



DAILY BRIEFING

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Weekly Rundown

The NCHER Weekly Rundown, which includes the latest information on important events in Washington, DC, is available today and can be downloaded from the [NCHER website](#).

President Signs Continuing Resolution Averting Federal Government Shutdown

Last week, President Joe Biden signed into law [H.R. 6119, the Further Extending Government Funding Act](#), the short-term Continuing Resolution (CR) that would keep the federal government in operation until February 18, 2022. The Senate passed the legislation by a vote of 69 to 28 after the House had narrowly approved the bill by a vote of 221-212. As reported previously, the bill includes language extending all of the various authorities put in place back in September, including authority for the U.S. Department of Education to pay Account Maintenance Fees to guaranty agencies; and provide new funding to address several pressing needs associated with evacuees from Afghanistan. For a section-by-section summary of the legislation, click [here](#). For more coverage, see these articles from [Inside Higher Ed](#) and [Roll Call](#).

Senate Confirms Sandra Bruce as Department of Education Inspector General

On Friday, the U.S. Senate [confirmed](#) Sandra Bruce as the Inspector General of the U.S. Department of Education. Ms. Bruce joined the Department in 2014 as a Deputy Inspector General and has been leading the office since 2018 when former Inspector General Kathleen Tighe retired from service. "The U.S. Department of Education has long benefited from Sandra Bruce's integrity and years of experience as a leader in the federal government, and I am thrilled that she has been confirmed to serve as the agency's Inspector General," said Education Secretary Miguel Cardona. "Sandra will be an asset in the continued promotion of efficiency, effectiveness, and economy in all Department programs and resources. I look forward to her continued work to advance our mission in service of students, educators, and families across the country."

Democratic Senators Send Letter to Federal Student Loan Servicers on Plans to Transition Borrowers Back into Repayment

Last week, Sens. Elizabeth Warren (D-MA), Chris Van Hollen (D-MD), Richard Blumenthal (D-CT), and Tina Smith (D-MN) wrote a [letter](#) to Nelnet, the Oklahoma Student Loan Authority, the Missouri Higher Education Loan Authority, and Edfinancial Services requesting information on their plans to transition borrowers back into repayment once

the pause on federal student loan payments ends on January 31, 2022. In the letter, the senators ask for updated information on how they are communicating with borrowers about the restart date, how they are ensuring that borrowers are in the right repayment plan, and how they are preparing at-risk borrowers for the resumption of payments on their student loans. The lawmakers also ask for updates on the companies' staffing and whether they are prepared to meet the performance targets outlined in their new contracts by the time payments resume next year. The letter asks for responses by December 16, 2021.

Department of Education Establishes Institutional and Programmatic Eligibility Committee, Sets Negotiated Rulemaking Schedule Beginning in January

Last week, the U.S. Department of Education [announced](#) that it will establish a new Institutional and Programmatic Eligibility Committee, which will conduct negotiated rulemaking on seven topics, including revisions to the 90-10 rule for for-profit institutions, gainful employment, change of ownership and change in control of colleges and universities, and financial responsibility for institutions, such as events that indicate heightened financial risk. According to the notice, negotiators for the committee will meet for three sessions in 2022: January 18 to 21, February 14 to 18 and March 14 to 18. The Department will accept nominations for negotiators representing a variety of constituency groups, such as students and student loan borrowers, civil rights organizations, financial aid administrators, all types of postsecondary institutions, and accrediting agencies, until December 10, 2021. The agency said that it encourages nominations from organizations that represent historically underserved and low-income communities.

CFPB Ombudsman Office Issues Annual Report

Last week, the Consumer Financial Protection Bureau (CFPB) Ombudsman's Office released its [Annual Report for Fiscal Year 2021](#), which discussed the office's outreach and in-reach activities during the year. According to the report, the office provided the CFPB with feedback on inquiries it received on the Bureau's handling of consumer complaints, such as consumers' need for understanding how the Bureau assists individual consumers and how consumers are less clear about what they can do when a company does not address their concerns. The office also provided feedback on consumers' need for understanding the intersection between consumer complaint and enforcement

processes, such as why consumers may or may not receive redress and that consumers will not receive confidential information about an enforcement process even if their consumer complaint informed it. The report said that the Ombudsman Office recently concluded a beta test evaluation of a post-examination survey for supervised entities and determined that it will launch a post-examination survey process going forward. In the coming year, it will work towards implementation of the post-examination survey by finalizing the program logistics. In connection with issuance of the report, CFPB Ombudsman Wendy Kamenshine issued a [blog posting](#).

Related, the Ombudsman's Office announced that it will be hosting two industry check-ins, one on Tuesday, December 14, 11:00-11:45 am Eastern and the other on Thursday, January 13, 2:00-2:45pm Eastern. NCHER members are invited to join. To join the December call: Please RSVP to CFPBOmbudsman@cfpb.gov, indicate the name of your organization, indicate that your organization is a member of NCHER, and that we passed the invitation to you.

Rep. Vela Introduces Protect Minority Student Borrowers Act, Rep. Carter Introduces No Double Debt for Disaster Survivors Act,

Last week, Rep. Filemon Vela (D-TX) reintroduced [H.R. 6053, the Protect Minority Student Borrowers Act](#), which amends the Equal Credit Opportunity Act to prohibit private education lenders from discriminating against applicants based on the institution of higher education they attend or previously attended. The bill also directs the Comptroller General of the United States to conduct a study to better understand the extent to which private education lenders may discriminate against applicants who attend minority-serving institutions of higher education. "I am reintroducing the Protect Minority Student Borrowers Act to ensure no student is unfairly burdened by student loan providers simply for their decision to attend a Minority Serving Institution (MSI)," said Rep. Vela in a statement. "The Student Borrower Protection Center showed that students attending Historically Black Colleges and Universities, Hispanic Serving Institutions, Tribal Colleges and Universities, or community colleges are often subject to higher interest rates on student loans than students attending other institutions. These institutions have traditionally helped people of color, rural, first generation, and low-income students. This bill will stop this discriminatory behavior and ensure students attending MSIs have equal and fair access to higher education." The bill has been referred

to the House Financial Services Committee for further consideration.

Separately, Rep. Troy Carter (D-LA) introduced [H.R. 6125, the No Double Debt for Disaster Survivors Act](#), which is designed to enhance protections for individuals with student loans who survive a natural disaster. The bill authorizes the Secretary of Education to cancel the outstanding federal student loan debt for Small Business Administration (SBA) disaster loan borrowers as a result of the COVID-19 pandemic or a natural disaster; specifies that the amount canceled would not exceed the amount of the SBA disaster loan and would only eliminate the student loan debt; and authorizes an annual report to provide feedback to Congress, including the number of individuals with canceled loans and the total dollar amount of the canceled loans. “The country is battling the worst pandemic in history,” said Rep. Carter. “We also face increasingly frequent and intense natural disasters. I have seen and heard firsthand from individuals who have lost everything, either due to COVID, flooding, or a hurricane. For many, these combined disasters have resulted in the need to take out one or more SBA disaster loans. The last thing people need when trying to get back on their feet is another loan weighing them down. Coupled with the fact that nearly one-third of all American students go into debt to pay for college, this double debt burden hurts our economy and additionally burdens those struggling to recover from COVID-19 and natural disasters. The people need relief.” The bill has been referred to the House Education and Labor Committee for additional consideration.

U.S. Department of Education News

For today’s *Federal Register*, click [here](#).

The following announcements have been posted to the Office of Federal Student Aid’s Knowledge Center:

- [\(COD-21-08\) Additional COD System Implementation for 2021–22 Award Year \(December 2021\)](#)
- [\(GENERAL-21-81\) OUTAGE ALERT – IRS DRT Outage on Dec. 4, 2021](#)

Member News



The Kentucky Higher Education Assistance Authority (KHEAA) recently [released](#) its Annual Report, which highlights major accomplishments of KHEAA and the Kentucky Higher Education Student Loan Corporation for the most recent state fiscal year.

General News

[The Hill](#) reports that the goal for Democrats was to pass [President Joe Biden's](#) sweeping climate and social spending package by Christmas, but that is slipping away as the Senate bogs down in one time-consuming fight after another. Democrats are growing increasingly doubtful that Senate Majority Leader [Chuck Schumer](#) (D-NY) will be able to meet his Christmas deadline because several major disagreements are holding up the Build Back Better Act, including a fight over lifting the cap on state and local tax deductions.

[Fox Business](#) reports that Rep. Alexandria Ocasio-Cortez (D-NY) renewed her demand for the Biden Administration to cancel all federal student loan debt in a floor speech on Thursday, arguing the financial burden on young Americans was "getting ridiculous."

[Business Insider](#) reports that one in five student loan borrowers do not know what their monthly bills will look like when payments resume in 57 days.

[Fox Business](#) reports that the U.S. Department of Education has canceled \$11.5 billion worth of student loan debt for 580,000 borrowers since President Joe Biden took office and examines who has qualified for forgiveness.

[Bloomberg](#) conducts an interview with Education Under Secretary James Kvaal who discusses cancelling student loan debts, the COVID-19 pandemic's hit to college enrollment, and why elite schools should pay less attention to college rankings.

[Inside Higher Ed](#) reports on a new study that documents key ways that white (and sometimes Asian) students have an advantage in admissions over Black and Latinx

students.

[RIS Media](#) reports that a new study from the National Association of Realtors shows student loan debt is delaying 60 percent of non-homeowning millennials from purchasing their first homes.

[Roll Call](#) reports that House leaders have rejected the idea of tying a rise in the nation's debt limit to the National Defense Authorization Act, one of the last must-pass bills slated to clear Congress this year.

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