

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) published on May 19, 2023, docket number ED-2022-OPE-0062, the Secretary proposed new regulations to promote transparency, competence, stability, and effective outcomes for students in the provision of postsecondary education.

The Final Rule under new § 668.407 establishes that prospective students must acknowledge having seen the information on the program information website maintained by the Secretary if an eligible non-Gainful Employment (non-GE) program has failed the debt-to-earnings (D/E) measure, and requires that students must provide the acknowledgment before the institution may disburse any title IV, HEA funds. The change to the regulations since the NPRM has changed the estimated burden for this collection as identified in the NPRM. The required acknowledgements now exclude undergraduate degree programs from the acknowledgment requirements at § 668.407(a).

This is a request for a change to the collection designated 1845-0174 by OMB during the NPRM stage of this information collection filing.

The changes in § 668.407(a) will require institutions to direct prospective and students enrolled in programs that failed the D/E rates for the year in which the D/E rates were most recently calculated by the Department to the Department's program information website.

We estimate that it will take the 88,000 students 10 minutes to read the notice and go to the program information website to acknowledge receiving the information for a total of hours (88,000 students x .17 hours = 14,960).

#### TOTALS

Responses – 88,000  
Respondents – 88,000  
Burden Hours – 14,960

#### 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 1845-0174. Public reporting burden for this collection of information is estimated to average 10 minutes 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.