TAXPAYERS PROTECTION ALLIANCE

July 23, 2026

The Honorable Linda McMahon
Secretary
Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Secretary McMahon:

On behalf of millions of taxpayers and consumers, the Taxpayers Protection Alliance (TPA) writes to comment on the Department of Education's (ED) recent interim guidance updating the list of professional degree programs in response to the preliminary injunction in the case *American Association of Nurse Practitioners et al. v. McMahon*.

TPA has long maintained that the unrestricted flow of federal subsidies and uncapped lending programs—most notably the now-eliminated Graduate PLUS program—fueled runaway higher education tuition inflation and exposed American taxpayers to trillions of dollars in eventual debt write-offs and income-driven loan forgiveness. The hard borrowing caps enacted by Congress under the One Big Beautiful Bill Act were a vital and long-overdue step toward restoring fiscal discipline to the federal student aid portfolio.

Ideally, the court would have permitted the ED to maintain its strictly tailored borrowing caps for federal student loans. Uncapped or elevated borrowing ceilings (even for advanced degrees) distort the market, disincentivize university cost containment, and ultimately shift high-risk debt burdens onto taxpayers.

Following the district court's order, maintaining the original 11-degree list was clearly no longer a viable administrative option. Faced with this constraint, the ED took the second-best path forward: reluctantly expanding the "professional" designation under a temporary stay, but structuring that expansion in a manner clearly designed to minimize taxpayer exposure and repayment risk as much as possible.

Specifically, TPA applauds the ED for taking the following fiscally prudent steps within its interim guidance:

- **Explicitly Urging Institutional Restraint:** ED's recommendation encouraging colleges and universities to voluntarily limit student borrowing to the general graduate cap ($20,500/year) for newly added programs during the pendency of litigation is a sound policy safeguard. It sends a clear message to higher education administrators not to artificially inflate program costs or over-leverage students based on a temporary legal stay.

- **Generally Excluding Academic Doctorates:** Drawing a relatively firm line against expanding the $50,000 professional cap to research and academic doctorates (such as PhDs in nursing or health sciences) correctly protects the integrity of the statutory cap structure. Research-based academic programs should not be conflated with direct clinical or professional practice credentials to access higher federal debt allowances. The latter credentials promise higher rates of return and therefore entail less of a repayment risk for taxpayers.
- **Aggressive Application of Statutory Criteria:** By dropping ancillary programs (such as applied psychology and pharmaceutical administration) that fail the strict statutory three-part test down to the $20,500 limit, the Department demonstrated a commitment to holding the line against federal loan expansion wherever legally permissible.

While TPA remains concerned by the long-term fiscal liabilities that an expanded list of 29 professional degrees presents to taxpayers, we recognize the significant constraints imposed by the court's order.

We urge the Department of Education and the Department of Justice to vigorously defend the Reimagining and Improving Student Education (RISE) final rule in ongoing appellate proceedings. The ultimate goal must remain a streamlined and constrained federal lending framework that protects the American taxpayer from subsidizing high-risk graduate debt.

Sincerely,

David Williams
President

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