

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

AMERICAN FEDERATION
OF TEACHERS,

Plaintiff,

v.

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

Defendants.

No. 1:25-cv-802-RBW

STATUS REPORT

Pursuant to the Court's order of April 28, 2025, ECF No. 34, the United States Department of Education and Linda McMahon (in her official capacity as Secretary of Education) hereby provide the following information, which was provided to undersigned counsel by the Department of Education:

Income-Driven Repayment (IDR) Applications	
IDR applications decided (<i>i.e.</i> , approved or denied) during April 1-30, 2025	79,349
IDR applications pending as of April 30, 2025	1,985,726

Public Service Loan Forgiveness (PSLF) Buy Back Requests	
PSLF Buy Back requests decided (<i>i.e.</i> , for which the Department of Education has completed processing) during April 1-30, 2025	1,472
PSLF Buy Back requests pending as of April 30, 2025	49,318

Types of Forbearance Eligible for PSLF Buy Back				
Citation (34 C.F.R § __)	Forbearance Type	Forbearance Period	Eligible if Forbear- ance is be- fore July 1, 2023¹	Eligible if Forbear- ance is on or after July 1, 2023
685.205(a)(1)	The Secretary determines that, due to poor health or other acceptable reasons, the borrower or endorser is currently unable to make scheduled payments	The period estab- lished in the terms of the forbearance agreement (not to ex- ceed 12-month incre- ments), no maximum.	Y	Y
685.205(a)(1)	Cancer Treatment forbear- ance – no qualifying loans	The period of the cancer treatment plus six months.	Y	Y
685.205(a)(3)	Medical or Dental Intern- ship/Residency	Actual period during which the borrower is eligible if the bor- rower has exhausted any eligibility for old-borrower intern- ship/residency defer- ment; 12-month in- crements; no maxi- mum.	Y	Y
685.205(a)(9)	Department of Defense Stu- dent Loan Repayment Pro- grams	Actual period during which the borrower is eligible; 12-month in- crements; no maxi- mum.	Y	N/A ²

¹ In other words, this column addresses the question of eligibility when the period of forbearance for which PSLF credit is being claimed occurred before July 1, 2023. The next column answers the same question for periods of forbearance occurring on or after July 1, 2023.

² On this chart, N/A means that this type of forbearance is not eligible for buy back because it is automatically counted towards PSLF eligibility.

Types of Forbearance Eligible for PSLF Buy Back				
Citation (34 C.F.R § __)	Forbearance Type	Forbearance Period	Eligible if Forbear- ance is be- fore July 1, 2023¹	Eligible if Forbear- ance is on or after July 1, 2023
685.205(a)(4)	AmeriCorps	Actual period during which the borrower is eligible; 12-month increments; no maximum.	Y	N/A
682.205(a)(7)	Active Military State Duty	Actual period during which the borrower is eligible if borrower qualifies for a post-active-duty deferment but not a military deferment; 12-month increments; no maximum.	Y	N/A
685.205(a)(6)	Student Loan Debt Burden	12-month increments; 3 years maximum.	Y	Y

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Citation (34 C.F.R § __)	Forbearance Type	Forbearance Period	Eligible if Forbear- ance is be- fore July 1, 2023¹	Eligible if Forbear- ance is on or after July 1, 2023
685.205(a)(5)	Teacher Loan Forgiveness ³	Period during which borrower performs qualifying teaching service, if the expected forgiveness amount is expected to satisfy the anticipated outstanding balance of eligible loan(s) at the end of qualifying service; 12-month increments.	N	N
685.205(b)	Hardship Forbearance	Can be granted if the borrower's monthly payments are equal to or greater than 20% of their monthly gross income. Can be granted for 12-month intervals not to exceed 36 months collectively with other forbearance types.	Y	Y
685.205(b)(8)	Local or National Emergency	Period specified by the Department plus 30 days following the period.	Y	N/A

³ As indicated on the other columns of this chart, this type of forbearance is not eligible for PSLF Buy Back, regardless of timing. Nevertheless, Defendants are including it here for the sake of completeness and transparency.

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Citation (34 C.F.R § __)	Forbearance Type	Forbearance Period	Eligible if Forbear- ance is be- fore July 1, 2023¹	Eligible if Forbear- ance is on or after July 1, 2023
685.205(b)(8)	Military Mobilization	Period specified by the Department plus 30 days following the period.	Y	N/A
685.205(b)(8)	Designated Disaster Area	Period specified by the Department plus 30 days following the period.	Y	N/A
685.205(b)(8)	CARES Act/Coronavirus	The period from March 13, 2020, to the end of the payment pause.	N/A	N/A
685.205(b)(5)	Death	Date the loan holder receives reliable notification of death to the date the loan holder receives death certificate or other acceptable documentation.	Y	Y

Types of Forbearance Eligible for PSLF Buy Back				
Citation (34 C.F.R § __)	Forbearance Type	Forbearance Period	Eligible if Forbear- ance is be- fore July 1, 2023¹	Eligible if Forbear- ance is on or after July 1, 2023
685.205(b)(6)(v)	Teacher Loan Forgiveness	The period while the loan holder is awaiting a completed Teacher loan forgiveness application, not to exceed 60 days. Date the loan holder receives a completed loan forgiveness application to date the loan holder receives either a denial or the loan forgiveness amount from holder of the loan.	Y	Y
685.219(e)(3)	Public Service Loan For- giveness	The period during which the Department is processing the PSLF application.	Y	Y

Types of Forbearance Eligible for PSLF Buy Back				
Citation (34 C.F.R § __)	Forbearance Type	Forbearance Period	Eligible if Forbearance is before July 1, 2023¹	Eligible if Forbearance is on or after July 1, 2023
685.205(b)(5); 685.213(b)(1)(ii), (b)(3)(i), (c)(1)(i)	Total and Permanent Disability	120 days from the date that the borrower contacts the Department claiming to be totally and permanently disabled and seeking a TPD discharge; an indefinite period during which the Department is evaluating the borrower's materially complete TPD Application.	Y	Y
685.205(b) ("other")	On-Ramp	Beginning date to end date of On-Ramp forbearance.	Y	Y
685.205(b)(1)	Borrower Ineligible for Deferment	Beginning date to ending date of the ineligible deferment.	Y	Y
685.205(b)(2)	Delinquency before a Deferment	First date of overdue payment to the day before the beginning date of deferment	Y	Y
685.205(b) ("other")	Delinquency before a Forbearance	First date of overdue payment to the day before the beginning date of other forbearance type.	Y	Y

Types of Forbearance Eligible for PSLF Buy Back				
Citation (34 C.F.R § __)	Forbearance Type	Forbearance Period	Eligible if Forbear- ance is be- fore July 1, 2023¹	Eligible if Forbear- ance is on or after July 1, 2023
685.205(b)(3)	Late Notification of Out-of-School Dates	Date borrower should have entered repayment to date first or next payment was established.	Y	Y
685.205(b)(4)	Delinquency Prior to Bankruptcy Filing	First date of overdue payment to the day before the borrower filed a bankruptcy petition.	Y	Y
685.205(b) ("other")	Bankruptcy Filing	Period during which the borrower has an active bankruptcy case.	Y	Y
685.218(c)(2)	Spouses and Parents of Victims of September 11, 2001	60 days from date application sent to borrower if application is not received by lender, and from date guarantor receives documentation to date of determination.	Y	Y

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685.205(b)(6)(i), (ii), (iii), (iv), (vi), and (vii); 685.214(f)(2),(4); 685.215(d)(1)- (2); 685.216(e)(1)- (2); 685.222(e)(2)	Borrower Defense, Closed School, False Certification, Unpaid, Refund Bank- ruptcy	60 days from date ap- plication sent to bor- rower if application is not received by lender, and from date guarantor receives documentation to date of determination.	Y	Y
685.205(b), 685.215 (d)(1)(“other”)	Identity Theft	For 120 days follow- ing the date that the lender receives an identity theft report or notification from a credit bureau that in- formation reported by the lender was be- cause of identity theft.	Y	Y
685.205(b) (“other”)	Delinquency after Defer- ment or Mandatory For- bearance	Deferment or manda- tory forbearance end date to establishment of next payment due date.	Y	Y
685.205(b) (“other”)	Change to Repayment Plan	First date of overdue payment to the day before the borrower enters a new repay- ment plan.	Y	Y

Types of Forbearance Eligible for PSLF Buy Back				
Citation (34 C.F.R § __)	Forbearance Type	Forbearance Period	Eligible if Forbear- ance is be- fore July 1, 2023¹	Eligible if Forbear- ance is on or after July 1, 2023
685.205(b)(9)	Documentation for Deferment, Forbearance, Change to Repayment Plan, or Consolidation	Period of up to 60 days necessary to collect and process documentation supporting borrower's request for deferment, forbearance, change in repayment plan, or consolidation (DL only).	Y	N/A
685.205 (b) ("other")	Loan Sale or Transfer	First date of delinquency to date loan is sold or transferred if the loan is less than 60 days delinquent.	Y	Y
685.205(b) ("other"); DCL GEN-10-16	Natural Disasters, Local or National Emergency, Military Mobilization	From date borrower affected, not to exceed 3 months for each occurrence.	Y	N/A
685.205(b)(10)	Repayment Alignment – PLUS/Stafford	Until end of in-school deferment or post enrollment deferment on PLUS loan disbursed on or after July 1, 2008, or until end of the grace period on Stafford loan.	Y	Y

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Citation (34 C.F.R § __)	Forbearance Type	Forbearance Period	Eligible if Forbear- ance is be- fore July 1, 2023¹	Eligible if Forbear- ance is on or after July 1, 2023
685.205(a)(8)	Technical Default status re- quires Borrower reaffirma- tion to repay	270 days or more de- linquent, but not yet transferred to DMCS, limited to 120 days.	Y	Y
685.205 (b) ("other")	Joint Consolidation Loan Separation	From the date in- structed by the Om- budsman until the date on which the Joint Consolidation Loan Separation ap- plication process was made available to the public (application posted and applica- tions being pro- cessed).	Y	Y
685.205 (b) ("other")	IDR Forgiveness Opt Out Period	From the date the ser- vicer receives the Forgiveness Notifica- tion File through the date that the borrower opts out or the for- giveness is com- pleted.	Y	Y
685.205 (b) ("other")	Cancer Treatment forbear- ance – at least 1 qualifying loan	The period of the cancer treatment plus six months.	Y	Y

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685.205(b) ("other")	Remediation of Servicing Issues	The period of time a loan is put into for- bearance to resolve a servicing issue	Y	N/A
685.205 (b) ("other")	"general" SAVE	The period of time a loan is put into for- bearance as a result of the administrative stay related to the IDR Final Rule	Y	Y

Dated: May 15, 2025

Respectfully submitted,

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