SUPPLEMENTARY INFORMATION:
Executive Summary

The Department of Education (Department) requested emergency processing for this information collection, 1845–0179, Process for FSA ID Account Creation for Individuals without a Social Security Number in Connection with Person Authentication Service (PAS); and requested the 60-day public comment period for the full ICR. Applicants, parents, and borrowers establish an FSA ID, which includes a username and password. The FSA ID is used for the purposes of verifying the identity of the user; allowing users to establish an account with FSA; safeguarding their personally identifiable and financial information; signing applications and loan related documents; providing users access to their information and applications; allowing users to customize or update their accounts with FSA; renewing or revoking a user's account with FSA; and supporting the Federal Student Aid Information Center (FSAIC) help desk functions.

The specific questions that applicants are asked to answer in the FSA ID creation process are described separately in the Creating FSA–ID document, which explains the use of the questions in the application. As part of the standard process, users' information is matched with information from the Social Security Administration (SSA) to confirm their SSA status.

In the event of individuals who do not have a SSN to match, they are instructed to the contact the Department and provide one of the following documents (U.S. State/Territory Driver's License; U.S. State or City Identification Card; Foreign Passport; Municipal identification card; Community ID; or a Consular identification card) and a signed attestation of their identity under the penalty of perjury, as instructed by the Privacy Act.

This collection provides the process and application that individuals without an SSN may use to acquire an FSA ID to access the statutory and regulatory benefits of the Title IV, HEA student financial assistance programs. The Department received emergency clearance on December 20, 2023, since normal clearance processing would not enable 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. 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 requested that OMB approve the collection associated with non-Social Security Number FSA ID account creation process using the emergency clearance procedures.

Analysis of Public Comment and Changes:

Analysis of the comments received during the 60-day public comment period and of any changes to the form prior to a final 30-day public comment period.

Analysis: The Department received 33 comments in response during ED's 60-day public comment period for a complete information collection request (ICR) of the Attestation & Validation of Identity Form (form). A process for FSA ID Account Creation for Individuals without a Social Security Number in Connection with Person Authentication Service (PAS). The FSA ID is used for the purposes of verifying the identity of the user; allowing users to establish an account with FSA; safeguarding their personally identifiable and financial information; signing applications and loan related documents; providing users access to their information and applications; allowing users to customize or update their accounts with

FSA; renewing or revoking a user's account with FSA; and supporting the Federal Student Aid Information Center (FSAIC) help desk functions.

ED appreciates the comments and suggestions to further enhance the form and process received from advocacy organizations and other non-profit organizations as well as other higher education stakeholders all with field experience that inform possible modifications to the form. In general, commenters raised several concerns and issues that are thematically categorized by the following: (1) the implementation and processing of the form, especially as it relates to ED's interpretation of the statutory authority, ability for institutions of higher education to complete identity validation, difficulties for applicants from mixed-status families, implementing a process that utilizes an individual's Individual Tax Identification Number (ITIN), and issues with FSAIC Customer Service Center; and (2) feedback and modifications to the Attestation & Validation of Identity Form that address privacy concerns for the data provided by an individual because of the ICR, increases and provides clarity of the types of acceptable documentation for identity verification, language translation similar to the FAFSA® form, automatically assigning case-numbers to individuals completing this form; (3) the accountability of identity validation process and for a long-term solution; and lastly (4) Studentaid.gov website enhancements for account creation webpage.

General Opposition
Comments: Several commenters opposed the information collection request for the purposes of establishing an FSA ID account creation for individuals without a Social Security Number citing the collection of information is not with the scope of the Department's statutory authority, concerns for mixed-status families, privacy for undocumented individuals residing in the United States and the further disclosure and use of the data by other Federal agencies with some commenters having requested, "adding language about how the information will not be used (e.g. shared with other federal agencies) to the Privacy Act Statement Section"; lastly, commenters said the process is arduous for individuals citing language barriers for non-native English speakers and several issues with FSAIC Customer Service Center.

Discussion: We appreciate the commenters' concerns. However, the Department believes that these changes are necessary and within the scope of the Department's authority to verify an individual's identity prior to creating an FSA ID, especially within the Department's statutory requirement to verify the identity of an individual prior to requesting their federal tax information (FTI) from the IRS. Additionally, the Department utilizes the information collected on this form for purposes and uses consistent with the Person Authentication System (PAS) System of Record Notice. For more information, see the Department's Notice of Issuances website (https://www2.ed.gov/notices/ed-pia.html). The Privacy Act Section is standard language and reflects the PAS SORN. The Department, will however, consider future improvements to the FSA ID account creation process for individuals without an SSN to address customer service concerns, language barriers, and other barriers that may be lessened for this information collection request of mixed-status families. The recommendations are being referred to the program office for further consideration.

Changes: None.

Form Implementation and Processing
Comments: Foremost, on the matter of Attestation & Validation of Identity Form implementation and the authority for the Department to collect this information (Section 6), commenters questioned ED's authority to require individuals that are not an applicant for federal student financial aid under Title IV of the Higher Education Act (HEA), as amended. One commenter stated, "The requirement for parental social security numbers as a prerequisite to apply for federal assistance needs to be reconsidered" and another individual "the mechanism adopted by the U.S. Department of Education to create FSA IDs for undocumented and foreign citizen contributors, some of whom do not reside in the U.S., effectively

blocks their eligible children from submitting a 2024-2025 Free Application for Federal Student Aid (FAFSA), ... There are no current workarounds for these issues". A state higher education agency asked, "FSA consider re-analyzing its interpretation of Sec 494(a)(1)(A)(ii) and 494(a)(1)(B). While Section 494 of the Higher Education Act is clear that consent is needed by all individuals completing the FAFSA in order to pull tax information from the IRS as a condition of receiving federal aid, it does not require individuals to undergo an invasive identity verification approach…This is consistent with Section 483 of the Higher Education Act which encourages the collection of only truly necessary forms of identification documents". As a result, commenters recommend a solution that permit applicants to complete the FAFSA with their contributor(s) and therefore receive receipt confirmation and a calculated Student Aid Index (SAI).

Advocates further advised ED, "The FAFSA and FSA ID do not properly handle situations involving mixed-status families, where one parent is a U.S. citizen with a Social Security Number and the other parent is undocumented and does not have a Social Security Number," and "…changes to the FAFSA form have been posing challenges for many mixed status families because they need to go through a separate process to attain an FSA ID, resulting in confusion as well as concerns about processing delays which can further impact a student's decision to attend an institution of his or her choice." ED received additional comments bringing attention to "the challenges that mixed-status families are currently encountering when attempting to submit the Free Application for Federal Student Aid (FAFSA) form. The main issue is the requirement for all contributors to have their own StudentAid.gov account, known as the FSA ID, to complete the FAFSA. When a dependent student identifies a contributor, that contributor is required to provide their contact information in the FAFSA, after which a link is sent to them to complete their part of the form. However, contributors need a Social Security Number (SSN) to proceed with this process, which poses a significant obstacle for mixed-status families where some contributors may not have an SSN" and another advocate stating, "I am gravely concerned about the ongoing situation where mixed-status families are unable to complete the new FAFSA form. I ask that the Federal Student Aid office provide an estimated date for the resolution of the current system error that disallows parents without SSNs from contributing to their children's applications for financial aid, and to minimize the burden of the identity verification process for parents without Social Security Numbers (SSNs)… This FAFSA issue primarily disadvantages mixed-status families, and households where at least one member is undocumented."

In the context of ED's program authority for this ICR and difficulties for applicants from 'mixed-status' families, advocates raised significant privacy concerns over the collection of personally identifiable information (PII) and further disclosure of an individual's PII to other federal agencies of the U.S. government from this ICR. Commenters highlighted concerns that, "the [identity] verification reasonably leaves parents worried about what will happen by providing their information on a federal form" and "Without a comprehensive privacy policy that includes an identity document retention policy reassuring individuals that their sensitive photo-identity documents are secured, state agencies like the Commission and other organizations assisting families in applying for aid will be challenged in getting parents to trust and proceed with the process." Another commenter stated privacy of parent's information is "another prevalent concern that students and educators have expressed are questions about whether a parent's information submitted on the FAFSA is protected. One educator further illustrated by stating, "I had a student ask me if her undocumented parent's information is protected in this new FAFSA. They are afraid that information provided on the FAFSA form will be turned over to immigration enforcement agencies…Parents without SSNs are concerned about having to send sensitive identification documents including names and addresses via the FSA's identity verification email address." Advocates further advised, "FSA should use a public entity to facilitate the identity confirmation process. We are very wary of FSA using TransUnion for identity verification. We believe that working with a public entity will

instill more trust in the process and will include strong privacy and data safeguards". Additionally, public comments also call for ED to permit the use of an individual taxpayer identification number (ITIN) for purposes of identity verification. Lastly, there was significant public concern stated with respect to ED's Federal Student Aid Information Center (FSAIC) Help Center ability to assist with FSA ID issues, specifically as it relates to supporting this ICR and the processing of documents received in a timely manner. Several commenters highlighted long wait times when calling for assistance and limited or insufficient staff knowledge in being able to help applicants and contributors on the FAFSA as reasons for needed improvement in the FSAIC help center. To summarize, one institution requested "that processing time be minimized and that the Department provide reliable access to customer support services throughout the cycle". Another commenter stated when calling FSAIC, "…to confirm their identity, parents are automatically disconnected while waiting to speak to an FSA representative due to high call volumes or encounter FSAIC representatives with no idea how to help them".

Given these concerns, public comments highlight recommendations for: (a) adding privacy language to the form that provides clearly communicates the privacy safeguards of the PII provided during the identity verification process; (b) FSA creating a 'secure' online portal for documentation to be uploaded and other user experience enhancements (e.g., "digital integration of the form with the FAFSA and/or TransUnion's knowledge-based questions); (c) business solutions that allow individuals to use an Individual Taxpayer Identification Number (ITIN) to verify their identity via the Internal Revenue Service (IRS); (d) dedicated Phone Line for FSA ID Issues with multi-lingual trained call center staff or immediate access to translators.

Discussion: The Department again appreciates the commenters' concerns regarding the authority for this information collection request. However, the Department believes the request is necessary for ensuring the identity of an individual necessary for the possible retrieval of FTI from the IRS. However, as previously mentioned, the Department will consider future enhancements to the information collection request process and make improvements to address mixed-status families affected by this process. System enhancements for the creation of a 'secure' online portal, the expansion of other acceptable documentation; including the ability for the Department to utilize an ITIN for identity verification with the IRS are being referred to the program office for further consideration as well as including additional customer support necessities for this information collection request process.

Changes: None.

Accountability of Identity Validation Process and Advocating for Long-Term Solution
Comments: Among the many commenters who opposed this information collection request, some called for changes to the Department's supporting statement for the Paperwork Reduction Act Submission. One commenter stated, "The Department should revise its estimate of the number of respondents who will attempt the non-SSN process of the FSA ID account creation to reflect that statistic" and another "it [Department] estimates that this process will take 20 minutes, on top of the estimated 15 minutes for standard FSA ID account creation. We believe this 20-minute estimate is inaccurate. There have been widespread reports of long FSAIC call wait times, with some individuals waiting for hours or needing to call multiple times to get through to a representative and be assigned a case number". Some commenters advocated for a better long-term solution for students who are citizens with undocumented parents, guardians, or spouses. One commenter explained, "This process currently does not allow for US citizen students to complete their applications for financial aid if their parent or guardian does not have a social security number".

Discussion: The Department has revised the procedures for an individual without a Social Security Number to obtain a case number without having to immediately contact FSAIC prior to completing the Attestation and Validation of Identity Form. We believe burden statement still accurately reflects the necessary burden on an individual completing this form. Additionally, We appreciate the commenters' advocacy for a 'long-term' solution. The Department agrees and is taking necessary steps to implement a long-term solution that complies with the statutory requirements.

Changes: None.

Studentaid.gov Website Enhancements for Account Creation Page
Comments: Several commenters asked for the Department to not abbreviate social security number (SSN) for the 'check mark box' associated with an individual who does not have one (Website Link: https://studentaid.gov/fsa-id/create-account/personal-info), citing unfamiliarity with the abbreviation and lack of the acronym being 'universally-known'. Additionally, some commenters asked for the Department to include additional help text on Studentaid.gov. One commenter said for the Department, "Add More Explanations and Help Text. On the "Create Account" page, make it more clear who should be setting up an FSA ID and what purposes it can be used for in the case of an eligible student, parent/spouse with a social security number, or a parent/spouse without a social security number' with other commenters advocating for the Department to, "Add messaging on the FSA website that outlines the types of Social Security Numbers that can be entered for FAFSA purposes and "issue guidance to counselors on how to support impacted students and families while these issues get resolved".

Discussion: The Department appreciates the suggestions. The recommendations are being referred to the program office for further consideration and future process and system enhancements.

Changes: None.

Recommended Modifications to the Attestation and Validation of Identity Form
Comments: Some commenters provided detailed/ inline edits to the form attached to the Department's comment request for this information collection. The Department appreciates the commenters time, comments, and suggested edits to the form. One commenter stated, "the form uses the acronym "FSA" without having previously specified what it stands for. We recommend that ED replace "FSA" with "the Federal Student Aid (FSA) division of the Department of Education" so individuals understand both what the FSA acronym stands for and the relationship between FSA and the Department of Education". One commenter suggested to add "Complete this form only if you do not have a Social Security number (SSN) and need to verify your identity to access the U.S. Department of Education's Systems" to 'Section 2: Instructions' and also asked, along with other commenters, "if the case number could be automatically assigned as opposed to calling FSAIC". Some commenters also cited, Section 2 instructions as written are duplicative and confusing in places and further recommended to "change the first step to, '1. Complete Section 3' since this is a required step for completion of the form and is not otherwise mentioned in the instructions". Another commenter suggested to reference 'Section 4' to the current step 1 'Read and Sign Statement of Identity' and further said current Step 3 and Step 4 are related and tied to the same step with another commenter stating to combine the steps. Additionally, a commenter asked if there will be alternatives to e-mail when submitting this form for individuals without an e-mail or are not computer literate. For Section 3, a commenter suggested clarifying language that the name must match the identity documentation provided. In Section 5, a commenter suggested striking Group A and adding "OR" text. Another commenter recommended the Department clarify, "what a Community ID is in the same way it describes what it considers a utility bill in footnote 1, to ensure the documentation individuals submit is acceptable for identity verification purposes" and further explain "what utility bill types are acceptable, we recommend that ED change 'television' to use other language that explains this option more clearly.

We offer 'cable television service' as an option". Additionally, a commenter noted, "footnote 2, the instructions refer to phone bills. ED should be clear if this refers to mobile telephone bills and Voice over Internet Protocol (VoIP) plans, or if this option is limited to landlines". Several commenters requested the Department add language to strengthen the Privacy Act Statement (addressed above in this notice). For instance, one commenter recommended adding language "on how the information provided on the form will be used, information on how the information will not be used" citing "special importance to individuals without SSNs since they may have an undocumented citizenship status and be hesitant to share personal information with any entity of the federal government out of fear this information could be used against them". Another commenter recommended the Department change the acronym of IDR to, "Income-Driven Repayment (IDR)" for clarity. Lastly, some commenters asked for clarification if requested identity verification documents need to be scanned and whether pictures of documents are acceptable.

Discussion: The Department has modified the form as outlined in the Changes section below based on public comments. As previously discussed, the Privacy Act Statement includes language based upon the PAS SORN and must adhere to a template/ format that is similar across all Department information collection requests. The use of all PII collected by this information collect request is handled and maintained according to the PAS SORN, and the corresponding system purposes and routine uses, including other provisions consistent with Privacy Act of 1974, as amended.

Changes: The Department is modifying the Attestation and Validation of Identity form based on public comments. Section 1 is modified to clarify the process case numbers are obtained as the case numbers are now automatically assigned and e-mailed to the individual creating their Studentaid.gov account. Federal Student Aid (FSA) reference will also be clarified for the reader to define the name and use of the acronym throughout the rest of the form. Based feedback, Section 2 is modified to add and remind the reader to only "Complete this form only if you do not have a Social Security Numbers and need verify your identity to access the U.S. Department of Education's System (e.g., Completing the FAFSA® Form)". The steps were revised as follows: Step 1 was revised to refer to Section 4, Step 2 was revised to refer to Section 5, Step 3 and 4 was condensed to Step 3 only when referring to the submission instructions of the form and required identity verification since the steps are duplicative and did not provide clarity to the reader. Former Step 5 was revised to new Step 4 and clarified that the reader should wait for an e-mail confirmation that their account has or has not been created based on the information collected in the revised Step 3. Section 3 was modified to note the individual's full name must match the identity documentation provider during the submission process. The table in Section 5 was significantly modified for clarity purposes and 'OR' added to differentiate between Group A or Group B based on public comment. Bullet #2 'Community ID' was modified to state, 'Community identification card' and a footnote [2] added to generally define a community identification card. Footnote [1] was modified based on public comment to clarify cable television service providers and provide examples of a 'phone bill' to include, but not limited to, mobile telephone bills and Voice over Internet Protocol (VoIP) plans. As previously discussed, the Department received several comments concerning the use and maintenance of PII collected in the Person Authentication System (PAS) and recommended language to clarify the intended use of PII collected by this system be reserved solely for the creation of a log-in credentials to the Department's Systems. While the Department appreciates the concerns and advocacy, the Department maintains and uses PII consistent with the PAS SORN; therefore, no modifications to the Privacy Act Statement have been made.