NATIONAL ASSOCIATION OF STUDENT FINANCIAL AID ADMINISTRATORS

March 15, 2021

Director of the Strategic Collections and Clearance
Governance and Strategy Division
U.S. Department of Education
400 Maryland Ave. SW
LBJ, Room 6W208D
Washington, DC 20202–4537

To Whom It May Concern:

On behalf of the National Association of Student Financial Aid Administrators (NASFAA) and our 3,000 member institutions, we respectfully submit to the U.S. Department of Education (ED) our comments on the proposed Higher Education Emergency Relief Fund (HEERF) Improper Payments Information Form (Docket No.: ED–2021–SCC–0006).

NASFAA represents nearly 20,000 financial aid professionals who serve 16 million students each year at colleges and universities in all sectors throughout the country. NASFAA member institutions serve nine out of every ten undergraduates in the U.S.

NASFAA has identified several areas of the form that we believe the Department of Education needs to clarify to ensure institutional compliance with the process for returning HEERF improper payments:

1. The form directions indicate that "Grantees that have returned HEERF funds to their G5 grant account (1) in an amount over $1,000, and (2) outside of a specified window after a drawdown are required to complete this form and return it to the Department of Education." However, the form and its accompanying supporting statement do not indicate what the specified window is. We request that ED include the specified window in the directions.

2. Related, we request that ED include instructions, or a link to instructions, for how institutions should calculate their interest owed that makes clear which dates should be used in the calculation.
3. The form includes an option for Student Financial Aid Grant Refunds in the "Reason(s) for Refund" list, but an ED official from the previous administration indicated in a January, 2021 webinar that the Uniform Guidance does not apply to student grants. We ask that ED clarify in the directions whether funds drawn down for student grants, whether from the student share or institutional share, are subject to the requirement to repay interest and, if so, which dates institutions should use to calculate interest to be repaid.
4. An ED official from the prior administration indicated in the same aforementioned webinar that institutions would not be penalized for not having repaid interest on improper HEERF payments if those improper payments took place before ED notified institutions of the requirement to return funds. We ask that ED confirm this, and provide the exact date prior to which institutions could be assured to be exempt from penalty.

We appreciate the opportunity to comment on this proposed data collection. If you have any questions regarding these comments, please contact me or NASFAA Policy Analyst Jill Desjean at desjeanj@nasfaa.org.

Regards,

Justin Draeger, President & CEO