



June 7, 2024

The Honorable Michael C. Burgess  
Chairman  
Committee on Rules  
H-312, The Capitol  
Washington, D.C. 20515

The Honorable Jim McGovern  
Ranking Member  
Committee on Rules  
370 Cannon House Office Building  
Washington, D.C. 20515

Dear Chairman Burgess and Ranking Member McGovern:

AccessLex Institute® is deeply concerned with amendment 943, offered by Rep. Elise Stefanik (R-NY-21), that has been filed to H.R. 8070 the *Servicemember Quality of Life Improvement and National Defense Authorization Act for Fiscal Year 2025*. Included in the amendment is an offset provision that would require institutions subject to the “endowment tax” to reimburse the Education Department for all federal student loan dollars borrowed by any former student that is not repaid to the government. Surprisingly, “non-repayment” includes, among other things such as default, reimbursement for any forgiveness received from the Public Service Loan Forgiveness (PSLF) program and the various other income-driven repayment (IDR) plans.

While AccessLex supports Congress’ bipartisan effort to expand Pell Grant eligibility, we oppose on principle, any provisions that would disincentivize, either by its terms or effect, institutions to educate students about and encourage the use of affordable IDR plans and the pursuit of careers in public service. Moreover, it is foreseeable that affected schools, as rational actors, would seek to reduce their potential liability in admissions’ decisions and in other ways, virtually all of which would result in reducing access to higher education for those who are most in need of support — undermining the core basis for the passage and continued reauthorization of the Higher Education Act of 1965.

AccessLex Institute, in partnership with its nearly 200 nonprofit and state-affiliated ABA-approved member law schools, has been committed to improving access to legal education and to maximizing the affordability and value of a law degree since 1983. The AccessLex Center for Legal Education Excellence® advocates for policies that make legal education work better for students and society alike and conducts research on the most critical issues facing legal education today.

AccessLex believes that supporting public service, an affordable education, and a diverse student body should be paramount, and any legislation that could hinder these objectives warrants careful reconsideration. While fiscal responsibility is important in any situation, we do not believe that paying

for expanded Pell Grant eligibility by enacting a policy that seems highly likely to reduce access to higher education is the correct approach.

Thank you for your time and attention to this matter. If you have any questions, please do not hesitate to contact me at [cchapman@accesslex.org](mailto:cchapman@accesslex.org) or Nancy Conneely, Managing Director of Policy, at [nconneely@accesslex.org](mailto:nconneely@accesslex.org).

Sincerely,

A handwritten signature in black ink, appearing to read "Chris S", written in a cursive style.

Christopher P. Chapman  
President and Chief Executive Officer