Congress of the United States
Washington, DC 20510

March 24, 2017

The Honorable Betsy DeVos
Secretary of Education
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Dear Secretary DeVos:

On March 9, 2017, the U.S. Department of Education (Department) and the Internal Revenue Service (IRS) issued a joint press release announcing the temporary suspension of the IRS Data Retrieval Tool (DRT) due to privacy concerns. Protecting taxpayer and student privacy is vitally important, and we are concerned about any potential attempts to misuse sensitive information. However, we also are concerned about the students and families who will not be able to use the tool for weeks.

Millions of students and families use this important tool when filling out their Free Application for Federal Student Aid (FAFSA) and borrowers utilize the DRT when certifying or recertifying their incomes for income-driven repayment (IDR) plans. In both cases, the DRT allows for the more efficient and accurate transfer of federal tax return information electronically, which in turn enables students, families, and borrowers to complete these processes more easily. While individuals can complete FAFSA and IDR applications through alternatives to the DRT, the current outage will lead to additional burden for individuals filling out their FAFSA or IDR applications. The absence of the DRT could also delay students' federal, state, and institutional financial aid and loan repayment assistance.

We write to request that the Department take the following steps as soon as possible to help alleviate the complications for students, families, borrowers, student loan servicers, and institutions of higher education:

1. Provide prominent notice and guidance to students, parents, and borrowers on Department websites and appropriate social media accounts that explain the DRT is currently unavailable and direct them to the alternative options available to complete their FAFSA or IDR applications. Such notice should also include guidance to student loan servicers, institutions, and state grant agencies regarding proactive assistance and messaging they can provide.

2. Encourage the IRS to link to the joint statement about the DRT or other appropriate notice instead of using the current message, which reads, "This service will be unavailable due to system maintenance. We apologize for any inconvenience. If more information is available, you can find it by selecting the service from the Tools page."

3. For those affected by the outage, consider allowing applicants to use signed copies of their tax returns to satisfy the document requirements of verification in place of DRT information or IRS tax transcripts, and ensure that these applicants are not disproportionately selected for verification, while also protecting against fraudulent income reporting.

4. Ensure that the Federal Student Aid Call Center is capable of handling the increased call volume resulting from the DRT outage and can help students walk through the process of obtaining a tax transcript or a copy of their tax return for the FAFSA, or pay stubs or letters from employers for IDR applications.

5. Communicate directly with states that have upcoming aid deadlines to provide support and guidance on potential workarounds during the DRT outage, such as moving back their aid deadlines.

Thank you for your attention to this matter, and we look forward to your response to our request.

Sincerely,

LAMAR ALEXANDER
Chairman, Senate Committee on Health, Education, Labor & Pensions

PATTY MURRAY
Ranking Member, Senate Committee on Health, Education, Labor & Pensions

VIRGINIA FOXX
Chairwoman, House Committee on Education & the Workforce

ROBERT C. "BOBBY" SCOTT
Ranking Member, House Committee on Education & the Workforce

BRETT GUTHRIE
Chairman, House Subcommittee on Higher Education and Workforce Development

SUSAN A. DAVIS
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LISA BLUNT-ROCHESTER
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RAJA KRISHNAMOORTHI
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CAROL SHEA PORTER
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ADRIANO ESPAILLAT
Member of Congress