

United States Senate

WASHINGTON, DC 20510

March 4, 2026

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

Dear Secretary McMahon:

We send this urgent letter in response to last Friday's decision by a federal judge to dismiss *Missouri v. Trump* and reject the Trump Administration's request to vacate the Saving on A Valuable Education (SAVE) rule. This decision formally ends the SAVE injunction that has forced over 7 million SAVE borrowers into economic limbo—pushing meaningful debt relief and affordable monthly payments out of reach. Considering the ongoing affordability crisis, we call on the Department of Education (the Department) to implement the benefits of the SAVE plan and administer loan cancellation for borrowers on the SAVE Plan who are eligible for such relief immediately.

First announced in July 2023 as the most affordable income-driven repayment (IDR) plan to date, the SAVE Plan seeks to better protect borrowers from unaffordable payments and runaway balances due to rapidly accruing interest and offers a clearer path to debt relief. According to Protect Borrowers, of the more than 8 million borrowers who enrolled in the SAVE plan, 4.6 million individuals had their monthly payments lowered to \$0 and nearly half a million borrowers would have been provided with immediate debt relief, had the plan been allowed to take full effect.¹

Unfortunately, due to court challenges brought by right-wing Attorneys General, the SAVE plan has been enjoined since the summer of 2024 and SAVE borrowers have been stuck in forbearance for over one year. Congressional Republicans also took aim at the SAVE plan in the One Big Beautiful Bill Act (OBBBA), which requires the SAVE Plan and other IDR plans to be eliminated by July 2028.

Making matters even worse for borrowers, in December 2025, the Trump Administration voluntarily entered into a settlement agreement, which would have formally ended the SAVE plan two years earlier than what is required under the OBBBA. The proposed settlement agreement would have required 7 million borrowers to be moved out of the SAVE plan earlier than the law would have required and forced those borrowers into less affordable repayment plans. This would occur while an increasing number of borrowers struggle to afford their

¹ *Billionaire Education Secretary and Right-Wing AG Abandon Borrowers in Backroom Deal on SAVE Lawsuit, Protect Borrowers* (Dec. 9, 2025), <https://protectborrowers.org/billionaire-ed-sec-and-right-wing-ag-abandonborrowers-in-backroom-deal-on-save/>.

monthly payments, defaults are on the rise,² and the Department works to implement unprecedented changes to the student loan repayment system as required under the OBBBA.

Now that the injunction blocking SAVE has ended, the Department must ensure borrowers have access to the benefits they are entitled to under the law. We respectfully request responses to the following questions by Monday, March 9, 2026:

1. What are the Department's plans to implement the SAVE plan in light of the end of the SAVE injunction?
 - a. When will borrowers be able to apply to and be enrolled in the SAVE plan?
 - b. When will borrowers with pending SAVE plan applications be enrolled?
 - c. When will SAVE-enrolled borrowers who are currently in the SAVE litigation forbearance be placed back in active repayment?
 - d. Will time spent in the litigation forbearance count toward forgiveness?
2. How will the Department ensure that SAVE borrowers already eligible for cancellation under the SAVE plan have access to such relief?
 - a. How many borrowers are currently entitled to SAVE cancellation as of Friday, February 27, 2026?
 - b. Are the Department's systems currently programmed to identify borrowers who qualify for the SAVE plan's debt cancellation provisions for:
 - i. borrowers with lower original principal balances, per 34 C.F.R. 685.209(k)(3)?
 - ii. borrowers who have been in debt and making qualified income-driven payments for 20 years or longer, per 34 C.F.R. 685.209(k)(2)?

Sincerely,



Jeffrey A. Merkley
United States Senator



Bernard Sanders
United States Senator

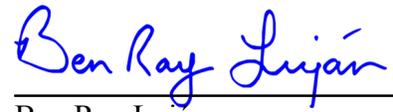
² NEW STUDY: Student Loan Delinquency Spikes to Record 25% Under Trump, Destroying Credit Scores and Locking Millions Out of Economy, Protect Borrowers (Feb. 20, 2026), <https://protectborrowers.org/release-student-loan-delinquency-spikes-to-record-25-percent-under-trump-destroying-credit-scores-and-locking-millions-out-of-economy/>.

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