

Justice Department and Department of Education Announce a Fairer and More Accessible Bankruptcy Discharge Process for Student Loan Borrowers

The Department of Justice, in close coordination with the Department of Education, announced today a new process for handling cases in which individuals seek to discharge their federal student loans in bankruptcy. The new process will help ensure consistent treatment of the discharge of federal student loans, reduce the burden on borrowers of pursuing such proceedings and make it easier to identify cases where discharge is appropriate. The Associate Attorney General distributed guidance outlining the new process to all U.S. Attorneys.



Associate Attorney General Vanita Gupta. "It will allow Justice Department attorneys to more easily identify cases in which we can recommend discharge of a borrower's student loans. We are grateful to the Department of Education for its partnership in developing this guidance."

"Congress may have set a higher bar for granting student loan discharges during bankruptcy, but in practice that bar has become very difficult for deserving borrowers to clear," said U.S. Under Secretary of Education James Kvaal. "After decades of inaction in Washington, our Department of Education team was determined to partner with the Justice Department to craft clearer, fairer, and more practical standards to guide recommendations for student debt discharges during bankruptcy proceedings. This guidance is an important step toward helping struggling borrowers, many of whom never completed college or were misled into debt by dishonest schools."

As part of the undue hardship analysis, courts review the borrower's past, present and future financial circumstances. The new process will leverage Department of Education data and a new borrow-

er-completed attestation form to assist the government in assessing a borrower's discharge request. The Justice Department, in consultation with the Department of Education, will review the information provided, apply the factors that courts consider relevant to the undue-hardship inquiry and determine whether to recommend that the bankruptcy judge discharge the borrower's student loan debt.

The Department of Justice and Department of Education are committed to making this system work for borrowers. Both agencies will continue to monitor how the process plays out on the ground and will assess the effectiveness of this guidance after the first year, and beyond as warranted.

By simplifying the process and establishing clear standards, the agencies hope to significantly reduce the burden on borrowers and government attorneys, provide a clear path for borrowers to seek discharges and add safeguards to promote consistency and predictability.

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Hosted by the White House Initiative on Asian Americans, Native Hawaiians, and Pacific Islanders (WHIAANHPI) in collaboration with the White House Fellows Foundation and Association.

ABOUT THE INITIATIVE

The White House Initiative on Asian Americans, Native Hawaiians, and Pacific Islanders (WHIAANHPI), established by President Joe Biden through Executive Order 14031, is charged with coordinating a whole-of-government agenda to advance equity, justice, and opportunity for AA and NHPI communities. Learn more.



美國國稅局協安全峰會合作夥伴開啓全國稅收安全意識周; 敦促人們在報稅季臨近時提防假期詐騙並保護個人信息

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華府一在網絡星期一,美國國稅局和安全峰會(英文)合作夥伴啓動了第七屆全國稅務安全意識周,為納稅人和稅務專業人士提供有關如何避免詐騙和保護敏感個人信息的信息。

隨著節假期的到來,身份竊賊多了一個絕佳的機會來嘗試竊取個人財務信息,這些信息也可能被用來提交欺詐性的稅表。如果人們在網上購物並使用可公開訪問的Wi-Fi,可能會面臨風險。峰會提醒人們,在節日期間,短信詐騙仍在繼續。

"隨著節假期購物的開始和2023年稅收季節的臨近,許多人將使用筆記本電腦和個人設備分享敏感的財務信息。"美國國稅局代理局長Doug O'Donnell說,"在接下來的幾個月里,納稅人和稅務專業人士將使用這些相同的設備完成數百萬份稅表。大家可以利用節假期這個大好時機採取措施,保護寶貴信息並提防詐騙。"

美國國稅局、州稅務機構以及稅務軟件和稅務專業社區之間的安全峰會合作夥伴關係成立於2015年,共同努力提高防禦能力並保護人們免受與稅務相關的身份盜用。峰會合作夥伴的工作內容之一是提高納稅人和稅務專業人士對安全問題的認識——不僅保護人們免受身份盜用的風險,而且幫助保護國家的稅收系統免受與退稅相關的欺詐。

峰會合作夥伴敦促人們在網上購物或查看電子郵件和短信時格外小心,尤其是在犯罪分子非常活躍的節日期間。安全峰會提醒大家在假期購物時注意安全,注意以下事項:
* 在網址以"https"開頭的網站購物,"s"代表安全通信,並在瀏覽器窗口中尋找"掛鎖"圖標。
* 不要在商場等地方使用不安全的公共Wi-Fi購物。
* 更新計算機、平板電腦和手機的安全軟件。
* 保護家庭成員(包括年幼的兒童、老年人以及技術不嫺熟的用戶)的設備。

- * 確保計算機的防病毒軟件具有阻止惡意軟件的功能,並且啓用可以防止入侵的防火牆。
- * 為在線帳戶使用強而獨特的密碼。
- * 儘可能使用多重身份驗證。它有助於防止竊賊輕易入侵帳戶。

國稅局還提醒人們注意聯邦貿易委員會的建議(英文),永遠不要從只接受禮品卡付款、通過西聯匯款或MoneyGram、加密貨幣等公司轉賬的在線賣家那里購買任何東西。您以這種方式支付的款項幾乎無法追蹤和撤銷。詐騙者經常要求人們使用這些付款方式,以便他們可以快速獲利。

此外,國稅局提醒納稅人,最近假藉國稅局為名的、旨在竊取個人和財務信息的短信詐騙有所增加。2022年期間,國稅局發現並報告了數千個與針對納稅人的多個彩信/短信/文本詐騙(稱為網絡釣魚)相關的欺詐域。詐騙活動以手機用戶為目標,這些詐騙信息通常看起來像是來自國稅局,提供假新冠疫情減免、稅收抵免或幫助建立國稅局在線帳戶等誘餌。納稅人如果收到與國稅局相關的詐騙短信,可以向phishing@irs.gov舉報。

被盜數據可用于提交欺詐性稅表,這使得國稅局和各州稅務結構更難發現,因為欺詐性申報表使用真實的財務信息。部分數據竊賊在網上出售基本的報稅人或納稅人信息,以便其他欺詐者可以提交欺詐性稅表。

鑒于短信詐騙的增加,納稅人可以通過查看聯邦通信委員會的智能手機安全檢查器(英文)來檢查針對其特定手機的安全建議。由於手機用于購物甚至納稅,因此請記住確保手機和平板電腦與電腦一樣安全。給稅務專業人士、企業和在家辦公的人的額外提示

今年早些時候,"保護您的客戶;保護您自己"(英文)活動鼓勵稅務專業人士關注基礎知識,並注意那些使用基於雲的服務進行實踐的從業者會遇到的新漏洞。詐騙者通過欺騙或侵入稅務專業人員的計算機系統來訪問客

戶數據。即使稅務專家認為他們將客戶數據存儲在安全的雲中,但缺乏強大的身份驗證也會使這些信息容易受到攻擊。

企業和在家工作的人的其它注意事項包括:

- * 分開使用個人和商務計算機、移動設備和電子郵件帳戶。
- * 不要將敏感的商业信息發送到個人電子郵件設備。
- * 不要在個人電腦或設備上開展業務,包括在線商業銀行業務。
- * 不要在商用計算機或設備上進行網上冲浪、遊戲或視頻下載。
- * 不要在個人和企業計算機或設備之間共享USB驅動器或外部硬盤驅動器。
- * 切勿將未知/不受信任的硬件連接到系統或網絡。
- * 經常更改密碼。建議每三個月一次。考慮使用密碼管理應用程序來存儲密碼。不應重複使用包含業務信息的設備和應用程序的密碼。



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