



NEWS RELEASE

Attorney General Mike Hilgers

FOR IMMEDIATE RELEASE

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Today, the United States Supreme Court heard the States' challenge to the Biden administration's unilateral and unlawful discharge of hundreds of billions of dollars in student-loan debt. At stake is more than the massive \$430 billion-plus impact on the federal budget—the case poses a major test for the separation of powers under the Constitution.

Creating a roughly half-trillion-dollar loan-cancellation program that extends to nearly all borrowers is a stunning exertion of power and a matter of great economic and political significance. The administration rests its argument on the Higher Education Relief Opportunities for Students Act of 2003 (HEROES Act), a limited bill created for a different purpose.

The HEROES Act simply does not justify the Secretary's sweeping creation of this discharge program. That Act was enacted shortly after the start of the Iraq War, primarily to ensure that active-duty military may pause their student-loan payments while serving our country. Every congressional finding supporting the Act focused on providing relief to people serving in the "military" for "[our nation's defense](#)." Congress gave no hint when adopting the HEROES Act that it intended to eliminate student loans, let alone the massive amount of debt canceled through this program. And no administration has used it to erase student-loan debt.

"We are grateful for the Supreme Court hearing the case today," stated Nebraska Attorney General Mike Hilgers. "We have asked the Court to uphold the Eighth Circuit's decision to stop the President's unlawful program, and we urge Americans of good will and all political stripes to join us in supporting that outcome. If the President's sweeping action in this case is held lawful, then future administrations, whether Democratic or Republican, will seek to use obscure laws passed for narrow

purposes to enact their sweeping and unauthorized policy changes, inflicting real damage on our republic.”

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