



If the committee fails to reach consensus, the Department is free to propose the rules as it sees fit and the committee members are free to comment as they see fit.

(For the complete organizational protocols go to: [http://www.ed.gov/policy/highered/leg/hea08/index.html#neg\\_reg%00%00](http://www.ed.gov/policy/highered/leg/hea08/index.html#neg_reg%00%00))

**Neg reg organization.** The single federal negotiator sits at the far end of the table with Department legal counsel to her right and other Department advisors to her left and behind her.

The non-federal negotiators line each side of the table with their alternatives sitting behind them. In order for the alternatives to speak they must switch position with the primary negotiators. To be recognized to speak the negotiator puts his/her name tent on end.

On the near end of the table are the professional facilitators whose function is to keep the process moving, and will from time to time admonish the negotiators about breaches in procedure.

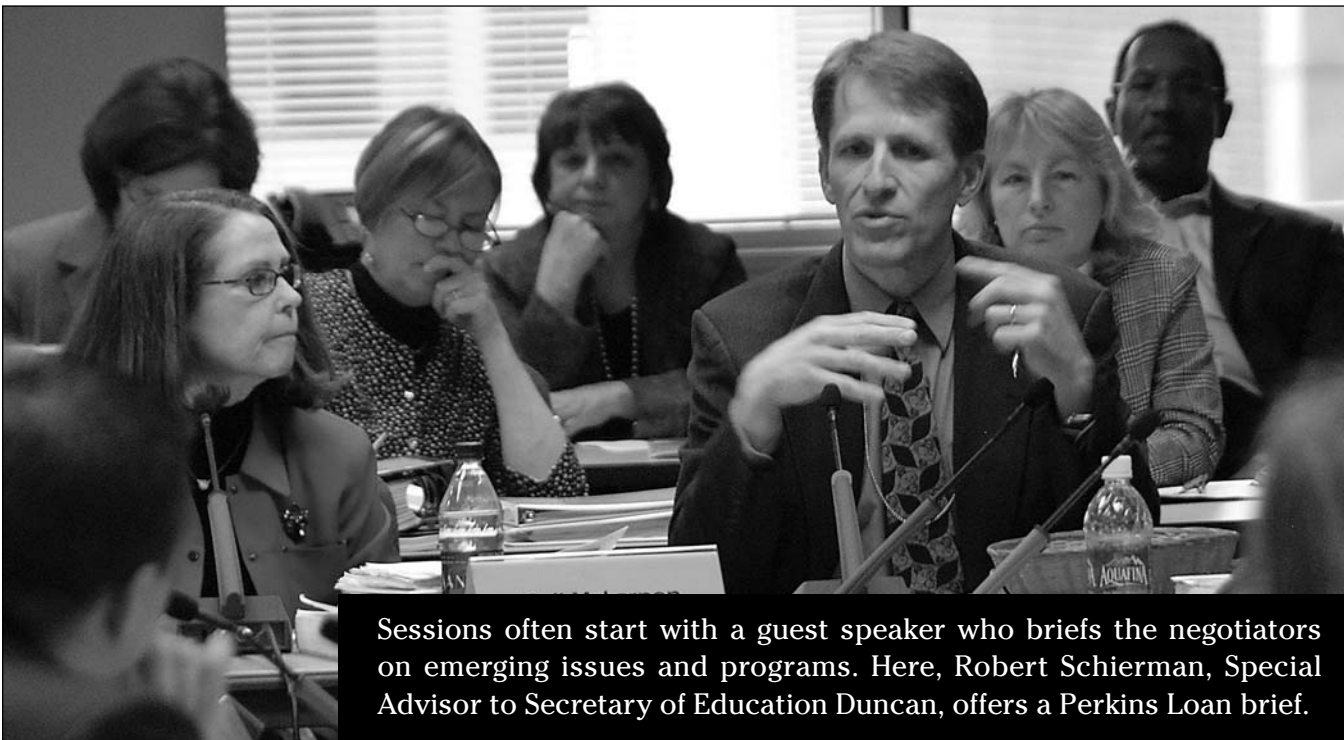
Behind the facilitators sit the 25 or so observers and negotiator advisory team members.



To gain a seat at the table, negotiators need to be nominated and supported by educational organizations that represent schools and students that will be impacted by the specific regulations being proposed (i.e., communities of interest). The final non-federal negotiators are selected by the Department of Education. Organizations are permitted to also request a seat at the table from the full negotiating team. Request for membership must be approved by a consensus of the committee. As such, representatives of lending organizations requested—and were denied—a seat, perhaps in the belief that, given the consensus model, permitting them at the table would enable them to possibly block consensus.



Mary Lyn challenges federal negotiator Gail McLarnon over the recently released default rates and why they were published if they weren't correct.



Sessions often start with a guest speaker who briefs the negotiators on emerging issues and programs. Here, Robert Schierman, Special Advisor to Secretary of Education Duncan, offers a Perkins Loan brief.



**The AACCS team in the back of the room.** Tony Fragomeni; Tom Netting, Akerman Senterfitt; Tom DiGenno, student intern; Anthony Civitano, AACCS Government Affairs committee member.



Often, points of view that made perfect sense to those in the back of the room were difficult to accept by the Federal negotiators who, admittedly, may have felt restrained on one hand by statute, established regulations and current policy, and, on the other hand, perhaps by pride of ownership in developing the proposed regulations.

As often is the case in government meetings, sitting in the back of the room is far more fun.



**Give us a minute.** From time to time, as issues present themselves, the negotiators will caucus with their respective advisory groups to work out positions and propose regulatory language.



AACS' team gathers in the back of the room, not unlike a sports team huddle.



Federal negotiators meet with their team specialist, and generally come back with very little in the way of concessions or compromise, thus, offering little to negotiate.

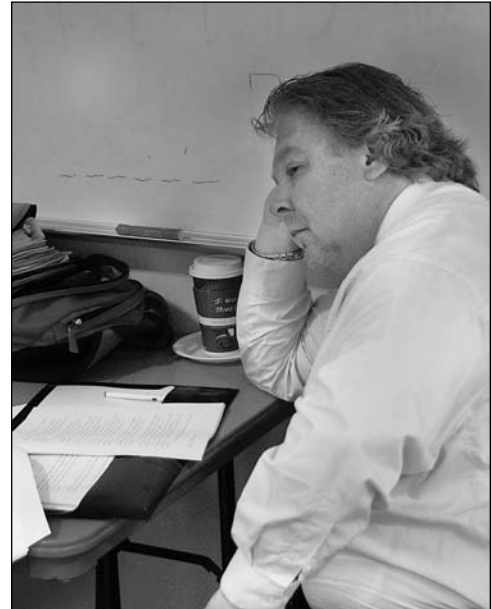


**Late afternoon snack anyone?** Caffeine and sugar clearly are the rocket fuel of government affairs professionals.



**The sage in the back of the room.** With mastery of all postsecondary education issues and political dynamics, Tom holds forth during a break in the sessions. Now, if only we understood all those acronyms, references and bill numbers.

As the negotiations progress, there are times that they take on the excitement of full contact sports and the intrigue of political chess in moments where the future of students and institutions suddenly take a possible new direction. Clearly, this is not one of those moments.



**Miller time.** After a long, challenging, and exhausting day at the table, it is time to debrief and plan for another full day tomorrow.

