

Congress of the United States
Washington, DC 20515

January 10, 2020

The Honorable Betsy DeVos, Secretary
U.S. Department of Education
400 Maryland Avenue SW
Washington, DC 20202

RE: Docket ID ED-2019-OPE-0081

Dear Secretary DeVos,

We support the proposed regulatory changes under Title IV of the Higher Education Act that seek to ensure a level playing field for participation by students of faith and faith-based higher education institutions in federal student aid programs.

The Department of Education's consensus-based proposed rule makes what are ultimately small but important changes, including:

- removing language that explicitly discriminates against students for their religious beliefs;
- clarifying that borrowers who work for employers that engage in religious activities can qualify for Public Service Loan Forgiveness, permitting certain requirements;
- allowing a narrow category of borrowers to defer their loans while serving as a full-time volunteer with a tax-exempt organization if the borrower conducts religious activities as a part of his or her official duties; and
- eliminating inconsistent limitations on the ability of faith-based institutions to participate in the Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR UP).

Under the current regulatory regime, students and faith-based institutions face a complicated web of rules that are at best an open question and at worst unconstitutional discrimination. In particular, the provisions for students who are members of a religious order unacceptably single out members of a faith group beyond what is necessary and violate the Free Exercise Clause of the First Amendment. A student who seeks payment deferral or loan forgiveness could be either barred from or potentially limited in access to such arrangements if he or she chooses to pursue a position that involves religious activity. Moreover, faith-based institutions are inconsistently limited in participating in GEAR UP without apparent value to the administration of the program.

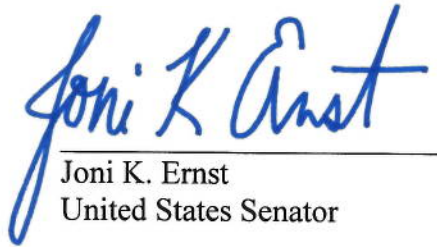
For these reasons, we commend the administration for taking steps to ensure clarity and religious liberty protections for students and faith-based higher education institutions. Importantly, Title IV programs remain available to all eligible students and entities regardless of their religious status or beliefs.

We welcome these and other measures that honor our nation's commitment to freedom of conscience and freedom of religious exercise.

Sincerely,



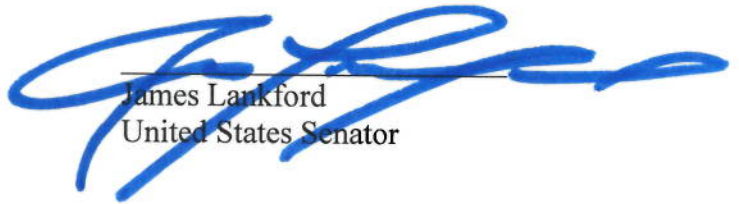
Roy Blunt
United States Senator



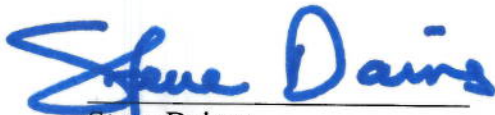
Joni K. Ernst
United States Senator



Tim Scott
United States Senator



James Lankford
United States Senator



Steve Daines
United States Senator