

murray #1

Patty Murray

AMENDMENT NO. 1

Calendar No. _____

Purpose: To improve the bill.

IN THE SENATE OF THE UNITED STATES—119th Cong., 2d Sess.

S. 4428

To amend the Higher Education Act of 1965 to require the use of an identity fraud detection system in reviewing Free Applications for Federal Student Aid.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENTS intended to be proposed by _____

Viz:

1 On page 3, between lines 16 and 17, insert the fol-
2 lowing:

3 “(D) ensure that applicants are not
4 flagged for potential fraud risk solely on the
5 basis of information provided on the Free Ap-
6 plication for Federal Student Aid under sub-
7 clause (XVI) of subsection (a)(2)(B)(ii), status
8 as a non-tax filer, or status as a confined or in-
9 carcerated individual.

10 Beginning on page 3, strike line 17, and all that fol-
11 lows through page 4, line 6, and insert the following:

1 “(3) PROCESS FOR APPEAL.—The Secretary
2 shall develop and maintain a process for an appli-
3 cant to appeal, directly to the Department of Edu-
4 cation, a determination made in accordance with
5 paragraph (1)(B)(i) regarding the applicant’s Free
6 Application for Federal Student Aid, which shall—

7 “(A) allow such applicant to seek to con-
8 firm the applicant’s identity through alternative
9 means by submitting documentation selected
10 from among a range of acceptable documents;

11 “(B) be available for the applicant during
12 the 14-day period after the date the applicant
13 receives the notice required under paragraph
14 (4)(A);

15 “(C) be included on the Free Application
16 for Federal Student Aid as an option for the
17 applicant to initiate if the applicant receives the
18 notice required under paragraph (4)(A) before
19 submission of such application;

20 “(D) at the option of the Secretary, permit
21 the applicant to receive Federal aid under this
22 title during the pendency of a submission under
23 this subparagraph (A); and

1 “(E) include a communication of the result
2 of such appeal to each institution designated by
3 the applicant.

4 Beginning on page 4, strike line 24, and all that fol-
5 lows through page 5, line 5, and insert the following:

6 “(iv) the opportunity to confirm the
7 applicant’s identity with the Department to
8 resolve the reasonable suspicion of identity
9 fraud, which shall include options to con-
10 firm—

11 “(I) concurrently with submission
12 of the Free Application for Federal
13 Student Aid, as determined by the
14 Secretary; and

15 “(II) through the submission of
16 documentation or another method
17 that does not require live, asyn-
18 chronous audiovisual participation;
19 and

20 On page 13, line 15, insert “on the development and
21 refinement of the criteria established under section
22 483(e)(2) of the Higher Education Act of 1965 (20 U.S.C.
23 1090(e)(2)) and” after “clause (ii),”.

1 On page 14, strike lines 10 and 11, and insert the
2 following:

3 (bb) other student popu-
4 lations who face difficulty in ac-
5 cessing or maintaining identity-
6 related documentation.