

October 25, 2016

The Honorable Barack Obama
President of the United States
1600 Pennsylvania Avenue
Washington, DC 20500

Dear Mr. President:

As organizations and advocates working on behalf of students, consumers, veterans, servicemembers, faculty and staff, civil rights, and college access, we thank you for issuing the March 10, 2015 [Student Aid Bill of Rights](#) which, among other things, directed the Education Department to implement an efficient and responsive complaint system to increase both accountability and transparency in higher education. The Presidential Memorandum states that the system's purpose is for "students and borrowers [to] be able to ensure that their complaints will be directed to the right party for timely resolution, and the Department of Education will be able to more quickly respond to issues and strengthen its efforts to protect the integrity of the student financial aid programs." Such a system will ensure that the triad of higher education is working for the very people that it is intended to serve.

Earlier this year, more than 50 organizations submitted [joint comments](#) about how to structure the system to ensure high-quality service, hold colleges, loan servicers and collectors accountable, and prevent waste, fraud, and abuse of taxpayer dollars. We appreciated the opportunity to work collaboratively with the Education Department on a pilot of the system before it launched on July 1 of this year. We believe that the continued collaboration between the Department and advocates representing students, borrowers, and consumers has resulted in progress, including but not limited to: improved usability, more accessible language, and a system that encourages consumers to share their experiences with the government. Importantly, we thank the Education Department for its commitment to ensuring transparency and cooperation between federal and state entities by sending complaints weekly to the Federal Trade Commission's Consumer Sentinel. Additionally, we understand the Department plans to add this fall a clear description of the complaint process and timelines so that users will know what to expect and by when.¹ This is critical.

The White House has an important role to play to ensure coordination among federal agencies that accept complaints. To foster continued improvements in accountability and transparency, we believe that a commitment to the following changes should be made before the end of your administration:

¹ For example, the Consumer Financial Protection Bureau's (CFPB) complaints process page says, "We'll forward your complaint to the company and work to get a response. After we forward your complaint, the company has 15 days to respond to you and the CFPB. Companies are expected to close all but the most complicated complaints within 60 days. You'll be able to review the response and give us feedback. If we find that another agency would be better able to assist, we will forward your complaint and let you know."

1. Make the complaint system public, searchable, and easy to find, including optional consumer complaint narratives.

As currently implemented, the complaint system is a *private* one: only government employees and some contractors can see the complaints. The public cannot review individual complaints (other than their own) or search complaints by issue, contractor, institution, or other characteristics. Users should have the option to make their complaint narratives public so others can evaluate whether complaints are applicable to them. Making the system public and searchable will help inform consumer decisions and prompt contractors, schools, states, and accreditors to more rapidly address common problems. A public, searchable system will also increase public confidence in the Department's oversight and management of Title IV funds. Making the system public is also consistent with your Administration's commitment to the Open Government Initiative.²

The system is currently too difficult for students and borrowers to find. It is buried on the studentaid.gov footer, under a link called "contact us," and locating it requires multiple clicks and scrolling. The title of the system is too similar to another link in the footer, called "Leave Us Feedback," which takes users to a survey about studentaid.gov rather than the complaint system. We have heard that there are ongoing discussions about how and when to elevate and promote the system on the site, and we encourage you to ensure that these changes occur without delay.

2. Create seamless coordination between government entities that run complaint systems.

Consumers should not have to file multiple complaints with multiple federal entities. The Department should prevent users from having to file the same complaint twice by forwarding complaints directly to relevant entities, like to the Consumer Financial Protection Bureau, Department of Defense, and Department of Veterans Affairs. For complaints transferred to another branch of the triad (a state agency or accreditor), at a minimum, the system should ask to be told when an issue is resolved and ask whether the consumer is satisfied with the outcome. Sharing or transferring complaints and making the system public and searchable will also help ensure each member of the triad is receiving and responding to consumer complaints.

3. Improve complaint resolution by holding contractors accountable for meaningfully and efficiently addressing complaints and reviewing complaints when users are not satisfied.

We recognize and thank the Education Department for making progress on improving complaint resolution times and for its commitment to improving the routing of complaints within the Department and to its contractors. We urge the Department to continue to improve complaint routing and shorten complaint resolution times. The Department should refer complaints to servicers, debt collectors, and schools for resolution within a specified timeframe and track the response. To avoid Department staff doing work contractors are already paid to do, we recommend the Department step in to ensure complaints are being meaningfully addressed when complainants are not satisfied with the resolution of a complaint, when the Department sees a contractor or

² Executive Office of the President, Office of Management and Budget, *Memorandum for the Heads of Executive Departments and Agencies*, Open Government Directive, December 8, 2009, https://www.whitehouse.gov/sites/default/files/omb/assets/memoranda_2010/m10-06.pdf.

school error or common or systemic issues, and when the Department needs to hold contractors accountable for their roles in the Title IV program.

Thank you for making the coordinated tracking of consumer complaints relating to higher education a priority. A commitment to improve the complaint system in these ways will ensure that the system has a lasting and significant impact on students and taxpayers.

Sincerely,

Air Force Sergeants Association (AFSA)
American Association of University Women (AAUW)
American Federation of Labor-Congress of Industrial Organizations (AFL-CIO)
American Federation of Teachers, AFL-CIO
Americans for Financial Reform
Center for Public Interest Law of the University of San Diego
Center for Responsible Lending
Children's Advocacy Institute of the University of San Diego
Consumer Action
Consumer Federation of California
Consumers Union
Council for Opportunity in Education
Demos
East Bay Community Law Center
The Education Trust
Empire Justice Center
Equal Justice Works
Generation Progress
Government Accountability Project (GAP)
The Greenlining Institute
Higher Ed, Not Debt
Housing and Economic Rights Advocates
Initiative to Protect Student Veterans
The Institute for College Access & Success
League of United Latin American Citizens
Maryland Consumer Rights Coalition
NAACP
National Association for College Admission Counseling
National Association of Consumer Advocates
National Consumer Law Center (on behalf of its low-income clients)
National Consumers League
National Women Veterans Association of America
NCLR (National Council of La Raza)
New York Legal Assistance Group
One Wisconsin Now
Progress Virginia
Project on Predatory Student Lending of the Legal Services Center of Harvard Law School
Public Advocates Inc.

Public Citizen
Public Counsel
Public Good Law Center
Public Law Center
Service Employees International Union
Student Debt Crisis
Student Veterans of America
U.S. PIRG
United States Student Association
University of San Diego School of Law Veterans Legal Clinic
Veterans Education Success
Veterans for Common Sense
Veterans' Student Loan Relief Fund
VetJobs
VetsFirst, a program of United Spinal Association
Vietnam Veterans of America
Woodstock Institute
Young Invincibles