

On January 18,2022, the Department convened a negotiated rulemaking committee, the Institutional and Programmatic Eligibility Committee, to consider proposed regulations for the Federal Student Aid programs authorized under title IV of the Higher Education Act of 1965, as amended, (HEA). Through the Notice of Proposed Rulemaking (NPRM), docket number ED-2022-OPE-0062, the Secretary proposes new regulations to promote transparency, competence, stability, and effective outcomes for students in the provision of postsecondary education.

The Department proposes, under the authority of section 484 of the HEA, to amend regulations covering approved State processes under ATB. These regulations seek to make improvements in the areas of Ability to Benefit (ATB). These proposed regulations are a result of negotiated rulemaking in 2022 and would add new requirements to the current regulations.

The Department proposes in the NPRM revisions to current regulations for State ATB processes. These proposed changes to § 668.156 would clarify the requirements for the approval of a State process, and add monitoring and reporting requirements. The State process is one of the three ATB alternatives that an individual who is not a high school graduate could fulfill to receive title IV, HEA, Federal student aid for enrollment in an eligible career pathway program.

This is a request for a new collection.

This is a request for a new collection with an increase in burden due to a proposed regulation for State Ability-to-Benefit process. The Department is requesting an increase of 3,200 hours for 10 States (10 States X 320 hours = 3,200 hours).

#### TOTALS

Respondents – 10  
Responses – 30  
Burden Hours – 3,200

#### Paperwork Burden Statement

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is 1845-NEW1. Public reporting burden for this collection of information is estimated to average 107 hours per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The obligation to respond to this collection is required to obtain or retain a benefit (34 CFR 668.156). If you have comments or concerns regarding the status of your individual submission of this information, please contact Beth Grebeldinger at [beth.grebeldinger@ed.gov](mailto:beth.grebeldinger@ed.gov) directly.