



[BILLING CODE 4000-01-P]

DEPARTMENT OF EDUCATION

[Docket No. ED-2020-SCC-0043]

Agency Information Collection Activities; Comment Request; Borrower Defense to Loan Repayment Universal Form

AGENCY: Department of Education (ED), Federal Student Aid (FSA).

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, ED is proposing a new information collection.

DATES: Interested persons are invited to submit comments on or before **[insert the 60th day after publication of this notice]**.

ADDRESSES: To access and review all the documents related to the information collection listed in this notice, please use <http://www.regulations.gov> by searching the Docket ID number ED-2020-SCC-0043. Comments submitted in response to this notice should be submitted electronically through the Federal eRulemaking Portal at <http://www.regulations.gov> by selecting the Docket ID number or via postal mail, commercial delivery, or hand delivery. If the [regulations.gov](http://www.regulations.gov) site is not available to the public for any reason, ED will temporarily accept comments at ICDocketMgr@ed.gov. Please include the docket ID number and the title of the information collection request when requesting documents or submitting comments. *Please note that comments submitted by fax or e-mail and those submitted after the comment period will not be accepted.* Written requests for information or comments submitted by postal mail or delivery should be addressed to the Director of the Strategic Collections and Clearance Governance and Strategy Division, U.S. Department of Education, 400 Maryland Ave, SW, LBJ, Room 6W-208D, Washington, D.C. 20202-4537.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Beth Grebeldinger, 202-377-4018.

SUPPLEMENTARY INFORMATION: The Department of Education (ED), in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed, revised, and continuing collections of information. This helps the Department assess the impact of its information collection requirements and minimize the public's reporting burden. It also helps the public understand the Department's information

collection requirements and provide the requested data in the desired format. ED is soliciting comments on the proposed information collection request (ICR) that is described below. The Department of Education is especially interested in public comment addressing the following issues: (1) is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology. Please note that written comments received in response to this notice will be considered public records.

Title of Collection: Borrower Defense to Loan Repayment Universal Form

OMB Control Number: 1845-NEW

Type of Review: A new information collection

Respondents / Affected Public: Individuals or Households

Total Estimated Number of Annual Responses: 96,000

Total Estimated Number of Annual Burden Hours: 48,000

Abstract: The Department of Education (the Department) amends the William D. Ford Federal Direct Loan (Direct Loan) Program regulations issued under the Higher Education Act of 1965, as amended (HEA), to implement changes made to the regulations in §685.206(e) - Borrower responsibilities and defenses. These final regulations are a result of negotiated rulemaking and will add a new requirement to the current regulations. These final regulations require the collection of this information from borrowers who believe they qualify for a borrower defense to repayment discharge, as permitted under Section 455(h) of the Higher Education Act of 1965, as amended. The regulations provide, among other things, for the Secretary to discharge a borrower's Direct Loan based on the loan in question being disbursed after July 1, 2020. The Department is attaching a list of elements that we are proposing be included on a revised Application for Borrower Defense to Loan Repayment form (Universal Borrower Defense Application). This revised form will be based on the current Universal Borrower Defense Application, OMB control number 1845-0146, and will facilitate processing claims from all borrowers who believe that they have a valid borrower defense claim.

Dated: February 28, 2020.

Kate Mullan,
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Governance and Strategy Division,
Office of Chief Data Officer.*