



**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515**

April 8, 2024

Open Letter to Texas Colleges and Universities Accepting Federal Student Aid:

Due to technical issues with the new Free Application for Federal Student Aid (FAFSA) form, the Department of Education has begun releasing financial aid information for some students, while other students whose FAFSA contributor lacks a Social Security Number (SSN) have still yet to have their applications processed. Unless prompt and decisive action is taken, tens of thousands of Texas students face losing critical financial aid that could make the difference between whether or not they are able to attend college. Accordingly, we, the undersigned Members of Congress, are requesting your institution track the amount of financial aid that went to similarly situated students last year to ensure it remains available until the Department of Education certifies that this issue has been resolved, and the affected Institutional Student Information Records (ISIRs) have been received so as to ensure those affected by this issue are not unjustly penalized by this error.

When filling out the FAFSA, generally, a student must have their contributor—i.e., an individual whose signature and financial details are required for submission, such as parents, guardians, or spouses—sign in and provide information for their FAFSA. As a result of the changes made to the FAFSA process, if a student's contributor does not have an SSN, the student is unable to have their financial aid information processed and sent to schools, preventing the student from receiving an aid package critical in many students' determination about their ability to afford a college education. This is due to a bug in the initial FAFSA redesign, which prevented contributor information from being included. Under the old form, however, families with mixed documentation status were able to provide this information without it affecting the processing and timing of their application.

Attempting to resolve this issue, the Department of Education instructed students to submit the incomplete information anyways, with the assurance it would be fixed later. Subsequently, tens of thousands of students submitted incomplete FAFSAs on this assurance, including many of our constituents.

Beginning in March, the Department of Education announced it had begun sending out ISIRs of some students.<sup>1</sup> Later, the Department announced that corrections—whether those needing to be made by individuals, or those that the Department had indicated it would make on its own—would not begin until mid-April.<sup>2</sup> However, even if the SSN issue is fixed for new applications, which the Department is currently stating is largely the case, there are still thousands of students whose FAFSAs are in limbo and are therefore unable to be sent out until at the earliest mid-April through no fault of their own. Sadly, many of these students awaiting access to corrections were the families who attempted to complete their FAFSA first and now will be penalized because they are unable to correct their form in a timely manner.

The tragic consequence of all this is there are now two groups of students with different access to financial aid, with no distinguishing factor other than whether their contributor has an SSN. Put differently, at this moment, only students whose contributors have SSNs are having their ISIRs sent out to your institutions and are able to be awarded state- and institution-level financial aid awards. But as you are well aware, these dollars are limited. As a result, we are deeply concerned that should things continue as they are, all these funds will be exhausted before those experiencing SSN issues are even able to have their information processed and sent out by the Department of Education.

It must be noted that one of the most common reasons a student's contributor does not have an SSN, is because of their immigration status. To be clear, the affected students are all qualifying U.S. citizens, legal permanent residents, or eligible non-citizens—it is for no other reason than the immigration status of their family that many students face these barriers. We are greatly troubled about the disparate discriminatory impact this will have on thousands of Texas students seeking financial benefit being foreclosed to them due to nothing other than the immigration status of their contributor. And while some might find it to be “expedient to control the conduct of adults by acting against their children, . . . *directing the onus of a parent's [actions] against his children does not comport with fundamental conceptions of justice.*”<sup>3</sup>

Fortunately, individual colleges and university systems like yours are not without means to remedy this unconscionable harm. The Texas Higher Education Coordinating Board has issued

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<sup>1</sup> Dep't of Educ., *Additional Details of 2024-25 ISIR Delivery, Updates for Non-SSN Contributors, and Launch of the FAFSA Partner Portal*, GENERAL-24-20 (last updated Mar. 13, 2024), [www.fsapartners.ed.gov/knowledge-center/library/electronic-announcements/2024-03-12/additional-details-2024-25-isir-delivery-updates-non-ssn-contributors-and-launch-fafsa-partner-portal-updated-march-13-2024](http://www.fsapartners.ed.gov/knowledge-center/library/electronic-announcements/2024-03-12/additional-details-2024-25-isir-delivery-updates-non-ssn-contributors-and-launch-fafsa-partner-portal-updated-march-13-2024).

<sup>2</sup> Dep't of Educ., *Update on 2024-25 FAFSA Processing*, GENERAL-24-27 (Mar. 25, 2024), [www.fsapartners.ed.gov/knowledge-center/library/electronic-announcements/2024-03-25/update-2024-25-fafsa-processing](http://www.fsapartners.ed.gov/knowledge-center/library/electronic-announcements/2024-03-25/update-2024-25-fafsa-processing).

<sup>3</sup> *C.f. Plyler v. Doe*, 457 U.S. 202, 220 (1982) (emphasis added).

guidance that institutions should not penalize students whose ISIR was delayed beyond the deadline through no fault of their own.<sup>4</sup> Were this guidance not implemented, and ISIRs from FAFSAs that were subject to the SSN complications are not properly received by an institution's deadline, students will be excluded from accessing state and institution level financial aid for no other reason than the immigration status of their contributor. Accordingly, it is imperative that your institution fully implement the Texas Higher Education Coordinating Board's guidance by considering affected ISIRs as timely received for priority consideration and encourage the Board further extend the deadline.

However, adjusting priority deadline policy alone is not sufficient. As your institution knows, financial aid dollars are exhausted far in advance of normal deadlines. An institution which only adjusts its deadline policy may still find that it has awarded all of its available funds before the institution even receives the SSN-burdened students' ISIRs.

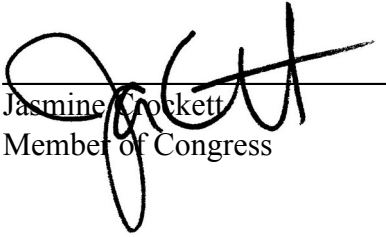
To prevent the discriminatory harm this issue will cause, we call on all Texas colleges and universities accepting federal student aid to track the amount of financial aid that went to students who had a contributor without an SSN last year, to ensure it remains available until after the Department of Education certifies that the institution has received all ISIRs based on FAFSAs submitted without a contributor due to the SSN issue, or June 1<sup>st</sup>, 2024, if the Department is unable or unwilling to provide such certification. It is imperative that these funds are not simply distributed on a "first-come, first-serve" basis, but are distributed in a manner that does not consider SSN-impacted ISIRs to be "at the back of the line", lest these students be penalized for having applications timely submitted but belatedly processed through no fault of their own.

With the current extended deadline being April 15, and with the Department already providing you with ISIRs for students without SSN issues, it is vital that expeditious actions be taken to keep the doors of higher education open for tens of thousands of Texas students.

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<sup>4</sup> Texas Higher Education Coordinating Board., *IMPORTANT UPDATE: 2024-25 (FY 2025) State Financial Aid Priority Deadline Date*, <https://reportcenter.highered.texas.gov/correspondence/departamental-correspondence/state-financial-aid-fy-2025-priority-deadline-date-memo/>.

Sincerely,



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Jasmine Crockett  
Member of Congress



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Al Green  
Member of Congress  
Scion of the Enslaved  
Africans -  
Sacrificed to Make America  
Great



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Lloyd Doggett  
Member of Congress



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Marc A. Veasey  
Member of Congress



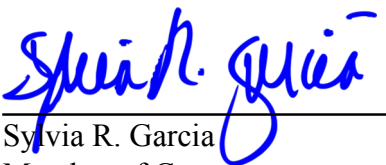
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Colin Z. Allred  
Member of Congress



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Sylvia R. Garcia  
Member of Congress



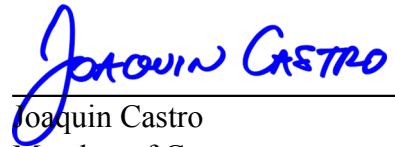
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Sheila Jackson Lee  
Member of Congress



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Greg Casar  
Member of Congress



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Joaquin Castro  
Member of Congress