

SUPPORTING STATEMENT

Information Collection for the Federal Family Education Loan Program Deferment Request Forms (OMB No. 1845-0005)

A. Justification

1. Necessity of Information Collected

The Higher Education Act of 1965, as amended (the HEA) established the Federal Family Education Loan (FFEL) Program under Title IV, Part B. Section 428(b)(1)(M) of the HEA provides that FFEL Program borrowers who meet certain eligibility requirements may temporarily defer (postpone) repayment of their loans.

With the exception of in-school deferments (see Item 3 below), the FFEL Program regulations at 34 CFR 682.210 require a borrower to request a deferment from the borrower's loan holder and, in most cases, to provide additional information or a certification from a third party that establishes the borrower's eligibility for the deferment.

This collection includes eight separate deferment request forms that serve as the means by which a borrower requests a deferment and provides the necessary information and/or certifications to establish his or her eligibility for the deferment. The eight deferment request forms are:

1. **Temporary Total Disability Deferment Request** (used by borrowers to request a deferment while they are temporarily totally disabled or caring for a spouse or dependent who is disabled)
2. **In-School Deferment Request** (used by borrowers to request a deferment while they are enrolled at least half time at an eligible institution)
3. **Education Related Deferment Request** (used by borrowers to request a deferment while they are in a graduate fellowship program, rehabilitation training program, or internship/residency program)
4. **Parent PLUS Borrower Deferment Request** (used by parent PLUS Loan borrowers to request a deferment while the student on whose behalf they obtained a PLUS loan is enrolled at least half time at an eligible institution or engaged in a rehabilitation training program)
5. **Parental Leave/Working Mother Deferment Request** (used by borrowers to request a deferment while they are on parental leave or are working mothers)
6. **Economic Hardship Deferment Request** (used by borrowers to request a deferment while they are experiencing an economic hardship)

7. **Public Service Deferment Request** (used by borrowers to request a deferment while they are performing certain types of public service)

8. **Unemployment Deferment Request** (used by borrowers to request a deferment while they are seeking but unable to find employment)

NOTE: Some of the deferments listed above are available only to borrowers who have an outstanding balance on a FFEL Program loan that was made before July 1, 1993, or who had an outstanding balance on a loan made before July 1, 1993 when they obtained a loan on or after that date. This limitation is explained on the applicable deferment request forms included with this submission.

The U.S. Department of Education (the Department) is requesting a revision of the currently approved collection. The Department is amending the current forms to reflect changes to the terms and conditions of certain deferments that were made by the Higher Education Opportunity Act (Public Law 110-315) and final regulations issued by the Department on October 23, 2008 (73 FR 63232). The Department is also making minor formatting and wording changes on the deferment request forms for greater consistency with other currently approved FFEL Program forms.

2. Purpose and Use of Information Collected

The currently approved deferment request forms are used by borrowers to request deferments on their loans, and they also collect the information that is required for the loan holder to determine whether the borrower meets the eligibility requirements for the requested deferment. The revised deferment request forms will continue to be used for these purposes.

3. Consideration of Improved Information Technology

This collection of information does not involve the use of technological processes such as electronic submission of requests. Except for certain borrowers requesting unemployment deferments who may qualify for the deferment based on a self-certification that they have registered with an employment agency, borrowers must either submit supporting documentation to establish their eligibility for a deferment or have a third party (such as a school official) certify their eligibility for the deferment. As a result, electronic submission of most deferment requests is not feasible at this time.

Although in most cases a borrower must submit a deferment request with the appropriate documentation to the loan holder, a loan holder may grant an in-school deferment without a request from the borrower based on information that the loan holder obtains from other sources confirming that the borrower is enrolled at least half time at an eligible institution. This reduces burden on borrowers. In such cases, the loan holder must notify the borrower that the deferment

has been granted and provide the borrower with the option of canceling the deferment and continuing to make payments on his or her loan.

4. Efforts to Identify Duplication

With the exception of the in-school deferment (see Item 3), there is no information already available from other sources that can be used to establish a borrower's eligibility for a deferment.

5. Burden Minimization as Applied to Small Business

No small businesses are affected by this information collection.

6. Consequences of Less Frequent Data Collection

The frequency with which a borrower must request a deferment is determined in accordance with statutory and regulatory requirements that are explained on each deferment request form. Less frequent data collection would not allow loan holders to process borrower requests for deferment.

7. Special Circumstances Governing Data Collection

This information collection does not involve any of the conditions listed in 5 CFR 1320.5(d)(2).

8. Consultations Outside the Agency

Both the currently approved deferment request forms and the proposed revised forms included with this submission were developed with input from participants in the FFEL Program.

A notice was published in the Federal Register on November 26, 2008 (73 FR 72035) soliciting public comments on the revised deferment request forms. In response to this notice, the Department received 95 comments from the National Council of Higher Education Loan Programs (NCHELP). We accepted all but two of NCHELP's recommended changes. The revised deferment request forms included with this submission reflect these changes.

The comments submitted by NCHELP during the 60-day comment period and the Department's responses to these comments are contained in a separate document included with this submission.

9. Payments or Gifts to Respondents

No payments or gifts will be provided to respondents.

10. Assurance of Confidentiality

Each deferment request form includes a Privacy Act Notice that (1) informs the borrower of the statutory authority for the information collection, (2) explains that providing the requested information is voluntary, but is required in order to be granted a deferment, and (3) identifies the third parties to whom the information collected on the form may be disclosed, and explains the circumstances under which such disclosures may occur.

11. Questions of a Sensitive Nature

The Temporary Total Disability Deferment Request asks for information about the borrower’s medical condition, and the Economic Hardship Deferment Request asks for income information. This information may be considered sensitive by some individuals, but it is needed to establish the borrower’s eligibility for the deferment. The deferment forms do not otherwise request any sensitive information.

12. Annual Hour Burden for Respondents/Recordkeepers

The Department estimates the total annual number of respondents for this collection to be 2,399,196. The estimated response time for each of the eight deferment forms is 0.16 hours (10 minutes), with one response per respondent. This equates to a total estimated reporting burden of 383,871 hours. The burden estimate for each form was calculated as follows:

Economic Hardship Deferment Request

Estimated annual number of respondents:	600,000
Number of responses per respondent:	x 1
Hours per response:	x 0.16
Annual hour burden:	96,000

Education Related Deferment Request

Estimated annual number of respondents:	12,000
Number of responses per respondent:	x 1
Hours per response:	x 0.16
Annual hour burden:	1,920

In-School Deferment Request

Estimated annual number of respondents:	1,608,000
Number of responses per respondent:	x 1
Hours per response:	x 0.16
Annual hour burden:	257,280

Parental Leave/Working Mother Deferment Request

Estimated annual number of respondents:	156
Number of responses per respondent:	x 1
Hours per response:	x 0.16
Annual hour burden:	25

PLUS Borrower With Dependent Student Deferment Request

Estimated annual number of respondents:	12,000
Number of responses per respondent:	x 1
Hours per response:	x 0.16
Annual hour burden:	1,920

Public Service Deferment Request

Estimated annual number of respondents:	9,600
Number of responses per respondent:	x 1
Hours per response:	x 0.16
Annual hour burden:	1,536

Temporary Total Disability Deferment Request

Estimated annual number of respondents:	5,040
Number of responses per respondent:	x 1
Hours per response:	x 0.16
Annual hour burden:	806

Unemployment Deferment Request

Estimated annual number of respondents:	152,400
Number of responses per respondent:	x 1
Hours per response:	x 0.16
Annual hour burden:	24,384

13. Annual Cost Burden to Respondents

There are no capital/startup costs to respondents, nor are there any annual costs to respondents associated with operating or maintaining systems or purchasing services.

14. Estimated Annual Cost to Federal Government

There is no significant cost to the federal government associated with this collection, since FFEL Program loan holders distribute the forms, collect the information, and process the deferment requests.

15. Reason for Changes to Burden Hour Estimate

The Department is reporting increase of 194,913 in the burden hour estimate as an adjustment. This increase is attributable to an increase in the number of FFEL Program borrowers entering repayment and requesting deferment on their loans, and also to a change in the method used to estimate the number of respondents since the previous submission for this collection. The Department believes that the previous method underestimated the number of respondents.

16. Collection of Information with Published Results

The results of this collection of information will not be published.

17. Approval to Not Display Expiration Date

The Department is not seeking this approval.

18. Exceptions to the Certification Statement

The Department is not requesting any exceptions to the Certification for Paperwork Reduction Act Submissions of OMB Form 83-1.

B. Collection of Information Employing Statistical Methods

This collection of information will not employ statistical methods.