May 23, 2024

The Honorable Miguel Cardona  
Secretary  
U.S. Department of Education  
400 Maryland Ave, SW  
Washington, DC 20003

Dear Secretary Cardona,

We write to express our ongoing frustration with the implementation of the new 2024-2025 Free Application for Federal Student Aid (FAFSA). As you know, the new form was significantly delayed. Although it has been several months since FAFSA launched, we continue to hear of significant problems with the application process that threaten to permanently affect the college ambitions of young people – and thus their long-term livelihoods.

We appreciate the Department’s efforts to track problems with the online application and issue technical fixes or workarounds on an ongoing basis. We are also grateful for your continued efforts to conduct outreach and provide support to students and families – including the May 6 announcement of the FAFSA Student Support Strategy, including $50 million to further boost FAFSA completion rates. We stand ready to partner with the Department to ensure this funding reaches as far as possible.

Many Institutions of Higher Education (IHEs) in Oregon and around the country have pushed enrollment dates past the traditional May 1 deadline. As of today, nearly half a million fewer students have completed their FAFSA applications compared to last year. Traditionally underrepresented students who already face barriers to education access are the most likely to fall through the cracks – including students from low-income families who most need financial aid, as well as students from mixed status families who have had particular difficulty accessing the FAFSA.

A broad cross-section of our constituents, including students and their families, high school counselors, and college administrators, have contacted our offices looking for additional clarity as they navigate this evolving process. It has been difficult to keep up with changes as the Department continuously works to correct challenges with the application, and high school and college administrators are frustrated when they cannot be more helpful to families.

We are writing today to seek answers for our constituents and to offer our support in any way that may help. Ultimately, what is important is that students have a level playing field as they
pursue higher education. We hope we can work together to rapidly resolve ongoing issues with the FAFSA and to ensure that students have access to any additional supports they may need.

With that, we respectfully request your response to the following questions and concerns that we have heard from Oregonians:

- Students and their families, high school counselors, and college administrators have all expressed frustration with the lack of accessible lines of communication to the Department, including excessive waits for telephone assistance. This is particularly true for students seeking help in a language other than English.
  - How are you improving opportunities for two-way communications to assist students and IHEs with their respective challenges with FAFSA?

- The Department recently rolled out a workaround to resolve an issue that prevented students from mixed-status families (those with a parent without a Social Security Number) from completing the FAFSA.
  - At the time of this technical fix, how many students had an incomplete FAFSA because of this issue?
  - How many of those students have now been able to complete and submit their application?
  - How is the Department conducting proactive outreach to ensure that every eligible student in this position can go back and complete the application?

- In many instances, IHEs have received Student Aid Calculations that have turned out to be improperly calculated and have later received revised data from the Department.
  - Can you provide concrete assurances that institutions will not be held financially liable for discrepancies in award packages offered in good faith based on inaccurate information provided by the Department of Education?

- Many IHEs have already pushed their enrollment deadlines from May 1 to June 1 to account for delays in processing the FAFSA. Students – freshmen in particular – need to know their financial aid offers before committing to enroll at a school.
  - Can the Department assure students and institutions that FAFSA information will be processed in time for students to make an informed decision about their enrollment by June 1?
  - If not, when can students expect to be able to make fully informed enrollment decisions?
Because tax information is now shared by IRS, new privacy rules apply. Therefore, financial aid offices can no longer identify Pell-eligible students to other administrative offices on campus, as well as students eligible for programs like TRIO that would otherwise provide additional supports and services to low-income students in need.

- We urge you to work with the IRS to identify possible solutions. We are prepared to work together to advance a legislative remedy if necessary.

- Many IHEs are small and operate with small administrative staffs, which must manage student aid while also working to comply with other new regulations. These include new rules around Financial Value Transparency, Gainful Employment, and Title IX from the Department of Education, and pay scale rules from the Department of Labor.

  - How is the Department providing administrative assistance or relief to support IHEs in this process?

- Paper FAFSA applications - a critical tool for underserved populations - have not yet been processed.

  - When will these students have their applications processed and when can universities expect to receive information from paper applications?

Thank you again for your attention to these concerns. We look forward to your response and stand ready to work with our colleagues in Congress to provide the support you need to ensure a smoother FAFSA process going forward.

Sincerely,

Andrea Salinas
Member of Congress

Suzanne Bonamici
Member of Congress

Val Hoyle
Member of Congress

Earl Blumenauer
Member of Congress