Congress of the United States
Washington, DC 20515

August 26, 2022

The Honorable Nancy Pelosi
Speaker of the House
U.S. House of Representatives
H-232, The U.S. Capitol
Washington, DC 20515

Dear Speaker Pelosi,

We write to you concerned with the massive executive overreach by President Joseph R. Biden to illegally cancel federal student loan debt.

On Wednesday, August 24, President Biden announced that he would cancel $10,000 in federal student debt for individual Americans earning $125,000 or less per year or married couples making less than $250,000 a year. In addition, those who receive federal Pell Grants and make less than $125,000 a year would be eligible for total forgiveness of $20,000. Unfortunately, this policy will cost us over $300 billion and establishes a terrible precedent that will drive up the cost of higher education, exacerbating the very problem President Biden pretends to address.

Noticeably absent from the President's plan is any plausible legal authority to implement such a policy. The legislative and executive branches each possess defined powers under the Constitution. No provision of the Constitution nor any act of Congress, including the Higher Education Act, grants President Biden or the Secretary of Education the authority that they falsely claim to wield through this unilateral action. Thankfully, you have previously expressed your agreement with us on this point. In July 2021, you made the following statement:

> "People think that the President of the United States has the power for debt forgiveness. *He does not.* He can postpone, he can delay, but he does not have that power. That has to be an act of Congress."

Although we may disagree on many things, your statement in July 2021 was correct. President Biden's student loan giveaway is unconstitutional and illegal. Given your previously stated position and your leadership role as Speaker of the House, it is imperative that you act immediately in defense of our Constitution and the powers of the legislative branch.

Will you commit to supporting your July 2021 statement with definitive action to stand up to this blatant overreach President Biden is enacting? His move transcends the policies surrounding student loans. This is an illegal act by a President desperate for a political win. We hope you will heed your own words and act to defend the Constitution and the rule of law.

Sincerely,

Jody Hice

Jody Hice (GA-10)
Member of Congress

Elise M. Stefanik

Elise Stefanik (NY-21)
Member of Congress

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