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Comment ID	Comment	Response
ED-2026-SCC-2608-0005	ED designated this ICR as an "Extension without change of a currently approved ICR." In reality, ED fundamentally expanded state oversight obligations under 34 CFR § 668.156 via post-2024 administrative actions and sub-regulatory guidance (including Dear Colleague Letter GEN-24-07). ED requires state agencies to track ECPPs, compute 95% success-rate benchmarks against high school graduate controls, and administer multi-year institutional watchlists without reflecting these expanded burdens in the ICR baseline. ED's submission violates the PRA because the agency's Chief Information Officer/Designated Official submitted an invalid certification under 5 CFR § 1320.9 and 44 U.S.C. § 3506(c) (1). ED certified that the collection of information reduces burden to the extent practicable and properly accounts for operational costs.	The Department disagrees. These regulations have been in effect since July 1, 2024, without formal legal challenge. The Department will continue to enforce the regulations, and we stand by the PRA.
ED-2026-SCC-2608-0005	ED recorded \$0.00 in Non-Hour Capital and O&M costs in Item 13 of Form 83-I. Capturing, validating, and transmitting multi-institutional student completion datasets requires state higher education agencies to execute custom software engineering and database modifications within state Management Information Systems. Claiming zero capital or maintenance expense violates 5 CFR § 1320.9(f). ED mandates that state agencies submit annual performance evaluations and success-rate calculations under 34 CFR §668.156(c) and (h), yet provides no standardized electronic data schema,	The Department disagrees. Question 13 asks about any <i>actual</i> capital costs related to the information collection. Cost burden for § 668.156 is accounted for under the hourly burden imposed on institutions in question 12. The Department disagrees. <i>Practical utility</i> is not required to be an actionable utility to FSA for national

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	XML format, or API submission architecture. State higher education boards are forced to collect disparate data from local community college districts and manually reconcile incompatible Student Information Systems. Under 44 U.S.C. § 3508, OMB must determine whether an information collection has "practical utility" defined under 5 CFR § 1320.3(l) as the actual usefulness of information to the agency, taking into account its accuracy, adequacy, and accessibility. Furthermore, the IQA requires agencies to ensure the objectivity, utility, and integrity of disseminated information. OMB Control No. 1845-0176 fails both standards. Because ED provides no standardized national data dictionary for tracking non-high school graduate cohort withdrawals, transfer-outs, and ECPP enrollments, states utilize divergent calculation methodologies. Aggregating these non-standardized datasets generates non-objective, un-comparable metrics that fail federal IQA standards and provide zero actionable utility to FSA for national policy evaluation. ED limits the respondent pool to 10 state agencies, ignoring the third-party reporting burden placed on individual community colleges under 5 CFR § 1320.3(c)(1). Across the 10 participating state systems, approximately	policy evaluation. This collection has practical utility as it covers the regulations that govern the State's processes. The Department has chosen to use 10 respondents based on the actual number of State agency applications received in recent years. The Department would have no way to estimate burden on the public postsecondary institutions mentioned.

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	120 public postsecondary institutions must extract student records, verify ECPP course enrollments, track academic progress, and submit audit files to state boards.	
ED-2026-SCC-2608-0005	ED violated 5 CFR § 1320.8(d)(1) by failing to conduct a meaningful evaluation of public comments submitted during the initial 60-day review period. Re-submitting an ICR "without change" after implementing substantive regulatory updates (DCL GEN-24-07) violates the reasoned decision-making standard required under <i>Motor Vehicle Mfrs. Ass'n v. State Farm Mut. Auto. Ins. Co.</i> , 463 U.S. 29, 43(1983). Passive acknowledgment of statutory changes without updating the underlying Form 83-I burdenmetrics constitutes arbitrary and capricious administrative action under 5 U.S.C. § 706(2)(A).	The Department disagrees. We do not believe we received compelling enough information or data to make any changes. The public comment period does not require the Department to make changes to the PRA. We are required to review comments and determine if changes are necessary. We have determined no changes are necessary.
	Under Section 484(d) of the Higher Education Act of 1965 (HEA), Congress authorized state-approved Ability to Benefit processes to establish Title IV eligibility for non-high school graduates. Congress did not authorize ED to convert state higher education agencies into unpaid regulatory enforcement arms tasked with continuous, real-time institutional watchlist administration without providing federal operational support or clear statutory guidelines. Forcing state systems to absorb downstream institutional oversight without accounting for the burden violates the federalism and burden minimization mandates of 44 U.S.C. § 3506(c)(3).	Thank you for your comment. These regulations have been in effect since July 1, 2024. Several institutions have complied with the regulations. Note that there is no statutory or regulatory requirement to offer ability to benefit alternatives or eligible career pathway programs to students at a postsecondary institution.

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	Submitter petitions OMB/OIRA to issue a FORMAL DISAPPROVAL of OMB Control No. 1845-0176 under 5 CFR § 1320.10(c) and 44 U.S.C. § 3508. In the alternative, if OMB issues a conditional clearance, OMB must restrict approval to a 1-Year Clearance Window subject to mandatory Terms of Clearance (TOC). Notice is hereby served that if OMB approves this information collection without correcting ED's structural burden undercounts and uncounted O&M costs, affected respondents reserve all rights under the Public Protection Clause of the Paperwork Reduction Act (44 U.S.C. § 3512). Under § 3512(a), no person or state entity shall be subject to any penalty, grant withholding, or administrative sanction for failing to comply with an information collection that fails to display a valid OMB control number or fails to comply with the procedural requirements of 44 U.S.C. Chapter 35 and 5 CFR Part 1320.	
ED-2026-SCC-2608-0004	I support the Department of Education's proposed extension of the information collection request for the Approved State Ability to Benefit (ATB) Process under 34 CFR 668.156 (Docket No. ED-2026-SCC-2608). Standardized data collection on state ATB frameworks, participating postsecondary institutions, and student academic success is essential to evaluating career pathway programs and maintaining accountability.	We thank the commenter for the suggestion. While we do not agree to incorporate the recommendations, we will have internal discussions on the efficacy of implementing some or all of them.

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	Preserving these reporting metrics ensures that non-traditional adult learners without high school diplomas can continue to access Title IV federal financial aid through state-approved postsecondary pathways. At the same time, I encourage the Department to afford participating states greater administrative latitude and operational flexibility to reduce reporting burdens. The Department could minimize compliance friction by providing pre-formatted electronic reporting templates, harmonizing submission timelines with existing federal reporting cycles, and allowing states to utilize integrated State Longitudinal Data Systems (SLDS) or existing statewide management information networks for compliance reporting. Giving state agencies flexibility in how they aggregate and verify student outcome data will lower administrative costs without compromising data quality or program oversight.	