

# Congress of the United States

Washington, DC 20515

April 28, 2017

The Honorable Betsy DeVos  
Secretary  
United States Department of Education  
400 Maryland Avenue, S.W.  
Washington, D.C. 20202-8510

Dear Secretary DeVos:

We are writing to request your urgent attention to applications deemed ineligible for the fiscal year (FY) 2017 Upward Bound Program competition due to minor formatting concerns and to request that the Department of Education reverse its rejection of these applications. Absent such a reversal, thousands of low-income and first-generation students could be denied a chance to access higher education because of inadvertent formatting issues.

On October 17, 2016, the Department published in the *Federal Register* a Notice Inviting Applications for New Awards (Notice) for the FY 2017 Upward Bound Program competition. The Notice includes arbitrary formatting criteria not mandated by Congress. The criteria are not related to the substance of the Upward Bound applications and do not provide any form of recourse for applicants to correct minor, unintentional deviations from these criteria.

The criteria are also inconsistent with other TRIO competitions. For example, the Notice for the FY 2017 competition required that applications be double-spaced, whereas the Department's FY 2015 Notice for the Student Support Services Program required double spacing for narrative text only and single spacing for figures, charts, and graphs. The FY 2017 Notice for the McNair Post baccalaureate Achievement Program competition includes formatting instructions similar to the Upward Bound Notice, but does not say that applications will be rejected if these standards are not met. Many applicants regularly apply for other competitive grants from the Department, and such inconsistent guidelines are both confusing and unhelpful.

While we are sensitive to the Department's need to provide application guidelines, the decision to exclude applications from consideration due to minor, non-substantive concerns is a clear example of the harm that results from inflexible, bureaucratic procedures. We understand that FY 2017 Upward Bound applications from as many as 17 states, plus Puerto Rico, have been rejected on the basis of formatting. At least one applicant was rejected because the line spacing in two info-graphics included text that was 1.5 spaced instead of double spaced. Line spacing and font sizes can also result from automatic adjustments made by computer programs, such as those affecting spacing on spreadsheet tables. Other applicants have exceeded the page limit by mere sentences, an irregularity that can occur when converting applications into PDF format. In some instances, the errors were so slight that the applicants could not identify them on their own. Simply granting applicants the opportunity to address these arbitrary formatting requirements could prevent these absurd results.

Focusing on formatting technicalities and administrative ease rather than the merits of these applications undermines the efficacy of this important program. Many applicants that were rejected have served generations of first-time, low-income students successfully for decades. Moreover, this year's re-applicants would be seriously disadvantaged in future years because they stand to lose critical prior experience points which they have earned. Arbitrary formatting requirements should not jeopardize the long-standing successes of these programs. The Department of Education should be supporting successful partnerships, not constructing bureaucratic roadblocks in administering Upward Bound and other TRIO programs.

On behalf of thousands of college-bound students across the country, we ask that you read and score these applications so that they can be considered for funding during the FY 2017 competition. We look forward to working with you to break down the barriers facing our neediest students and to promote greater college accessibility and success. We would appreciate your prompt attention to this request.

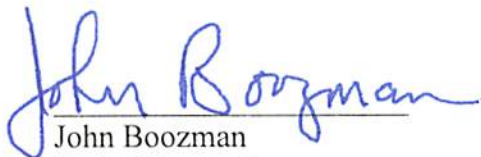
Sincerely,



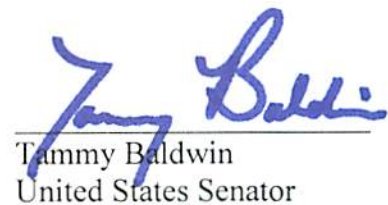
Susan M. Collins  
United States Senator



Jon Tester  
United States Senator



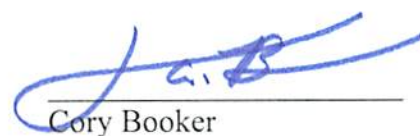
John Boozman  
United States Senator



Tammy Baldwin  
United States Senator



Shelley Moore Capito  
United States Senator



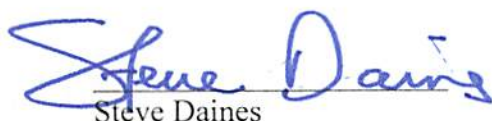
Cory Booker  
United States Senator



Tom Cotton  
United States Senator



Sherrod Brown  
United States Senator



Steve Daines  
United States Senator

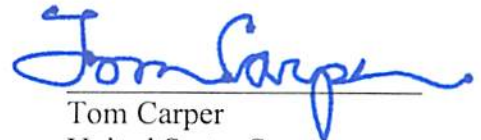


Maria Cantwell  
United States Senator

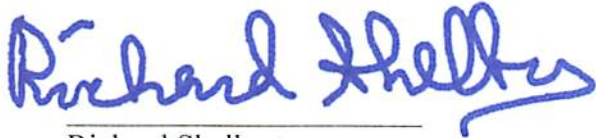




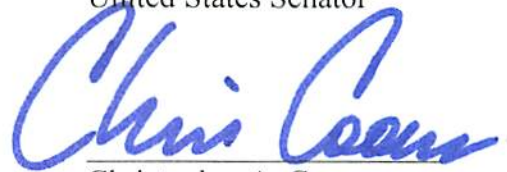
Rob Portman  
United States Senator



Tom Carper  
United States Senator



Richard Shelby  
United States Senator



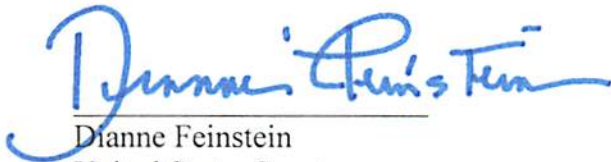
Christopher A. Coons  
United States Senator



Luther Strange  
United States Senator



Richard J. Durbin  
United States Senator



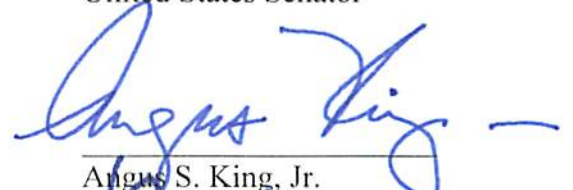
Dianne Feinstein  
United States Senator



Kirsten Gillibrand  
United States Senator




Kamala D. Harris  
United States Senator



Angus S. King, Jr.  
United States Senator



Edward J. Markey  
United States Senator



Christopher S. Murphy  
United States Senator



Patty Murray  
United States Senator



Bill Nelson  
United States Senator



Charles E. Schumer  
United States Senator