

December 19, 2023

TO: Office of Information and Regulatory Affairs  
Office of Management and Budget

THROUGH: Strategic Collections and Clearance  
Governance and Strategy Division  
Office of Chief Data Officer  
Office of Planning, Evaluation and Policy Development  
U.S. Department of Education

FROM: Melanie E. Storey, Director  
Policy Implementation and Oversight  
Federal Student Aid  
U.S. Department of Education



RE: Request for emergency clearance by December 20, 2023 for the collection (1845-NEW) associated with the FSA ID account creation process to allow individuals without a social security number to create an account.

Pursuant to the Office of Management and Budget (OMB) procedures established at 5 C.F.R. part 1320, Federal Student Aid (FSA), an office of the U.S. Department of Education (Department), requests that the information collection (1845-NEW), Process for FSA ID Account Creation for Individuals without a Social Security Number in Connection with Person Authentication Service (PAS), be processed in accordance with 5 C.F.R. § 1320.13 Emergency Processing. We are also requesting that the full clearance package be filed at the same time and note that the Department will initiate the 60-day public comment period upon notification of emergency approval.

The Fostering Undergraduate Talent by Unlocking Resources for Education (FUTURE) Act ([Public Law 116 - 91](#)) requires Free Application for Federal Student Aid (FAFSA®) applicants and application contributors to approve to the use of their tax information for the purpose of applying for student financial assistance programs. This approval requires an active and authenticated FSA ID account in order to access the application and provide the necessary approvals to link a FAFSA application with data from the IRS. Additionally, the FAFSA Simplification Act of 2022, expands the range of individuals who are required to contribute to the FAFSA application.

In response to the FUTURE Act and the FAFSA Simplification Act of 2022, the Department has created an alternate FSA ID account creation process for individuals who do not have a Social Security number. This process includes first going through a match with the Social Security Administration. If they are not matched through that initial process, they are put through an alternative identity verification process through TransUnion. Finally, if the

Department is unable to verify identity for individuals without an SSN through the SSA or credit bureau matches, they are required to complete this process where individuals will engage with the Department's customer service representative, where individuals would provide copies of the required documents for identity verification, in line with the provisions of the Privacy Act.

If the Department were required to put the collection through the normal clearance process, we would be unable to implement this critical change by the launch of the 2024-25 FAFSA form, which would result in no access to the FAFSA application for individuals who need to get an FSA ID without a Social Security number. Section 701(b) of the FAFSA Simplification Act notes that the Act "shall take effect on July 1, 2023" (later amended by PL 117-103 to July 1, 2024) but also notes that it "shall apply with respect to award year 2023-2024 and each subsequent award year" (also amended by PL 117-203). The Department has consistently interpreted the data collection necessary to begin the operations of for a given award year through these two clauses in Section 701(b). For this request, the collection of information needed to process applications for the 2024-2025 award year must begin before July 1, 2024 and with the launch of the award year's FAFSA form. Any delay in getting access to the FAFSA form would increase the potential for public harm through delayed access to student financial aid and the possibility of decreasing the likelihood of postsecondary enrollment. As a result, in order to meet the late-December 2023 form launch, the Department is requesting that OMB approve the collection associated with non-SSN FSA ID account creation process using the emergency clearance procedures. In making this emergency request, the Department has taken all available and practical steps to consult with the parties impacted by this collection. This includes, but is not limited to, conversations with advocacy groups representing the anticipated individuals affected by this collection and members of the Department's legal and privacy offices to minimize the burden of this collection.