Issue Papers 1 and 2

* Evidence Standard-Clear and Convincing Vs. Preponderance
* Statute of Limitations
	+ increase statute of limitations in exchange for clear and convincing
* Lack of affirmative defenses
* Time limit on Secretary re-opening a claim
* Minimum Threshold for consideration
* Voluntary Claim Resolution Process
	+ ED specifies the mediator the institution pays for mediation
* Intent Standard List
* Financial Harm List
* Appropriate role for State law
* Reckless disregard for the truth
	+ Delete “reckless”

Issue Paper 3

* Address arbitration in issue 3-“arbitral”
* Separate Financial Responsibility

Issue Paper 4

* Authority to regulate on issue (ED should bar mandatory pre dispute arbitration Vs. ED has no authority in this area)

Issue Paper 6

* Absence of knowledge qualifier for H.S. enrollment