

SUPPORTING STATEMENT
FOR PAPERWORK REDUCTION ACT SUBMISSION
SUBPART Q of PART 668 – GAINFUL EMPLOYMENT PROGRAMS

A. Justification

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a hard copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information, or you may provide a valid URL link or paste the applicable section¹. Specify the review type of the collection (new, revision, extension, reinstatement with change, reinstatement without change). If revised, briefly specify the changes. If a rulemaking is involved, make note of the sections or changed sections, if applicable.

The Secretary proposes to amend the Student Assistance General Provisions by adding Subpart Q to Part 668, to establish measures for determining whether certain postsecondary educational programs lead to gainful employment in recognized occupations, and the conditions under which these educational programs remain eligible for student financial assistance programs authorized under Title IV of the Higher Education Act of 1965, as amended (HEA).

This will be a new collection and includes proposed §§668.405(c), 668.405(f), 668.410(a)(1), 668.410(a)(2), 668.410(a)(2)(ii)(B), 668.411(a), 668.411(b), 668.412(a), 668.412(e), 668.413(b), 668.413(d)(1), and 668.414.

2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.

In general, the proposed requirements establish various metrics such as debt to earnings rates and program cohort default rates to determine whether a gainful employment (GE) program may continue to participate in the title IV, HEA programs.

Institutions have the opportunity to correct the data, challenge the data, and appeal the data, as well as, submit alternatives to some of the data under these proposed regulations. Institutions with GE programs must report information about all students in GE programs. As a result of the metrics, institutions may be required to provide enrolled students and prospective students with disclosures and/or warnings regarding the metrics of completers and about students who withdrew from the GE program.

¹ Please limit pasted text to no longer than 3 paragraphs.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or forms of information technology, e.g. permitting electronic submission of responses, and the basis for the decision of adopting this means of collection. Also describe any consideration given to using technology to reduce burden.

Institutions would use a combination of their institutional systems and Department of Education systems to report data to the Department, receive data from the Department, and their own Web sites to disclose information to enrolled students.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.

The current requirements avoid duplication. There is no similar information available that can be used or modified for this purpose at this time.

5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden. A small entity may be (1) a small business which is deemed to be one that is independently owned and operated and that is not dominant in its field of operation; (2) a small organization that is any not-for-profit enterprise that is independently owned and operated and is not dominant in its field; or (3) a small government jurisdiction, which is a government of a city, county, town, township, school district, or special district with a population of less than 50,000.

No small businesses are affected by this information collection.

6. Describe the consequences to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

Absent this proposed data collection, enrolled students and prospective students would not have sufficient information to make decisions about whether to start or continue in a particular GE program. Also, institutions would not have a method to challenge or adjust the underlying data used to determine requirements, such as disclosures or warnings or creates sanctions under which a gainful employment program could lose eligibility and a student could lose access to previously eligible programs without due process.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner:

- requiring respondents to report information to the agency more often than quarterly;
- requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;
- requiring respondents to submit more than an original and two copies of any document;
- requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;

- in connection with a statistical survey, that is not designed to produce valid and reliable results than can be generalized to the universe of study;
- requiring the use of a statistical data classification that has not been reviewed and approved by OMB;
- that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or that unnecessarily impedes sharing of data with other agencies for compatible confidential use; or
- requiring respondents to submit proprietary trade secrets, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.

The collection of this information will continue to be conducted in a manner that is consistent with the guidelines in 5 CFR 1320.6.

8. As applicable, state that the Department has published the 60 and 30 Federal Register notices as required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.

Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instruction and record keeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years – even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

The proposed regulations were developed through the Negotiated Rulemaking process where the public provided its input and in consultation with schools, and other affected entities. The comment period for the information collection package will run concurrently with the Notice of Proposed Rulemaking.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees with meaningful justification.

No payments or gifts will be provided to the respondents.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy. If personally identifiable information (PII) is being collected, a Privacy Act statement should be included on the instrument. Please provide a citation for the Systems of Record Notice and the date a Privacy Impact Assessment was completed as indicated on the IC Data Form. A confidentiality statement with a legal citation that

authorizes the pledge of confidentiality should be provided.² If the collection is subject to the Privacy Act, the Privacy Act statement is deemed sufficient with respect to confidentiality. If there is no expectation of confidentiality, simply state that the Department makes no pledge about the confidentiality of the data.

The Department makes no pledge of confidentiality regarding the data.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. The justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

The Department is not requesting any sensitive data.

12. Provide estimates of the hour burden of the collection of information. The statement should:

- Indicate the number of respondents by affected public type (federal government, individuals or households, private sector – businesses or other for-profit, private sector – not-for-profit institutions, farms, state, local or tribal governments), frequency of response, annual hour burden, and an explanation of how the burden was estimated, including identification of burden type: recordkeeping, reporting or third party disclosure. All narrative should be included in item 12. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.
- If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in the ROCIS IC Burden Analysis Table. (The table should at minimum include Respondent types, IC activity, Respondent and Responses, Hours/Response, and Total Hours)
- Provide estimates of annualized cost to respondents of the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 14.

General background information.

² Requests for this information are in accordance with the following ED and OMB policies: Privacy Act of 1974, OMB Circular A-108 – Privacy Act Implementation – Guidelines and Responsibilities, OMB Circular A-130 Appendix I – Federal Agency Responsibilities for Maintaining Records About Individuals, OMB M-03-22 – OMB Guidance for Implementing the Privacy Provisions of the E-Government Act of 2002, OMB M-06-15 – Safeguarding Personally Identifiable Information, OM:6-104 – Privacy Act of 1974 (Collection, Use and Protection of Personally Identifiable Information)

In order to estimate the number of students enrolled in gainful employment (GE) programs for 2010-2011 and 2011-2012, we examined the number of currently reported GE students that institutions sent the Department as a result of the 2011 Prior Rule. The number of students reported by institutions to the Department in GE programs was 3,037,785 students for Fiscal Year 2010. The following chart provides the estimates used to establish our budget baseline and growth rates used to project enrollment:

Year:	2 Yr Private For-Profit	4 Yr Private For-Profit	Public and Private Non-Profit
2008-2009	19%	23%	17%
2009-2010	19%	18%	26%
2010-2011	7%	10%	17%
2011-2012	-11%	-9%	9%
2012-2013	-12%	-8%	-4%
2013-2014	-6%	-9%	-7%
2014-2015	-6%	-9%	-7%

In 2009-2010 there were 3,037,785 students in 9,986 GE programs after programs with small numbers were removed. Based upon the budget baseline projections above the total number of students in GE programs are or were estimated to be as follows:

2008 – 2009:	2,504,693
2010 – 2011:	3,341,856
2011 - 2012:	3,094,950
2012 – 2013:	2,835,080
2013 – 2014:	2,607,443
2014 – 2015:	2,398,561

Based upon the number of students in gainful employment programs reported to the Department by institutions with GE programs with reported enrollment in Fiscal Year (FY) 2010 based upon 9,986 GE programs, 89 percent would be enrolled in for-profit institutions, 2 percent would be enrolled in private non-profit institutions, and 9 percent would be enrolled in public institutions.

Section 668.405(c) – Issuing and challenging D/E rates, institutional corrections to the list.

Under the proposed regulations, the Secretary would create a list of students who completed a GE program during the applicable cohort period from data reported by the institution. The list would indicate whether the list is of students who completed the program in the two-year cohort period or in the four-year cohort period, and it would also indicate which of the students on the list would be excluded from the Debt to Earnings (D/E) rates calculations under proposed §668.404(e), for one of the following reasons: a military deferment, a loan discharge for total and permanent disability, enrollment on at least a half-time basis, completing a higher undergraduate or graduate credentialed program, or death.

The institution would then have the opportunity, within 45 days of receiving the student list from the Secretary, to propose corrections to the list. After receiving the institution's proposed corrections, the Secretary would notify the institution whether a proposed correction is accepted and would use any corrected information to create the final list.

We have estimated that 89 percent of the 2010-2012 total enrollment in GE programs would be at for-profit institutions, 2 percent would be at private non-profit institutions, and 9 percent would be at public institutions. As indicated in connection with the 2011 Final Rules (75 FR 66933), we estimate that 16 percent of students enrolled in GE programs would complete their course of study. The 2010-2011 and the 2011-2012 total number of students enrolled in GE programs is projected to be 6,436,806 (the 2010-2011 total of 3,341,856 GE students plus the 2011-2012 total of 3,094,950 GE students).

We estimate that there would be 916,601 students who complete their programs at for-profit institutions (6,436,806 students times 0.89 at for-profit institutions times 16 percent completers) during the two-year cohort period.

On average, we estimate that it would take institutional staff 0.17 hours (10 minutes) per student to review the list to determine whether a student should be included or excluded under proposed §668.404(e) and, if included, whether the student's identity information requires correction, and then to obtain the evidence to substantiate any inclusion, exclusion, or correction, increasing burden by 155,822 hours (916,601 students times 0.17 hours) under OMB 1845-NEW1 during the two-year cohort period.

We estimate that there would be 20,598 students who complete their programs at private non-profit institutions (6,436,806 students times 0.02 at private non-profit institutions times 16 percent completers) during the two-year cohort period.

On average, we estimate that it would take institutional staff 0.17 hours (10 minutes) per student to review the list to determine whether a student should be included or excluded under proposed §668.404(e) and, if included, whether the student's identity information requires correction, and then to obtain the evidence to substantiate any inclusion, exclusion, or correction, increasing burden by 3,502 hours (20,598 students times 0.17 hours) under OMB 1845-NEW1 during the two-year cohort period.

We estimate that there would be 92,690 students who complete their programs at public institutions (6,436,806 students times 0.09 at public institutions times 16 percent completers) during the two-year cohort period.

On average, we estimate that it would take institutional staff 0.17 hours (10 minutes) per student to review the list to determine whether a student should be included or excluded under proposed §668.404(e) and, if included, whether the student's identity information requires correction, and then to obtain the evidence to substantiate any inclusion, exclusion, or correction, increasing burden by 15,757 hours (92,690 students times 0.17 hours) under OMB 1845-NEW1 during the two-year cohort period.

Collectively, the total number of students who complete their programs and who would be included on the lists that would be provided to institutions is a projected 1,029,889 students, multiplied by 0.17 hours increasing burden by 175,081 hours under OMB Control Number 1845-NEW1.

Section 688.405(c) - New Burden:

# of Respondents	# of Responses	Hours/Response	Burden Hours
1,029,889	1,029,889	0.17 hours	175,081

Section 668.405(f) – Issuing and challenging D/E/ rates, institutional challenges to draft D/E rates.

Under the proposed regulations at §668.405(d), after finalizing the list of students, the Secretary would obtain from the Social Security Administration (SSA) the mean and median earnings, in aggregate form, for those students on the amended list whom the SSA has matched to its earnings data for the most recently completed calendar year for which SSA has validated earnings information. SSA would provide the Secretary no individual data on these students; rather, SSA would advise the Secretary of the number of students it could not, for any reason, match against its records of earnings. In the D/E rates calculation, the Secretary would exclude from the loan debts of the students on the list the same number of loan debts as SSA non-matches, starting with the highest loan debt. The remaining debts would then be used to calculate the mean and median income for the listed students. The Secretary would calculate draft D/E rates using the higher of the mean or median earnings reported by SSA under proposed §668.405(e), notify the institution of the GE program’s draft D/E rates, and provide the institution with the individual loan data on which the rates were calculated.

Under the proposed regulations at §668.405(f), the institution would have the opportunity, within 45 days of the Secretary’s notice of the draft D/E rates, to challenge, under procedures established by the Secretary, the accuracy of the rates. The institution would be permitted only to challenge the loan data used to calculate the draft D/E rates. Because SSA does not disclose data that would enable the Secretary to assess a challenge to reported earnings, the Secretary would not consider any challenge to the earnings used to calculate the draft D/E rates. The Secretary would notify the institution whether a proposed challenge is accepted and use any corrected information from the challenge to recalculate the GE program’s draft D/E rates.

There are 9,986 programs that would be evaluated under the proposed regulations. Our analysis estimates that of those 9,986 programs, with respect to the D/E rates measure, 7,604 programs would be passing, 929 programs would be in the zone, and 1,453 programs would fail. For-profit institutions would offer 6,641 of the 9,986 GE programs (67 percent) that would be evaluated are offered by for-profit institutions, 501 (5 percent) by private non-profit institutions, and 2,844 (28 percent) by public institutions.

Based on the 2009-2010 reported data, we estimate that the number of students at for-profits institutions who completed programs that are in the zone was 52,395 (327,468 students enrolled in zone programs times 0.16, the percentage of completers) and the number who completed failing programs was 135,118 (844,488 students enrolled in failing programs time 0.16, the percentage of completers), for a total of 187,513 students (52,395 student plus 135,118 students). We estimate that it would take institutional staff an average of 0.25 hours (15 minutes) per student to examine the loan data and determine whether to select a record for challenge, resulting in a burden increase of 46,878 hours (187,513 students times 0.25 hours) in OMB Control Number 1845-NEW1.

We estimate that the number of students at private non-profit institutions who completed programs that are in the zone was 369 students (2,308 students enrolled in zone programs times 0.16, the percentage of completers) and the number who completed failing programs was 868 students (5,423 students enrolled in failing programs times 0.16, the percentage of completers), for a total of 1,237 students (369 students plus 868 students). We estimate that it would take institutional staff an average of 0.25 hours (15 minutes) per student to examine the loan data and determine whether to select a record for challenge, resulting in a burden increase of 309 hours (1,237 students times 0.25 hours) in OMB Control Number 1845-NEW1.

We estimate that the number of students at public institutions who completed programs that are in the zone was 100 students (628 students enrolled in zone programs times 0.16, the percentage of completers) and the number who completed failing programs was 2,109 students (13,178 students enrolled in failing programs times 0.16, the percentage of completers), for a total of 2,209 students (100 students plus 2,109 students). We estimate that it would take institutional staff an average of 0.25 hours (15 minutes) per student to examine the loan data and determine whether to select a record for challenge, resulting in a burden increase of 552 hours in OMB Control Number 1845-NEW1.

Collectively, the burden for institutions to examine loan records and to determine whether to make a draft D/E rates challenge would increase burden by 47,739 hours under OMB Control Number 1845-NEW1.

Section 688.405(f) - New Burden:

# of Respondents	# of Responses	Hours/Response	Burden Hours
190,959	190,959	.25 hours	47,739

The total increase in burden for §668.405 would be 222,820 hours under OMB Control Number 1845-NEW1.

Section 668.410(a)(1) - Student warnings to enrolled students.

Under proposed §668.410(a), if we notify an institution that a GE program could become ineligible based on a final GE measure for the next award or fiscal year, within 30 days the institution would have to provide a written warning directly to each student enrolled

in the program. To the extent practicable, an institution would have to provide this warning in other languages for enrolled students for whom English is not their first language.

In the warning, an institution would be required to describe the options available to the student to continue his or her education in the event that the program loses its eligibility for title IV, HEA program funds. Specifically, the warning would inform the student of whether the institution will allow the student to transfer to another program at the institution; continue to provide instruction in the program to allow the student to complete the program; or refund the tuition, fees, and other required charges paid by, or on behalf of, the student for attending the program.

Under proposed §668.410(a)(1), an affected institution must provide a written warning (a) by hand-delivering it individually, (b) through a group presentation, or (c) via email. We estimate that the written warnings would be hand-delivered to 10 percent of the affected students, delivered through a group presentation to another 10 percent of the affected students, and delivered through the student's primary email address used by the institution to the remaining 80 percent.

Based upon 2009-2010 reported data, 2,703,851 students were enrolled at for-profit institutions. Of that number, we estimate that 327,468 students were enrolled in zone programs and 844,488 students were be enrolled in failing programs at for-profit institutions. Thus, the total number of warnings would have to be provided to 1,171,956 students (327,468 students plus 844,488 students) enrolled in GE programs at for-profit institutions.

Of the 1,171,956 projected number of warnings to be provided to enrolled students at for-profit institutions, we estimate that 117,196 students (1,171,956 students times 10 percent) would receive the warning individually and that it would take on average 0.17 hours (10 minutes) per warning to print the warning, locate the student, and deliver the warning to each affected student. This would increase burden by 19,923 hours (117,196 students times 0.17 hours) under OMB Control Number 1845-NEW1.

Of the 1,171,956 projected warnings to be provided to enrolled students at for-profit institutions, we estimate that 117,196 students (1,171,956 students times 10 percent) would receive the warning at a group presentation and that it would take on average 0.33 hours (20 minutes) per warning to print the warning, conduct the presentation, and answer questions about the warning to each affected student. This would increase burden by 38,675 hours (117,196 times 0.33 hours) under OMB Control Number 1845-NEW1.

Of the 1,171,956 projected warnings to be provided to enrolled students at for-profit institutions, we estimate that 937,564 students (1,171,956 students times 80 percent) would receive the warning via email and that it would take on average 0.017 hours (1 minute) per warning to send the warning to each affected student. This would increase burden by 15,939 hours (937,564 students times 0.017 hours) under OMB Control Number 1845-NEW1.

Based upon 2009-2010 reported data, 57,700 students were enrolled at private non-profit institutions. Of that number of students, we estimate that 2,308 students would be enrolled in zone programs and 5,423 students would be enrolled in failing programs at private non-profit institutions. Thus, the total number of warnings would have to be provided to 7,731 students (2,308 students plus 5,423 students) enrolled in GE programs at private non-profit institutions.

Of the 7,731 projected number of warnings to be provided to enrolled students at non-profit institutions, we estimate that 773 students (7,731 students times 10 percent) would receive the warning individually and that it would take on average 0.17 hours (10 minutes) per warning to print the warning, locate the student, and deliver the warning to each affected student. This would increase burden by 131 hours (773 students times 0.17 hours) under OMB Control Number 1845-NEW1.

Of the 7,731 projected warnings to be provided to enrolled students at non-profit institutions, we estimate that 773 students (7,731 students times 10 percent) would receive the warning at a group presentation and that it would take on average 0.33 hours (20 minutes) per warning to print the warning, conduct the presentation, and answer questions about the warning to each affected student. This would increase burden by 255 hours (773 times 0.33 hours) under OMB Control Number 1845-NEW1.

Of the 7,731 projected warnings to be provided to enrolled students at non-profit institutions, we estimate that 6,185 students (7,731 students times 80 percent) would receive the warning via email and that it would take on average 0.017 hours (1 minute) per warning to send the warning to each affected student. This would increase burden by 105 hours (6,185 students times 0.017 hours) under OMB Control Number 1845-NEW1.

Based upon 2009-2010 reported data, 276,234 students were enrolled at public institutions. Of that number of students, we estimate that 628 students would be enrolled in zone programs and 13,178 students would be enrolled in failing programs at public institutions. Thus, the total number of warnings would have to be provided to 13,806 students (628 students plus 13,178 students) enrolled in GE programs at public institutions.

Of the 13,806 projected number of warnings to be provided to enrolled students at public institutions, we estimate that 1,381 students (13,806 students times 10 percent) would receive the warning individually and that it would take on average 0.17 hours (10 minutes) per warning to print the warning, locate the student, and deliver the warning to each affected student. This would increase burden by 235 hours (13,806 students times 0.17 hours) under OMB Control Number 1845-NEW1.

Of the 13,806 projected warnings to be provided to enrolled students at public institutions, we estimate that 1,381 students (13,806 students times 10 percent) would receive the warning at a group presentation and that it would take on average 0.33 hours (20 minutes) per warning to print the warning, conduct the presentation, and answer

questions about the warning to each affected student. This would increase burden by 456 hours (1,381 times 0.33 hours) under OMB Control Number 1845-NEW1.

Of the 13,806 projected warnings to be provided to enrolled students at public institutions, we estimate that 11,044 students (13,806 students times 80 percent) would receive the warning via email and that it would take on average 0.017 hours (1 minute) per warning to send the warning to each affected student. This would increase burden by 188 hours (11,044 students times 0.017 hours) under OMB Control Number 1845-NEW1.

Collectively, providing the warnings would increase burden by 75,907 hours under OMB Control Number 1845-NEW1.

Students would also be affected by the warnings. On average, given the alternatives available to institutions, we estimate that it would take each student 0.17 hours (10 minutes) to read the warning and ask any questions.

Burden would increase by 199,233 hours (1,171,956 times 0.17 hours) for the students who would receive warnings from for-profit institutions under one of the three delivery options, under OMB Control Number 1845-NEW1.

Burden would increase by 1,314 hours (7,731 times 0.17 hours) for the students who would receive warnings from private non-profit institutions under one of the three delivery options, under OMB Control Number 1845-NEW1.

Burden would increase by 2,347 hours (13,806 times 0.17 hours) for the students who would receive warnings from public institutions under one of the three delivery options, under OMB Control Number 1845-NEW1.

Collectively, students reading the warning would increase burden by 202,894 hours under OMB Control Number 1845-NEW1.

Section 688.410(a)(1) - New Burden:

# of Respondents	# of Responses	Hours/Response	Burden Hours
2,386,986	2,386,986	0.1168004337	278,801

Section 668.410(a)(2) - Student warnings to prospective students.

Under proposed §668.410(a)(2), institutions must provide a written warning about a possible loss of eligibility for title IV, HEA program funds directly to prospective students prior to their signing an enrollment agreement, registering, or making any financial commitment to the institution. To the extent practicable, an institution would have to provide this warning in other languages for enrolled students for whom English is not their first language.

Most institutions would have to contact, or be contacted by, a larger number of prospective students to yield institutions' desired net enrollments. The magnitude of this activity would be different depending on the type and control of the institution, as detailed below.

We estimate that the number of prospective students that must contact or be contacted by for-profit institutions as a result of a failed program would be 6 times the number of expected enrollments. As noted above, we estimate that 1,171,956 students (327,468 students enrolled in zone programs plus 844,488 students enrolled in failing programs) would be enrolled in failing or zone programs at for-profit institutions. Therefore, for-profit institutions would be required to provide 7,031,736 warnings (1,171,956 times 6), with an estimated per student time of 0.10 hours (6 minutes) to deliver, increasing burden by 703,174 hours (7,031,736 prospective students times 0.10 hours) under OMB Control Number 1845-NEW1.

We estimate that the number of prospective students that must contact or be contacted by private non-profit institutions as a result of a failed program or zone program would be 1.8 times the number of expected enrollments. As noted above, we estimate that 7,731 students (2,308 students enrolled in zone programs plus 5,423 students enrolled in failing programs) would be enrolled in failing programs or zone programs at private non-profit institutions. Therefore, private non-profit institutions would be required to provide 13,916 warnings (7,731 times 1.8), with an estimated per student time of 0.10 hours (6 minutes) to deliver, increasing burden by 1,392 hours (13,916 prospective students times 0.10 hours) under OMB Control Number 1845-NEW1.

We estimate that the number of prospective students that must contact or be contacted by public institutions as a result of a failed program or zone program would be 1.5 times the number of expected enrollments. As noted above we estimate that 13,806 students (628 students enrolled in zone programs plus 13,178 students enrolled in failing programs) would be enrolled in failing programs and zone programs at public institutions. Therefore, public institutions would be required to provide 20,709 warnings (13,806 prospective students times 1.5), with an estimated per student time of 0.10 hours (6 minutes) to deliver, increasing burden by 2,071 hours (20,709 times 0.10 hours) under OMB Control Number 1845-NEW1.

Collectively, burden would increase by 706,637 hours under OMB Control Number 1845-NEW1.

The prospective students would also be affected by the warnings. On average, given the alternatives available to institutions, we estimate that it would take each student 0.08 hours (5 minutes) to read the warning and ask any questions.

Burden would increase by 562,539 hours (7,031,736 prospective students times 0.08 hours) for the students who would receive warnings directly from for-profit institutions to the prospective student, under OMB Control Number 1845-NEW1.

Burden would increase by 1,113 hours (13,916 prospective students times 0.08 hours) for the students who would receive warnings directly from private non-profit institutions, under OMB Control Number 1845-NEW1.

Burden would increase by 1,657 hours (20,709 prospective students times 0.08 hours) for the students who would receive warnings directly from public institutions, under OMB Control Number 1845-NEW1.

Collectively, prospective students reading the warning would increase burden by 565,309 hours under OMB Control Number 1845-NEW1.

Section 688.410(a)(2) - New Burden:

# of Respondents	# of Responses	Hours/Response	Burden Hours
14,132,722	14,132,722	0.0900000722	1,271,946

Section 668.410(a)(2)(ii)(B) – Subsequent warning of a prospective student.

Under proposed §668.410(a)(2)(ii)(B), if more than 30 days have passed from the date the initial warning is provided, the prospective student must be provided an additional warning and may not enroll until three days later. We estimate that half of the number of prospective students would not enroll within 30 days of the initial warning and therefore would require a second warning.

We estimate that 50 percent of students enrolling in a failing program do so more than 30 days after receiving the initial prospective student warning. Burden would increase by 281,269 hours for the for-profit institutions who would provide subsequent warnings to 3,515,868 prospective students (7,031,736 prospective students times 50 percent times .08 hours).

Burden would increase by 557 hours for the private non-profit institutions who would provide subsequent warnings to 6,958 prospective students (13,916 prospective students times 50 percent times .08 hours).

Burden would increase by 828 hours for the public institutions who would provide subsequent warnings to 10,355 prospective students (20,709 prospective students times 50 percent times .08 hours).

Collectively, subsequent warning notices would increase burden by 282,654 hours under OMB Control Number 1845-NEW1.

Similarly, it would take the recipients of subsequent warnings time to read the second warning. Burden would increase by 281,269 hours for the 3,515,868 prospective students (7,031,736 times 50 percent times .08 hours) to read the subsequent warnings from for-profit institutions, OMB Control Number 1845-NEW1.

Burden would increase by 557 hours for the 6,958 prospective students (13,916 times 50 percent times .08 hours) to read the subsequent warnings from private non-profit institutions.

Burden would increase by 828 hours for the 10,355 prospective students (20,709 times 50 percent times .08 hours) to read the subsequent warnings from public institutions.

Collectively, burden to prospective students to read the subsequent warnings would increase by 565,308 hours under OMB Control Number 1845-NEW1.

Section 688.410(a)(2)(ii)(B) - New Burden:

# of Respondents	# of Responses	Hours/Response	Burden Hours
7,066,362	7,066,362	.07999986414	565,308

The total increase in burden for §668.410 would be 2,040,148 hours under OMB Control Number 1845-NEW1.

Section 668.411(a) – Reporting requirements for GE programs – reconfiguring reporting systems.

Under the proposed regulations in §668.411, institutions would report, for each student enrolled in a GE program during an award year who received title IV, HEA program funds for enrolling in that program: (1) information needed to identify the student and the institution the student attended; (2) the name, CIP code, credential level, and length of the GE program; (3) whether the GE program is a medical or dental program whose students are required to complete an internship or residency; (4) the date the student began initial attendance in the GE program; (5) the student’s attendance dates and attendance status in the GE program during the award year; and (6) the student’s enrollment status as of the first day of the student’s enrollment in the GE program.

Further, if the student completed or withdrew from the GE program during the award year, the institution would report: (1) the date the student completed or withdrew; (2) the total amount the student received from private education loans for attendance in the GE program that the institution is, or should reasonably be, aware of; (3) the total amount of institutional debt the student owes any party after completing or withdrawing from the GE program; and (4) the amount for tuition and fees and books, supplies, and equipment included in the student’s cost of attendance for each award year in which the student was enrolled in the GE program, or a higher amount if assessed by the institution to the student.

Institutions would be required to report this information for award years 2008-2009, 2009-2010, 2010-2011, 2011-2012, 2012-2013, and 2013-2014 by July 31, 2015. For the 2014-2015 award year and subsequent award years, institutions would be required to report by October 1 following the end of the award year. The proposed regulations would give the Secretary the flexibility to identify additional reporting items, or to

specify a reporting deadline later than October 1, in a notice published in the Federal Register.

Finally, the proposed regulations would require institutions to provide the Secretary with an explanation of why any missing information is not available.

There are 2,526 for-profit institutions that offer one or more GE programs. We estimate that, on average, it would take 6 hours for each of those institutions to modify or develop manual or automated systems for reporting under §668.411. Therefore burden would increase for these institutions by 15,156 hours (2,526 institutions times 6 hours).

There are 318 private non-profit institutions that offer one or more GE programs. We estimate that, on average, it would take 6 hours for each of those institutions to modify or develop manual or automated systems for reporting under §668.411. Therefore burden would increase for these institutions by 1,908 hours (318 institutions times 6 hours).

There are 1,117 public institutions that offer one or more GE programs. We estimate that, on average, it would take 6 hours for each of those institutions to modify or develop manual or automated systems for reporting under §668.411. Therefore burden would increase for these institutions by 6,702 hours (1,117 institutions times 6 hours).

Collectively, burden to develop systems for reporting would increase by 23,766 hours under OMB Control Number 1845-NEW1.

Section 688.411(a) - New Burden:

# of Respondents	# of Responses	Hours/Response	Burden Hours
3,961	3,961	6	23,766

Section 668.411(b) – Reporting information on each student enrolled in a GE program during an award year.

Proposed §668.411(b) requires institutions to report information for the 2008-2009, 2009-2010, 2010-2011, 2011-2012, 2012-2013, and the 2013-2014 award years no later than July 31, 2015.

According to our analysis of previously reported GE program enrollment data, there were 2,703,851 students enrolled in GE programs offered by for-profit institutions during the 2009-2010 award year. Based on budget baseline estimates as provided in the general background information, we estimate that enrollment in GE programs at for-profit institutions for 2008-2009 was 2,219,280. Going forward, we estimate that enrollment in GE programs at for-profit institutions for 2010-2011 was 2,951,154, for 2011-2012 enrollment was 2,669,084, for 2012-2013 enrollment was 2,426,249, and for 2013-2014 enrollment would be 2,227,230. This results in a total of 15,196,848.

We estimate that on average, the reporting of GE program information by for-profit institutions would take 0.03 hours (2 minutes) per student as we anticipate that, for most for-profit institutions, reporting would be an automated process. Therefore, GE reporting by for-profit institutions would increase burden by 455,905 hours (15,196,848 students times .03 hours) in OMB Control Number 1845-NEW1.

According to our analysis of previously reported GE program enrollment data, there were 57,700 students enrolled in GE programs offered by private non-profit institutions during the 2009-2010 award year. Based on budget baseline estimates as provided in the general background information, we estimate that enrollment in GE programs at private non-profit institutions for 2008-2009 was 49,316. Going forward, we estimate that enrollment in GE programs at private non-profit institutions for 2010-2011 was 67,509, for 2011-2012 was 73,585, for 2012-2013 was 70,641, and for 2013-2014 would be 65,697. This results in a total of 384,448.

We estimate that on average, the reporting of GE program information by private non-profit institutions would take 0.03 hours (2 minutes) per student as we anticipate that, for most private non-profit institutions, reporting would be an automated process. Therefore, GE reporting by private non-profit institutions would increase burden by 11,533 hours (384,448 students times .03 hours) in OMB Control Number 1845-NEW1.

According to our analysis of previously reported GE program enrollment data, there were 276,234 students enrolled in GE programs offered by public institutions during the 2009-2010 award year. Based on budget baseline estimates as provided in the general background information, we estimate that enrollment in GE programs at public institutions for 2008-2009 was 236,097. Going forward, we estimate that enrollment in GE programs at public institutions for 2010-2011 was 323,194, for 2011-2012 was 352,281, for 2012-2013 was 338,190, and for 2013-2014 would be 314,517. This results in a total of 1,840,513.

We estimate that on average, the reporting of GE program information by public institutions would take 0.03 hours (2 minutes) per student as we anticipate that, for most public institutions, reporting would be an automated process. Therefore, GE reporting by public institutions would increase burden by 55,215 hours (1,840,513 students times .03 hours) in OMB Control Number 1845-NEW1.

Collectively, we estimate that burden upon institutions to meet the initial reporting requirements under proposed §668.411 would increase burden by 522,653 hours in OMB Control Number 1845-NEW1.

Section 688.411(b) - New Burden:

# of Respondents	# of Responses	Hours/Response	Burden Hours
17,421,809	17,421,809	.03	522,653

The total increase in burden for §668.411 would be 546,419 hours under OMB Control Number 1845-NEW1.

Section 668.412(a) – Disclosures requirements for GE programs, up-dating templates and Web sites:

The proposed §668.412(a) would expand the number of items that we may require an institution to disclose and increase the Department’s flexibility to tailor the disclosure in a way that would be most useful to students and minimize burden to institutions.

Institutions must update their GE program disclosure information annually. They must make it available in their promotional materials and make it available on any Web page containing academic, cost, financial aid, or admissions information about a GE program.

We estimate that of the 37,589 GE programs that reported enrollments in the past, 12,250 programs would be offered by for-profit institutions. We estimate that, annually, the amount of time it would take to collect the data from institutional records, from information provided by the Secretary, and from the institution’s accreditor or State, and the amount of time it would take to ensure that promotional materials either include the disclosure information or provide a Web address or direct link to the information would be, on average, 4 hours per program. Additionally, we estimate that revising the institution’s Web pages used to disseminate academic, cost, financial aid, or admissions information to also contain the disclosure information about the program would, on average, increase burden by an additional 1 hour per program. Therefore, burden would increase by 5 hours per program for a total of 61,250 hours of increased burden (12,250 programs times 5 hours per program) in OMB Control Number 1845-NEW1.

We estimate that of the 37,589 GE programs that reported enrollments in the past, 2,343 programs would be offered by private non-profit institutions. We estimate that, annually, the amount of time it would take to collect the data from institutional records, from information provided by the Secretary, and from the institution’s accreditor or State, and the amount of time it would take to ensure that promotional materials either include the disclosure information or provide a Web address or direct link to the information would be, on average, 4 hours per program. Additionally, we estimate that revising the institution’s Web pages used to disseminate academic, cost, financial aid, or admissions information about the program to also contain the disclosure information would, on average, increase burden by an additional 1 hour per program. Therefore, burden would increase by 5 hours per program for a total of 11,715 hours of increased burden (2,343 programs times 5 hours per program) in OMB Control Number 1845-NEW1.

We estimate that of the 37,589 GE programs that reported enrollments in the past, 22,996 programs would be offered by public institutions. We estimate that the amount of time it would take to collect the data from institutional records, from information provided by the Secretary, and from the institution’s accreditor or State, and the amount of time it would take to ensure that promotional materials either include the disclosure information or provide a Web address or direct link to the information would be, on average, 4 hours

per program. Additionally, we estimate that revising the institution's Web pages used to disseminate academic, cost, financial aid, or admissions information about the program to also contain the disclosure information would, on average, increase burden by an additional 1 hour per program. Therefore, on average, burden would increase by 5 hours per program for a total of 114,980 hours (22,996 programs times 5 hours per program) of increased burden in OMB Control Number 1845-NEW1.

Collectively, we estimate that burden would increase by 187,945 hours in OMB Control Number 1845-NEW1.

Section 688.412(a) - New Burden:

# of Respondents	# of Responses	Hours/Response	Burden Hours
37,589	37,589	5	187,945

Section 668.412(e) - Disclosures requirements for GE programs, direct distribution to prospective students.

Under proposed §668.412(e), an institution must provide, as a separate document, a copy of the disclosure information to a prospective student. Before a prospective student signs an enrollment agreement, completes registration at, or makes a financial commitment to the institution, the institution must obtain written confirmation from the prospective student that he or she received the copy of the disclosure information.

We estimate that the enrollment in the 12,250 GE programs offered by for-profit institutions for 2013-2014 is 2,227,230. As noted earlier, most institutions would have to contact, or be contacted by, a larger number of prospective students to yield institutions' desired net enrollments.

We estimate that the number of prospective students that must contact or be contacted by for-profit institutions as a result of a failed program would be 6 times the number of expected enrollment. As noted above, we estimate that 13,363,380 (2,227,230 students for 2013-2014 times 6) students would be enrolled in GE programs at for-profit institutions. Therefore, for-profit institutions would be required to provide 13,363,380 disclosures to prospective students. On average, we estimate that it would take institutional staff 0.03 hours (2 minutes) per prospective student to provide a copy of the disclosure information. We also estimate that, on average, it would take institutional staff 0.10 hours (6 minutes) to obtain written confirmation and answer any questions from each prospective student. Therefore we estimate that the total burden associated with providing the disclosure information and obtaining written confirmation by for-profit institutions would be 0.13 hours (8 minutes) per prospective student. Burden would increase by 1,737,239 hours for for-profit institutions (13,363,380 prospective students times 0.13 hours) under OMB Control Number 1845-NEW1.

We estimate that the burden on each prospective student would be 0.08 hours (5 minutes) to read the disclosure information and provide written confirmation of receipt. Burden

would increase by 1,069,070 hours for prospective students at for-profit institutions (13,363,380 prospective students times 0.08 hours) under OMB Control Number 184-NEW1.

We estimate that the enrollment in the 2,343 GE programs offered by private non-profit institutions for 2013-2014 is 65,697. As noted earlier, most institutions would have to contact, or be contacted by, a larger number of prospective students to yield their enrollments.

We estimate that the number of prospective students that must contact or be contacted by private non-profit institutions as a result of a failed program would be 1.8 times the number of expected enrollment. As noted above we estimate that 65,697 students would be enrolled in GE programs at private non-profit institutions. Therefore, private non-profit institutions would be required to provide 118,255 disclosures (65,697 times 1.8) to prospective students. On average, we estimate that it would take institutional staff 0.03 hours (2 minutes) per prospective student to provide a copy of the disclosure information. We also estimate that, on average, it would take institutional staff 0.10 hours (6 minutes) to obtain written confirmation and answer any questions from each prospective student. Therefore we estimate that the total burden associated with providing the disclosure information and obtaining written confirmation by private-non-profit institutions would be 0.13 hours (8 minutes) per prospective student. Burden would increase by 15,373 hours for private non-profit institutions (118,255 prospective students times 0.13 hours) under OMB Control Number 1845-NEW1.

We estimate that the burden on each prospective student would be 0.08 hours (5 minutes) to read the disclosure information and provide written confirmation of receipt. Burden would increase by 9,460 hours for prospective students at private non-profit institutions (118,255 prospective students times 0.08 hours) under OMB Control Number 184-NEW1.

We estimate that the enrollment in the 22,996 GE programs offered by public institutions for 2013-2014 is 314,517. As noted earlier, most institutions would have to contact, or be contacted by, a larger number of prospective students to yield their enrollments.

We estimate that the number of prospective students that must contact or be contacted by public institutions as a result of a failed program would be 1.5 times the number of expected enrollment. As noted above we estimate that 314,517 students would be enrolled in GE programs at public institutions. Therefore, public institutions would be required to provide 471,776 disclosures (314,517 times 1.5) to prospective students. On average, we estimate that it would take institutional staff 0.03 hours (2 minutes) per prospective student to provide a copy of the disclosure information. We also estimate that, on average, it would take institutional staff 0.10 hours (6 minutes) to obtain written confirmation and answer any questions from each prospective student. Therefore we estimate that the total burden associated with providing the disclosure information and obtaining written confirmation by public institutions would be 0.13 hours (8 minutes) per prospective student. Burden would increase by 61,331 hours for public institutions

(471,776 prospective students times 0.13 hours) under OMB Control Number 1845-NEW1.

We estimate that the burden on each prospective student would be 0.08 hours (5 minutes) to read the disclosure information and provide written confirmation of receipt. Burden would increase by 37,742 hours for prospective students at public institutions (471,776 prospective students times 0.08 hours) under OMB Control Number 1845-NEW1.

Collectively, burden would increase by 2,930,215 hours under OMB Control Number 1845-NEW1.

Section 688.412(e) - New Burden:

# of Respondents	# of Responses	Hours/Response	Burden Hours
27,906,822	27,906,822	0.1049999531	2,930,215

Section 668.413(b) - Calculating, issuing, and challenging completion, withdrawal, and repayment rates and median earnings for completers, institutional corrections to the list.

As discussed in connection with proposed §668.412, an institution would be required to disclose, among other information, completion and withdrawal rates, repayment rates, and median loan debt and median earnings for a GE program. Using the procedures proposed in §668.413 and based partially on the information that an institution would report under proposed §668.411, the Secretary would calculate and make available to the institution for disclosure: completion rates, withdrawal rates, repayment rates, median loan debt, and median earnings for a GE program.

An institution would have an opportunity to correct the list of students who completed a GE program and the list of students who withdrew from a GE program prior to the Secretary sending the lists to SSA for earnings information.

For the median earnings calculation under proposed §668.413(b)(8), (b)(9), and (b)(10), after the Secretary provides a list of the relevant students (those who completed and those who withdrew) to the institution, the institution may provide evidence showing that a student should be included on the list or removed from the list as a result of meeting the definitions of an exclusion under proposed §668.413(b)(11). The institution may also correct or update a student's identity information or attendance information on the listing.

For the 12,250 GE programs at for-profit institutions, we estimate, on average, that it would take institutional staff 2 hours to review each of the two lists to determine whether a student should be included or excluded under proposed §668.404(e) and, if included, whether the student's identity information or attendance information requires correction, and then to obtain the evidence to substantiate any inclusion, exclusion, or correction. Burden would increase by 49,000 hours (12,250 programs times 2 lists times 2 hours) under OMB Control Number 184-NEW1.

For the 2,343 GE programs at private non-profit institutions, we estimate, on average, that it would take institutional staff 2 hours to review each of the two lists to determine whether a student should be included or excluded under proposed §668.404(e) and, if included, whether the student's identity information or attendance information requires correction, and then to obtain the evidence to substantiate any inclusion, exclusion, or correction. Burden would increase by 9,372 hours (2,343 programs times 2 lists times 2 hours) under OMB Control Number 1845-NEW1.

For the 22,996 GE programs at public institutions, we estimate, on average, that it would take institutional staff 2 hours to review each of the two lists to determine whether a student should be included or excluded under proposed §668.404(e) and, if included, whether the student's identity information or attendance information requires correction, and then to obtain the evidence to substantiate any inclusion, exclusion, or correction. Burden would increase by 91,984 hours (22,996 programs times 2 lists times 2 hours) under OMB Control Number 184-NEW1.

Collectively, burden would increase by 150,356 hours under OMB Control Number 1845-NEW1.

Section 688.413(b) - New Burden:

# of Respondents	# of Responses	Hours/Response	Burden Hours
37,589	75,178	2	150,356

Section 668.413(d)(1) – Challenges to completion rates , withdrawal rates, repayment rates and median loan debt, and median earnings.

Under proposed §668.413(d)(1), an institution may challenge the Secretary's calculation of the draft completion rates, withdrawal rates, repayment rates, and median loan debt.

The Secretary would develop the completion rates, withdrawal rates, repayment rates, and median loan debt lists for each of the estimated 12,250 GE programs at for-profit institutions. For the purpose of challenging the completion, withdrawal, and repayment rates and median loan debt we estimate that, on average, it would take institutional staff 20 hours per program to review all five of the lists (full-time students for completion rates, part-time students for completion rates, students who withdrew, students who entered repayment for the repayment rate, and students included in the median loan debt calculation), compare the data to institutional records, and determine whether there are student records that must be included or excluded under §668.413(b)(8). Therefore, burden would increase by 245,000 hours (12,250 programs times 20 hours for five lists) under OMB Control Number 1845-NEW1.

The Secretary would develop the completion rates, withdrawal rates, repayment rates, and median loan debt lists for each of the estimated 2,343 GE programs at private non-profit institutions. For the purpose of challenging the completion, withdrawal, and repayment rates and median loan debt we estimate that, on average, it would take institutional staff 20 hours per program to review all five of the lists (full-time students

for completion rates, part-time students for completion rates, students who withdrew, students who entered repayment for the repayment rate, and students included in the median loan debt calculation), compare the data to institutional records, and determine whether there are student records that must be included or excluded under §668.413(b)(8). Therefore, burden would increase by 46,860 hours (2,343 programs times 20 hours for five lists) under OMB Control Number 1845-NEW1.

The Secretary would develop the completion rates, withdrawal rates, repayment rates, and median loan debt lists for each of the estimated 22,996 GE programs at public institutions. For the purpose of challenging the completion, withdrawal, and repayment rates and median loan debt we estimate that, on average, it would take institutional staff 20 hours per program to review all five of the lists (full-time students for completion rates, part-time students for completion rates, students who withdrew, students who entered repayment for the repayment rate, and students included in the median loan debt calculation), compare the data to institutional records, and determine whether there are student records that must be included or excluded under §668.413(b)(8). Therefore, burden would increase by 459,920 hours (22,996 times 20 hours) under OMB Control Number 1845-NEW1.

Collectively, burden would increase by 751,780 under OMB Control Number 1845-NEW1.

Section 688.413(d) - New Burden:

# of Respondents	# of Responses	Hours/Response	Burden Hours
37,589	37,589	20	751,780

The total increase in burden for §668.413 would be 902,136 hours under OMB Control Number 1845-NEW1.

Section 668.414 – Certification of GE programs.

Under proposed §668.414(a) each institution participating in the title IV, HEA programs would be required to provide a “transitional certification” to supplement its current program participation agreement (PPA). The transitional certification would be submitted no later than December 31, 2015. The transitional certification would be signed by the institution’s most senior executive officer and apply to all of the institution’s GE programs eligible for title IV, HEA program funds.

Under proposed §668.414(b) an institution would be required to certify each time it executes a new PPA that any GE programs it offers meet the PPA certification requirements.

We estimate that it would take the 2,526 for-profit institutions that offer GE programs 0.5 hours to draft a certification statement and obtain the signature of the institution’s senior

executive for submission to the Department. This would increase burden by 1,263 hours (2,526 institutions times 0.5 hours) under OMB Control Number 1845-NEW1.

We estimate that it would take the 318 private non-profit institutions that offer GE programs 0.5 hours to draft a certification statement and obtain the signature of the institution's senior executive for submission to the Department. This would increase burden by 159 hours (318 institutions times 0.5 hours) under OMB Control Number 1845-NEW1.

We estimate that it would take the 1,117 public institutions that offer GE programs 0.5 hours to draft a certification statement and obtain the signature of the institution's senior executive for submission to the Department. This would increase burden by 559 hours (1,117 institutions times 0.5 hours) under OMB Control Number 1845-NEW1.

The total increase in burden for §668.414 would be 1,981 hours under OMB Control Number 1845-NEW1.

Section 688.414 - New Burden:

# of Respondents	# of Responses	Hours/Response	Burden Hours
3,961	3,961	0.5	1,981

SUMMARY:

Currently Approved Numbers:

# of Respondents	# of Responses	Hours/Response	Burden Hours
0	0		0

New Burden:

Section 688.405(c) - New Burden:

# of Respondents	# of Responses	Hours/Response	Burden Hours
1,029,889	1,029,889	0.17 hours	175,081

Section 688.405(f) - New Burden:

# of Respondents	# of Responses	Hours/Response	Burden Hours
190,959	190,959	0.25 hours	47,739

Section 688.410(a)(1) - New Burden:

# of Respondents	# of Responses	Hours/Response	Burden Hours
2,386,986	2,386,986	0.1168004337	278,801

Section 688.410(a)(2) - New Burden:

# of Respondents	# of Responses	Hours/Response	Burden Hours
14,132,722	14,132,722	0.0900000722	1,271,946

Section 688.410(a)(2)(ii)(B) - New Burden:

# of Respondents	# of Responses	Hours/Response	Burden Hours
7,066,362	7,066,362	0.0799998641	565,308

Section 688.411(a) - New Burden:

# of Respondents	# of Responses	Hours/Response	Burden Hours
3,961	3,961	6	23,766

Section 688.411(b) - New Burden:

# of Respondents	# of Responses	Hours/Response	Burden Hours
17,421,809	17,421,809	0.03	522,653

Section 688.412(a) - New Burden:

# of Respondents	# of Responses	Hours/Response	Burden Hours
37,589	37,589	5	187,945

Section 688.412(e) - New Burden:

# of Respondents	# of Responses	Hours/Response	Burden Hours
27,906,822	27,906,822	0.1049999531	2,930,215

Section 688.413(b) - New Burden:

# of Respondents	# of Responses	Hours/Response	Burden Hours
37,589	75,178	2	150,356

Section 688.413(d) - New Burden:

# of Respondents	# of Responses	Hours/Response	Burden Hours
37,589	37,589	20	751,780

Section 688.414 - New Burden:

# of Respondents	# of Responses	Hours/Response	Burden Hours
3,961	3,961	0.5	1,981

Revised Numbers Requested:

# of Respondents	# of Responses	Hours/Response	Burden Hours
70,256,238	70,293,827		6,907,571

13. Provide an estimate of the total annual cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14.)

- The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life); and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment,

the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and acquiring and maintaining record storage facilities.

- If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.
- Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government or (4) as part of customary and usual business or private practices. Also, these estimates should not include the hourly costs (i.e., the monetization of the hours) captured above in Item 12

Total Annualized Capital/Startup Cost :
Total Annual Costs (O&M) :

Total Annualized Costs Requested : _____

Discussions with institutional representatives related to estimated costs for the surveys or use of State sponsored data systems would be conducted after the NPRM is published and prior to the final regulation's publication to inform the cost estimate.

14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information. Agencies also may aggregate cost estimates from Items 12, 13, and 14 in a single table.

The cost to the federal government will be determined following the discussions above that occur after the NPRM and prior to the final regulation's publication.

15. Explain the reasons for any program changes or adjustments. Generally, adjustments in burden result from re-estimating burden and/or from economic phenomenon outside of an agency's control (e.g., correcting a burden estimate or an organic increase in the size of the reporting universe). Program changes result from a deliberate action that materially changes a collection of information and generally are result of new statute or an agency action (e.g., changing a form, revising regulations, redefining the respondent universe, etc.). Burden changes should be disaggregated by type of change (i.e., adjustment, program change due to new statute, and/or program change due to agency discretion), type of collection (new, revision, extension, reinstatement with change, reinstatement without change) and include totals for changes in burden hours, responses and costs (if applicable).

The changes to burden are a result of the proposed regulations indicated above as a result of addition of Subpart Q of Part 668. The program changes are due to agency discretion upon completion of Negotiated Rulemaking sessions.

16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

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

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

The Department is not seeking this approval.

18. Explain each exception to the certification statement identified in the Certification of Paperwork Reduction Act.

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