08/25/2026
1845-0103 William D. Ford Federal Direct Loan Program, Federal Direct PLUS Loan Request for Supplemental Information
60-Day Comment Responses
ED-2026-SCC-2245

Commentor	Comment	Response
Anonymous	**Circumvention of Statutory Negotiated Rulemaking (20 U.S.C. § 1098a)** Section 492 of the HEA mandates that the Department subject all regulations and substantive policy modifications governing Title IV student aid programs—including Direct PLUS Loans—to formal negotiated rulemaking with higher education stakeholders. ED's attempt to modify borrower qualification mechanics, limited exception pathways, and aggregate loan caps through an ICR submission bypasses this statutory prerequisite. Question 1.1: Does ED contend that modifying the operational parameters of Direct PLUS Loan approvals via OMB Control No. 1845-0103 is exempt from the statutory negotiated rulemaking requirement in 20 U.S.C. § 1098a(a)? If so, state the precise statutory text authorizing ED to bypass negotiate-and-rule mandates through an information collection revision.	The Department appreciates this comment and the concern with conducting statutorily required negotiated rulemaking. As explained in the supporting statement, negotiated rulemaking sessions took place with affected parties, the Reimagining and Improving Student Education (RISE) Committee, from September 29, 2025 – October 3, 2025 and November 3, 2025 – November 6, 2025. Consensus on the draft proposals was reached. On January 30, 2026, the Department published a Notice of Proposed Rulemaking (91 FR 4254) containing proposed Direct Loan regulations developed after the Negotiated Rulemaking sessions. Final regulations were published on May 1, 2026 (91 FR 23768). No change

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	Question 1.2: Did ED conduct formal stakeholder consensus-building sessions regarding these loan application mechanics prior to publishing this docket? If not, state the specific factual, empirical, and legal grounds upon which ED concluded that negotiated rulemaking was "impracticable, unnecessary, or contrary to the public interest."	
Anonymous	**Ultra Vires Alteration of Credit Eligibility Criteria (20 U.S.C. § 1087e)** Congress established a clear statutory floor for Direct PLUS Loan eligibility: whether an applicant possesses an "adverse credit history". The proposed ICR introduces disconnected limited-exception disclosures, unverified attestation gaps, and restrictive aggregate caps that create de facto operational barriers to borrowing. Question 2.1: If a borrower meets the	Thank you for your comment. The One Big Beautiful Bill was signed into law on July 4, 2025 and amends the Higher Education Act in part by updating annual and aggregate loan limits for PLUS loans and applying a new lifetime borrowing limit that includes PLUS Loans borrowed by graduate and/or professional students. The form's limited-exception section serves to gather additional information needed for disbursement and servicing purposes, not to deny eligibility.

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	non-adverse credit threshold under 20 U.S.C. § 1087e but fails to navigate or affirm the complex "limited exception" disclosures embedded in the revised form, will ED treat that application as legally disqualified? Question 2.2: If ED asserts that the form does not alter legal eligibility, how does ED justify shifting the administrative burden and legal liability of interpreting ambiguous applicant responses onto institutional financial aid officers? Question 2.3: Has ED conducted user-testing or empirical studies demonstrating that separating loan limits from eligibility definitions in the form layout does not cause borrower error and improper loan denials? If so, cite the specific docket exhibit containing that data.	The Department does not shift the legal burden of interpreting eligibility to financial aid officers. The inclusion of a limited-exception disclosure is administrative designed to document additional borrower information. Institutions are not being asked to make legal determinations. Institutions must follow the Department's defined, objective standards and operate within the form's structured framework. The Department has not conducted user-testing. The form revisions were developed through the Department's standard internal review process, which includes legal, operational, and policy analysis to ensure alignment with statutory requirements and program administration needs. The Department determined that the revised structure provides clearer distinctions between statutory eligibility criteria and supplemental information disclosures. The Department will continue to monitor implementation feedback from borrowers and institutions and may provide

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		more modifications if operational issues arise. No change.
Anonymous	**Arbitrary Underwriting & Equal Credit Opportunity Act (ECOA) Non-Compliance (15 U.S.C. § 1691 & 5 U.S.C. § 706(2)(A))** As a federal credit program, Direct PLUS Loan administration must comply with ECOA standards. Modifying credit application structures and repayment disclosures without empirical underwriting justification constitutes arbitrary decision-making under APA § 706(2)(A). Question 3.1: What empirical credit-risk modeling or default-prediction study in the administrative record demonstrates that these specific supplemental form revisions improve loan performance or protect federal fiscal interests? Question 3.2: Did ED perform a quantitative analysis under ECOA (15	Thank you for your comment. The Department does not rely on specific credit-risk modeling or default-prediction studies tied to these revised disclosures. The changes were made based on statutory and regulatory requirements to clarify repayment terms and align form language with existing program requirements. These revisions were not intended to create barriers but to ensure transparency in the application process. The Department will monitor institutional feedback and may provide further guidance if concerns are raised. The majority of the form changes were required due to statutory requirements. Eligibility for repayment plans must be reflected on this form. No change

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	U.S.C. § 1691) to evaluate whether these application hurdles disproportionately harm low-wealth parent borrowers or applicants at Historically Black Colleges and Universities (HBCUs) and Minority-Serving Institutions (MSIs)? If no analysis was performed, why did ED fail to consider this relevant factor under State Farm? Question 3.3: Under Dep't of Homeland Sec. v. Regents of the Univ. of Cal., 140 S. Ct. 1891 (2020), agencies must assess borrower reliance interests before modifying program administration. What quantitative evaluation did ED perform regarding parent borrowers whose existing PLUS loans will be forced into Tiered Standard repayment plans—disrupting their Public Service Loan Forgiveness (PSLF) trajectories—upon submitting this revised form?	
National	First, the form explains the criteria a	Thank you for your comment. The Department

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Association of Student Financial Aid Administrators (NASFAA)	graduate/professional student or parent borrower must meet to qualify for the “limited exception” that preserves eligibility for a Direct PLUS Loan (or the prior loan limits) after July 1, 2026. But nothing in the form asks the borrower to affirm that they meet those criteria, and nothing explains what happens if they do not. This contrasts with how the same form treats other eligibility questions. A borrower who is in default sees an explicit message: “You aren't eligible to receive a Direct PLUS Loan.” A parent who selects “Neither of the above” for citizenship status sees a message and cannot proceed. A borrower who selects “Other” for relationship to student sees a message that they are not eligible, and that information is flagged to the school. The limited exception has no equivalent step. A graduate student or parent can read the criteria and proceed straight through to requesting a loan amount without ever confirming whether they actually qualify. We recognize that building a real-time eligibility	agrees that a self-attestation box is needed for the borrower to confirm eligibility for the limited exception with an explanation of penalties. Change

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	determination into the form may not be feasible given the borrower-specific enrollment history involved. At a minimum, we recommend the Department add a self-attestation checkbox confirming the borrower meets the limited exception criteria, paired with a clear notice that a request submitted based on an inaccurate attestation will be denied by the school, so borrowers understand the stakes before they submit the request form rather than after.	
National Association of Student Financial Aid Administrators (NASFAA)	Second, the eligibility criteria and the resulting loan limits are presented separately and are never cross-referenced, and the phrase "prior Direct PLUS Loan limits" is used before it is defined. In the parent borrower version of the limited exception language, the form states that a qualifying parent "is subject to the prior Direct PLUS Loan limits." That phrase is never defined at the point it is used. The actual content of "prior" limits (cost of attendance minus other aid, with no fixed dollar cap) does not appear until a separate section further	Thank you for your comment. However, the Department does not agree that revisions to the structure of these sections are necessary. The form is designed so that eligibility determinations and loan amount calculations can be understood independently, consistent with longstanding Direct Loan program conventions. The term “prior Direct PLUS Loan limits” is used in the eligibility section to indicate which set of limits applies to borrowers meeting the exception criteria, and the detailed explanation of those limits is provided in the

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	down the page, "Loan Amount Requested – Parent Borrowers," which is not cross-referenced back to the eligibility criteria. The new $20,000 annual/$65,000 aggregate limits for non-exception parent borrowers appear in the same later section, similarly disconnected from the eligibility discussion above. We recommend that the Department restructure this section so that each eligibility pathway is presented together with its corresponding dollar limits, and that "prior Direct PLUS Loan limits" be defined at first use rather than left to a later section.	loan amount section, where borrowers routinely look for information on calculating loan amounts. No change.
National Association of Student Financial Aid Administrators (NASFAA)	Third, the form does not disclose the consequences of borrowing a Parent PLUS loan on or after July 1, 2026, as relates to repayment plan options. The request form includes a detailed "Request for Deferment" section but says nothing about which repayment plans will be available once the loan enters repayment, or about whether taking out a new loan can change the repayment plan options of loans the borrower already holds. Under OBBBA, all	Thank you for your comment. The Department agrees that the limitation to Tiered Standard as the only eligible repayment plan for a parent PLUS borrower with a first disbursement of any Direct Loan as of July 1, 2026, is necessary information. This is already included in the Master Promissory Note (MPN) Direct PLUS Loans OMB No. 1845-0007. The Department believes that this information

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	of a parent's PLUS loans are to be repaid under the same plan. A parent who takes out a new PLUS loan will have their existing PLUS loans moved into the Tiered Standard plan as well, potentially increasing their monthly payment and halting any progress already made toward Public Service Loan Forgiveness. For most parents completing this form, this is the point of decision, not a redundant restatement of information already disclosed; the Master Promissory Note is not completed until after the request form is completed for borrowers who do not already have one on file. We recommend that the Department add a plain-language disclosure of the applicable repayment plan and the consequences for any existing PLUS loans, alongside the loan amount and deferment sections, so borrowers can weigh this information before submitting the request form rather than learning it afterward.	will have more of an impact for borrowers if it is included in the online content of the PLUS Loan application, and therefore, will add the information there and not to this information collection. No change
Jacqueline Corley	The U.S. has an epidemic of students that read below grade level and students who just can't	Thank you for your comment. This is outside the scope of this information collection.

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	read at all and this is an all time high. We need federal intervention in making sure we have literate children and adults. It would be feasible for the federal government to intervene in this problem by issuing resources to elementary schools that focus only on phonic's based reading systems, the type of systems many successful readers went through in elementary school. As well, there needs to be reading centers for adult who either struggle with reading or who can't read at all. In New York, NY and other states the non-profits like the public library do not have reading programs dedicated to English speaking adults, these non-reading adults are dumped into English as a Second Language (ESL) and other second language reading classes. The reading modality of the English language non-reader and the non-English non-readers are different, therefore we need Reading classes for English language adults who have difficulty with reading. Theses centers should have reading assessments to	No change.

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	pinpoint why learners cannot read as they may have dyslexia, hyperlexia, or other reading disorders. After these disorders are assessed proper interventions can be implemented. This will MAGA.	