



Leadership and Advocacy

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May 4, 2018

Honorable Rodney Frelinghuysen
Chairman
Committee on Appropriations
United States House of Representatives
H-305, The Capitol
Washington, DC 20515

Honorable Nita Lowey
Ranking Member
Committee on Appropriations
United States House of Representatives
H-305, The Capitol
Washington, DC 20515

Senator Richard Shelby
Chairman
Committee on Appropriations
United States Senate
Room S128, The Capitol
Washington, DC 20510

Senator Patrick Leahy
Ranking Member
Committee on Appropriations
United States Senate
Room S128, The Capitol
Washington, DC 20510

Dear Chairmen Frelinghuysen and Shelby and Ranking Members Lowey and Leahy:

We write on behalf of the undersigned associations to bring to your attention an issue of immediate concern to students and colleges. Recent statements from Administration officials and Members of Congress have indicated that proposals to make rescissions to non-defense funding may be submitted to the Congress as early as next week. Our members share the concerns of many legislators about the appropriateness and merit of this request, coming so soon after bipartisan legislation setting federal funding for Fiscal Year 2018 was signed into law.

However, there is an additional concern that is specific to higher education and makes any such proposal in the areas of federal student aid especially problematic. While the general debate on this issue focuses on the overall likelihood of rescissions being approved by Congress, there is a significant possibility of major harm being done to students who receive financial aid regardless of whether Congress ultimately approves or rejects the rescissions proposed by the Administration.

Under the Impoundment Control Act of 1974, once a special message from the Administration is delivered to Congress, federal agencies are required to impound the funds identified until the process is resolved. Congress has up to forty-five legislative session days as defined in the statute to act on this request. Due to the nature of the congressional calendar in an election year, if the full forty-five days is taken, a decision on the rescissions may not occur until late in the summer or early in the fall.

Student Aid and FY 2018 Rescission

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While that uncertainty over programmatic funding will pose challenges for any impacted parties, in the case of federal student aid, it poses unique and damaging possibilities. The federal student aid year begins on July 1, at which time federal student aid is released for the approaching academic year. It is at this point that the financial aid packages students have been promised by their institutions (according to their eligibility under law) are disbursed.

Any changes at this point will be deeply harmful to students and their families. Students applied for federal aid as early as last October; they received aid packages from institutions beginning last fall and into the spring and most have already made their final decisions by the traditional May 1 deadline regarding where to go based on that information. Students and schools depend on the guarantees the federal government gave when they made their decisions about where they will attend before giving up their other options. As you know, these are not decisions any family, but especially low-income families, take lightly.

Because the student aid year starts so early, were any of the student aid programs to be included in the Administration's request, there is a near certainty that funds for those programs would be impounded at the moment students need them. Worse still, this information would arrive close to the start of the school year, forcing families to make difficult choices regarding their plans for the fall, with little time to prepare.

Similarly problematic would be any rescission to funding previously provided by Congress to the Pell Grant program. Pell Grants are the foundational program of federal student aid and over seven million students are depending on them to afford college this academic year. Any rescissions of existing funding would undercut the long term ability of the program to serve low income students.

In your role as appropriators, you have the ability to review and reject any rescission proposals as soon as they are submitted. Unfortunately, the law allows the Administration to continue to impound the funds for forty-five legislative session days, regardless of congressional action.

Our first hope is that student aid funds would not be included in a rescission package. Our second hope would be that if any financial aid programs are included, you immediately move to reject any special message containing such a request.

We thank you for your attention to this issue and look forward to working with you and the members of your committee to make sure students and families are not unduly harmed.

Sincerely,

A handwritten signature in black ink, appearing to read "Ted Mitchell".

Ted Mitchell
President

Student Aid and FY 2018 Rescission
May 4, 2018

On behalf of:

ACPA-College Student Educators International
ACT
American Association of Colleges for Teacher Education
American Association of Colleges of Nursing
American Association of Collegiate Registrars and Admissions Officers
American Association of Community Colleges
American Association of State Colleges and Universities
American Association of University Professors
American College Health Association
American Council on Education
American Dental Education Association
American Indian Higher Education Consortium (AIHEC)
Association of American Medical Colleges
Association of American Universities
Association of Governing Boards of Universities and Colleges
Association of Jesuit Colleges and Universities
Association of Public and Land-grant Universities
Association of Research Libraries
Consortium of Universities of the Washington Metropolitan Area
Council for Christian Colleges & Universities
Council for Opportunity in Education
Council of Graduate Schools
Council of Independent Colleges
Educational Testing Service (ETS)
EDUCAUSE
Hispanic Association of Colleges and Universities
NAFSA: Association of International Educators
National Association for College Admission Counseling
National Association of College and University Business Officers
National Association of Colleges and Employers
National Association of Independent Colleges and Universities
National Association of Student Financial Aid Administrators
Phi Beta Kappa Society
The College Board
UPCEA