



May 19, 2023

The Honorable Miguel Cardona
Secretary
U.S. Department of Education
400 Maryland Ave. SW
Washington, D.C. 20202

Re: Docket ID ED-2023-OPE-0089

Dear Secretary Cardona:

On behalf of the undersigned higher education associations listed below, representing two- and four-year public and private colleges and universities, I write regarding the Notice of Proposed Rulemaking (NPRM) released on May 19 by the Department of Education (Department) titled, “Financial Value Transparency and Gainful Employment (GE), Financial Responsibility, Administrative Capability, Certification Procedures, Ability to Benefit (ATB).” It is our desire to provide meaningful comments, but due to the size and complexity of this NPRM and the many topics that it entails, we believe a 30-day comment period will not provide enough time. Given this, we request that the Department extend the comment period by at least 30 additional days.¹

It is our desire to work with you and aid in the development of regulations that are in the best interests of students, families, and institutions of higher education. While we understand that you have certain policy objectives you would like to accomplish, we believe that achieving the best results requires investing sufficient time to gather informed and comprehensive public comments. Also, additional time will allow us to properly survey our member colleges and universities to determine the true impact of these regulations and gather information on any unintended consequences.

We appreciate prior instances where you have extended the comment period beyond 30 days at the request of stakeholders and hope that you will do the same given the breadth of topics in the NPRM. Thank you for your time and attention to this request, and we look forward to working with you on this effort.

¹ This letter does not attempt to detail our substantive input on the Department’s proposal, which we are in the process of developing and will provide to the Department in a separate submission.

Sincerely,

A handwritten signature in black ink that reads "Ted Mitchell". The signature is written in a cursive style with a large, stylized "T" and "M".

Ted Mitchell
President

On behalf of:

American Association of Community Colleges
American Association of State Colleges and Universities
American Council on Education
Association of American Universities
Association of Public and Land-grant Universities
National Association of Independent Colleges and Universities