

Congress of the United States

Washington, D.C. 20515

May 20, 2022

Delivered via E-Mail

The Honorable Miguel Cardona
Secretary
U.S. Department of Education
400 Maryland Ave., SW
Washington, DC 20202

Dear Secretary Cardona:

On May 9, we sent you a letter expressing grave concerns about the Department's alarming breach of security due to Federal Student Aid's sharing personal FAFSA data with Facebook via "Meta Pixel."

You have failed to respond to our letter. Further, conversations with Department staff have been obstructive, stalling, or potentially dishonest.

FSA Chief Operating Officer Richard Cordray has had no problem telling the press what happened and the extent of the leak.¹ Yet your staff continues to delay providing a detailed response to our specific questions. In fact, during a brief phone conversation earlier today with staff, no questions were allowed, and our staff was told we would not be briefed in more complete detail before June 3. On this same call, your staff suggested that no Social Security numbers or other personal financial information were disclosed, yet they also said the Department is continuing to investigate.

This leads us to the conclusion that your agency is trying to hide something and hoping this issue fades away or, despite comments to the press about the leak not providing sensitive information, is more severe than stated by the Department. To say this has increased our concerns about your willingness to work with us to protect the privacy of students and taxpayers is an understatement.

Next Thursday you will have an opportunity to begin to repair this egregious abdication of responsibility when you provide testimony to the House Education and Labor Committee. You should expect pointed questions about this breach of student and family information, and the efforts your staff members are taking to avoid accountability and provide adequate information to the American people and their elected representatives.

¹ <https://themarkup.org/pixel-hunt/2022/05/11/lawmakers-question-education-department-about-facebook-student-aid-tracking-after-markup-investigation>

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Additionally, we are informing you that we will be hosting an open roundtable to discuss these serious matters on Tuesday, June 7 at 12:00 p.m. We are inviting representatives from Meta to join and participate and members of the public and the press to observe. You may consider this letter an invitation for Mr. Cordray to appear and provide truthful, accurate, and complete information. If he does not, the American people can only be left to wonder what your agency is hiding.

Thank you for your attention to this matter.

Sincerely,



Richard Burr
Ranking Member
U.S. Senate Committee on Health, Education,
Labor and Pensions



Virginia Foxx
Ranking Member
U.S. House Committee on
Education and Labor