

The Department of Education (the Department) proposes to amend the Federal Family Education Loan (FFEL) Program regulations to implement changes Subpart D – Administration of the Federal Family Education Loan Programs by a Guaranty Agency for §682.402(e) and §682.414(b). These proposed regulations are a result of negotiated rulemaking and would add new requirements to the current regulations.

The proposed regulations in §682.402(e)(6)(iii) would require if a FFEL borrower submits an application for discharge that a FFEL program loan holder determines is incomplete, the loan holder would notify the borrower of that determination and allow the borrower 30 days to amend the application and provide supplemental information.

The proposed regulations in §682.402(e)(6)(vii) would require a guaranty agency to issue a decision that explains the reasons for any adverse determination on a false certification discharge application, describes the evidence on which the decision was made, and provides the borrower, upon request, copies of the evidence. The guaranty agency would consider any response or additional information from the borrower and notify the borrower as to whether the determination is changed.

The proposed regulations in §682.402(e)(6)(ix) would provide the borrower with the option to request that the Secretary review the guaranty agency's decision.

The proposed regulations in §682.414(b)(4), would require FFEL Program lenders to report detailed information related to a borrower's deferments, forbearances, repayment plans, delinquency, and contact information on any FFEL loan to the Department by an established deadline.

This NPRM results in the increase of 11 respondents, 46 responses and 23 burden hours.

Respondents	165,867
Responses	205,480
Burden Hours	84,476