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Department puts in effort to remove public input from consideration.

The ED published a comment request notice ED-2024-SCC-0096 in the Federal Register on October 8, 2024 and directed comments to be submitted to [reginfo.gov](https://www.reginfo.gov). However, Department failed to post the related ICR there, making submission of comments impossible. (See attached .pdf screenshot showing [reginfo.gov](https://www.reginfo.gov) having no ICR on the subject of SAIG Enrollment.) The countdown of the 30-day deadline was in progress. Comments that were attempted to be posted at that time have been effectively eliminated.

Department's responses on the previous docket with the same number either ignore the comments (including the one pointing to Department's creating a loophole – in "6." on page 8 of 15) or do not reply to the comment's point.

To a concern that Department relies on outdated documents created during an emergency pandemic time (see "2." in 0096 Supporting Statement in ICR attachments of this docket), Department responds with a redundant restatement of the documents, noting that one of them is being updated, but leaves unclear whether the progression of the rule will await. And, what if the findings will not support the rule? This puts into question the funds spent on developing the rule to this point. It also puts into question the quality of these findings and Department's influence on them. Department should not use a bluff as a base for proposed rule. This rule should not be approved; Department can submit a new proposal when it can substantiate it.

To the concern that access to the individuals' personal information should be on a "need to know basis" (see "1." in 0096 Supporting Statement), Department responds with quotes from their own text of the docket the comment was to. Department does not address the comment's point that the proposed sharing is non-consensual, and instead says that accessing companies sign an acknowledgment of responsibility. It is as silly as to say that warning of penalty prevents crime from being committed.

Much like it, to the concern that database breaches are not preventable ("7" in 0096), Department, instead of restricting access or reducing content, speaks on the after-the-fact reporting of breaches.

It appears that once Department designs a regulation, it is averse to making meaningful adjustments when considering comments from public. This undermines public participation in rulemaking.

Department published similar proposed information in multiple dockets (ED-2024-SCC-0100, ED-FSA-2024-0062, ED-2024-FSA-0070, and ED-2024-SCC-0096). If they are a part of the same project, it should be identified. Department may be reluctant to heed public input, as that may require Department to align proposals of the same project to each adjustment.

The Department's dockets show that many comments received from public were concealed by Department from public view. Those comments may have necessitated the proposed rule's revision, but being concealed, loosens Department's accountability.