

The Honorable Bill Cassidy, M.D. Chair, Senate Committee on Health, Education, Labor and Pensions

The Honorable Bernie Sanders Ranking Member, Senate Committee on Health, Education, Labor and Pensions The Honorable Tim Walberg Chair, House Committee on Education & Workforce

The Honorable Robert C. "Bobby" Scott Ranking Member, House Committee on Education & Workforce

March 10, 2025

Dear Members of Congress,

Together, the 87 undersigned organizations and individuals, in partnership with the Postsecondary Data Collaborative (PostsecData), write to express our deep concern regarding recent federal actions that undermine critical information systems supporting American education. PostsecData is a nonpartisan coalition of education leaders, researchers, and advocates committed to using high-quality postsecondary data to improve success for all students. We urge Congress to demand transparency regarding abrupt contract cancellations and protect the integrity, privacy, and security of sensitive postsecondary student data.

#### Critical Threats to Our Nation's Knowledge-Building Infrastructure

The Institute of Education Sciences (IES), our primary public, national research and evaluation office, which oversees one of thirteen principal federal statistical agencies, is being gutted by the Department of Government Efficiency (DOGE). This has not been transparently communicated to Congress or the public—DOGE has not provided information about what has been cut, what has been preserved, or what evidence and reasoning was used to make these cuts. These actions weaken our capacity to assess and improve educational and economic outcomes for students—directly jeopardizing our ability to build a globally competitive workforce. Further, the recent DOGE-led contract cancellations and pauses of grants overseeing education research and data collection appear to violate statutory directives of Congress, inconsistent with the lawful appropriation of funds.

Critical data collections, research, and evaluations used by federal and state policymakers to inform investments in our education system, prepare our future workforce, and provide educators with information on evidence-based interventions have ground to a halt. Without these insights, policymakers will soon be forced to make decisions in the dark, unable to steward taxpayer dollars efficiently. The harmful implications of IES cuts have serious consequences including:

1. Cancelling crucial studies and evaluations that assess the efficacy of major national investments in education and fulfill statutory requirements such as:



- The National Postsecondary Student Aid Study (NPSAS) and the Beginning
  Postsecondary Students Longitudinal Study (BPS), key data sources that track
  how students and families afford postsecondary education, students'
  experiences in college, and long-term workforce outcomes, including for Career
  and Technical Education (CTE) programs. NPSAS fulfills <u>statutory reporting</u>
  requirements.<sup>1</sup>
- The National Evaluation of Career and Technical Education under Perkins V
  (NECTEP), which informs policymakers on the effectiveness of CTE grants that
  support local school districts and college systems developing and delivering
  programs intended to prepare students for the workforce.
- The Condition of Education, an annual, Congressionally-mandated report that provides key indicators such as academic performance, college enrollment, educational attainment, labor force outcomes, and international comparisons.
- The What Works Clearinghouse, a vital resource summarizing high-quality education research studies which policymakers and education practitioners from early childhood through workforce development rely on to develop and implement evidence-based local and state programs.

# 2. Eliminating critical support that ensures education data across all sectors are protected, understood, and disseminated, including:

- Cancelling contracts that manage data sharing agreements and enable secure and appropriate access and use of sensitive information.
- Terminating contracts that support the maintenance of <u>DataLab</u>, an online platform enabling users to easily explore, analyze, and visualize data across all education sectors.
- Cancelling contracts that maintain the Common Education Data Standards (CEDS), which power many Statewide Longitudinal Data Systems (SLDS) and ensure consistent and comparable data across education sectors.
- Eliminating technical assistance to support the Statistical Standards and Data Confidentiality Staff (SSDCS) on matters related to confidentiality and data security, increasing risks of unauthorized access and breaches.
- Halting analysis, interpretation, and dissemination of the National Assessment of Education Progress (NAEP), the premier national study of both public and private schools that provides an annual snapshot of student achievement and access to K-12 and postsecondary pathways.

These cuts are significant and will have long-lasting effects across the education and workforce sectors. Strong evidence on effective educational practices can prepare our educators, students, and policymakers to adapt to evolving workforce needs, especially given rapid technological changes such as the development of generative AI. Now is not the time to cut critical investments in American education, research, and development if we are to remain competitive in the global marketplace.

<sup>&</sup>lt;sup>1</sup> Higher Education Act of 1965, 20 U.S.C. § 1015a (2018), https://www.law.cornell.edu/uscode/text/20/1015a.



(202) 861 8223 www.IHEP.org Beyond the loss of critical insights, mid-project cancellations waste taxpayer dollars. With the cancellations, contractors will not complete already started work, meaning taxpayers will receive no benefit for the dollars already spent. Moreover, contractors may be required to destroy or return data they have collected or analyzed, erasing years of investment. And rebidding contracts in the future will mean spending even more money to duplicate work that has already been partially, if not mostly, completed. The federal investment in education research is a drop in the bucket compared to R&D investments in other critical sectors. The federal government doesn't have the resources to waste limited funds, and students don't have time to wait for existing efforts to be re-started.

## Risks to the Integrity of Student Data and Systems

Individual student data, particularly personally identifiable information (PII), and the systems they power, must be treated with the highest standard of integrity, privacy, and purpose. Reports indicate that DOGE staff accessed sensitive personal data from millions of federal student loan borrowers, including Social Security Number and income and asset information, raising serious privacy and security concerns.<sup>2</sup> Courts have temporarily blocked DOGE's ability to access sensitive student data housed at the Department of Education, including the Office of Federal Student Aid. However, substantial questions remain about the extent of the access and dissemination of that data prior to the court order. It is unclear who accessed students' PII data, for what purposes, whether redisclosures occurred, whether PII or other sensitive student data were used in conjunction with generative AI, and whether all relevant privacy and cybersecurity laws, standards, and best practices were and continue to be followed.<sup>3 4</sup>

Student data must be safeguarded through adherence to robust privacy laws, security best practices and standards, and clear governance structures that ensure data are used responsibly and ethically. Frivate student and family data cannot be "resecured" if erroneously released publicly or analyzed by non-privacy protected methods. Data access should be granted based on clearly defined roles and responsibilities and only for legitimate purposes.

#### **Swift Congressional Action is Needed**

Congress <u>has the authority</u> and responsibility to ensure federal agencies conduct statutorily mandated data collection, fulfill related reporting requirements, provide maximum transparency into spending changes, and abide by all data privacy laws, regulations, and best practices.<sup>6</sup>

We respectfully urge Congress to leverage all available oversight mechanisms to thoroughly review recent IES contract and grant cancellations and demand transparency regarding what was cancelled, why, and, if applicable, details about plans to rebid cancelled contracts. Additionally,

<sup>&</sup>lt;sup>6</sup> Garvey, Todd, and Sean M. Stiff, *Congress's Authority to Influence and Control Executive Branch Agencies*, R45442 (Congressional Research Service, March 30, 2023), <a href="https://crsreports.congress.gov/product/pdf/R/R45442">https://crsreports.congress.gov/product/pdf/R/R45442</a>.



<sup>&</sup>lt;sup>2</sup> Blake, Jessica, "Federal Judge Gives DOGE Access to Education Department Data," *Inside Higher Education*, February 18, 2024, https://www.insidehighered.com/news/quick-takes/2025/02/18/federal-judge-gives-doge-access-education-data

<sup>&</sup>lt;sup>3</sup> Montague, Zach, "Federal Judge Bars Elon Musk's Team from Student Loan Databases," *The New York Times,* February 24, 2025, <a href="https://www.nytimes.com/2025/02/24/us/politics/elon-musk-doge-department-of-education-data-ban.html">https://www.nytimes.com/2025/02/24/us/politics/elon-musk-doge-department-of-education-data-ban.html</a>

<sup>&</sup>lt;sup>4</sup> American Federation of Teachers v. Bessent, No. 8:25-cv-00430-DLB (D. Md. Feb. 24, 2025), https://storage.courtlistener.com/recap/gov.uscourts.mdd.576070/gov.uscourts.mdd.576070.38.0.pdf

<sup>&</sup>lt;sup>5</sup> Confidential Information Protection and Statistical Efficiency Act (CIPSEA); Family Educational Rights and Privacy Act (FERPA); Fair Information Practice Principles (FIPPS); Federal Information Security Modernization Act (FISMA); Gramm-Leach-Bliley Act (GLBA) Privacy Rule; National Institution of Standards and Technology (NIST); Privacy Act of 1974

Congress should maximize its use of oversight tools to demand transparency about how, why, and by whom sensitive student data are being accessed and used. We appreciate recent inquiries seeking clarity about the cancellations and urge Congress to assess the cost of these actions.<sup>78</sup>

Rigorous, independent data collection is vital to maintaining the integrity of our education system, national economic interests, and our world class knowledge-building infrastructure. Data should be used to serve students, guide policymakers, and inform the public, while protecting students' and families' privacy. Again, we ask that Congress exercise its oversight responsibility and ensure agency leaders are protecting the data and research infrastructure that is the backbone of evidence-driven policy solutions.

We stand ready to aid in these efforts.

If you have any questions about this statement, please contact Kelly Leon, Vice President of Communications and Government Affairs at the Institute for Higher Education Policy (kleon@ihep.org) or Taylor Myers, Assistant Director of Research and Policy (tmyers@ihep.org).

Sincerely,

### **Organizations:**

AACTE: American Association of Colleges for Teacher Education

Achieving the Dream

Advance CTE

American Association of Community Colleges

American Association of University Women (AAUW)

American Educational Research Association

American Indian College Fund

Association for Career and Technical Education (ACTE)

Association for the Study of Higher Education

Calbright College

Center for Democracy & Technology

Center for Higher Education Policy and Practice at SNHU

Center for Law and Social Policy (CLASP)

Center for Learner Equity

Center for Studies in Higher Education

Consortium of Social Science Associations

Corporation for a Skilled Workforce

Council for Opportunity in Education (COE)

Council for the Study of Community Colleges

Data Quality Campaign

Digital Promise Global

<sup>&</sup>lt;sup>8</sup> U.S. House Committee on Education and the Workforce, "Department of Education CIO Oversight Letter," February 21, 2025. https://democrats-edworkforce.house.gov/imo/media/doc/department of education cio oversight letter.pdf



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<sup>&</sup>lt;sup>7</sup> U.S. House Committee on Education and the Workforce, "Bicameral Oversight Letter to ED re: DOGE Cuts to Important Education Research," February 21, 2025. https://democratsedworkforce.house.gov/imo/media/doc/bicameral oversight letter to ed re doge cuts to important education research.p df.

**EDGE Consulting Partners** 

EdTrust

Equity Accelerator

**Excelencia in Education** 

**Generation Hope** 

Georgetown University Center on Education and the Workforce

**Higher Learning Commission** 

InformEd States

InnovateEDU

InsideTrack

Institute for Higher Education Policy (IHEP)

Middle States Commission on Higher Education

National Association for College Admission Counseling

National Center for Learning Disabilities

National College Attainment Network

National Council on Measurement in Education

**NCHEMS** 

New America Higher Education Program

New America's Open Technology Institute

New England Commission of Higher Education

PlayWell, LLC

Postsecondary Equity & Economics Research (PEER) Center

**Public Interest Privacy Center** 

SACSCOC

Salish Kootenai College

Samara Consulting, LLC

Society for Research in Child Development (SRCD)

State Higher Education Executive Officers Association

Student Basic Needs Coalition

The Aspen Institute College Excellence Program

The Campaign for College Opportunity

The Century Foundation Higher Education Policy Team

The Hope Center for Student Basic Needs

The Institute for College Access & Success

The Leadership Conference on Civil and Human Rights

The Study Group

Third Way

Trellis Foundation

**Veterans Education Success** 

WASC Senior College and University Commission

Young Invincibles

#### **Individuals**

Amanda R. Tachine, Professor, University of Oregon

Anna Haskins, Associate Professor, University of Notre Dame

Anne-Marie Nunez, Executive Director of Diana Natalicio Institute for Hispanic Student

Success, The University of Texas at El Paso

Chardé Reid, Professor, William & Mary



Christina Aushana, Postdoctoral Fellow, University of Toronto

Denisa Gándara, Associate Professor, The University of Texas at Austin

Denise Bartell, Senior Associate Vice President, Regional System Faculty & Student Success, Kent State University

Dominique Baker, Associate Professor of Education and Public Policy, University of Delaware

Donald Heller, Independent Higher Ed Consultant

Dustin Thoman, Professor, San Diego State University

Fenaba Addo, Associate Professor, UNC-Chapel Hill

Jeffrey Sun, Associate Dean and Professor, University of Louisville

Jennifer M. Gómez, Boston University, Assistant Professor

Jordan Matsudaira, Professor of Economics and Public Policy, American University

Judith Scott-Clayton, Professor of Economics & Education, Teachers College, Columbia University

Kate McPhee, Consultant/Researcher, American Institutes for Research

Lauren Schudde, Associate professor, Educational Leadership & Policy, University of Texas, Austin

Mildred Boveda, Associate Professor, Pennsylvania State University

Mimi Recker, Professor, Utah State University

Otto Santa Ana, Professor Emeritus, UCLA

Sara Bombaci, Assistant Professor, Colorado State University

Sasha Diaz, Ford Fellow, PhD Student, University of Chicago

Stephanie Cellini, Professor of Public Policy and Economics, George Washington University

Susan Dynarski, Professor, Harvard University

Terrell Morton, Assistant Professor, University of Illinois Chicago

# CC:

The Honorable Susan Collins
Chair, Senate Committee on Appropriations

The Honorable Patty Murray
Vice Chair, Senate Committee on Appropriations

The Honorable Tom Cole Chair, House Committee on Appropriations

The Honorable Rosa DeLauro Ranking Member, House Committee on Appropriations

