap-leaving-with-a-surprise-tax-bill/>

⁵ <https://www.forbes.com/sites/adamminsky/2025/07/16/new-update-on-student-loan-repayment-backlog-and-pslf-buyback-raises-alarms/>

will reach 20- or 25-years of repayment by August 1?

8. In order to mitigate the harm to borrowers that have spent decades in repayment, does the department plan to establish a process through which borrowers in IBR can “buy back” months that the department now alleges does not qualify toward forgiveness?
9. What has been communicated to servicers regarding IBR and what resources will be made available to borrowers to ensure they have the most up-to-date and accurate information?
10. After the department completes its process to recalculate eligibility for IBR discharges, will borrowers who have reached the qualifying time toward forgiveness be notified immediately? For those borrowers that believe they have made the qualifying payments, will there be a process to appeal the department’s payment count if the borrower has records showing they made a qualifying payment during a month in which the department has inaccurately deemed a payment does not qualify?
11. Once the department has completed its process to recalculate eligibility for IBR forgiveness, will those recalculations be made available to borrowers so that borrowers know precisely which months or periods in repayment do not count toward forgiveness? If not, what justification does the department have to withhold those records from borrowers?

Thank you for your attention to this urgent matter. We look forward to your prompt response.

Sincerely,



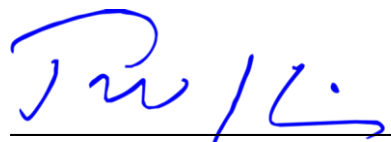
Bernard Sanders
United States Senator
Ranking Member, Committee
on Health, Education, Labor,
and Pensions



Mazie K. Hirono
United States Senator



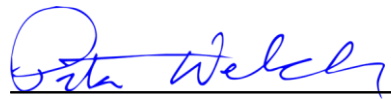
Elizabeth Warren
United States Senator



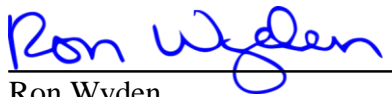
Tim Kaine
United States Senator



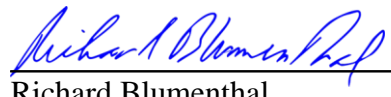
Jeffrey A. Merkley
United States Senator



Peter Welch
United States Senator



Ron Wyden
United States Senator



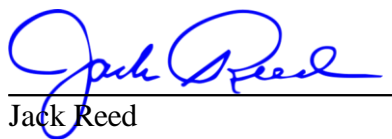
Richard Blumenthal
United States Senator



Alex Padilla
United States Senator



Kirsten Gillibrand
United States Senator



Jack Reed
United States Senator