Centers for Medicare and Medicaid Services

COMMITTEE ON INTELLIGENCE

COMMITTEE ON INDIAN AFFAIRS

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENT AFFAIRS

RANKING MEMBER
PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

United States Senate

Senator Tom Coburn, MD

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

COMMITTEE ON THE JUDICIARY

RANKING MEMBER
SUBCOMMITTEE ON THE CONSTITUTION

February 11, 2011

Via U.S. Mail and Electronic Mail [redacted]

Mr. Donald Berwick, M.D.
Administrator
Centers for Medicare and Medicaid Services
Department of Health and Human Services
200 Independence Avenue, N.W.
Room 314; G. Humphrey Building
Washington, D.C. 20201

Dear Administrator Berwick:

The United States Center for Medicare and Medicaid Services ("CMS") administers Medicare programs to an estimated 47 million persons at an annual cost of about $521 billion. Medicare consists four distinct parts: Part A (hospital insurance); Part B (supplementary medical insurance); Part C (Medicare advantage); and Part D (prescription drug benefits).

For each Medicare Part listed above, please provide the following information for all individuals that received any payment from these programs during Fiscal Years 2007, 2008, 2009 and 2010, and who also had an adjusted gross income of $1,000,000 or greater: (1) unique identifier; (2) total adjusted gross income for the Fiscal Year in which the payment was made; (3) name of each program the recipient received benefits through; (4) amount of benefits received from each program; and (5) total amount of all program benefits received during each Fiscal Year. This information should be produced in an electronic usable format, such as Microsoft Excel.

All information requested above should be produced in an electronic usable format, such as Microsoft Excel. Please provide the above information by February 25, 2011. If you have any questions, including the format in which the information should be produced, please contact [redacted]

Sincerely,

Tom Coburn, M.D.
United States Senator

1800 South Baltimore
Suite 800
Tulsa, OK 74119
Phone: 918-581-7651

Russell Senate Office Building, Room 172
Washington, DC 20510-3604
Phone: 202-224-5754
Fax: 202-224-6008

www.coburn.senate.gov

100 North Broadway
Suite 1820
Oklahoma City, OK 73102
Phone: 405-231-4941

DEPARTMENT OF HEALTH & HUMAN SERVICES

Centers for Medicare & Medicaid Services

200 Independence Avenue SW
Washington, DC 20201

The Honorable Tom Coburn, M.D.
United States Senate
Washington, D.C. 20510

Dear Senator Coburn:

Thank you for your letter in which you requested information about the amount of Medicare benefits paid for individuals who have an adjusted gross income of $1,000,000 or more. Administrator Berwick asked me to respond to you on his behalf.

Entitlement in the Medicare program is based on age (age 65 or older), disability, or the presence of end-stage renal disease. Since program entitlement is not based on income, the Centers for Medicare & Medicaid Services (CMS) does not collect information regarding a beneficiary's income.

Under Parts B and D of the Medicare program, some beneficiaries with higher incomes are required to pay additional income-related premiums, which are dependent on statutorily-mandated income thresholds. However, CMS does not collect or maintain information on beneficiary income for the purpose of applying the Parts B and D income-related premiums described above. The Social Security Administration coordinates with the Department of Treasury to identify individuals who fall within the income thresholds based on their modified adjusted gross income from two years prior to the year for which the premiums are being charged.

We regret that we are not able to provide the information that you requested. Please let us know if we can be of further assistance.

Sincerely,

AHall

Amy Hall
Director
Office of Legislation

COMMITTEE ON HOMELAND SECURITY
AND GOVERNMENTAL AFFAIRS

RANKING MEMBER
PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

United States Senate
Senator Tom Coburn, MD

COMMITTEE ON FINANCE

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PENSIONS, AND FAMILY POLICY

COMMITTEE ON THE JUDICIARY

RANKING MEMBER
SUBCOMMITTEE ON PRIVACY, TECHNOLOGY,
AND THE LAW

April 6, 2011

Via U.S. Mail and Email

The Honorable Michael J. Astrue
Commissioner
United States Social Security Administration
6401 Security Boulevard
Baltimore, MD 21235

Dear Commissioner Astrue:

The Social Security Administration ("SSA") manages and administers a number of important programs. It also assists the Centers for Medicare and Medicaid Services ("CMS") in determining which beneficiaries with higher incomes are required to pay additional income-related premiums for coverage under Medicare Parts B and D. According to CMS, SSA coordinates with the Department of Treasury to identify individual who fall within certain income thresholds based on their modified adjusted gross income from two years prior to the year for which the premiums are being charged. *See* attached letter.

Indeed, SSA states that "[h]igher-income beneficiaries will pay higher premiums for Part B and prescription drug coverage." Further, "[t]o determine if a beneficiary is required to pay a higher premiums, [SSA] will use the most recent federal tax return information." *See* SSA, *Medicare Premiums: Rules for Higher-Income Beneficiaries*, http://www.ssa.gov/pubs/10536.pdf.

Please provide the following information for all individuals or entities that received any benefits from Medicare Parts B and D during fiscal years 2007, 2008, 2009, and 2010, who also reported an adjusted gross income of $1,000,000 or greater: (1) name of recipient; (2) total adjusted gross income for the year(s) in which the individual received benefits; (3) name of each program the individual received benefits through; (4) amount of benefits received from each program; and (5) total amount of benefits received during each year. This information should be produced in an electronic usable format, such as Microsoft Excel.

1800 South Baltimore
Suite 800
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www.coburn.senate.gov

100 North Broadway
Suite 1820
Oklahoma City, OK 73102
Phone: 405-231-4941

Please provide the above requested information by April 22, 2011. If you have any questions, including the format in which the information should be produced, please contact

Sincerely,

Tom Coburn, M.D.
United States Senator

DEPARTMENT OF HEALTH & HUMAN SERVICES

Centers for Medicare & Medicaid Services

200 Independence Avenue SW
Washington, DC 20201

The Honorable Tom Coburn, M.D.
United States Senate
Washington. D.C. 20510

Dear Senator Coburn:

Thank you for your letter in which you requested information about the amount of Medicare benefits paid for individuals who have an adjusted gross income of $1,000,000 or more. Administrator Berwick asked me to respond to you on his behalf.

Entitlement in the Medicare program is based on age (age 65 or older), disability, or the presence of end-stage renal disease. Since program entitlement is not based on income, the Centers for Medicare & Medicaid Services (CMS) does not collect information regarding a beneficiary's income.

Under Parts B and D of the Medicare program, some beneficiaries with higher incomes are required to pay additional income-related premiums, which are dependent on statutorily-mandated income thresholds. However, CMS does not collect or maintain information on beneficiary income for the purpose of applying the Parts B and D income-related premiums described above. The Social Security Administration coordinates with the Department of Treasury to identify individuals who fall within the income thresholds based on their modified adjusted gross income from two years prior to the year for which the premiums are being charged.

We regret that we are not able to provide the information that you requested. Please let us know if we can be of further assistance.

Sincerely,

AHall

Amy Hall
Director
Office of Legislation

SOCIAL SECURITY
The Commissoner

April 21, 2011

The Honorable Tom Coburn, M.D.
United States Senate
Washington, D.C. 20510

Dear Senator Coburn:

This is in response to your letter of April 6, 2011 requesting the names and adjusted gross income (AGI) of individuals enrolled in Medicare Parts B and D with AGI of $1,000,000 or more.

On February 11, 2011, you requested similar information on high-income individuals receiving benefits under Titles II or XVI of the Social Security Act. Our Chief Actuary, Steve Goss, responded to that request on March 15, 2011 (copies enclosed). As Mr. Goss noted in his response and further explained to your staff, section 6103 of the Internal Revenue Code prohibits us from releasing any tax return information on individual taxpayers. The statistical information Mr. Goss provided for Title II beneficiaries applies also to your current request.

I recommend that you contact the Secretary of the Treasury with any questions about the availability of individual-level information. If you have any questions, please contact me or have your staff contact [redacted], our [redacted] for Legislation and Congressional Affairs, at [redacted]

Sincerely,

Michael J. Astrue

Enclosures

[redacted]

From: Goss, Stephen C. [redacted]
Sent: Tuesday, August 23, 2011 12:59 PM
To: [redacted]
Cc: [redacted]
Subject: Medicare Part B enrollees with $1 million MAGI
Attachments: Response_to_Senator_Coburn_FINAL_2011_0823.pdf

[redacted]

I am very happy to tell you that we have now completed work on assessing the number of Medicare Part B enrollees as of June 2011 who had MAGI of $1 million or more in the most recently available year. We are also providing the numbers of Part B enrollees who had premiums affected under IRMAA. The MAGI definition we used to assess those with $1 million or more total income is the same as is used for the IRMAA determination. This is a follow-up to the earlier information we were able to provide on numbers of OASDI beneficiaries who had earnings of $1 million or more in recent years. Getting these data required a coordinated effort of folks in SSA, particularly our Office of Systems. We hope these data will be helpful.

Steve

SOCIAL SECURITY

Office of the Chief Actuary

August 23, 2011

The Honorable Tom Coburn, M.D.
United States Senate
Washington, D.C. 20510

Dear Senator Coburn:

In my letter to you of March 15, 2011, I provided information for 2007, 2008, and 2009 about Social Security beneficiaries who had earned income of $1,000,000 or more during the year. Since that time, we have spoken further with of your staff about possibilities for obtaining the number of beneficiaries who have **total** income of $1,000,000 or more.

While the Social Security Administration does not have this information for Social Security beneficiaries generally, it does have it for Medicare Part B enrollees. The Office of Systems granted us access to the Medicare IRMAA Determination database, and tabulations using these data were done in our Office by J ı, under the direction of and . We determined that about 60,000, or 0.1 percent, of the 46 million Medicare Part B enrollees in June 2011 had reported modified adjusted gross income (MAGI) of $1,000,000 or more. In the case of joint filers, the MAGI is the combined income of the filers. These numbers are shown in the enclosed table within the context of other IRMAA information.

Monthly premiums for Medicare Part B enrollees are set at higher levels under IRMAA for enrollees with higher MAGI. The Social Security Administration makes the determination of the appropriate premium level using tax information provided by the IRS for the second or third prior tax year. The measure of income used, MAGI, is equal to the reported AGI (including any portion of OASDI benefits that was subject to personal income tax for the year) plus non-taxable interest income. The enclosed table shows the percent of all Medicare Part B enrollees in June 2011 who were subject to an increased premium at each of the four levels in IRMAA.

We hope this information will be helpful. If we may be of any further assistance on this or any other matter, please do not hesitate to let us know.

Sincerely,

Stephen C. Goss

Stephen C. Goss
Chief Actuary

Enclosure

SOCIAL SECURITY ADMINISTRATION BALTIMORE, MD 21235-0001

Medicare Part B Enrollment in June 2011 with Premium Affected by IRMAA

IRMAA Level	% of Total Part B Enrollment	Income (MAGI) Thresholds		
		Filing Single	Married Filing Joint	Married Filing Single
1	1.4%	85,001 - 107,000	170,001 - 214,000	
2	1.1%	107,001 - 160,000	214,001 - 320,000	
3	0.4%	160,001 - 214,000	320,001 - 428,000	85,001 - 129,000
4	0.6%	> 214,000	> 428,000	> 129,000
All IRMAA	3.5%			
Million+ MAGI	0.1%	≥ 1,000,000		

Notes:

Filing single includes Head of Household and Qualifying Widows

Part B enrollment for June 2011 was 44.6 million; 1.6 million enrollees had premiums affected by IRMAA

Source:

Count of Total Part B enrollment sourced from the MBR as of June 2011

Counts of beneficiaries by IRMAA level sourced from the Medicare IRMAA Determination database

Office of the Chief Actuary, Social Security Administration
August 23, 2011

Department of Commerce

COMMITTEE ON HOMELAND SECURITY
AND GOVERNMENTAL AFFAIRS

RANKING MEMBER
PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

United States Senate

Senator Tom Coburn, MD

COMMITTEE ON FINANCE

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PENSIONS, AND FAMILY POLICY

COMMITTEE ON THE JUDICIARY

RANKING MEMBER
SUBCOMMITTEE ON PRIVACY, TECHNOLOGY,
AND THE LAW

April 13, 2011

Via U.S. Mail and Electronic Mail

The Honorable Gary Locke
Secretary
United States Department of Commerce
Room 5421
Fourteenth Street and Constitution Avenue, N.W.
Washington, D.C. 20230

Dear Secretary Locke:

I am interested in obtaining information on certain programs administered by the United States Department of Commerce and would appreciate your assistance. The Department of Commerce provides a number of programs and services that assist Americans in a number of ways. These programs and grants include, but are not limited to:

- Fisheries Finance Program;
- Fisherman's Contingency Fund;
- Integrated Ocean Observing System Grants;
- Marine Fisheries Initiative Grants;
- Ocean Exploration Grants;
- Unallied Industry Project Grants;
- Unallied Management Project Grants;
- Unallied Science Program Grants;
- Undersea Research Grants;
- Programs and Opportunities provided by the Minority Business Development Agency; and
- All Congressionally Identified Awards and Projects, including International Trade Administration Special Projects.

Please provide the following information for all individuals or entities that received any benefits from the above listed programs during fiscal years 2007, 2008, 2009, and 2010, who also reported an adjusted gross income of $1,000,000 or greater: (1) name of recipient; (2) total adjusted gross income for the year(s) in which the individual received benefits; (3) name of each program the individual received benefits through; (4) amount of benefits received from each program; and (5) total amount of benefits received during each year. This information should be produced in an electronic usable format, such as Microsoft Excel.

1800 SOUTH BALTIMORE
SUITE 800
TULSA, OK 74119
PHONE: 918-581-7651

RUSSELL SENATE OFFICE BUILDING, ROOM 172
WASHINGTON, DC 20510-3604
PHONE: 202-224-5754
FAX: 202-224-6008

100 NORTH BROADWAY
SUITE 1820
OKLAHOMA CITY, OK 73102
PHONE: 405-231-4941

www.coburn.senate.gov

Please provide the above information by April 29, 2011. If you have any questions, including the format in which the information should be produced, please contact [redacted]

Sincerely,

Tom Coburn, M.D.
U.S. Senator

UNITED STATES DEPARTMENT OF COMMERCE
Assistant Secretary for Legislative and Intergovernmental Affairs
Washington, D.C. 20230

September 30, 2011

The Honorable Tom Coburn, M.D.
Ranking Member
Permanent Subcommittee on Investigations
Committee on Homeland Security and Governmental Affairs
United States Senate
Washington, DC 20510

Dear Ranking Member Coburn:

This letter is in response to your letter dated April 13, 2011, to Secretary Locke seeking information regarding federal assistance awarded to recipients with an adjusted gross income of $1,000,000 or greater. I am responding on behalf of the Commerce Department.

Generally, the Commerce Department (the Department) does not collect information regarding adjusted gross income of individuals or entities. However, there are two exceptions.

First, income information may be an element for issuing awards in assistance programs that are statutorily authorized to address specific economic need, such as disaster assistance. In those specific instances, the funding generally is awarded to state agencies, which then create the mechanisms to distribute the funds.

Second, the National Oceanic and Atmospheric Administration (NOAA) provides assistance to individuals and entities under the Fisheries Finance Program (FFP), a loan program that makes financing available to U.S. citizens who otherwise qualify for financing of the construction of fishing vessels, shoreside processing facilities, aquaculture facilities, and the purchase of Individual Fishing Quota (IFQ) shares. The goal of the FFP is to make loans to applicants who are fiscally responsible. These loans have a negative subsidy rate, use no appropriated funds, and the government ultimately makes money on these loans. As such, gross income is one of many factors NOAA considers in making these loans. However, this information is not readily retrievable and is largely personal privacy information; therefore, we are unable to disclose it.

Your staff expressed an interest in receiving more general information about the grant programs listed in your letter. The government website www.usaspending.gov provides considerable information on government grant programs. The attached document provides links to the programs you listed, as well as instructions on how to easily retrieve information regarding the recipient, year, and amount of the grant. In addition, NOAA provides annual information on NOAA grants, organized by individual state. That website is http://www.legislative.noaa.gov/NGIYS/index.html. There, you will find the annual amount of grant and contract funding provided to individual named recipients within each state.

If you have any further questions, please contact me at (

Sincerely,

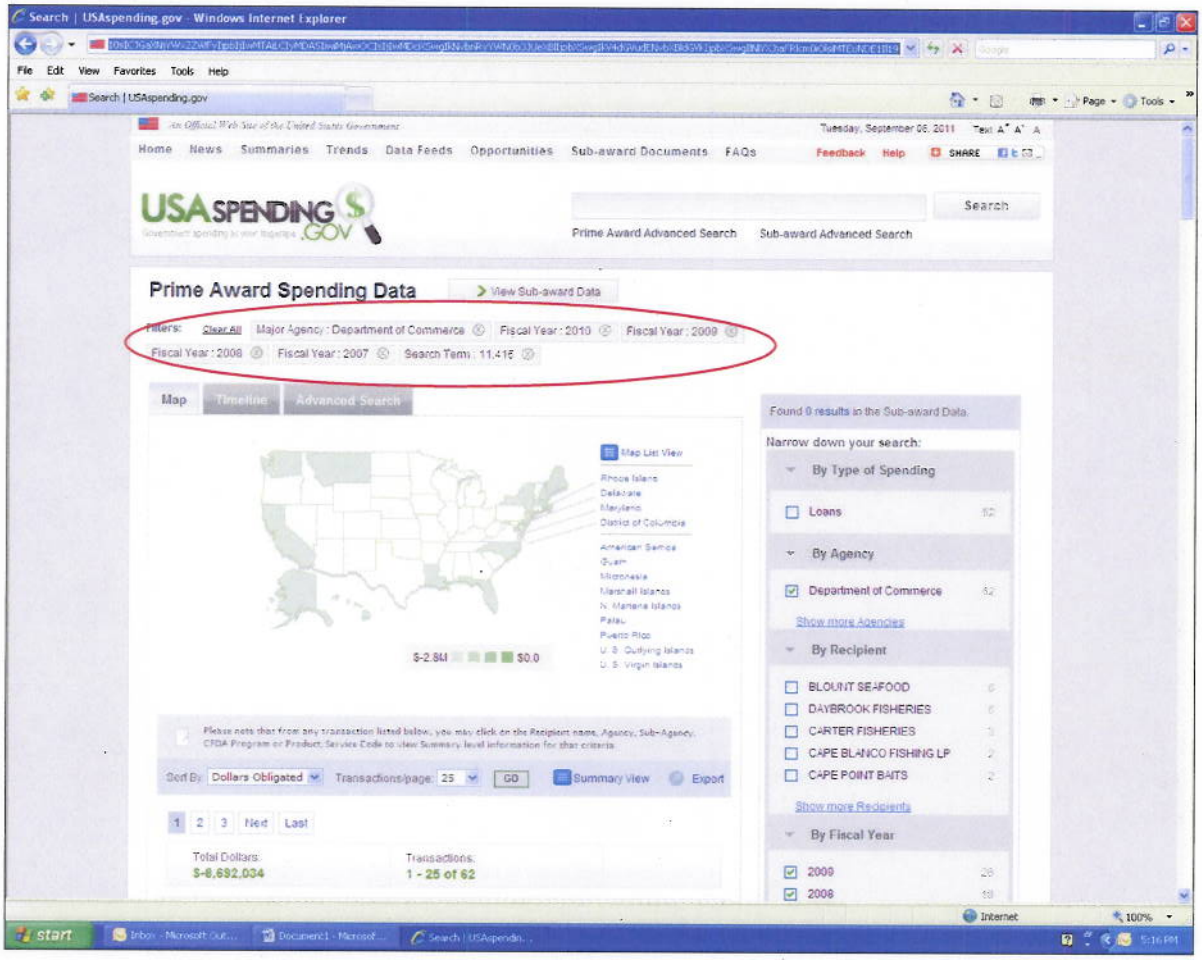
April Boyd
Assistant Secretary for Legislative
and Intergovernmental Affairs

CC: The Honorable Carl Levin
Chairman
Permanent Subcommittee on Investigations
Committee on Homeland Security and Governmental

All information contained in this document was obtained online at www.usaspending.gov.

Fisheries Finance Program: CFDA No. 11.415

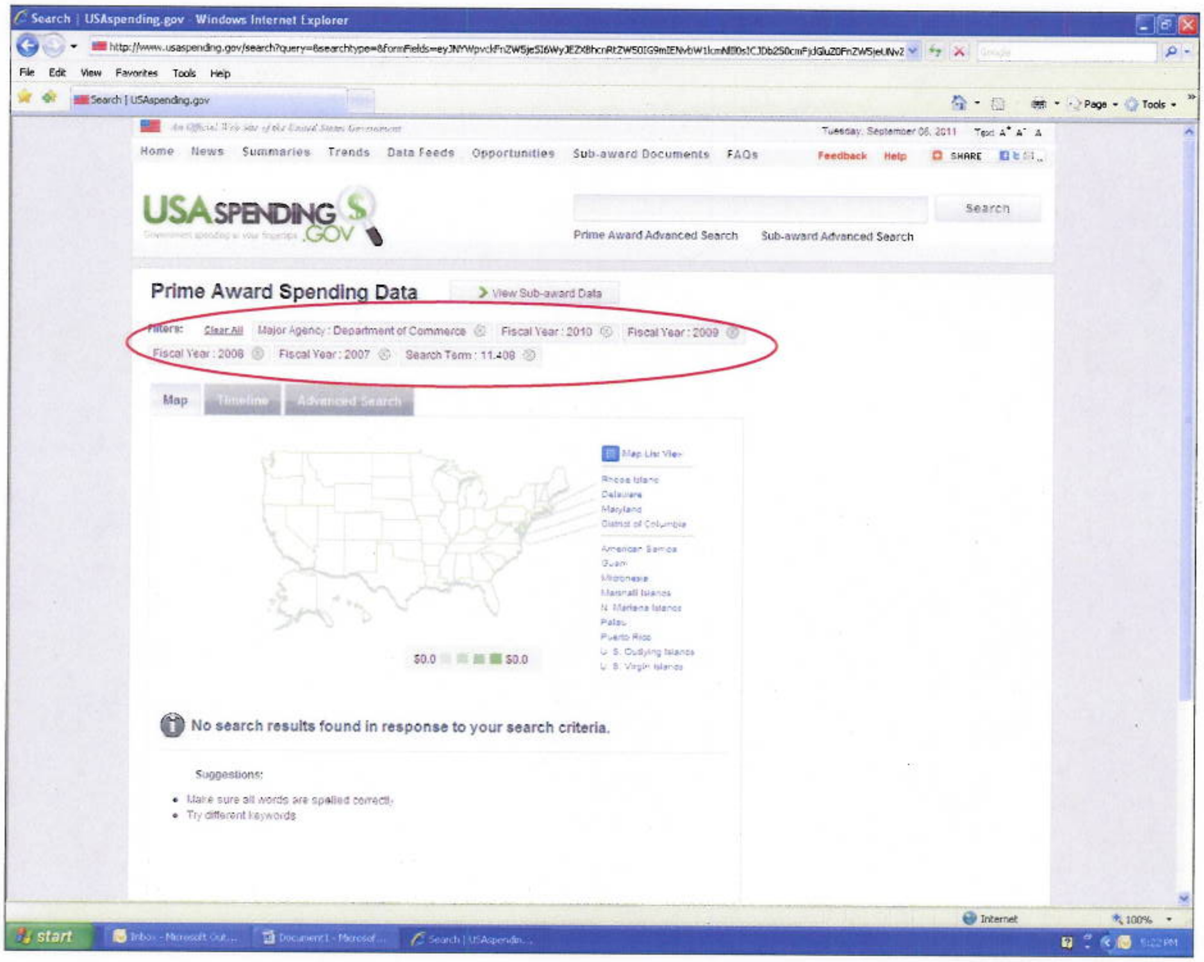
[If this hyperlink does not pull up the exact information, do a search for "11.415" and use the following filters – circled in red – in the "Advanced Search" tab: "Major Agency: Department of Commerce"; "Fiscal Year: 2007"; "Fiscal Year: 2008"; "Fiscal Year: 2009"; "Fiscal Year: 2010"].



All information contained in this document was obtained online at www.usaspending.gov.

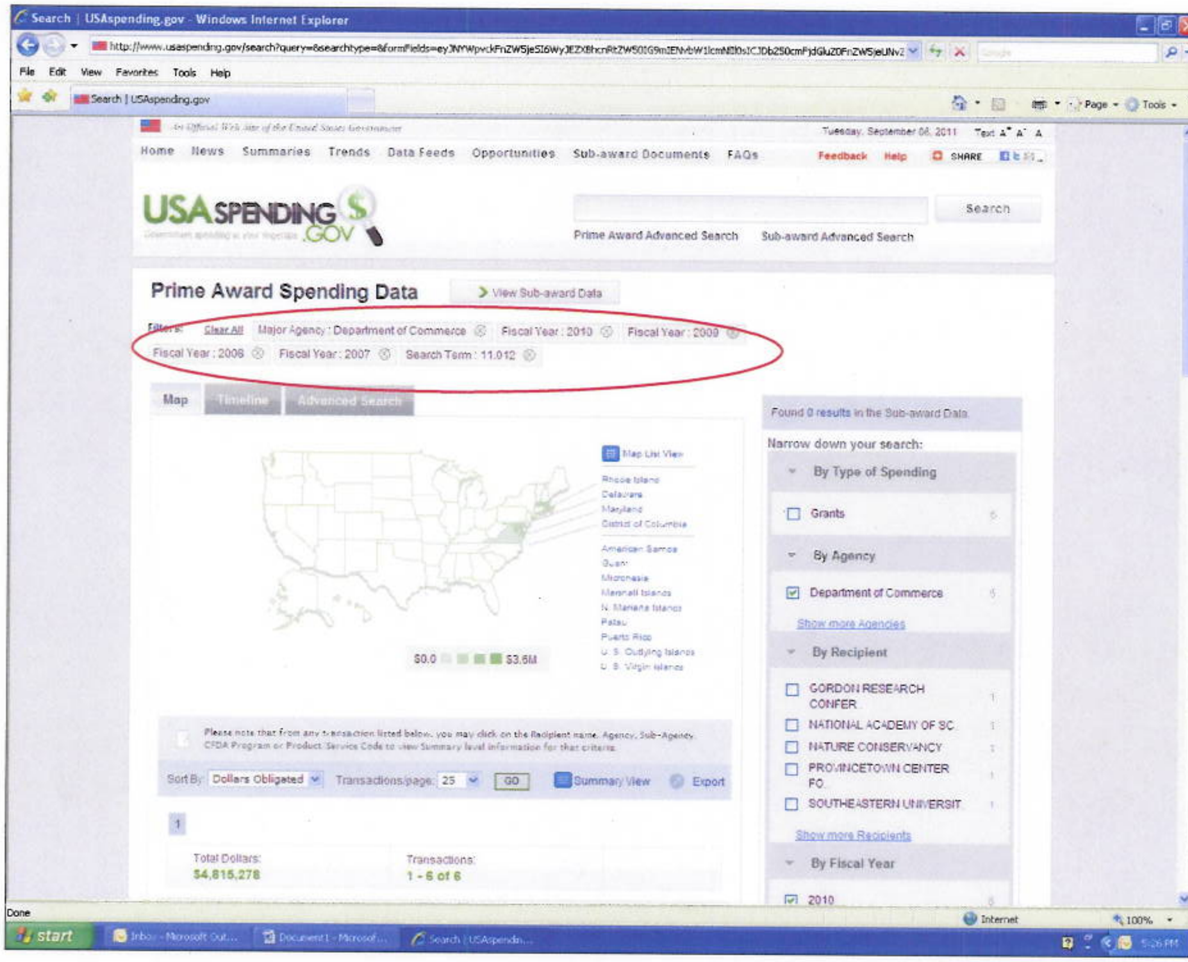
Fisherman's Contingency Fund; CFDA No. 11.408

[If this hyperlink dose not pull up the exact information, do a search for "11.408" and use the following filters – circled in red – in the "Advanced Search" tab: "Major Agency: Department of Commerce"; "Fiscal Year: 2007"; "Fiscal Year: 2008"; "Fiscal Year: 2009"; "Fiscal Year: 2010"].



All information contained in this document was obtained online at www.usaspending.gov.

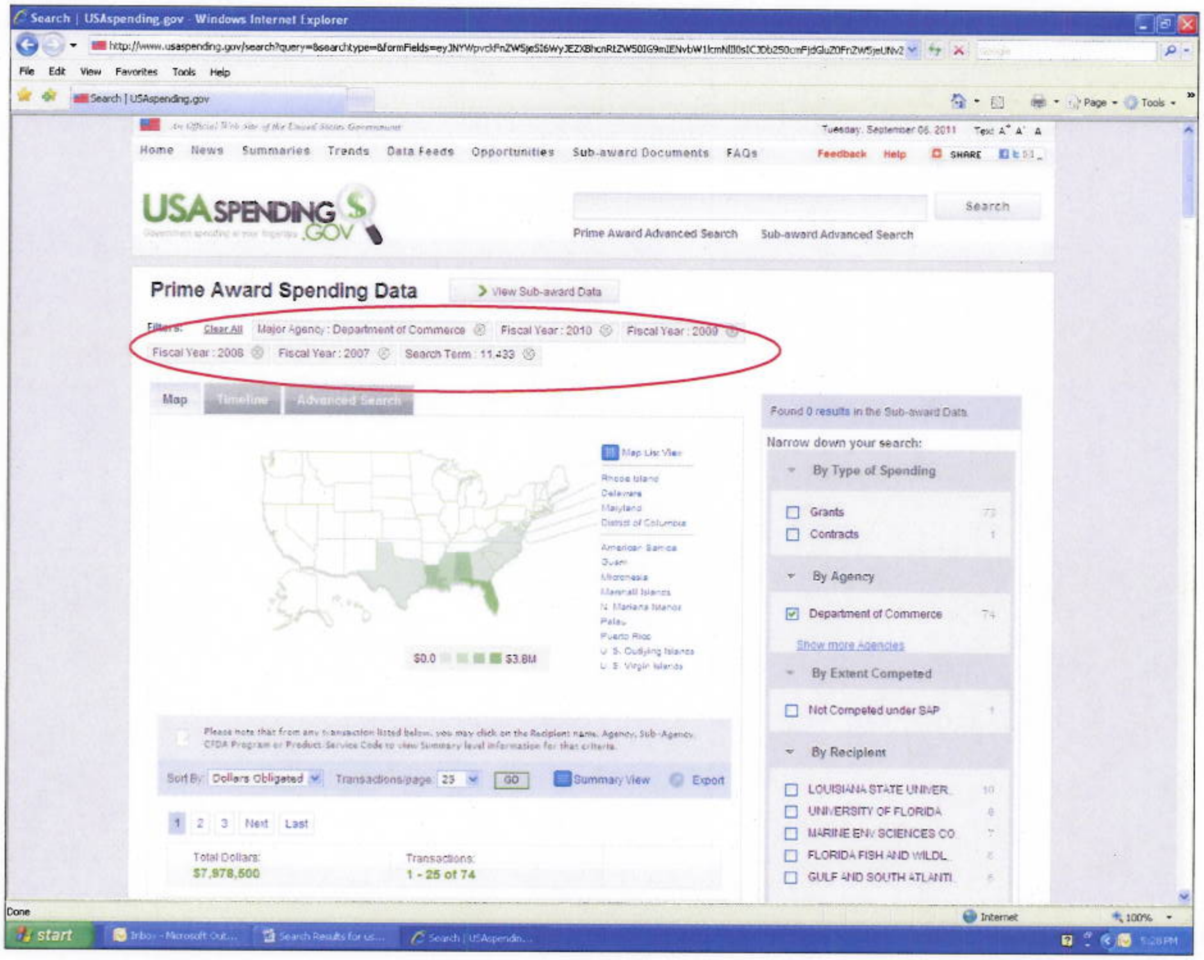
[Integrated Ocean Observing System Grants](); CFDA No. 11.012
[If this hyperlink dose not pull up the exact information, do a search for "11.012" and use the following filters – circled in red – in the "Advanced Search" tab: "Major Agency: Department of Commerce"; "Fiscal Year: 2007"; "Fiscal Year: 2008"; "Fiscal Year: 2009"; "Fiscal Year: 2010"].



All information contained in this document was obtained online at www.usaspending.gov.

Marine Fisheries Initiative Grants; CFDA No. 11.433

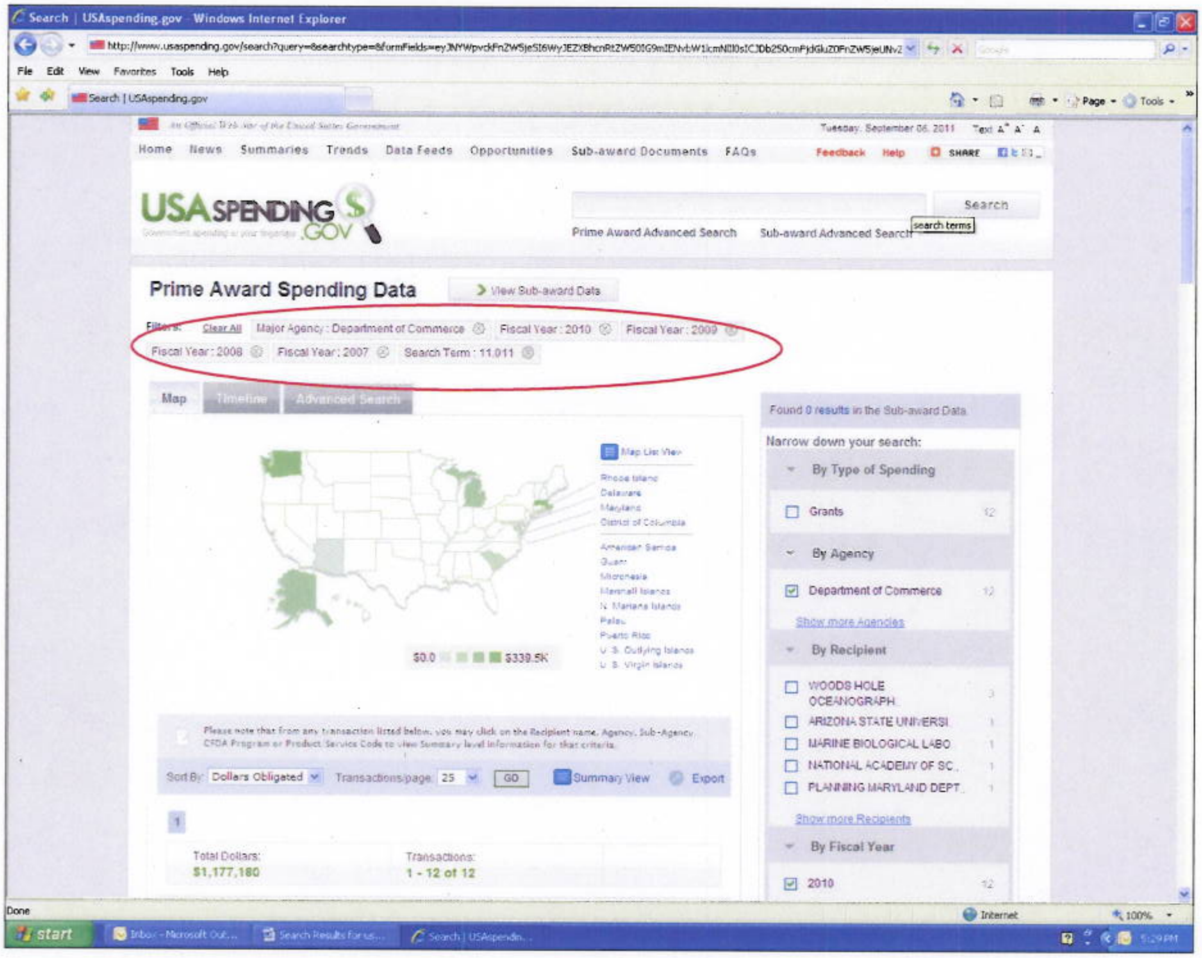
[If this hyperlink dose not pull up the exact information, do a search for "11.433" and use the following filters – circled in red – in the "Advanced Search" tab: "Major Agency: Department of Commerce"; "Fiscal Year: 2007"; "Fiscal Year: 2008"; "Fiscal Year: 2009"; "Fiscal Year: 2010"].



All information contained in this document was obtained online at www.usaspending.gov.

Ocean Exploration Grants; CFDA No. 11.011

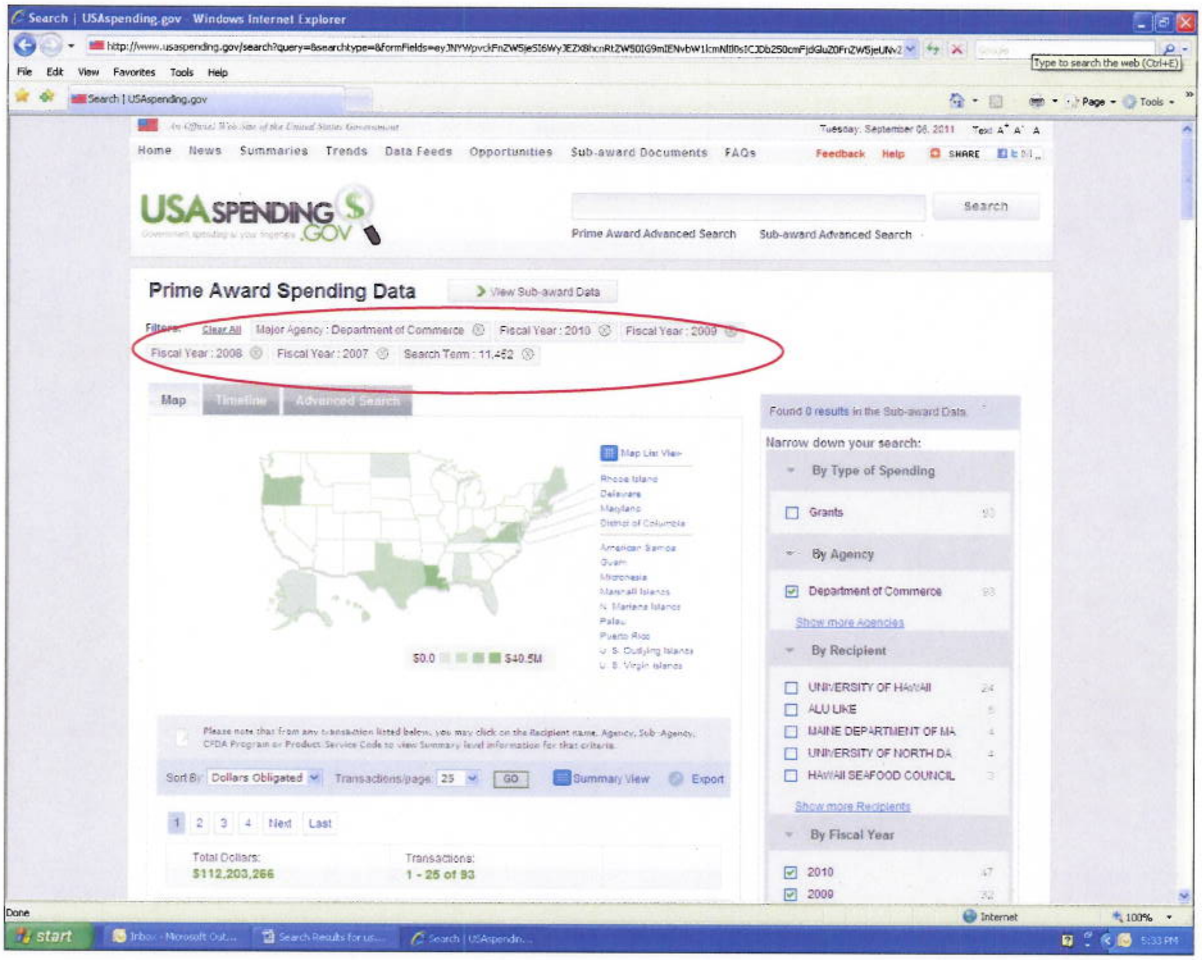
[If this hyperlink dose not pull up the exact information, do a search for "11.011" and use the following filters – circled in red – in the "Advanced Search" tab: "Major Agency: Department of Commerce"; "Fiscal Year: 2007"; "Fiscal Year: 2008"; "Fiscal Year: 2009"; "Fiscal Year: 2010"].



All information contained in this document was obtained online at www.usaspending.gov.

Unallied Industry Project Grants; CFDA No. 11.452

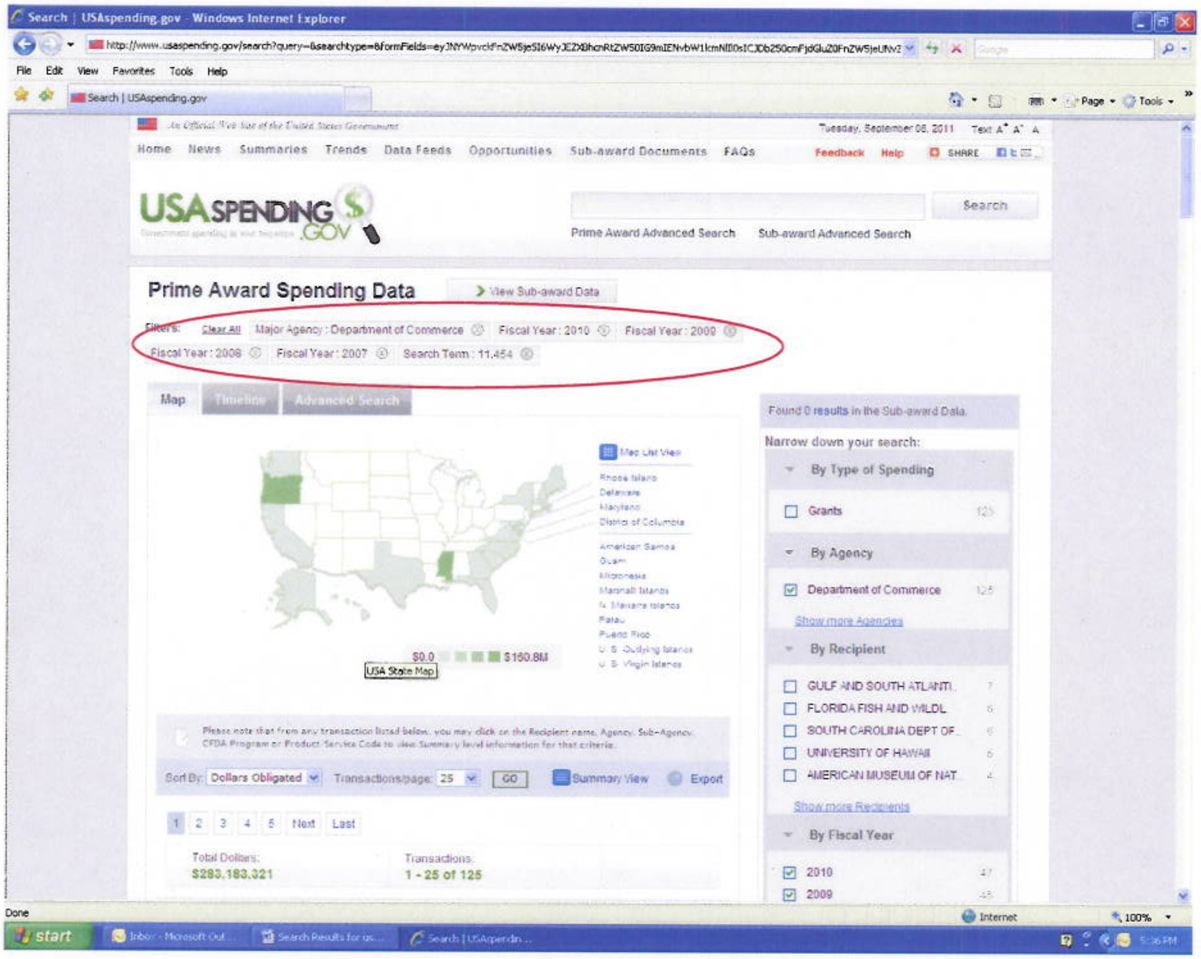
[If this hyperlink dose not pull up the exact information, do a search for "11.452" and use the following filters – circled in red – in the "Advanced Search" tab: "Major Agency: Department of Commerce"; "Fiscal Year: 2007"; "Fiscal Year: 2008"; "Fiscal Year: 2009"; "Fiscal Year: 2010"].



All information contained in this document was obtained online at www.usaspending.gov.

Unallied Management Project Grants; CFDA No. 11.454

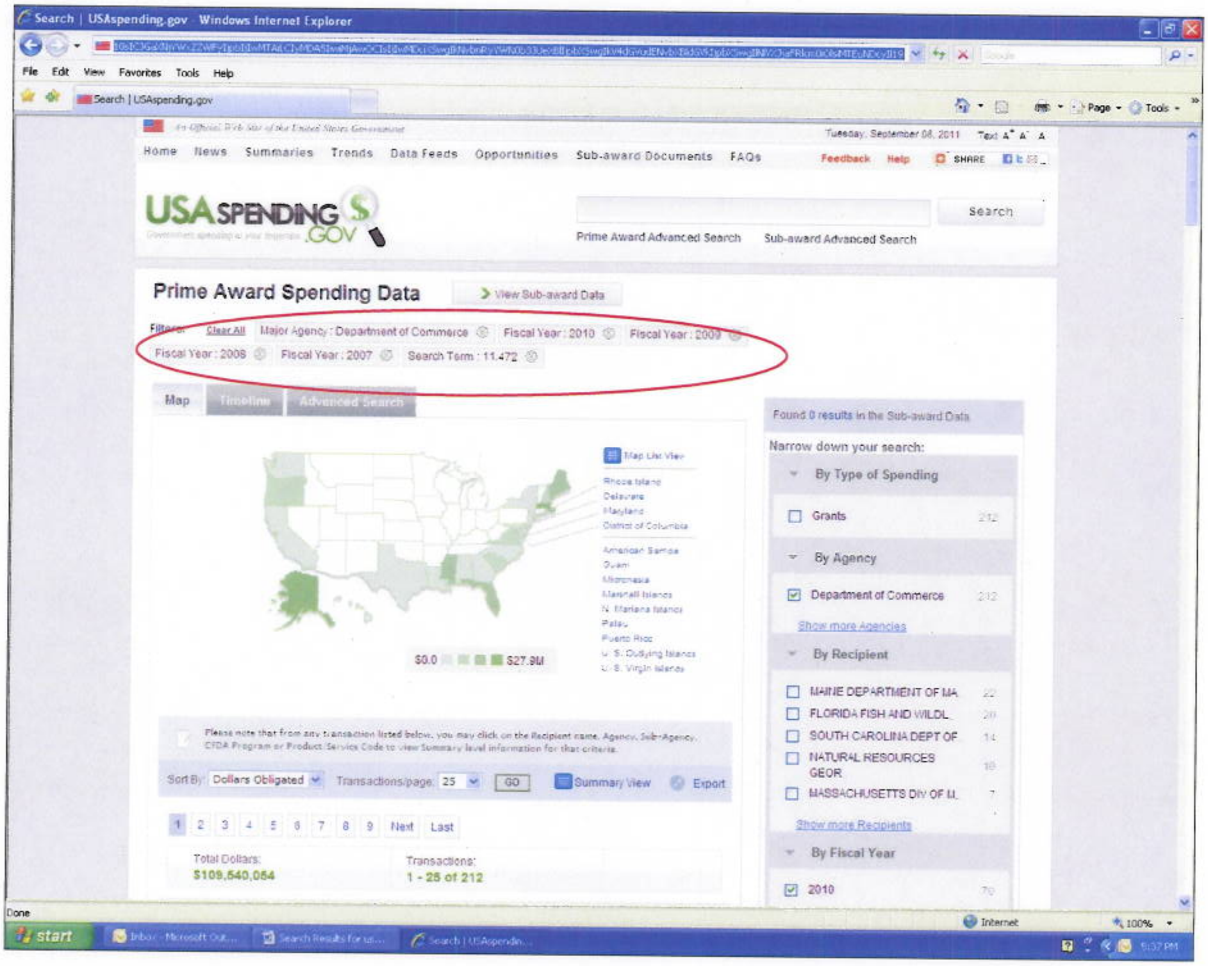
[If this hyperlink dose not pull up the exact information, do a search for "11.454" and use the following filters – circled in red – in the "Advanced Search" tab: "Major Agency: Department of Commerce"; "Fiscal Year: 2007"; "Fiscal Year: 2008"; "Fiscal Year: 2009"; "Fiscal Year: 2010"].



All information contained in this document was obtained online at www.usaspending.gov.

Unallied Science Program Grants; CFDA No. 11.472

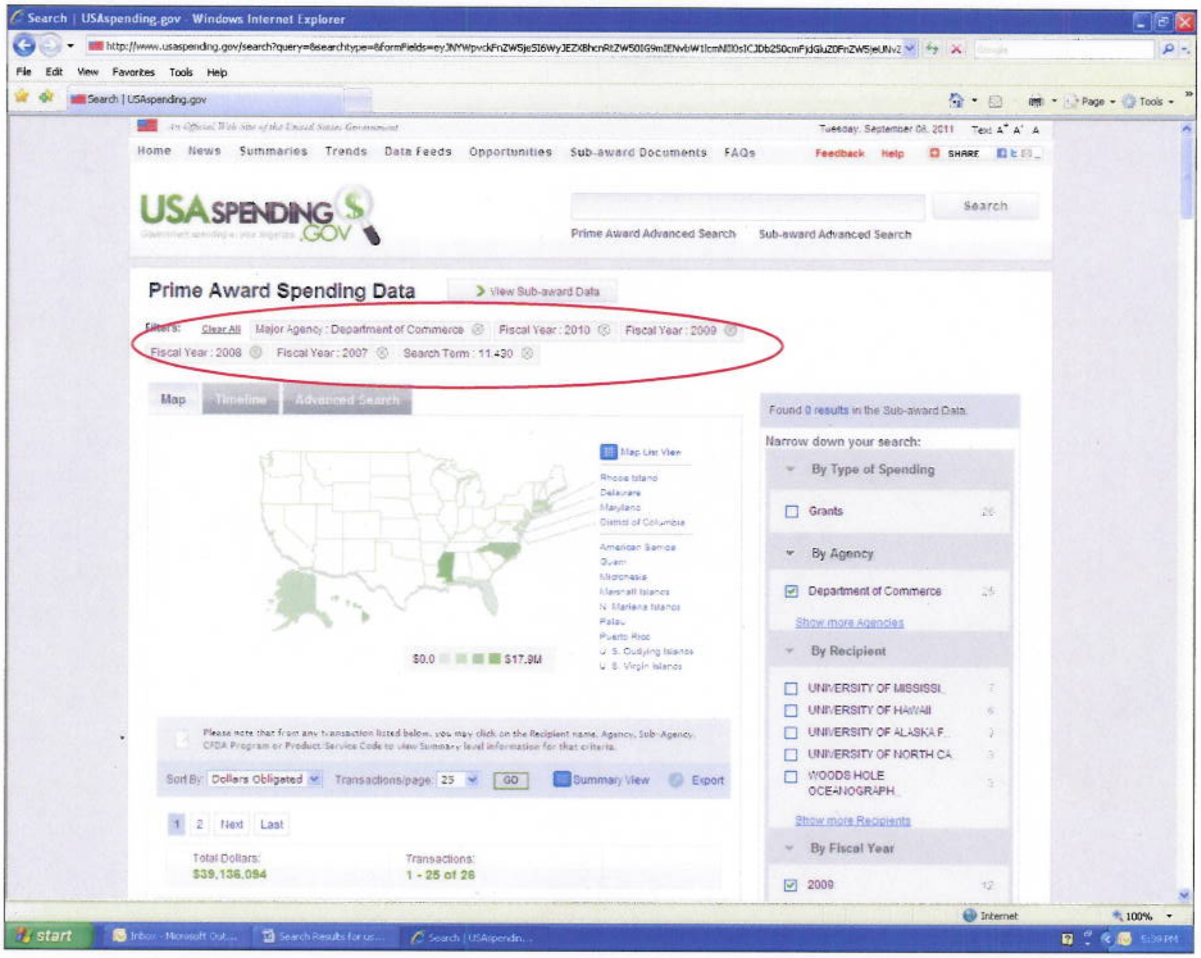
[If this hyperlink dose not pull up the exact information, do a search for "11.472" and use the following filters – circled in red – in the "Advanced Search" tab: "Major Agency: Department of Commerce"; "Fiscal Year: 2007"; "Fiscal Year: 2008"; "Fiscal Year: 2009"; "Fiscal Year: 2010"].



All information contained in this document was obtained online at www.usaspending.gov.

[Undersea Research Grants](#); CFDA No. 11.430

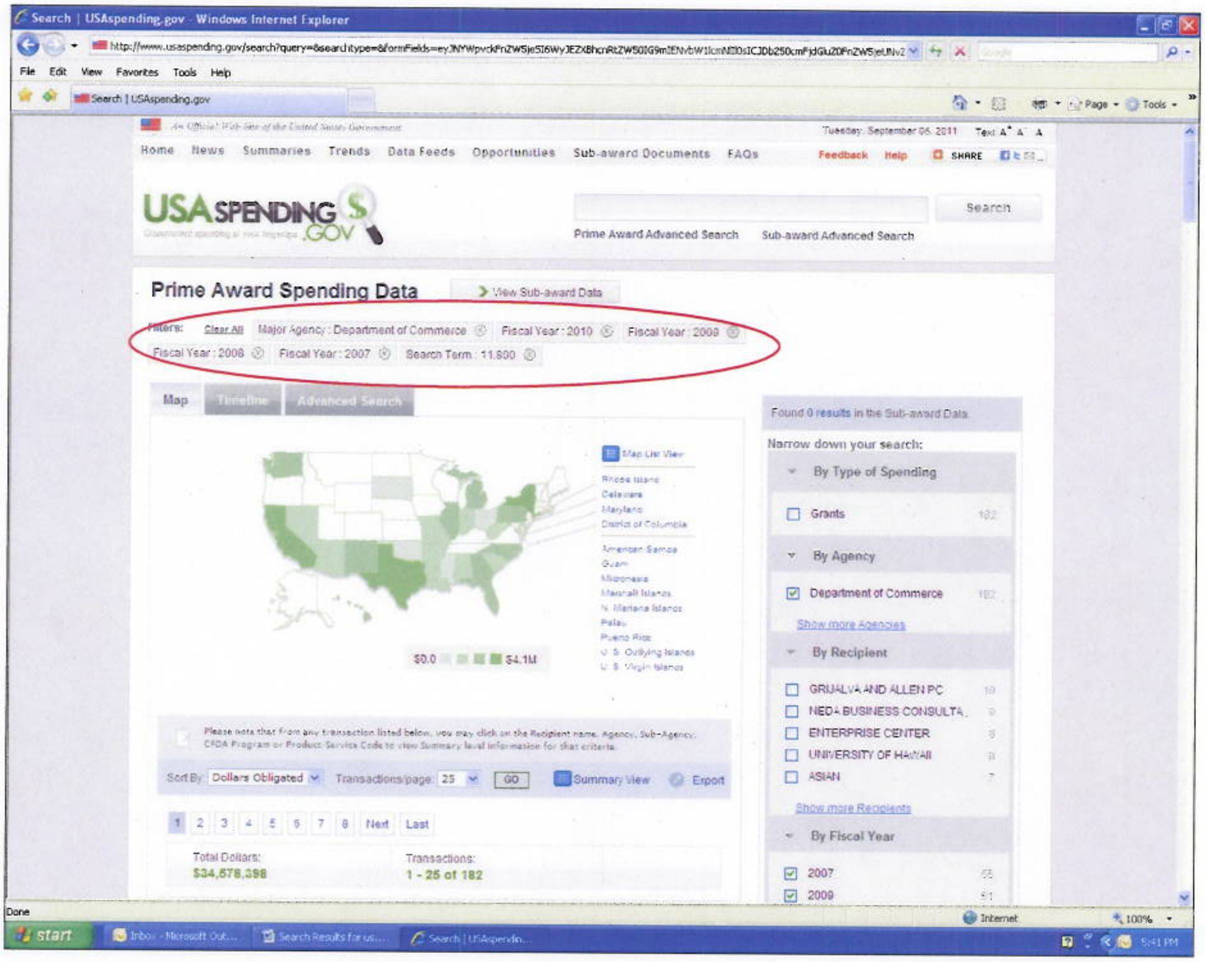
[If this hyperlink dose not pull up the exact information, do a search for "11.430" and use the following filters – circled in red – in the "Advanced Search" tab: "Major Agency: Department of Commerce"; "Fiscal Year: 2007"; "Fiscal Year: 2008"; "Fiscal Year: 2009"; "Fiscal Year: 2010"].



All information contained in this document was obtained online at www.usaspending.gov.

Programs and Opportunities provided by the Minority Business Development Agency:

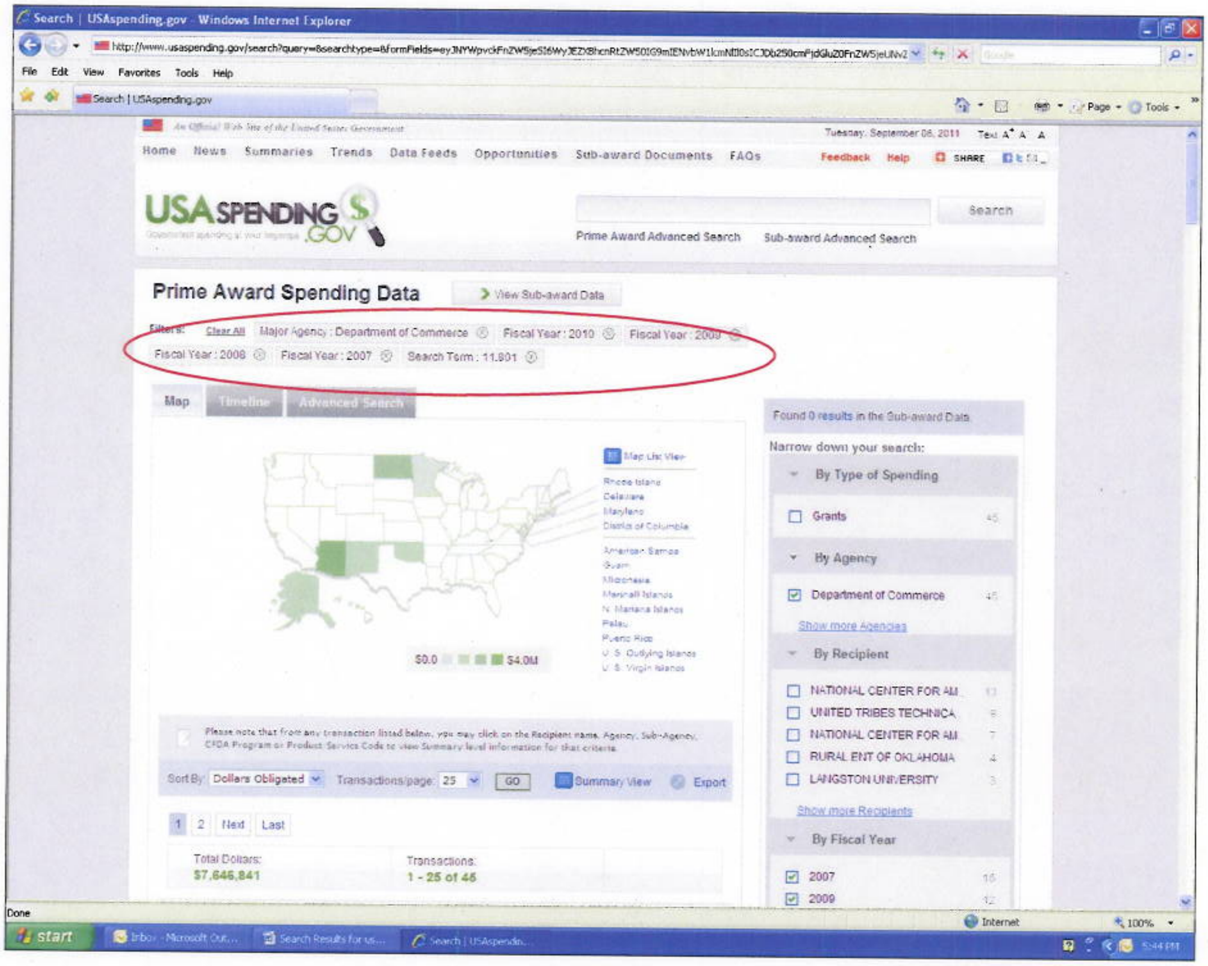
Minority Business Enterprise Centers; CFDA No. 11.800
[If this hyperlink dose not pull up the exact information, do a search for "11.800" and use the following filters – circled in red – in the "Advanced Search" tab: "Major Agency: Department of Commerce"; "Fiscal Year: 2007"; "Fiscal Year: 2008"; "Fiscal Year: 2009"; "Fiscal Year: 2010"].



All information contained in this document was obtained online at www.usaspending.gov.

Programs and Opportunities provided by the Minority Business Development Agency (continued):

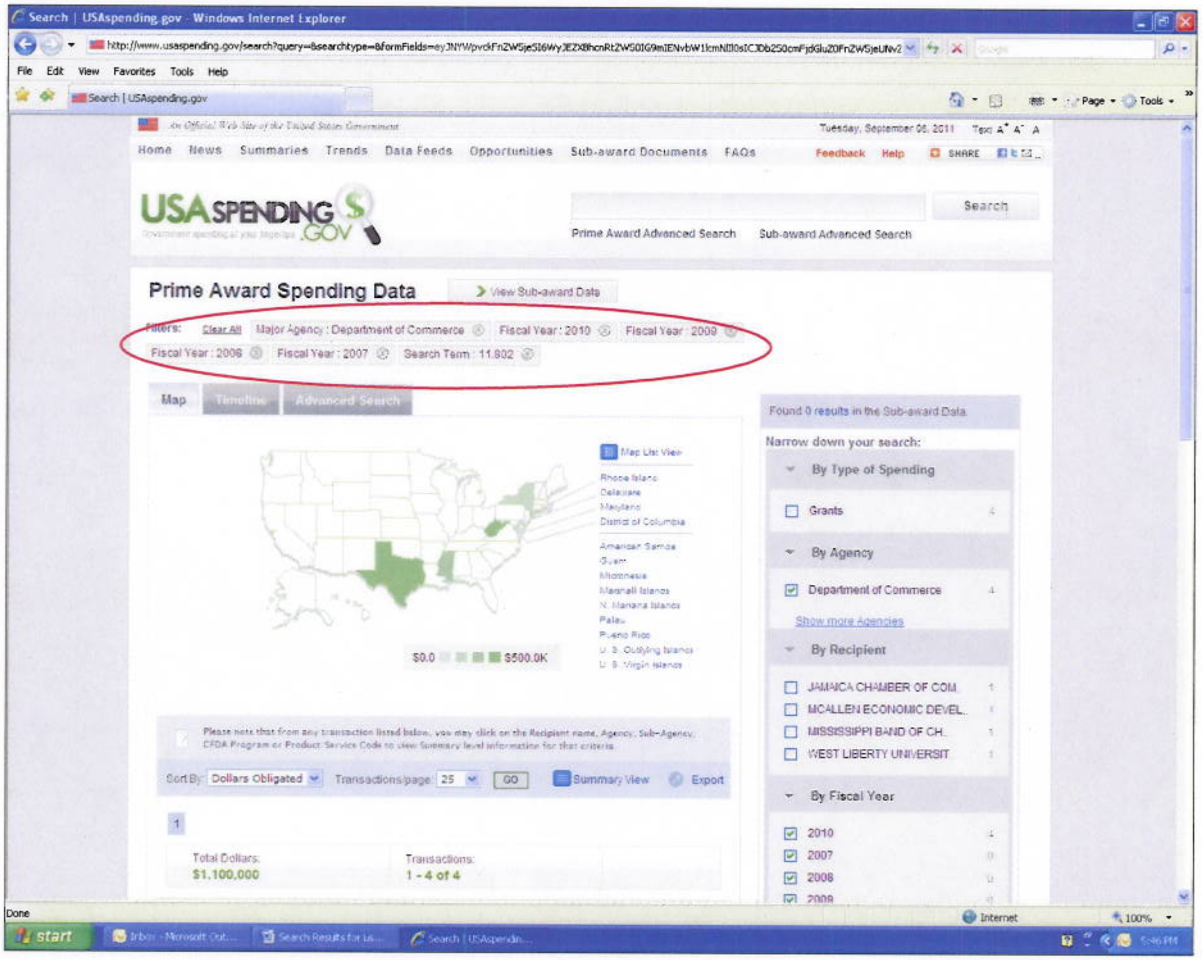
Native American Business Enterprise Centers; CFDA No. 11.801
[If this hyperlink dose not pull up the exact information, do a search for "11.801" and use the following filters – circled in red – in the "Advanced Search" tab: "Major Agency: Department of Commerce"; "Fiscal Year: 2007"; "Fiscal Year: 2008"; "Fiscal Year: 2009"; "Fiscal Year: 2010"].



All information contained in this document was obtained online at www.usaspending.gov.

Programs and Opportunities provided by the Minority Business Development Agency (continued):

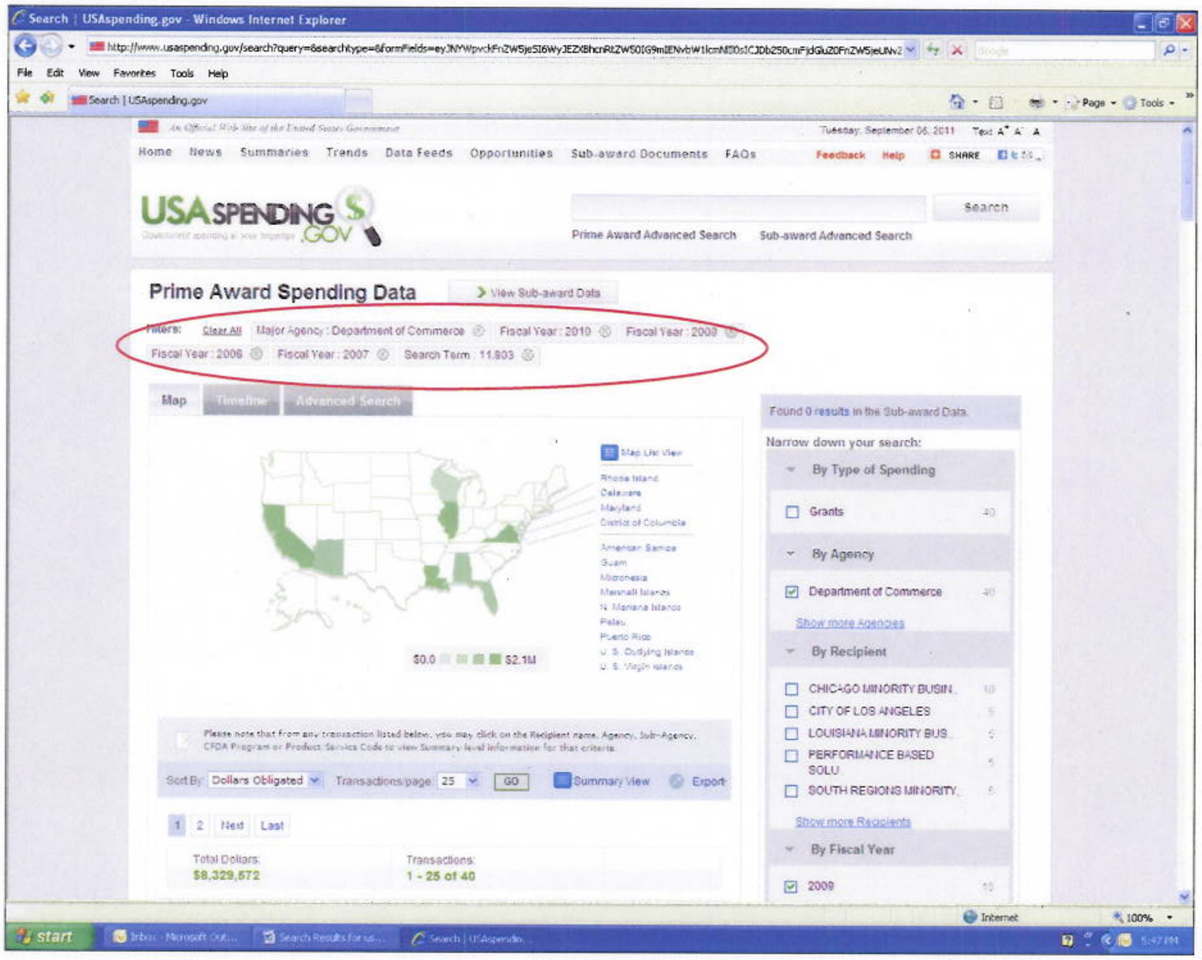
Minority Business Resource Development; CFDA No. 11.802
[If this hyperlink dose not pull up the exact information, do a search for "11.802" and use the following filters – circled in red – in the "Advanced Search" tab: "Major Agency: Department of Commerce"; "Fiscal Year: 2007"; "Fiscal Year: 2008"; "Fiscal Year: 2009"; "Fiscal Year: 2010"].



All information contained in this document was obtained online at www.usaspending.gov.

Programs and Opportunities provided by the Minority Business Development Agency (continued):

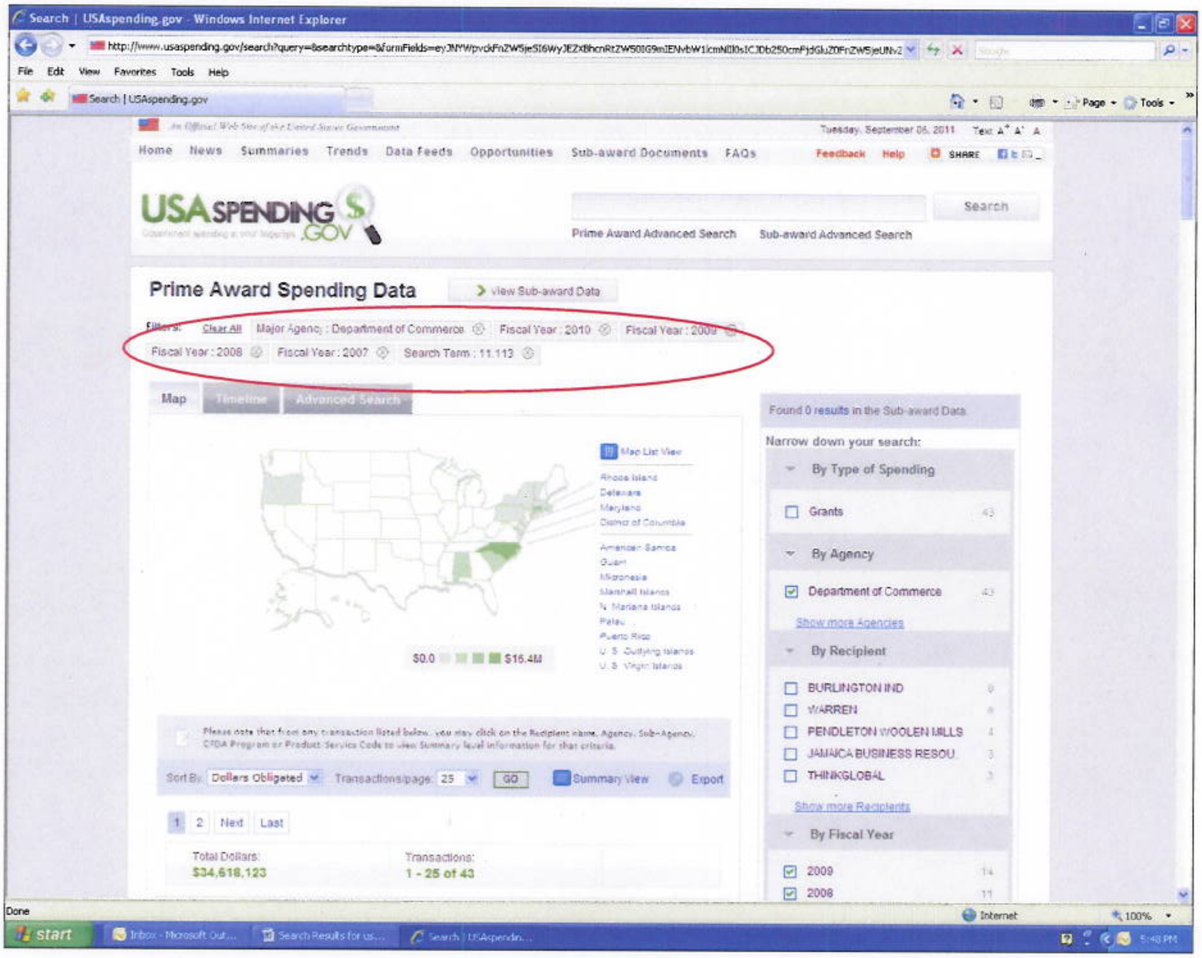
Minority Business Opportunity Center (MBOC); CFDA No. 11.803
[If this hyperlink dose not pull up the exact information, do a search for "11.803" and use the following filters – circled in red – in the "Advanced Search" tab: "Major Agency: Department of Commerce"; "Fiscal Year: 2007"; "Fiscal Year: 2008"; "Fiscal Year: 2009"; "Fiscal Year: 2010"].



All information contained in this document was obtained online at www.usaspending.gov.

All Congressionally Identified Awards and Projects, including International Trade Administration Special Projects:

[ITA Export promotion and Special Projects](); CFDA No. 11.113
[If this hyperlink dose not pull up the exact information, do a search for "11.113" and use the following filters – circled in red – in the "Advanced Search" tab: "Major Agency: Department of Commerce"; "Fiscal Year: 2007"; "Fiscal Year: 2008"; "Fiscal Year: 2009"; "Fiscal Year: 2010"].

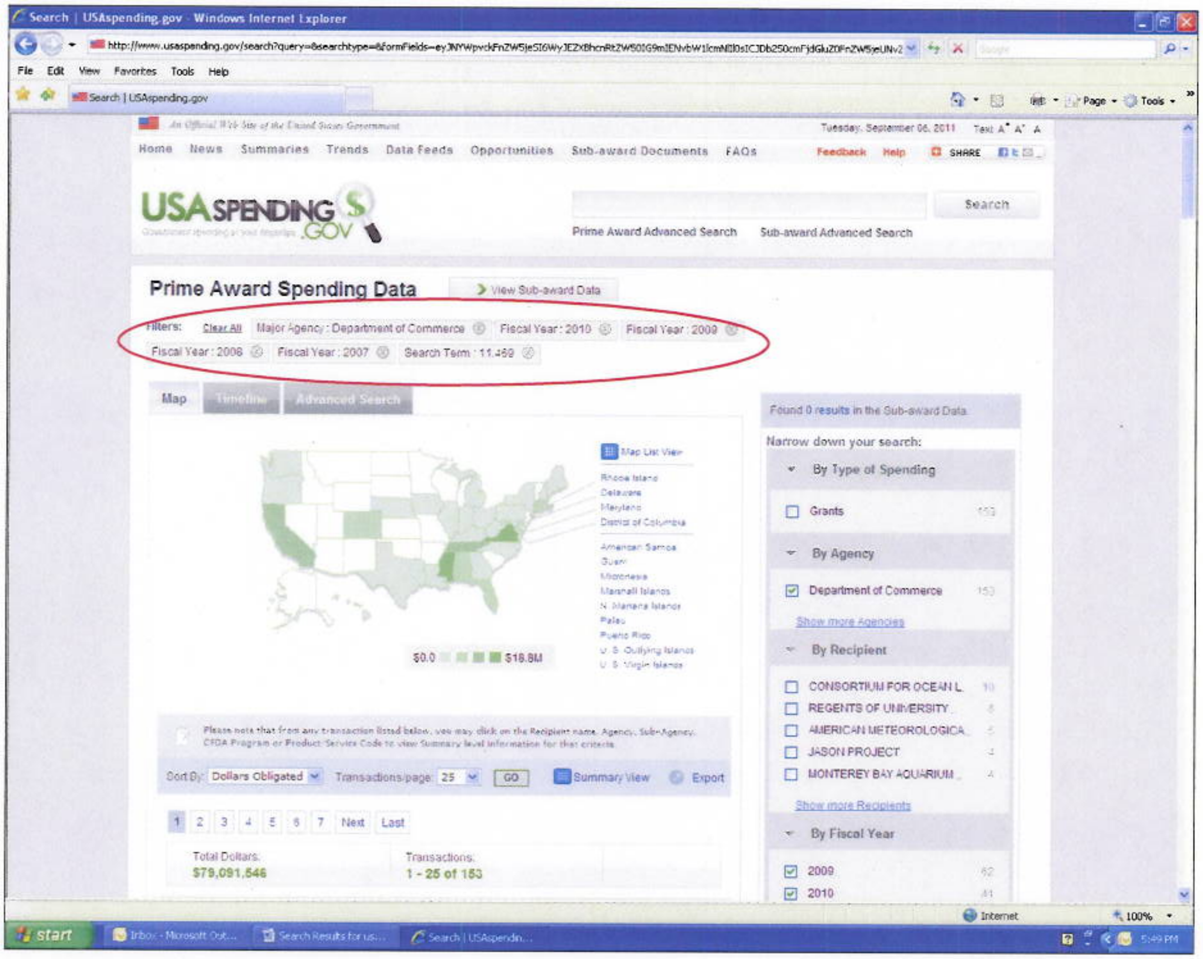


All information contained in this document was obtained online at www.usaspending.gov.

All Congressionally Identified Awards and Projects, including International Trade Administration Special Projects (continued):

NOAA Congressionally Identified Awards and Projects; CFDA No. 11.469

[If this hyperlink dose not pull up the exact information, do a search for "11.469" and use the following filters – circled in red – in the "Advanced Search" tab: "Major Agency: Department of Commerce"; "Fiscal Year: 2007"; "Fiscal Year: 2008"; "Fiscal Year: 2009"; "Fiscal Year: 2010"].



Department of Defense

COMMITTEE ON HOMELAND SECURITY
AND GOVERNMENTAL AFFAIRS

RANKING MEMBER
PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

United States Senate

Senator Tom Coburn, MD

COMMITTEE ON FINANCE

RANKING MEMBER
SUBCOMMITTEE ON SOCIAL SECURITY, PENSIONS, AND FAMILY POLICY

COMMITTEE ON THE JUDICIARY

RANKING MEMBER
SUBCOMMITTEE ON PRIVACY, TECHNOLOGY, AND THE LAW

May 4, 2011

Via U.S. Mail and Email

The Honorable Robert M. Gates
Secretary
United States Department of Defense
1300 Defense Pentagon
Washington, D.C. 20301-1300

Dear Secretary Gates:

The Department of Defense administers several programs that provide important benefits to certain Americans. These programs include: (1) David L. Boren Scholarships and Fellowships; (2) Language Flagship Fellowships; (3) English for Heritage Language Speakers Scholarships; (4) Science, Technology, Engineering and Mathematics Educational ("STEM") Scholarships; and (5) Science, Mathematics, and Research for Transformation ("SMART") Scholarships.

I am interested in learning about the individuals that receive funds or benefits from these programs. For the programs listed above, please provide the following information for all individuals that received any payment from these programs during Fiscal Years 2007, 2008, 2009 and 2010, who also reported income of $1,000,000 or greater through any agency measurement of income (such as Adjusted Gross Income): (1) name of individual; (2) total reported income for the Fiscal Year in which the payment was made; (3) name of each program the individual received benefits through; (4) amount of benefits received from each program; and (5) total amount of all program benefits received during each Fiscal Year. This information should be produced in an electronic usable format, such as Microsoft Excel.

Please provide the above information by May 18, 2011. If you have any questions, including the format in which the information should be produced, please contact

Sincerely,

Tom Coburn, M.D.
United States Senator

1800 SOUTH BALTIMORE
SUITE 800
TULSA, OK 74119
PHONE: 918-581-7651

RUSSELL SENATE OFFICE BUILDING, ROOM 172
WASHINGTON, DC 20510-3604
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100 NORTH BROADWAY
SUITE 1820
OKLAHOMA CITY, OK 73102
PHONE: 405-231-4941

ASSISTANT SECRETARY OF DEFENSE

WASHINGTON, DC 20301-3000

LEGISLATIVE AFFAIRS

The Honorable Tom Coburn
United States Senate
Washington D.C. 20510

Dear Senator Coburn:

Thank you for your May 5, 2011 letter requesting specific information about certain recipients of the (1) David L. Boren Scholarships and Fellowships; (2) Language Flagship Fellowships; (3) English for Heritage Language Speakers Scholarships; (4) Science, Technology, Engineering and Mathematics Educational ("STEM") Scholarships; and (5) Science, Mathematics, and Research for Transformation ("SMART") Scholarships.

The Department of Defense is unable to provide you the specific information that you have sought in this request. Because of the merit-based criteria used for receiving a scholarship or fellowship, the Department does not take into consideration, nor does it collect, personal income as an evaluation or reward criteria. As such, the Department does not have any information responsive to your request.

The first three programs you have requested information on, The David L. Boren Scholarships and Fellowships, the Language Flagship Fellowships and the English for Heritage Language scholarships, are designed to provide the government with a pipe-line of talent in areas critical to our national security. These programs are administered by the National Security Educational Program. This program was established by the National Security Education Act of 1991 with the specific purpose of developing the national capacity to educate U.S. citizens, understand foreign cultures, strengthen U.S. economic competitiveness and enhance international cooperation and security.

The SMART scholarship program is one of several programs administered by the National Defense Education Program. First authorized by Congress in 2005, the SMART scholarship seeks the best and brightest undergraduate and graduate students to meet the Department's scientific, innovation and engineering needs. The program also supports programs such as MATHCOUNTS, SeaPerch, and robotics which are informal STEM learning opportunities that inspire student interest in math and science and provides fellowships for science and engineering faculty in U.S. universities and colleges.

The National Defense Educational Program is part of the body of projects and activities that are under the Science, Technology, Engineering and Mathematics Educational (STEM) umbrella. STEM is a broad acronym originally created by the National Science Foundation to describe a broad array of scientific and engineering disciplines, fields, programs and workplace types. While there are a number of projects and organizations that operate under STEM, to include the SMART scholarship, there are not any particular STEM specific scholarships or fellowships.

Should you have any additional questions, please feel free to contact

Sincerely,

Elizabeth L. King

Department of Education

COMMITTEE ON HOMELAND SECURITY
AND GOVERNMENTAL AFFAIRS

RANKING MEMBER
PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

United States Senate

Senator Tom Coburn, MD

COMMITTEE ON FINANCE

RANKING MEMBER
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PENSIONS, AND FAMILY POLICY

COMMITTEE ON THE JUDICIARY

RANKING MEMBER
SUBCOMMITTEE ON PRIVACY, TECHNOLOGY,
AND THE LAW

April 13, 2011

Via U.S. Mail and Electronic Mail

The Honorable Arne Duncan
Secretary
United States Department of Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202

Dear Secretary Duncan:

I am interested in obtaining information on certain programs administered by the United States Department of Education and would appreciate your assistance. The Department of Education provides a number of programs and services that assist Americans ensure our country's children are provided an effective education. These programs include, but are not limited to the following educational loan, grant, and fellowship programs:

- William D. Ford Federal Direct Loan Program (Subsidized, Unsubsidized, PLUS, and Consolidation);
- Federal Family Education Loan ("FFEL") Program (Subsidized, Unsubsidized, PLUS, and Consolidation);
- Direct PLUS Loans for Parents;
- Direct PLUS Loans for Graduate and Professional Degree Students;
- Iraq and Afghanistan Service Grants;
- Erma Byrd Scholarship Program;
- Jacob K. Javits Fellowships Program;
- All Fulbright-Hays Seminars, Fellowships and Programs;
- National Institute on Disability and Rehabilitation Research ("NIDRR") Research Fellowship Program;
- Civil Legal Assistance Attorney Student Loan Repayment Program;
- Public Service Loan Forgiveness Program;
- Stafford Loan Forgiveness Program for Teachers; and
- Teacher Education Assistance for College and Higher Education ("TEACH") Grants.

Please provide the following information for all individuals or entities that received any benefits from the above listed programs during fiscal years 2007, 2008, 2009, and 2010, who also reported an adjusted gross income of $1,000,000 or greater: (1) name of recipient; (2) total adjusted gross income for the year(s) in which the individual received benefits; (3) name of each program the individual received benefits through; (4) amount of benefits received from each program; and (5) total amount of benefits received during each year. This information should be produced in an electronic usable format, such as Microsoft Excel.

Please provide the above information by April 29, 2011. If you have any questions, including the format in which the information should be produced, please contact

Sincerely,

Tom Coburn, M.D.
U.S. Senator

June 17, 2011

Honorable Tom Coburn, M.D.
United States Senate
Washington, DC 20510

Dear Senator Coburn:

Thank you for your letter requesting information on certain programs administered by the Department of Education (Department). The Department has reviewed relevant program data and prepared the enclosed information in response to your request for specific borrower and grant recipient data.

Regarding your request for information personally identifying those individuals who meet the criteria set forth in your letter, the Privacy Act of 1974 prohibits agencies from "disclos[ing] any record which is contained in a system of records by any means of communication to any person, or to another agency, except pursuant to a written request by, or with the prior written consent of, the individual to whom the record pertains. . ." 5 U.S.C. § 552a(b). The Privacy Act contains a number of exceptions to its blanket prohibition against disclosure of personal information to outside sources, but none of those exceptions applies to your inquiry. *See* 5 U.S.C. § 552a(b)(1)-(12).

With respect to your request concerning student loans, income is not a factor in determining student aid eligibility for unsubsidized Stafford loans under either the Direct Loan or the Federal Family Education Loan Program. Nor is income a factor in determining aid eligibility for PLUS Loans for parents or graduate students. There are no budgetary costs to making these loans to students or parents; in fact, there is a net gain for the taxpayer.

The Department is continuing to research the question raised by you and your staff as it applies to the federal student loan portfolio, and we will follow up with any additional data if the need arises.

With respect to the other programs about which you inquired, only two individuals with an income of $1 million or greater received benefits, totaling $6,000, through the Teacher Education Assistance for College and Higher Education Grants Program, and two individuals with an income of $1 million or greater received benefits, totaling $10,910, through the Fulbright-Hays Seminars, Fellowships, and Programs. Income is not a factor in determining eligibility for benefits under these programs.

The Department found no individuals with an adjusted gross income of $1 million or greater who received benefits during the relevant time period from the Iraq and Afghanistan Service Grants Program, Civil Legal Assistance Attorney Student Loan Repayment Program, Stafford Loan Forgiveness Program for Teachers, Erma Byrd Scholarship Program, and Jacob K. Javits Fellowships Programs. Except for Jacob K. Javits Fellowships, income is not a factor in determining eligibility for benefits under these programs.

Regarding the Public Service Loan Forgiveness Program, the first individuals will not be eligible to apply for loan discharge under this program until 2017; therefore, there is no responsive data for this program. Also, while it may be mathematically possible for an individual with an adjusted gross income of $1 million or greater to receive forgiveness under the program, we believe that the probability of such an outcome is extremely low due to existing employment-related eligibility criteria and required minimum monthly repayment amounts. Regardless, income is not a factor in determining eligibility for loan forgiveness.

Finally, you requested data on the fellowship program administered by the National Institute on Disability and Rehabilitation Research. This program, which is also known as the Mary E. Switzer Fellowship Program, seeks to increase capacity in rehabilitation research by giving qualified individual researchers, including individuals with disabilities, the opportunity to develop new ideas and gain research experience. The funding under this program is provided to the individual and is awarded based upon a stringent peer review process, using external expert reviewers. The merit fellowships may not exceed $65,000, and the distinguished fellowships may not exceed $75,000. The Department does not collect income information from the recipients as these are research fellowships and there are no income-related requirements that affect eligibility for the awards.

If you have further questions regarding this information, please have your staff contact in the Office of Legislation and Congressional Affairs at

Sincerely,

James W. Runcie
Acting Chief Operating Officer
Federal Student Aid

Enclosure

Program	Award Year	Number of Loans/Scholarships	Total Amount Disbursed
TCH	2010	2	$6,000
DLU	2007	4	$18,946
DLU	2008	1	$10,500
DLU	2009	17	$167,965
DLU	2010	21	$205,235
DLP-G	2009	3	$56,872
DLP-G	2010	2	$8,234
DLP-P	2007	8	$231,264
DLP-P	2008	12	$290,490
DLP-P	2009	45	$864,373
DLP-P	2010	68	$1,561,471
FFEL-U	2007	27	$321,822
FFEL-U	2008	55	$642,792
FFEL-U	2009	61	$591,822
FFEL-U	2010	49	$497,798
FFEL-GP	2007	2	$70,216
FFEL-GP	2008	4	$106,450
FFEL-GP	2009	1	$10,726
FFEL-GP	2010	7	$183,821
FFEL-P	2007	141	$2,344,006
FFEL-P	2008	116	$2,378,649
FFEL-P	2009	138	$3,002,238
FFEL-P	2010	123	$2,870,241
F-H	2009	2	$10,910

Program Key

TCH	Teacher Education Assistance for College and Higher Education
DLU	Direct Loan - Unsubsidized
DLP-G	Direct Loan - PLUS (Graduate)
DLP-P	Direct Loan - PLUS (Parent)
FFEL-U	FFEL loan - Unsubsidized
FFEL-GP	FFEL Loan - PLUS (Graduate)
FFEL-P	FFEL Loan - PLUS (Parent)
F-H	Fulbright-Hays Seminars, Fellowships, and Programs

Notes:

1. AGI and loan information for PLUS loans are only included when FAFSA's were submitted for the PLUS Student.
2. The maximum value for Parent and Student AGI captured on the FAFSA is $999,999. We included persons who listed $999,999 for their AGI.
3. Information provided for the 2006/2007, 2007/2008, 2008/2009, and 2009/2010 award years.
4. Data are as of June 17, 2011.

Honorable Tom Coburn, M.D.
United States Senate
Washington, DC 20510

AUG 04 2011

Dear Senator Coburn:

I write to follow up on my June 17, 2011, letter, which provided the information you requested on certain programs administered by the Department of Education (Department). In that letter, I noted that we were continuing to research the question raised by you and your staff as it applies to the federal student loan portfolio.

We have completed the research you requested and, in addition to the unsubsidized loans discussed in our June 17 letter, which do not have a need requirement, we identified two Federal Family Education Loan (FFEL) Program subsidized loans that were provided to students in 2010 that meet the criteria set forth in your April 13, 2011, letter. These loans do take into account the borrower's financial need. One of these loans was for $4,250 and the other was for $2,583. Each was for the student's enrollment during a summer term. We note that these are two loans out of more than 33 million subsidized loans totaling more than $123 billion awarded in the Direct Loan and FFEL programs over the fiscal year 2007 through fiscal year 2010 period.

Both of these loans were correctly awarded by the respective college using information and guidance provided by the Department. One loan resulted from the method used by the college to calculate the student's aid eligibility. As you know, Part F of Title IV of the Higher Education Act of 1965 (HEA), as amended, prescribes a formula to determine the financial need of student aid applicants. While this formula is quite comprehensive, the law does not specifically address how to determine eligibility for an independent student who, after undergoing an aid eligibility analysis for the fall and spring semesters, enrolls in summer school. For such situations, Department guidance advises colleges to calculate summer term eligibility with the assumption that the student exhausted his or her ability to independently contribute financial resources during the fall and spring semesters. In general, this method works well because it accurately reflects the fact that students use their entire independent contributions during the first nine months of the enrollment period. However, in one case, the college, using the Department's guidance, awarded a summer term FFEL Program subsidized loan to an unusually high-income applicant who would have had remaining ability to contribute independently during the summer term.

The second loan resulted from data limitations in fields included in the Department's student eligibility reporting system. The limitations masked the student's true income and ability to make independent contributions, and led the college to award the subsidized loan. Applicants with reported incomes and independent contribution ability beyond the available field ranges are rare; however, in this case the limitation resulted in the college allocating reduced independent contribution ability over a summer term enrollment. Combined with an extraordinarily high summer cost of attendance, the calculation resulted in the applicant demonstrating financial need and thus qualifying for a small subsidized student loan.

We are preparing revised guidance that will advise institutions of how to determine the contribution levels for independent students who enroll for more than nine months. This will include advising institutions of how to determine actual income and contributions if the reported values are limited due to field length limitations. Our revised guidance will also instruct colleges to use the amounts of a student's contributions that are not exhausted paying postsecondary expenses during fall and spring semesters when calculating contributions for subsequent summer term enrollments.

Again, we thank you for your inquiry and your continued support of efforts to ensure the integrity of the nation's student aid system. Over the last several years, Federal Student Aid has made substantial progress to implement and maintain robust financial management improvements. These efforts led to the Department's external auditors giving unqualified opinions of the financial statements they audited and the Government Accountability Office removing the student aid programs from its list of programs at high risk of fraud, waste, and abuse. Our commitment to being responsible stewards of the taxpayers' investment in federal student aid remains steadfast.

If you have further questions regarding this information, please have your staff contact , in the Department's Office of Legislation and Congressional Affairs at

Sincerely,

James W. Runcie
Acting Chief Operating Officer
Federal Student Aid