

# Washington Update

TASSCUBO

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## Capitol Hill Updates

### Budget/Debt Ceiling

- Budget continuing resolution preventing a government shutdown until February 18, 2022
- Debt ceiling agreement reached that should prevent a breach of the U.S.'s borrowing limits for several years

# Capitol Hill Updates: Infrastructure

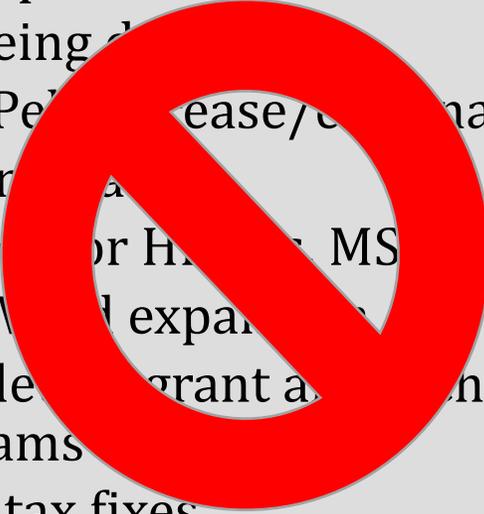
## Bipartisan Framework

- PASSED
- Traditional infrastructure
- Retroactive elimination of the ERTC to wages only through Oct. 1
  - IRS guidance issued

## Timing

- **Congress has been delayed by budget, debt ceiling, negotiations over provisions**

## Build Back Better Act

- House passed
  - Still being debated
  - \$550 Pease/charitable contribution taxability
  - R&D in manufacturing
  - Support for Historically Black and MSU tribal colleges
  - Title IV expansion
  - Complete grant and loan training programs
  - Other tax fixes
- 

# Capitol Hill Updates: Infrastructure

## What now?

- With BBB sidelined, Democrats first turned to voting rights legislation
- Now, pivoting back to infrastructure with a clean slate
  - ERTC
  - SALT
  - Energy provisions

# Capitol Hill Updates: Student-Veteran Legislation

## REMOTE Act

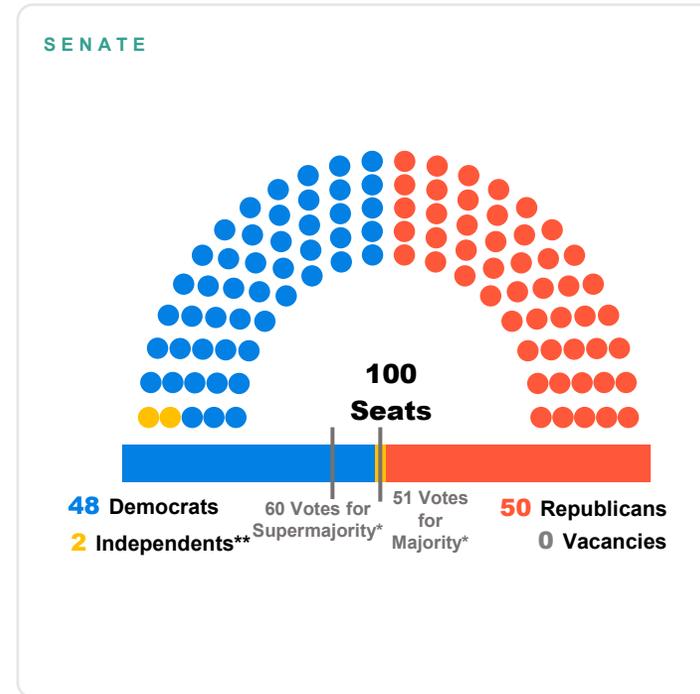
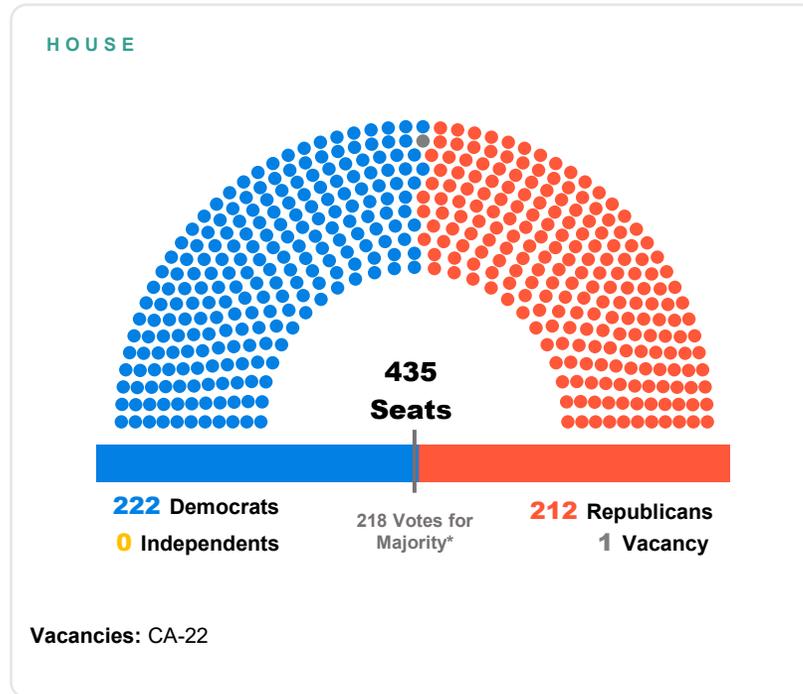
- Extends COVID-19 flexibilities to June 1, 2022
- Eliminates dual certifications at institutions with flat tuition structures
- Fix for “rounding out” courses

# Capitol Hill Updates: Coaches' Compensation

## Congressional Inquiries

- Rep. Pascrell (D-NJ) sending inquiries on coaches' compensation
  - Michigan State, University of Miami, Louisiana State and University of Southern California
  - Recent reports about the football coaches' compensation "have raised significant concerns about whether the university is operating consistent with its tax-exempt status,"
  - Alleges the coaches' contracts are a far cry from the benefits received by the schools' student athletes, whose grants-in-aid each semester pale in comparison with their coaches' compensation

# Composition of the 117<sup>th</sup> Congress

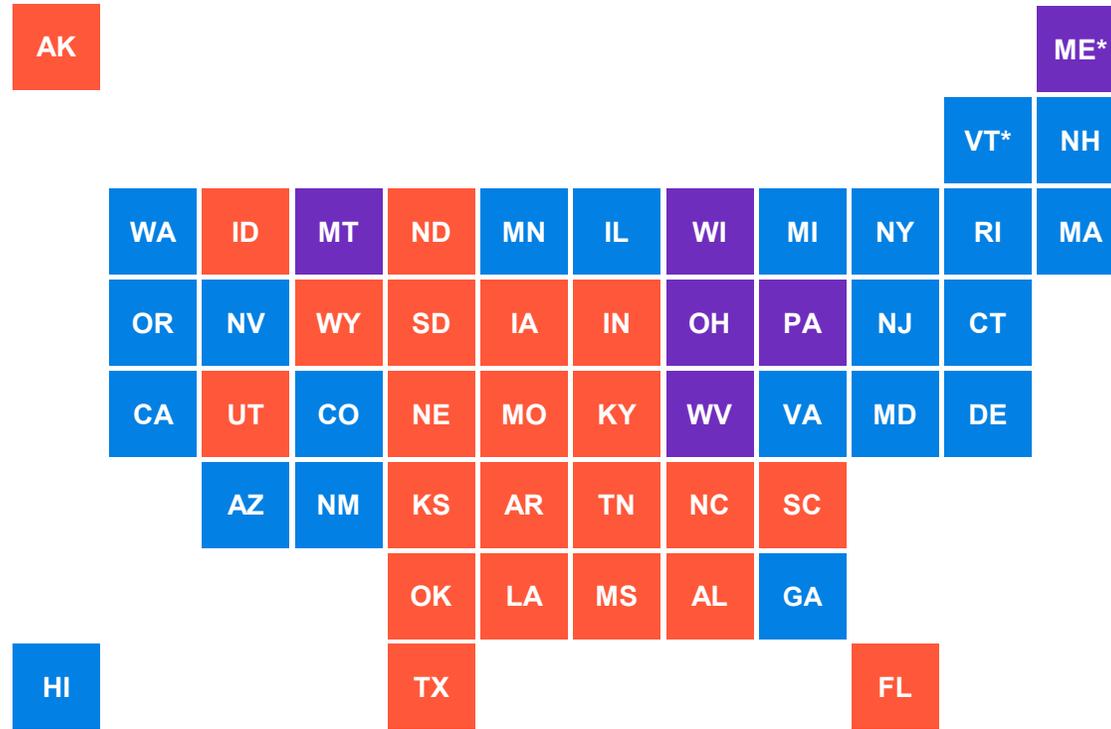


\*If no vacancies and all members vote \*\*The two independent senators (Sanders - VT and King - ME) caucus with the Democrats

# Six states currently have one Democratic and one Republican senator

## Composition of the 117<sup>th</sup> Senate by state

■ 2 Democrats ■ 2 Republicans ■ 1 Democrat, 1 Republican



\*The two independent senators (Sanders - VT and King - ME) caucus with the Democrats

SOURCE 270twin, United States Senate.  
SLIDE LAST UPDATED ON 1/20/21

# Rulemaking in Progress

- Second rulemaking is underway!
  - Focusing on: 90/10 rule , Financial responsibility, gainful employment, etc.
  - Conducted all remotely
  - Three sessions, late January, mid-February and mid-March
  - NACUBO nominees accepted

## Department of Education Updates

### HEERF Updates

- New funding opportunity
  - Application process that will prioritize support for institutions with the greatest unmet needs related to the COVID-19 pandemic
  - Priority will also be given to colleges and universities that:
    1. serve a high percentage of low-income students
    2. have experienced enrollment declines since the start of the pandemic.
  - Funds will be awarded in late spring to institutions with successful applications

# Department of Education Updates

## HEERF Updates

- New FAQ for Institutional Share
  - Permits funds to be more broadly spent on, “students’ basic needs, such as student, academic, financial, and mental health support.”
  - Examples given aren’t exhaustive of all permissible uses
  - Potential allowable new uses include:
    - expanding on-campus childcare facilities
    - strengthening campus food insecurity support programs
    - subsidizing some types of students’ transportation and off-campus housing costs
    - expanding all manner of academic success programs.
    - Funds can be used for additional mental health supports, and to pay staff and contractors broadly to help connect students with other local resources and to build out long-term capacity student support services.

# HEERF Updates

- Still waiting on an annual reporting form
- Need an extension? Ask now!

# Check out the NACUBO HEERF Resource Center!

Our latest analysis

COVID-19 Accounting Tutorials

COVID-19 Town Halls

Department of Education  
Guidance

## Student Athlete Updates

# NCAA

- New constitution adopted
  - Offers each of the three athletics divisions much greater autonomy to develop their own governing policies
  - Emphasis on student-athlete physical and mental well-being
  - Protects rights to benefit from use of their name, image and likeness
  - Brings policies for transgender student-athletes into line with those currently put in place by the United States Olympic and Paralympic Committee and International Olympic Committee.

## Student Athlete Updates

# Dept. of Education

- New Title IV Guidance
  - NIL and Federal aid
  - Dear Colleague Letter on assessing student-athlete NIL compensation

# Vaccine Mandate Updates

- Federal Contractor Mandate
  - Effective date of Jan 4, 2022
  - Preliminary Injunction issued, halting implementation
  - Litigation pending
- ETS
  - Effective date of Jan 4, 2022
  - Halted by the Supreme Court
- Healthcare Worker Mandate
  - Preliminary Injunction issued, overturned by the Supreme Court—now effective
- School Options
  - Still pretty wide open

# DACA Students/Department of Homeland Security Updates

- Association comments submitted on proposed rule
- The proposed rules do not change the eligibility criteria for the DACA program or make major substantive changes. If enacted, the rules would decouple work authorization for individuals from protection against deportation so applicants could choose to seek one without also having to apply for the other. This change would ensure that even if future legal action strikes down the work authorization component of the program, recipients still could benefit from deferred deportation protections.
- Congressional action still needed.

## CFPB Investigation

- Examining institutional loans made to students
  - How institutions take action against student borrowers in default
    - Transcript withholding, restricting enrollment, etc.
    - Also examining colleges' refund practices and relationships to outside private student lenders

# Q&A



# Thank You

## Contact

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