Selendy Gay files Amicus Brief in Biden v. Nebraska on behalf of the American Federation of Teachers

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On behalf of the American Federation of Teachers (AFT), attorneys at Selendy Gay filed an amicus brief before the U.S. Supreme Court in *Biden v. Nebraska.* The case examines whether the Biden administration's student-debt relief program should be allowed to proceed after a lower court blocked it pending appeal. The brief supports the Biden administration's application to reinstate their student debt forgiveness plan, citing the substantial economic impacts of the COVID-19 pandemic on workers as justification for the plan. Currently, the plan faces an injunction pending appeal issued by the United States Court of Appeals for the Eighth Circuit, among others. The Supreme Court agreed to hear the case during its February 2023 sitting. Partners Yelena Konanova and Faith Gay, associate Max Siegel, and law clerk Nancy Fairbank authored the amicus brief.

With the brief, AFT seeks to provide important perspective on the negative impact of the COVID-19 pandemic on student loan borrowers. A substantial portion of AFT's members are education and healthcare workers who are severely burdened by student debt and faced inordinate strain in the workplace during the pandemic. AFT supports the Biden administration's use of its authority under the Higher Education Relief Opportunities for Students Act of 2003 (the HEROES Act) to offer student debt relief, arguing that it is lawful and will mitigate the extent to which borrowers were made worse off by the pandemic. In the amicus brief, AFT contends that the Biden administration correctly assessed the potential long-term economic impacts of the pandemic and defends the need for a permanent solution like debt cancellation to address the crisis.

The American Federation of Teachers is one of the largest labor unions in America, representing workers in the healthcare and public education sectors. Selendy Gay achieved a major win on behalf of members of AFT earlier this year in a class action suit against student loan servicer Navient, which challenged Navient's practices on advising federal student loan borrowers concerning the Public Service Loan Forgiveness Program.

Attorney

- Lena Konanova