

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 NPRM proposes, under new § 668.407, to require current and prospective students to acknowledge having seen the information on the disclosure website maintained by the Secretary if an eligible non-Gainful Employment (non-GE) program has failed the debt-to-earnings (D/E) measure, to specify the content and delivery of such acknowledgments, and to require that students must provide the acknowledgment before the institution may disburse any title IV, HEA funds.

This is a request for a new collection.

The proposed NPRM regulatory language in § 668.407 would add burden to institutions. The proposed changes in § 668.407 would require institutions to develop and provide notices to enrolled and prospective students that a program has unacceptable D/E rates for non-GE programs or an unacceptable D/E rate and earnings premium measure for GE programs for the year in which the D/E rates or earnings premium measure were most recently calculated by the Department.

We believe that most institutions would develop the notice directing impacted students to the Department's disclosure website and make it available electronically to current and prospective students. We believe that this action would require an estimated 1 hour per affected program.

We estimate that it would take public institutions 335 hours (335 programs x 1 hour = 335) to develop and deliver the required notice based on the information provided by the Department.

#### TOTALS

Responses – 335  
Respondents – 74  
Burden Hours – 335

#### 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-NEW2. Public reporting burden for this collection of information is estimated to average 10 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 668.407). 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.