

The Department of Education (the Department) amends 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 final regulations are a result of negotiated rulemaking and add new requirements to the current regulations.

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

The regulations in §682.402(e)(6)(vii) 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 considers any response or additional information from the borrower and notifies the borrower as to whether the determination is changed.

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

The regulations in §682.414(b)(4) 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 Final Rule results in the increase of 78 respondents, 119 responses and 3,223 burden hours.

Respondents	2,438,764
Responses	2,526,667
Burden Hours	1,190,474