

# NASFAA's "Off the Cuff" Podcast – Episode 285 Transcript

## OTC Inside the Beltway: Making Sense of the 2024-25 FAFSA Timeline

Justin Draeger:

Hey everybody. Welcome to another edition of "Off the Cuff." I'm Justin Draeger.

Karen McCarthy:

I'm Karen McCarthy from NASFAA's policy team.

Allie Arcese:

And I'm Allie Arcese from NASFAA's communications team.

Justin Draeger:

All right, welcome back to the podcast. Good to see you, Allie. It's always nice to be podcasting.

Allie Arcese:

What's up?

Justin Draeger:

Hey, you're back with the OGs of the podcast. Today is more, and Allie, you trademarked, I feel like a new term. "Fun with FAFSA" with David Tolman, so we're going to-

Allie Arcese:

Yeah, I can't take credit for that. That was all David.

Justin Draeger:

Yeah, so we're going to continue with that, today's more "Fun with NASFAA." We were looking for something to sum up, what is the overall sentiment. Hugh, do we have a clip that we can play that sums up where our community is?

Video Character 1:

Pivot. Pivot. Pivot. Pivot.

Video Character 2:

Shut up. Shut up. Shut up.

Justin Draeger:

All right, so I think that does sum up really well where our community has to be today. And where they've had to be for a lot of weeks, if not months now, with the NASFAAs. So the Department of Education announced on Tuesday that it is now going to update the tables used to protect a portion of a family's income and assets from being considered in the Student Aid index by inflation adjusted amounts. These are the IPA tables. We've talked about this before. We've talked about it all the way

back for a couple of months now. And now we do have confirmation that they are going to update the IPA tables. And I don't know Karen, good thing, bad thing?

Karen McCarthy:

Well, I do have one little clarifying detail.

Justin Draeger:

Oh, god.

Karen McCarthy:

I know. I know.

Justin Draeger:

Yes, go ahead.

Karen McCarthy:

I just wanted to clarify.

Justin Draeger:

Yeah, go ahead. Go ahead, Karen.

Karen McCarthy:

Yeah, just for our members, because our members are sticklers for details, is that they will be updating the IPA tables plus the other tables that have inflationary adjustments that need to be made.

Justin Draeger:

Right.

Karen McCarthy:

So I think for shorthand purposes, we refer to it as the IPA table issue. But because I have gotten a couple questions, they are updating the other tables, as well. All of the inflation adjusted tables will be updated.

Justin Draeger:

Okay. Good thing, bad thing?

Karen McCarthy:

Okay. Good thing, bad thing. I feel like it is a good thing in terms of increased aid eligibility for some students. Higher Pell Grant awards for some students, there will be more Pell eligible students, encapsulating bringing some more people under the Pell eligibility.

Justin Draeger:

Do we know how many, have they released any numbers on that?

Allie Arcese:

Not student numbers, but they did put a dollar amount on it.

Justin Draeger:

And I was confused by the dollar amount because Karen, you just said Pell. But when the Department put out its number, this was all released through NPR. And then it was an exclusive to NPR and then other news outlets picked it up. But they said, and I noticed this language, 1.8 in Federal Student Aid. They didn't say Pell.

Karen McCarthy:

Yeah, we don't know how they came up with that because-

Justin Draeger:

I assume that.

Karen McCarthy:

I think you mentioned Federal Student Aid. I was like, should that be Pell? And then we all went back and looked.

Justin Draeger:

I don't know.

Karen McCarthy:

What is it?

Justin Draeger:

They said Federal Student Aid, it's probably mostly Pell.

Allie Arcese:

What else could be included in there?

Justin Draeger:

Well, you could have multiplied on some FSEOG, I guess, if you were estimating out. Or I don't know, are they throwing in subsidized loans because this does lower SIAs across the board?

Karen McCarthy:

It would be really squishy numbers, except for the Pell. The Pell, they would know, but the other things would be really hard for them to estimate. I don't know how they do that. So they may have built in some estimate.

Justin Draeger:

All right. And I would say the overall reaction to this. Our folks is best encapsulated in the NPR story by our past national chair, Brad Barnett, who is one of several eight administrators featured in that NPR story. Hugh, can we play the clip from past national chair, Brad Burnett, from that NPR story?

News Narrator:

Looming over all of this is the mistake we mentioned in the intro, the education Department's FAFSA math for deciding how much aid a student like David should get, is wrong. The Department didn't take into account the high inflation of the past few years.

Brad Barnett:

The polite way to say it is wow. I mean I was shocked.

News Narrator:

Brad Barnett is financial aid director at James Madison University in Virginia. And why does this mistake matter? Well, it may explain David's disappearing Pell Grant. For several months now experts have voiced concerns about this mistake, making some students and families appear like they have more income than they really do. And that could mean they get less financial aid than they're entitled to by law. Again, Brad Barnett.

Brad Barnett:

I get that there's complexities in building and programming a new system. Okay? But forgetting to put the right numbers into a table that now has created all of this consternation and delays, really surprised me.

Justin Draeger:

To Brad's point, on the one hand, this is just putting the right numbers in. On the other, this is apparently a pretty big operational change. And the thing that was missing in all of this is the fact that there was no operational guidance that came along with this announcement.

So this was a confirmation, an outstanding question. They are going to update these multiple tables with inflation adjusted numbers, which will help put an additional nearly 2 billion on the table. No operational guidance.

So Karen, we've talked about this decision tree. Why don't you catch us up as quickly as you can. What are the branches of that decision tree right now? And then I want to go to Allie and hear what the press and the responses from The Hill have been. So yeah, what are the branches?

Karen McCarthy:

In terms of how Ed could possibly do this? They could be implementing the new IPA tables now. And frantically building those into the system so that when schools receive their first initial batches of ISIRs, they already have updated IPA. And see I'm using the shorthand. IPA tables in there.

Justin Draeger:

Karen, if I could clarify.

Karen McCarthy:

Yes, yes.

Justin Draeger:

You don't have that exactly right. That's fine.

Karen McCarthy:

That is correct. And we're assuming that that would likely mean a delay in getting the first initial batch of ISIRs. Because it's January 25th, and they had initially told schools they would have their first ISIRs by late January. So that's one way.

The other way that they could do it would be to release the initial batch of ISIRs whenever they were initially going to do it. So I don't know if they're still on track to do that in late January, which would be in the next week or so. And then frantically update the IPA and other tables and then reprocess ISIRs at some future unknown date and time. And then schools would get reprocessed ISIRs.

Justin Draeger:

Yeah, there are pros and cons to probably both sides of that equation. The problem is there's unknown equations on both sides on those options too. So for example, if you got the ISIRs quicker, but you had a reprocessing, you might be giving students the wrong amount of financial aid. Does that impact college going decisions?

Some schools might be able to model out and do estimates while other schools wouldn't have the capacity or resources to do the correct modeling. So they might be handing out wrong amounts. Then you have real equity issues with better resourced schools being able to do estimates and less resourced schools not giving out the right estimates. So there's real equity issues on that side of it.

On the other hand, you have a delay and nobody knows how long that delay might be. If we're all waiting for, but at least everybody's got the same starting line. So I guess the challenge is weighing these pros and cons. The most straightforward way, and I said this yesterday in a webinar, which by the way, we had about 5,000 people in.

Allie Arcese:

And you can watch it on demand now.

Justin Draeger:

On demand. That's right.

Karen McCarthy:

It was like one of our COVID webinars. I was on it, I feel like I'm in that summer of 2020.

Allie Arcese:

It crashed our site. It really did crash our site.

Justin Draeger:

Yay. But in the webinar trying to provide a little predictive analysis here, and I'm not speaking on behalf of the Department of Education. I always feel like I need to make that clear. I don't work for the Department of Education.

The most straightforward way to do this, and probably the most equitable as well, is to just get it done now. And start every school from the same starting point. And the real issue is that the Department and the White House made this announcement and then didn't release any operational guidance.

Now if I'm putting myself in the shoes of the Department, I'm guessing, that maybe they don't have the timeline exactly right. And in that case, I would say it'd still be helpful for schools five days out from the

end of the month to know that they're not getting ISIRs by the end of January. And even if you don't have the exact timeline to at least say, "We're working on the timeline." Or, "We estimate it'll be like four to six weeks." Or I don't know, don't take four to six weeks to heart. I don't know. But to release a time table of some sort estimate and let them know that you'll get them a more precise date in the future.

It feels at least like that maybe the politicians at the White House or the Department may not understand. For institutions, their entire timetable is built off of when they start getting ISIRs. So they have to test their systems, model the new distribution of financial aid and then get aid offers out. It's not like they can start the minute ISIRs start rolling in.

And Karen, I guess I have an operational question for you too. When ISIRs start rolling in, do we know how they're going to roll in? Is this a light switch that I flip on and electricity immediately goes to all my outlets or my light bulbs? Because there's something with the federal database matches that have to start. Those aren't happening right now. Right?

Karen McCarthy:

Right. They haven't done any processing of any FAFSAs yet. So when that all happens... I don't know anything about the capacity on Ed's side in terms of pushing all of those FAFSAs through all the databases at exactly the same time. I imagine there are probably some limitations there. And we did hear, I believe Secretary Cardona just said publicly, that they estimate that about 3 million FAFSAs have been filed so far.

Justin Draeger:

Yeah, that's right.

Karen McCarthy:

Right.

Justin Draeger:

He said this yesterday, reported in Politico this morning.

Karen McCarthy:

So the backlog is just getting bigger and bigger, and they've never had to do this before. Push this many through all at once.

Allie Arcese:

And then is it like when they do start sending them out, is it in the order of when they were filed or just completely random?

Karen McCarthy:

No idea.

Allie Arcese:

I think it's helpful to break down too, for people who are listening who aren't in financial aid. This is the processing on Ed's side and then there's the processing on the school side.

Karen McCarthy:

Right. Now they did say, because I have gotten this question, that they do record the date that the student filed the FAFSA. So the school, regardless of when they actually end up with the ISIR, they will know. So even if they don't come to the school in the first-in, first-out way, the school will know the date that the student actually filed. But in terms of how are they going to flow to the school, in what volume, how many in batches? We do not know.

Justin Draeger:

So let me tackle this in two ways. The first is I want to talk about this in the analogy of the dam. So right now we have a big dam up in that no FAFSA applicant is going to schools right now. Or being processed as you just said, Karen. No FAFSA applicant's data has been run through a federal database match.

Karen McCarthy:

Think of them as hanging out in some black hole, like an official black hole.

Justin Draeger:

Now we're throwing too many analogies out. Let's stick with my analogy.

Karen McCarthy:

Okay, go back to the dam.

Justin Draeger:

All right. We're not doing black holes, we're doing dams. Okay. So we have a dam and there's a reservoir of FAFSAs that are now building up behind the dam. And so at some point they're going to open up the dam and water's going to start to flow through. We're not destroying the dam and all the water's going to flow through at once. So you're going to open up the dam and water's going to start to flow through.

Allie Arcese:

Open it up like that.

Justin Draeger:

Yeah, like the Hoover Dam. You open it up and water starts to shoot through, but it's shooting through slowly as the reservoir then starts to drain. But it takes time, I guess, is my point. It's not a day, it's not two days. I don't know how long it is. But it will take time for the reservoir of now, Secretary Cardona as reported in Politico this morning, 3 million FAFSA applicants to actually drain out.

And the longer it takes for them to start... So it was end of January, I don't know what the date is now. The more people have applied to the FAFSA through the FAFSA, the more applicants have been built up behind this reservoir, and the longer it takes for that. So schools may not even get all of their ISIRs for who knows how long, I guess is my point. That information hasn't come from the Department.

Karen McCarthy:

Right. Even once they start getting them, which we still don't know either.

Justin Draeger:

That's part one. Part two is that there's an equity thing here. Assuming the Department could let these ISIRs flow over however many days or weeks, God help us, it takes these ISIRs to get all the way through. The equity argument is in what order should they actually flow? If you could even control the order. Is timestamp the best way? Because to date there are people who cannot complete the FAFSA.

Is it equitable to do a first come first serve when you have populations of people that can't complete the FAFSA? Can you do a priority, is it equitable for a school to have a priority deadline when there are people that cannot complete the FAFSA? There's an equity argument on the school side of this too. How do you give priority to people when there are people that just can't complete it?

Karen McCarthy:

The other thing related to that that I was just thinking of when you were talking Justin, is if the FAFSAs as the ISIR's coming in, do all have timestamps on them, but they're going to be coming in intermittently or according to some schedule. Say a school has a February 1 priority date and we're talking this happens sometime later in February.

If I were at a school, I don't know, would I want to wait until the dam is back down to a normal level? So I can be sure that I have ISIRs for everybody who had filed by my priority deadline before I do the packaging. That's what I would be doing in a normal year, I'd have my group, my priority groups altogether. These people met the priority deadline, we'll package them all at the same time. And you don't want to miss any of those priority people and have them trickle in later.

Justin Draeger:

Well, you can certainly package on a rolling basis as long as your priority deadline is pushed out far enough that you get to those normalized levels that you just said.

Karen McCarthy:

Right.

Justin Draeger:

But you couldn't even start modeling until you have enough people in the door that you feel like you have enough of a sample to do a real model. So I don't know how long it will take for a school to get enough ISIRs in the door to actually do a new model of distribution of aid.

So there's two things we need in an operational notice from the Department. When will they start getting ISIRs? And number two, how long will it take them to get enough ISIRs? How long will it take them to get the backlog of ISIRs? And even if you can't get that level of precision, they need something sooner rather than later, even if it's iterative from the Department. Just, what's going on?

Karen McCarthy:

And I do feel like some of our school members, if the Department were to come out, and again, I have no insider info either. But if the Department were to come out and say, "Sometime between February 15th and 21st," or something like that. Like, "A one week timeframe is when we estimate you're going to get your ISIRs." We will have schools that say, "I need a date. I want a hard date when I can plan around." But I still think that a window of time is better than knowing nothing.

Justin Draeger:

Right. Agreed.



Karen McCarthy:

Yep. Yeah.

Justin Draeger:

Okay. Allie, let's turn to you for just a minute. I want to turn to what's being reported in the press and then maybe even more importantly, what's the reaction? Obviously lawmakers are hearing about all of this, so what's been the reaction so far?

Allie Arcese:

Yeah, it's actually been really interesting watching this play out in the media because it has definitely transcended to more of a mainstream news issue. When I think a lot of times our financial aid community issues are really just limited to trade press like Inside Higher Ed and The Chronicle. But as you mentioned earlier, this has been in NPR. We've seen articles in CNN and NBC, the Associated Press, everywhere. And it's rightfully being framed as students getting the aid that they're entitled to.

There was a lot of inflation over the years that were missed. And so that's how it's really being framed, also an equity issue. I thought the NPR article where many of our members were interviewed did a good job of highlighting that. Especially also the students who might just give up if say, they got an initial aid offer and then there was reprocessing. If they got that initial aid offer and it wasn't what they were hoping for, they might just decide not to enroll. So there's that issue.

Justin Draeger:

Allie, let's listen to, you were just talking about, I think Christina Tangalakis, the dean at Glendale Community College makes that point. Let's listen to a clip of her making that point.

News Commentator:

Christina Tangalakis manages student aid for Glendale Community College in Glendale, California. She says, "Option two is the Department's fix takes long enough, that it has to go ahead and send colleges FAFSA data it knows is wrong. But promises to update it as soon as it can. That way colleges can at least give families something, a starting point." But Tangalakis worries for some lower-income students, those preliminary award letters would be too low.

Christina Tangalakis:

Well, how many students will be discouraged by what they see on paper and not even attend?

News Commentator:

I heard this fear a lot.

Justin Draeger:

All right. Yeah, let's go to The Hill then. What'd they say?

Allie Arcese:

So a group of about two dozen Republicans from the House and the Senate this week sent up a letter asking the Government Accountability Office to formally investigate the FAFSA rollout. They said it was botched. Schools need guidance on the new process so they can adjust their own financial aid systems

to account for the FAFSA changes. And initial feedback from students in schools indicates that the Department's current outreach efforts are falling short.

They also said, as we reflected in our statement too, "The goal of FAFSA simplification was to make the whole process easier for students and families." The lawmakers continued to say, "This is possible only if the Department is providing students with clear communications on how to navigate the new application."

There was also a statement from Representative Bobby Scott, the ranking member on the House Education Committee that was a little bit milder, I would say. He commended the Department for making the adjustments, which I think we would all agree with. It's the right thing to do. And he said, "Moving forward, he would continue to conduct oversight of the Department's implementation." He said, "Moving forward the Department must do everything it can to prevent further delays in implementing the new FAFSA because it can negatively impact students."

So largely things from The Hill I think are reflecting the larger conversation around all of this.

Justin Draeger:

And you would expect that Republicans would take a harder line than Democrats. But for the ranking member on the house side to even mention oversight does signal that Democrats are feeling pressure from their constituents. Or at least hearing some of the frustration from their own constituents about what has been a pretty bumpy ride from students and families.

Secretary Cardona is reported in Politico this morning. Also was asked about some of the oversight investigations from House and Senate Republicans, primarily the 28 members that signed on to this letter to the GAO. Which if you're not familiar, the Government Accountability Office is the investigative arm of Congress. They investigate usually the dealings and goings on of the administration, but they work on behalf of Congress. Secretary Cardona responded that the new FAFSA was, "Moving in the right direction." And Politico characterized his remarks as in Politico, "Chastising an array of Republican lawmakers who requested a government inquiry."

Secretary Cardona said, "The program hadn't been touched in 40 years and we fixed it with pretty flat funding." That's what he said to reporters in Washington following a tour of high school career and technical education programs. Then he said, "I wish those same folks that signed the letter committed to funding something that we know is important in this country." He went on to say, "I'm proud of the work we're doing to make the FAFSA new. Will it come with challenges when we create a new system? Of course. We're working with COBOL." I think he's referring here to the dead computer language. "We got computer programs that are older than some of those elected officials. We're still getting it done."

I'm curious, Karen and Allie, from your perspective, I've heard this over and over again for two and a half years. Does that resonate that this is old computer language, it hasn't been updated in a long time? They're moving in the right direction, et cetera, et cetera?

Allie Arcese:

I think it depends on what your measurement is for moving in the right direction. Are more students submitting the FAFSA? Yeah. But that can't be your only metric. There's a huge wall after students submit the FAFSA, so the progress stops there it seems.

Justin Draeger:

So Karen, how about you? How does this land?

Karen McCarthy:

I'm not sure. We've had a lot of frustration, I would say, from our institutions in terms of them feeling like they are not given the same amount of grace that the Department of Ed seems to be asking everybody to provide to them. I'm also really curious about this 50-year-old system because I have heard that, and I don't know, how did we get here? Where the system is still in this COBOL language and has never been updated since we started the FAFSA 50 years ago? Do you know? Has anyone heard anything about that?

Allie Arcese:

The thing I keep coming back to is all of these things can be true. Was the Department underfunded? Yes. Are they dealing with outdated software? Yes. But also the workaround for those things was extension, extension, extension. Right?

Justin Draeger:

Yes, I agree with you Allie. And I also feel like at some point, okay, so the funding wasn't there. That's correct. Then you go back in time, and I'll remind you all of two Decembers ago, you'll remember it was reported in the press that there was a deal on the table from Senate Republicans in particular. It was like, "Stop pursuing debt forgiveness. We'll give you more funding." The administration turned it down. They were flat funded.

And we can get into, "He said, she said," and maybe you think, "Well, they should have pursued debt forgiveness regardless." You can point the fingers back and forth all day long. Allie's right. There was a year-long extension. I guess all I'm saying is you can get lost in the political back and forth in all this.

I think at some point it's like, "Yeah, I get it. I've heard it." I don't know where the 50 years came from. At one point I thought it was 20 years, then it was a 30 year, then it was 40 years. Now we're at 50 years. I don't know. I can't even remember. The Department of Education isn't even 50 years old, I don't think.

Allie Arcese:

Yeah, was the Department using computer programs?

Justin Draeger:

This to me starts to resonate the number of our payment plans where at one point it was 13 and then it became 20. And then at one point I think we were up to 30. But I'm not above DC hyperbole. But at some point when you're into almost February, and you still have populations that can't complete the FAFSA and schools aren't getting ISIRs. I don't know, I just feel like it's not landing.

Allie Arcese:

How long can you lean on that?

Justin Draeger:

Right. Nobody cares. Also, Karen, to your point. I will admit, because Karen, you and I had a discussion about this behind the scenes. You pointed out to me, rightfully. schools haven't been asked to build a FAFSA before. And that's true, so I admit that. But if a school came to the Department and said, "We can't meet a deadline because of our system." The Department's response would never be-

Allie Arcese:

[inaudible 00:26:52].

Justin Draeger:

Yeah. They would never be like, "Oh, right." Or, "We can't meet a reporting requirement because of our system." The Department couldn't care less. I mean, usually. Now, I understand that occasionally the Department does at certain times provide grace. But I have seen the communications, because they've been shared with us, from FSA Enforcement and Program Review that goes to schools. They're not warm and fuzzy. When a school's like, "We're in the middle of disbursement and we can't meet a deadline. And I know as soon as we send this to you, it's literally going to sit somewhere for a year." And they don't get warm and fuzzy emails back because the schools in the midst of their own institutional crisis. Sometimes they get extensions.

I'm just saying the grace isn't always offered in the other direction. I'm speaking sincerely with respect that that grace is not extended in the other direction. It's often said that, "You are given X amount of dollars in taxpayer funds and you have to meet deadlines." But the entire Department of Education is funded with taxpayer funds and this was a legislative mandate. And I think there's a lot of frustration being felt by students, families, and schools right now. And it's not a think. I know, because my inbox is full of it, especially since Wednesday.

So, okay. I will say one other thing. Speaking of the three years is I think Christina also in that NPR story made an analogy about doing hard things. Hugh, can we play that audio of Christina?

Christina Tangelakis:

You know, when we were headed to space Kennedy said, "We do things because they're hard." This is something hard, but it's necessary.

Justin Draeger:

All right. I did chuckle a little bit because Christina made the analogy that building the-

Allie Arcese:

Can I just say? This was my favorite part of the whole story. That was my favorite clip. I heard that and I was like, "Yes!"

Justin Draeger:

Because building the FAFSA is now going to the moon. This is our moon shot. In the 2020s, building the FAFSA is like going to the moon. I just want to point out, because I'll never forget this when I did the tour of the Empire State Building. Well people say, "Well, we don't build anything anymore in this country." It did take us, I think it was like one year and 45 days to build the Empire State Building.

I know times are different, and I guess the Department's built in COBOL. But it did take us less than two years to build the Empire State Building, and this is what's going on to rebuild a form. And it's complicated. I'm not trying to be a jerk. I'm not. I'm seriously, I'm not.

Allie Arcese:

I believe you. I'm just [inaudible 00:29:58] of my excuses if I miss a deadline. Sorry, Justin, I couldn't get that press release out because I was reading it in COBOL.

Justin Draeger:

I'm sure I have fired off. I'm sure I've fired off a nasty, not a nasty Gram. But a honest Gram to you, Allie, and to you Karen, and probably, I don't know to you, Hugh, when the NASFAA staff have missed a deadline. But if you came back to me and said, "I'm sorry this assignment was written in COBOL," I would just be like, "Well, I don't care."

All right, before we jump out of this podcast. Karen, the SAI modeling tool. We get a lot of questions on this because if they're going to update the IPA tables and all the subsequent tables, people ask, one, "Is our SA modeling tool already updated with the inflationary adjusted numbers?" And two, "If not, when will it be?" So can you answer that question?

Karen McCarthy:

Yeah. So the first question is what is in the model right now? And the answer to that is that we were basing the tables, in the model, on what the Department of Ed was releasing. So the model does not have new inflationary adjusted tables in it because we were going with what Ed was putting out at the time. And so as soon as the Department of Ed releases what those new tables will be, then we can go into our model. And make those same adjustments in our model and we'll push that out to the membership as soon as possible.

Justin Draeger:

Okay. So we just need the actual numbers from the Department and presumably, that won't wait until ISIRs are available. They've announced they're going to do it. As soon as we have those updated numbers, we'll update our model and it'll just go out.

Karen McCarthy:

Yes.

Justin Draeger:

So there'll be this timeframe where they won't have ISIRs. They could rerun the model with the updated numbers is the point.

Karen McCarthy:

Yeah. Obviously we don't know how much time there will be between the new model versus when you'll get new ISIRs. Since we don't have that ISIR date. But yes, theoretically you could do that.

Justin Draeger:

Yep. And I presume there'll be some gap there. And that might be useful for schools who are like, "Well, what can I do in the meantime?" You could be rerunning your numbers through that model.

Allie, I thought there was an interesting discussion, speaking of the Department of Ed, and I think this is highly theoretical. But I did see a discussion in our communities, I didn't have time to read through it all. But just like, "Well, you know, schools are held accountable when we don't meet deadlines.

Is there a way to hold the Department of Accountable? And I think this is theoretical because the secretary doesn't regulate him or herself. That's a long held understood notion, and this comes up in negotiated rulemaking all the time from non-federal negotiators. But it might be an interesting discussion. Did anything come out of that discussion?

Allie Arcese:

Yeah, I think there were a lot of interesting things and a lot of it reflected that sentiment that we've been talking about. Just simply that our members would like to see the Department extend grace to schools that they are being asked to extend to the Department.

There's also the aspect of there's congressional oversight. The FSA is a performance-based organization. There's some things there. But one interesting thing that I saw come out of this discussion was a few members saying that they felt like there should be oversight outside of Congress. Someone actually said, "Congress gave the regs and the laws that got us into the mess in the first place. And it would be nice if there was oversight outside of Congress, outside of just the government in general."

Justin Draeger:

What would that be? Isn't that the voters?

Allie Arcese:

Us. Yeah. That's us. So someone suggested an oversight team made of both congressional powers and advocacy groups. This member was specifically suggesting to look at what happened between the FAFSA Simplification Act being passed and today.

This was an interesting one. "Determine if damages should be paid out to servicers, institutions, students, taxpayers, and in what amount based on the findings of that oversight board." And then, "Create laws that ensure that this situation doesn't happen again."

So I mean, a lot of this I think was just in an ideal world, what would you like to see happen? So we're not thinking in the structure of what exists, and what is possible or is not possible. But just if you were starting from scratch, what does accountability for the Department look like?

Justin Draeger:

Well, I think we've caught everybody up to speed. We've provided a little prognostication. We've covered the reactions from the Hill and from some of our own members. Look, going to the top of the podcast, we know members are having to pivot right now, appreciate all of the patients that they're showing. And as much as we take the Department to task, we know that there are a lot of people who are working really hard to make this happen over there.

We have to obviously speak truth to power here and call on them to be more transparent, get information to schools as quickly as possible. And while we do that, we do recognize that, we understand it's in their best interest to get this right too. So we recognize the hard work that they're all putting in and appreciate the lawmakers who are providing and doing their duty to provide oversight over federal agencies. They are exercising their constitutional responsibility in making sure budget funds are appropriated correctly and are being spent appropriately by the administration.

So we want everybody to be doing their part, and NASFAA will continue to do its part on behalf of NASFAA member institutions who are working so hard to get this information to students.

Thank you all. And Allie and Karen, thanks very much for being on the podcast. Hugh, I want to thank you for producing. Thanks everybody for joining us for another edition of "Off the Cuff."

Remember to send us your comments. It's nice to know that we're not just speaking out into the void. So good to hear from you all from time to time. Remember to subscribe, tell a friend. That's how we get other people to listen to the podcast, let us know what they're thinking. And we'll talk to you again very soon.

