

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

AMERICAN FEDERATION  
OF TEACHERS, *et al.*,

Plaintiffs,

v.

U.S. DEPARTMENT OF EDUCATION,  
*et al.*,

Defendants.

No. 1:25-cv-802-RBW

**STATUS REPORT**

Pursuant to the Court's order of October 23, 2025, ECF 55, the United States Department of Education (ED) and Linda McMahon (in her official capacity as Secretary of Education) hereby provide the following information, which ED transmitted to undersigned counsel:

**I. Data Tables**

<b>Income-Driven Repayment (IDR) Applications</b>	
IDR applications received during January 1-31, 2026	260,358
IDR applications decided (approved or denied) during January 1-31, 2026	379,702
- Approved	325,542
- Denied	54,160
IDR applications pending as of January 31, 2026	626,412 <sup>(1)</sup>
IDR plan discharges during January 1-31, 2026	0 <sup>(2)</sup>
- Discharges under the Income-Based Repayment Plan	0
- Discharges under the Original Income Contingent Repayment Plan	0
- Discharges under the Pay As You Earn Plan	0

<b>Public Service Loan Forgiveness (PSLF) Buyback Applications</b>	
PSLF Buyback applications received during January 1-31, 2026	5,030
PSLF Buyback applications decided (approved or denied) during January 1-31, 2026	2,430
- Approved	1,980 <sup>(3)</sup>
- Denied	360
- Closed without decision due to missing information	90
PSLF Buyback applications pending as of January 31, 2026	86,520
PSLF discharges during January 1-31, 2026	18,160

## **II. Notes to Data Tables**

*(1) Pending IDR Plan Applications.* The number of applications received and decided are not the only inputs affecting the number of pending applications. For example, when a borrower applies for a new IDR plan while an application they previously filed is pending, the older application is automatically cancelled, but that cancellation is not logged as a denial.

*(2) IDR Discharges.* As previously discussed, ED runs discharge eligibility checks through the National Student Loan Data Service (NSLDS). ED has upgraded NSLDS to check all three of the IBR, Original ICR, and PAYE plans. *See* ECF 60 at 3. In January, ED identified 10,873 IBR borrowers, 10,729 Original ICR borrowers, and 820 PAYE borrowers as eligible for discharges. Those discharges, however, did not *process* in January.

*(3) PSLF Buyback Approvals.* When a borrower files multiple PSLF Buyback requests and one of them is approved, the others are denied, not approved. When a borrower reaches 120 qualifying PSLF payments while their PSLF Buyback request is pending, the request is denied, not approved.

### III. Corrections

(1) Partial Financial Hardship Denials. Defendants previously reported that 9,459 borrowers' IBR plan applications were denied on or after July 4, 2025, on the ground that the borrower lacked a partial financial hardship. ECF 58 at 5. Defendants re-checked their figures and revise that number to 10,397. Defendants believe that since October 1, 2025, no IBR plan applications have been denied on partial financial hardship grounds, and that the correction stems from a counting oversight.

(2) December 2025 IDR Denials. A loan servicer underreported IDR denials for December 2025 by 16,129. Therefore: 293,260 IDR applications were decided that month (previously 277,131), and 50,605 IDR applications were denied (previously 34,476).

Dated: February 13, 2026

Respectfully submitted,

BRETT A. SHUMATE  
Assistant Attorney General

MICHELLE BENNETT  
Assistant Branch Director

/s/ Winston Shi  
STEPHEN M. PEZZI (D.C. Bar No. 995500)  
Senior Trial Counsel  
WINSTON SHI (NY Bar No. 5747068)  
Trial Attorney  
United States Department of Justice  
Civil Division, Federal Programs Branch  
1100 L Street, NW  
Washington, DC 20005  
202-880-0387  
winston.g.shi@usdoj.gov

*Counsel for Defendants*