



April 24, 2023

Ashley Clark  
U.S. Department of Education  
400 Maryland Avenue SW  
Washington, DC 20202

Dear Ms. Clark,

I write to offer my comments on the Department of Education's (Department) proposal to establish one or more negotiated rulemaking committees as detailed in Docket ID ED-2023-OPE-0039.

The Department identified seven specific topics for consideration under the proposed rulemaking sessions, and is also soliciting feedback on ways to improve income-driven repayment. The topics proposed encompass a number of regulatory provisions that are highly technical in nature; are exceedingly complex; and will have a significant impact across a variety of campus operations. As a result, the rulemaking committees will need negotiators with specialized expertise to inform discussions and meaningfully contribute to the process.

What's more, these topics are exceptionally varied in the kinds of expertise required for substantive negotiation. It is not reasonable to expect that the individuals most able to contribute to discussions on accreditation, for example, possess the same background as those necessary for a discussion about cash management.

For these reasons, I ask that the Department implement multiple rulemaking panels, rather than one committee covering all topics, to ensure that negotiators have direct expertise in the issues being considered.

I appreciate your attention to these comments.

Sincerely,

A handwritten signature in black ink that reads "Ted Mitchell". The signature is written in a cursive, slightly slanted style.

Ted Mitchell  
President