March 13, 2018

Nancy A. Berryhill
Acting Commissioner
Social Security Administration
1300 D Street, SW
Washington, DC 20024

Re: Renewal of Agreement for Education Program Earnings Calculations between the Department of Education and the Social Security Administration

Dear Acting Commissioner Berryhill:

The Department of Education (ED) and the Social Security Administration (SSA) have a long history of successful data sharing. Our agencies currently exchange information pursuant to two Computer Matching Agreements ("CMAs"), and one Memorandum of Understanding ("MOU"). Under one of the CMAs we have been exchanging information for multiple decades. The most recent agreement is the MOU, signed on May 24, 2013, whereby the agencies share information to allow the production of data relating to college outcomes. The MOU is due to expire on May 24, 2018. The Department would like to renew it to continue getting this program outcome information for the benefit of the public.

Under the MOU ED provides lists of attendees of educational programs, and SSA matches the attendees with the earnings data for a specific year to calculate the average earnings for those attendees in that year. These average program earnings calculations are only provided to ED when the list of attendees for a specific educational program is large enough not to reveal the personal earnings information of individual program attendees. ED makes these aggregate program earnings available to the public, and also uses them to calculate a ratio comparing the average program earnings to the average educational debt for those program attendees. And, of course, record-level SSA information does not leave SSA.

In light of our long and successful history of data sharing, we are requesting SSA to renew the MOU. Renewal is essential to the ongoing administration of ED's gainful employment program. ED is in the process of conducting negotiated rulemaking sessions that would amend ED's regulations that relate to the gainful employment program debt-to-earnings calculations. The Department has recently shared draft regulations with the negotiating committee that would expand the calculation and disclosures of average program earnings to all educational programs offered by institutions of higher education that participate in the federal student aid programs. ED would like to use the renewal of its agreement with SSA to provide for these additional calculations.
I am enclosing for your reference a copy of the existing Memorandum of Understanding that provides for SSA to calculate the average program earnings for ED. I am requesting your support for ED to work with the SSA staff on an expedited basis to revise and renew this agreement.

Sincerely,

James F. Manning
Delegated the Authority to Perform the Functions and Duties of the Under Secretary