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**ATTORNEY GENERAL JOINS U.S. SUPREME COURT BRIEF IN SUPPORT OF THE
BIDEN ADMINISTRATION'S STUDENT DEBT CANCELLATION PLAN**

FOR IMMEDIATE RELEASE

January 11, 2023

HONOLULU, HI – Hawai'i Attorney General Anne Lopez has joined a coalition of 22 attorneys general in filing an amicus brief in support of the federal government in two cases before the U.S. Supreme Court, concerning the Biden Administration's targeted cancellation of student loan debt to address the continuing effects of the COVID-19 pandemic.

The amicus brief, filed today in the cases *Biden v. Nebraska* and *Department of Education v. Brown*, argues that U.S. Secretary of Education Miguel Cardona has the authority under the HEROES Act to provide limited debt cancellation to prevent student loan borrowers from experiencing grave financial hardship as a result of the COVID-19 pandemic. Last year, the Secretary announced plans to grant \$10,000 in debt relief for borrowers under certain income thresholds, and \$20,000 in debt relief to borrowers who met those income thresholds and also received a Pell Grant in college. This debt relief seeks to ensure that borrowers affected by the pandemic do not face catastrophic defaults at the conclusion of a nearly three-year pause in loan repayment obligations.

The debt cancellation plan was challenged in September and November 2022 in *Biden v. Nebraska* and *Department of Education v. Brown*, respectively. The federal government is now asking the Supreme Court to lift injunctions of the plan granted by the lower courts, that blocked the Secretary from granting this debt cancellation relief during the pendency of the legal challenges and to uphold the Secretary's action.

Solicitor General of the State of Hawai'i Kimberly Guidry, the State's top appellate attorney, states:

“Secretary Cardona’s targeted exercise of his statutory authority to prevent student loan defaults related to the Covid-19 pandemic will provide critical relief to borrowers and economic benefit to Hawai‘i and other States.”

The coalition argues in the brief that targeted debt cancellation is an appropriate and necessary use of the Secretary of Education’s authority under the HEROES Act. The brief emphasizes the ongoing financial harm that the pandemic has caused student borrowers, and the evidence that a spike in pandemic-related defaults is likely to occur upon lifting of the current student loan repayment pause. The brief describes the catastrophic financial impacts such pandemic-related defaults would have on borrowers and how those impacts would also harm state economies. The coalition argues that the federal government appropriately granted relief that was targeted to prevent these outcomes and that the Secretary acted well within his authority under the HEROES Act in using debt cancellation as a tool for responding to pandemic-related harms.

The brief also argues that states have an interest in ensuring the well-being of their residents, explaining that state economies benefit when residents are protected from suffering preventable harms stemming from student loan defaults that could imperil their job prospects, housing security, and access to some federal benefits.

Joining Attorney General Lopez in this brief, which was led by Massachusetts’ Acting Attorney General Bessie Dewar, are the attorneys general of California, Colorado, Connecticut, Delaware, the District of Columbia, Illinois, Maryland, Michigan, Minnesota, Nevada, New Jersey, New Mexico, New York, North Carolina, Oregon, Pennsylvania, Rhode Island, Vermont, Washington, and Wisconsin.

To find a copy of the brief in full, please click [here](#).

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