



FEDERAL LEGISLATIVE & REGULATORY UPDATE

Thursday, April 10, 2025

AGENDA



Accreditation, Deregulation, and The Department of Education's Future & Key Congressional Actions

- President Trump's Executive Orders
- Regulatory Update
- Legislative Update
- Q&A

**BREAKING
NEWS**



EXECUTIVE ORDERS

The WHITE HOUSE



⌵ PRESIDENTIAL ACTIONS

DIRECTING THE REPEAL OF UNLAWFUL REGULATIONS

Presidential Memoranda

April 9, 2025

DIRECTING THE REPEAL OF UNLAWFUL REGULATIONS

April 8, 2025

MEMORANDUM FOR THE HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

SUBJECT: DIRECTING THE REPEAL OF UNLAWFUL REGULATIONS

Promoting economic growth and American innovation are top priorities of this Administration. Unlawful, unnecessary, and onerous regulations impede these objectives and impose massive costs on American consumers and American businesses. In recent years, the Supreme Court has issued a series of decisions that recognize appropriate constitutional boundaries on the power of unelected bureaucrats and that restore checks on unlawful agency actions. Yet, despite these critical course corrections, unlawful regulations — often promulgated in reliance on now-superseded Supreme Court decisions — remain on the books.

<https://www.whitehouse.gov/presidential-actions/2025/04/directing-the-repeal-of-unlawful-regulations/>

DIRECTING THE REPEAL OF UNLAWFUL REGULATIONS

April 8, 2025

Consistent with these priorities and with my commitment to restore fidelity to the Constitution, on February 19, 2025, I issued Executive Order 14219 (Ensuring Lawful Governance and Implementing the President’s “Department of Government Efficiency” Deregulatory Initiative). It directed the heads of all executive departments and agencies to identify certain categories of unlawful and potentially unlawful regulations within 60 days and begin plans to repeal them. This review-and-repeal effort shall prioritize, in particular, evaluating each existing regulation’s lawfulness under the following United States Supreme Court decisions:

1. Loper Bright Enterprises v. Raimondo, 603 U.S. 369 (2024);
2. West Virginia v. EPA, 597 U.S. 697 (2022);
3. SEC v. Jarkesy, 603 U.S. 109 (2024);
4. Michigan v. EPA, 576 U.S. 743 (2015);
5. Sackett v. EPA, 598 U.S. 651 (2023);
6. Ohio v. EPA, 603 U.S. 279 (2024);
7. Cedar Point Nursery v. Hassid, 594 U.S. 139 (2021);
8. Students for Fair Admissions v. Harvard, 600 U.S. 181 (2023);
9. Carson v. Makin, 596 U.S. 767 (2022); and
10. Roman Cath. Diocese of Brooklyn v. Cuomo, 592 U.S. 14 (2020).

<https://www.whitehouse.gov/presidential-actions/2025/04/directing-the-repeal-of-unlawful-regulations/>

DIRECTING THE REPEAL OF UNLAWFUL REGULATIONS

April 8, 2025

In effectuating repeals of facially unlawful regulations, agency heads shall finalize rules without notice and comment, where doing so is consistent with the “good cause” exception in the Administrative Procedure Act. That exception allows agencies to dispense with notice-and-comment rulemaking when that process would be “impracticable, unnecessary, or contrary to the public interest.” Retaining and enforcing facially unlawful regulations is clearly contrary to the public interest. Furthermore, notice-and-comment proceedings are “unnecessary” where repeal is required as a matter of law to ensure consistency with a ruling of the United States Supreme Court. Agencies thus have ample cause and the legal authority to immediately repeal unlawful regulations.

<https://www.whitehouse.gov/presidential-actions/2025/04/directing-the-repeal-of-unlawful-regulations/>

DIRECTING THE REPEAL OF UNLAWFUL REGULATIONS

April 8, 2025

Accordingly, I hereby direct:

1. Following the 60-day review period ordered in Executive Order 14219 to identify unlawful and potentially unlawful regulations, agencies shall immediately take steps to effectuate the repeal of any regulation, or the portion of any regulation, that clearly exceeds the agency's statutory authority or is otherwise unlawful. Agencies should give priority to the regulations in conflict with the United States Supreme Court decisions listed earlier in this memorandum. The repeal of each unlawful regulation shall be accompanied by a brief statement of the reasons that the "good cause" exception applies.
2. Within 30 days of the conclusion of the review period directed in Executive Order 14219 to identify unlawful and potentially unlawful regulations, agencies shall submit to the Office of Information and Regulatory Affairs a one-page summary of each regulation that was initially identified as falling within one of the categories specified in section 2(a) of that Executive Order, but which has not been targeted for repeal, explaining the basis for the decision not to repeal that regulation

<https://www.whitehouse.gov/presidential-actions/2025/04/directing-the-repeal-of-unlawful-regulations/>

EXECUTIVE ORDERS

EXECUTIVE ORDER
14219
- - - - -

ENSURING LAWFUL GOVERNANCE AND IMPLEMENTING THE PRESIDENT'S
"DEPARTMENT OF GOVERNMENT EFFICIENCY" DEREGULATORY INITIATIVE

By the authority vested in me as President by the
Constitution and the laws of the United States of America, it is
hereby ordered:

Section 1. Purpose. It is the policy of my Administration
to focus the executive branch's limited enforcement resources on
regulations squarely authorized by constitutional Federal
statutes, and to commence the deconstruction of the overbearing
and burdensome administrative state. Ending Federal overreach
and restoring the constitutional separation of powers is a
priority of my Administration.

Sec. 2. Rescinding Unlawful Regulations and Regulations
That Undermine the National Interest. (a) Agency heads shall, in
coordination with their DOGE Team Leads and the Director of the
Office of Management and Budget, initiate a process to review
all regulations subject to their sole or joint jurisdiction for
consistency with law and Administration policy. Within 60 days
of the date of this order, agency heads shall, in consultation
with the Attorney General as appropriate, identify the following
classes of regulations:

DEREGULATION INITIATIVE

February 25, 2025

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered:

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It is the policy of my Administration to focus the executive branch's limited enforcement resources on regulations squarely authorized by constitutional Federal statutes, and to commence the deconstruction of the overbearing and burdensome administrative state. Ending Federal overreach and restoring the constitutional separation of powers is a priority of my Administration.

Section 2. Rescinding Unlawful Regulations and Regulations

That Undermine the National Interest. (a) Agency heads shall, in coordination with their DOGE Team Leads and the Director of the Office of Management and Budget, initiate a process to review all regulations subject to their sole or joint jurisdiction for consistency with law and Administration policy. Within 60 days of the date of this order, agency heads shall, in consultation with the Attorney General as appropriate, identify the following classes of regulations:

<https://public-inspection.federalregister.gov/2025-03138.pdf>

DEREGULATION INITIATIVE

February 25, 2025

- i. unconstitutional regulations and regulations that raise serious constitutional difficulties, such as exceeding the scope of the power vested in the Federal Government by the Constitution;
- ii. regulations that are based on unlawful delegations of legislative power;
- iii. regulations that are based on anything other than the best reading of the underlying statutory authority or prohibition;
- iv. regulations that implicate matters of social, political, or economic significance that are not authorized by clear statutory authority;
- v. regulations that impose significant costs upon private parties that are not outweighed by public benefits;
- vi. regulations that harm the national interest by significantly and unjustifiably impeding technological innovation, infrastructure development, disaster response, inflation reduction, research and development, economic development, energy production, land use, and foreign policy objectives; and
- vii. regulations that impose undue burdens on small business and impede private enterprise and entrepreneurship.

DEREGULATION INITIATIVE

February 25, 2025

(b) In conducting the review required by subsection (a) of this section, agencies shall prioritize review of those rules that satisfy the definition of "significant regulatory action" in Executive Order 12866 of September 30, 1993 (Regulatory Planning and Review), as amended.

(c) Within 60 days of the date of this order, agency heads shall provide to the Administrator of the Office of Information and Regulatory Affairs (OIRA) within the Office of Management and Budget a list of all regulations identified by class as listed in subsection (a) of this section.

(d) The Administrator of OIRA shall consult with agency heads to develop a Unified Regulatory Agenda that seeks to rescind or modify these regulations, as appropriate.

<https://public-inspection.federalregister.gov/2025-03138.pdf>

DEREGULATION INITIATIVE

February 25, 2025

Section 3. Enforcement Discretion to Ensure Lawful Governance.

- (a) Subject to their paramount obligation to discharge their legal obligations, protect public safety, and advance the national interest, agencies shall preserve their limited enforcement resources by generally de-prioritizing actions to enforce regulations that are based on anything other than the best reading of a statute and de-prioritizing actions to enforce regulations that go beyond the powers vested in the Federal Government by the Constitution.

- (b) Agency heads shall determine whether ongoing enforcement of any regulations identified in their regulatory review is compliant with law and Administration policy. To preserve resources and ensure lawful enforcement, agency heads, in consultation with the Director of the Office of Management and Budget, shall, on a case-by-case basis and as appropriate and consistent with applicable law, then direct the termination of all such enforcement proceedings that do not comply with the Constitution, laws, or Administration policy.

<https://public-inspection.federalregister.gov/2025-03138.pdf>

DEREGULATION INITIATIVE

February 25, 2025

Section 4. Promulgation of New Regulations.

Agencies shall continue to follow the processes set out in Executive Order 12866 for submitting regulations for review by OIRA. Additionally, agency heads shall consult with their DOGE Team Leads and the Administrator of OIRA on potential new regulations as soon as practicable. In evaluating potential new regulations, agency heads, DOGE Team Leads, and the Administrator of OIRA shall consider, in addition to the factors set out in Executive Order 12866, the factors set out in section 2(a) of this order.

Section 5. Implementation.

The Director of the Office of Management and Budget shall issue implementation guidance, as appropriate.

<https://public-inspection.federalregister.gov/2025-03138.pdf>

DEREGULATION INITIATIVE

February 25, 2025

Section 6. Definitions.

- (a) "Agency" has the meaning given to it in 44 U.S.C. 3502, except it does not include the Executive Office of the President or its components.
- (b) "Agency head" shall mean the highest-ranking official of an agency, such as the Secretary, Administrator, Chairman, or Director.
- (c) "DOGE Team Lead" shall mean the leader of the DOGE Team at each agency as described in Executive Order 14158 of January 20, 2025 (Establishing and Implementing the President's "Department of Government Efficiency").
- (d) "Enforcement action" means all attempts, civil or criminal, by any agency to deprive a private party of life, liberty, or property, or in any way affect a private party's rights or obligations, regardless of the label the agency has historically placed on the action.
- (e) "Regulation" shall have the meaning given to "regulatory action" in section 3(e) of Executive Order 12866, and also includes any "guidance document" as defined in Executive Order 13422 of January 18, 2007 (Further Amendment to Executive Order 12866 on Regulatory Planning and Review).

DEREGULATION INITIATIVE

February 25, 2025

Section 6. Definitions.

(f) "Senior appointee" means an individual appointed by the President, or performing the functions and duties of an office that requires appointment by the President, or a non-career member of the Senior Executive Service (or equivalent agency system).

Section. 7. Exemptions.

Notwithstanding any other provision in this order, nothing in this order shall apply to:

- (a) any action related to a military, national security, homeland security, foreign affairs, or immigration-related function of the United States;
- (b) any matter pertaining to the executive branch's management of its employees; or
- (c) anything else exempted by the Director of the Office of Management and Budget.

DEREGULATION INITIATIVE

February 25, 2025

Sec. 8. Severability.

If any provision of this order, or the application of any provision to any person or circumstance, is held to be invalid, the remainder of this order and the application of its provisions to any other persons or circumstances shall not be affected thereby.

Sec. 9. General Provisions.

(a) Nothing in this order shall be construed to impair or otherwise affect:

- (i) the authority granted by law to an executive department, agency, or the head thereof; or
- (ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

<https://public-inspection.federalregister.gov/2025-03138.pdf>

EXECUTIVE ORDERS



CLOSING THE U.S. DEPARTMENT OF EDUCATION

March 20, 2025

By the authority vested in me as President by the Constitution and the laws of the United States of America, and to enable parents, teachers, and communities to best ensure student success, it is hereby ordered:

Section 1. Purpose and Policy.

Our Nation's bright future relies on empowered families, engaged communities, and excellent educational opportunities for every child. Unfortunately, the experiment of controlling American education through Federal programs and dollars — and the unaccountable bureaucracy those programs and dollars support — has plainly failed our children, our teachers, and our families.

<https://www.whitehouse.gov/presidential-actions/2025/03/improving-education-outcomes-by-empowering-parents-states-and-communities/>

CLOSING THE U.S. DEPARTMENT OF EDUCATION

March 20, 2025

Taxpayers spent around \$200 billion at the Federal level on schools during the COVID-19 pandemic, on top of the more than \$60 billion they spend annually on Federal school funding. This money is largely distributed by one of the newest Cabinet agencies, the Department of Education, which has existed for less than one fifth of our Nation's history. The Congress created the Department of Education in 1979 at the urging of President Jimmy Carter, who received a first-ever Presidential endorsement from the country's largest teachers' union shortly after pledging to the union his support for a separate Department of Education. Since then, the Department of Education has entrenched the education bureaucracy and sought to convince America that Federal control over education is beneficial. While the Department of Education does not educate anyone, it maintains a public relations office that includes over 80 staffers at a cost of more than \$10 million per year.

Closing the Department of Education would provide children and their families the opportunity to escape a system that is failing them. Today, American reading and math scores are near historical lows. This year's National Assessment of Educational Progress showed that 70 percent of 8th graders were below proficient in reading, and 72 percent were below proficient in math. The Federal education bureaucracy is not working.

<https://www.whitehouse.gov/presidential-actions/2025/03/improving-education-outcomes-by-empowering-parents-states-and-communities/>

CLOSING THE U.S. DEPARTMENT OF EDUCATION

March 20, 2025

Closure of the Department of Education would drastically improve program implementation in higher education. The Department of Education currently manages a student loan debt portfolio of more than \$1.6 trillion. This means the Federal student aid program is roughly the size of one of the Nation's largest banks, Wells Fargo. But although Wells Fargo has more than 200,000 employees, the Department of Education has fewer than 1,500 in its Office of Federal Student Aid. The Department of Education is not a bank, and it must return bank functions to an entity equipped to serve America's students.

Ultimately, the Department of Education's main functions can, and should, be returned to the States.

<https://www.whitehouse.gov/presidential-actions/2025/03/improving-education-outcomes-by-empowering-parents-states-and-communities/>

CLOSING THE U.S. DEPARTMENT OF EDUCATION

March 20, 2025

Section 2. Closing the Department of Education and Returning Authority to the States.

(a) The Secretary of Education shall, to the maximum extent appropriate and permitted by law, take all necessary steps to facilitate the closure of the Department of Education and return authority over education to the States and local communities while ensuring the effective and uninterrupted delivery of services, programs, and benefits on which Americans rely.

(b) Consistent with the Department of Education's authorities, the Secretary of Education shall ensure that the allocation of any Federal Department of Education funds is subject to rigorous compliance with Federal law and Administration policy, including the requirement that any program or activity receiving Federal assistance terminate illegal discrimination obscured under the label "diversity, equity, and inclusion" or similar terms and programs promoting gender ideology.

<https://www.whitehouse.gov/presidential-actions/2025/03/improving-education-outcomes-by-empowering-parents-states-and-communities/>

CLOSING THE U.S. DEPARTMENT OF EDUCATION

March 20, 2025

Section 3. General Provisions.

(a) Nothing in this order shall be construed to impair or otherwise affect:

- (i) the authority granted by law to an executive department or agency, or the head thereof; or
- (ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

<https://www.whitehouse.gov/presidential-actions/2025/03/improving-education-outcomes-by-empowering-parents-states-and-communities/>



EXECUTIVE ORDERS

Department of Education Organization Act

[Public Law 96–88, Approved Oct. 17, 1979, 93 Stat 669]

[As Amended Through P.L. 117–286, Enacted December 27, 2022]

【Currency: This publication is a compilation of the text of Public Law 96–88. It was last amended by the public law listed in the As Amended Through note above and below at the bottom of each page of the pdf version and reflects current law through the date of the enactment of the public law listed at <https://www.govinfo.gov/app/collection/comps/>】

【Note: While this publication does not represent an official version of any Federal statute, substantial efforts have been made to ensure the accuracy of its contents. The official version of Federal law is found in the United States Statutes at Large and in the United States Code. The legal effect to be given to the Statutes at Large and the United States Code is established by statute (1 U.S.C. 112, 204).】

SHORT TITLE; TABLE OF CONTENTS

SECTION 1. 【20 U.S.C. 3401 note】 This Act may be cited as the “Department of Education Organization Act”.

TABLE OF CONTENTS

Sec. 1. Short title; table of contents.

TITLE I—GENERAL PROVISIONS

- Sec. 101. Findings.
- Sec. 102. Purposes.
- Sec. 103. Federal-State Relationships.
- Sec. 104. Definitions.

TITLE II—ESTABLISHMENT OF THE DEPARTMENT

- Sec. 201. Establishment.
- Sec. 202. Principal officers.
- Sec. 203. Office for Civil Rights.
- Sec. 204. Office of Elementary and Secondary Education.
- Sec. 205. Office of Postsecondary Education.
- Sec. 206. Office of Career, Technical, and Adult Education.
- Sec. 207. Office of Special Education and Rehabilitative Services.
- Sec. 208. Institute of Education Sciences.
- Sec. 209. Office of English Language Acquisition, Language Enhancement, and Academic Achievement for Limited English Proficient Students.
- Sec. 210. Office of General Counsel.
- Sec. 211. Office of Inspector General.
- Sec. 212. Office of Non-Public Education.
- Sec. 213. Office of Indian Education.
- Sec. 214. Office of Non-Public Education.
- Sec. 215. Office of Indian Education.
- Sec. 216. Office of English Language Acquisition, Language Enhancement, and

DEPARTMENT OF EDUCATION ORGANIZATION ACT

Enacted December 27, 1979

TITLE I—GENERAL PROVISIONS FINDINGS

SEC. 101. (20 U.S.C. 3401) The Congress finds that—

- (6) the importance of education is increasing as new technologies and alternative approaches to traditional education are considered, as society becomes more complex, and as equal opportunities in education and employment are promoted;
- (7) there is a need for improvement in the management and coordination of Federal education programs to support more effectively State, local, and private institutions, students, and parents in carrying out their educational responsibilities;
- (8) the dispersion of education programs across a large number of Federal agencies has led to fragmented, duplicative, and often inconsistent Federal policies relating to education;
- (9) Presidential and public consideration of issues relating to Federal education programs is hindered by the present organizational position of education programs in the executive branch of the Government; and
- (10) there is no single, full-time, Federal education official directly accountable to the President, the Congress, and the people.

DEPARTMENT OF EDUCATION ORGANIZATION ACT

Enacted December 27, 1979

TITLE I—GENERAL PROVISIONS PURPOSES

SEC. 102. (20 U.S.C. 3402) The Congress declares that the establishment of a Department of Education is in the public interest, will promote the general welfare of the United States, will help ensure that education issues receive proper treatment at the Federal level, and will enable the Federal Government to coordinate its education activities more effectively. Therefore, the purposes of this Act are—

- (1) to strengthen the Federal commitment to ensuring access to equal educational opportunity for every individual;
- (2) to supplement and complement the efforts of States, the local school systems and other instrumentalities of the States, the private sector, public and private educational institutions, public and private nonprofit educational research institutions, community-based organizations, parents, and students to improve the quality of education;
- (3) to encourage the increased involvement of the public, parents, and students in Federal education programs;

DEPARTMENT OF EDUCATION ORGANIZATION ACT

Enacted December 27, 1979

TITLE I—GENERAL PROVISIONS PURPOSES

SEC. 102. (20 U.S.C. 3402) The Congress declares that the establishment of a Department of Education is in the public interest, will promote the general welfare of the United States, will help ensure that education issues receive proper treatment at the Federal level, and will enable the Federal Government to coordinate its education activities more effectively. Therefore, the purposes of this Act are—

- (4) to promote improvements in the quality and usefulness of education through federally supported research, evaluation, and sharing of information;
- (5) to improve the coordination of Federal education programs;
- (6) to improve the management and efficiency of Federal education activities, especially with respect to the process, procedures, and administrative structures for the dispersal of Federal funds, as well as the reduction of unnecessary and duplicative burdens and constraints, including unnecessary paperwork, on the recipients of Federal funds; and
- (7) to increase the accountability of Federal education programs to the President, the Congress, and the public.

DEPARTMENT OF EDUCATION ORGANIZATION ACT

Enacted December 27, 1979

TITLE II—TITLE II—ESTABLISHMENT OF THE DEPARTMENT ESTABLISHMENT

SEC. 201. (20 U.S.C. 3411) There is established an executive department to be known as the Department of Education. The Department shall be administered, in accordance with the provisions of this Act, under the supervision and direction of a Secretary of Education. The Secretary shall be appointed by the President, by and with the advice and consent of the Senate.

PRINCIPAL OFFICERS

SEC. 202. ø20 U.S.C. 3412ç (a)(1) There shall be in the Department a Deputy Secretary of Education who shall be appointed by the President, by and with the advice and consent of the Senate. During the absence or disability of the Secretary, or in the event of a vacancy in the office of the Secretary, the Deputy Secretary shall act as Secretary. The Secretary shall designate the order in which other officials of the Department shall act for and perform the functions of the Secretary during the absence or disability of both the Secretary and Deputy Secretary or in the event of vacancies in both of those offices.

DEPARTMENT OF EDUCATION ORGANIZATION ACT

Enacted December 27, 1979

TITLE II—TITLE II—ESTABLISHMENT OF THE DEPARTMENT PRINCIPAL OFFICERS

(2)(A) The Deputy Secretary shall have responsibility for the conduct of intergovernmental relations of the Department, including assuring (i) that the Department carries out its functions in a manner which supplements and complements the education policies, programs, and procedures of the States and the local school systems and other instrumentalities of the States, and (ii) that appropriate officials of the Department consult with individuals responsible for making policy relating to education in the States and the local school systems and other instrumentalities of the States concerning differences over education policies, programs, and procedures and concerning the impact of the rules and regulations of the Department on the States and the local school systems and other instrumentalities of the States.

(B) Local education authorities may inform the Deputy Secretary of any rules or regulations of the Department which are in conflict with another rule or regulation issued by any other Federal department or agency or with any other office of the Department. If the Deputy Secretary determines, after consultation with the appropriate Federal department or agency, that such a conflict does exist, the Deputy Secretary shall report such conflict or conflicts to the appropriate Federal department or agency together with recommendations for the correction of the conflict.

DEPARTMENT OF EDUCATION ORGANIZATION ACT

Enacted December 27, 1979

TITLE II—TITLE II—ESTABLISHMENT OF THE DEPARTMENT PRINCIPAL OFFICERS

(b)(1) There shall be in the Department—

- (A) an Assistant Secretary for Elementary and Secondary Education;
- (B) an Assistant Secretary for Postsecondary Education;
- (C) an Assistant Secretary for Career, Technical, and Adult Education;
- (D) an Assistant Secretary for Special Education and Rehabilitative Services;
- (E) an Assistant Secretary for Civil Rights; and
- (F) a General Counsel.

DEPARTMENT OF EDUCATION ORGANIZATION ACT

Enacted December 27, 1979

TITLE II—TITLE II—ESTABLISHMENT OF THE DEPARTMENT OFFICE OF POSTSECONDARY EDUCATION

SEC. 205. (20 U.S.C. 3415) (a) There shall be in the Department an Office of Postsecondary Education, to be administered by the Assistant Secretary for Postsecondary Education appointed under section 202(b). The Assistant Secretary shall administer such functions affecting postsecondary education, both public and private, as the Secretary shall delegate, and shall serve as the principal adviser to the Secretary on matters affecting postsecondary education.

DEPARTMENT OF EDUCATION ORGANIZATION ACT

Enacted December 27, 1979

TITLE II—TITLE II—ESTABLISHMENT OF THE DEPARTMENT OFFICE OF POSTSECONDARY EDUCATION

SEC. 205. (20 U.S.C. 3415) (b) The Assistant Secretary for Postsecondary Education shall appoint a Deputy Assistant Secretary for International and Foreign Language Education to perform such functions affecting postsecondary, international, and foreign language education as the Secretary may prescribe. The Deputy Assistant Secretary for International and Foreign Language Education shall—

- 1) be an individual with extensive background and experience in international and foreign language education;
- 2) have responsibility for encouraging and promoting the study of foreign languages and the study of the cultures of other countries at the elementary, secondary, and postsecondary levels in the United States; and
- 3) coordinate with related international and foreign language education programs of other Federal agencies.

**WHAT
COULD
BE
NEXT?**



ACCREDITATION

A green rectangular sign with a white border and the word "ACCREDITATION" in bold white capital letters. The sign is mounted on a black metal pole with a visible bolt and nut. The background is a clear blue sky.



REGULATORY UPDATE

HOT TOPIC

KNOWLEDGE CENTER ▾

TRAINING ▾

FINANCIAL AID DELIVERY ▾

TITLE IV PROGRAM ELIGIBILITY ▾

PARTNER CONNECT SERVICES ▾

What's New

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Intent To Receive Public Feedback for the Development of Proposed Regulations and Establish Negotiated Rulemaking Committee

🖨️ Print

Tags

Federal Registers

Laws and Regulations

PUBLICATION DATE: April 04, 2025

POSTED DATE: April 09, 2025

SUBJECT: Intent To Receive Public Feedback for the Development of Proposed Regulations and Establish Negotiated Rulemaking Committee

FR TYPE: Notice of Proposed Rulemaking (NPRM)

NPRM COMMENT DUE DATE: May 5, 2025



FEDERAL REGISTER

The Daily Journal of the United States Government



PR Proposed Rule

Intent To Receive Public Feedback for the Development of Proposed Regulations and Establish Negotiated Rulemaking Committee

A Proposed Rule by the [Education Department](#) on 04/04/2025



Comments on this document are being accepted at [Regulations.gov](#).

SUBMIT A PUBLIC COMMENT

100 comments received. [View posted comments](#)



PDF



Document
Details



Document

PUBLISHED DOCUMENT: 2025-05825 (90 FR 14741)

DOCUMENT HEADINGS

Department of Education
34 CFR Chapter VI
[Docket ID ED-2025-OPE-0016]

PUBLIC COMMENT & FEDERAL NEGOTIATED RULEMAKING

April 4, 2025

SUMMARY

We announce our intention to host public hearings and establish one or more negotiated rulemaking committees to prepare proposed regulations on various programs authorized under title IV of the Higher Education Act of 1965, as amended (HEA) (title IV, HEA programs). The Department invites public feedback, especially addressing topics which may include Public Service Loan Forgiveness (PSLF), Pay As You Earn (PAYE), Income-Contingent Repayment (ICR), or other topics that would streamline current federal student financial assistance programs. part of the Department of Education's final mission, the Department today initiated a reduction in force (RIF) impacting nearly 50% of the Department's workforce. Impacted Department staff will be placed on administrative leave beginning Friday, March 21st.

<https://www.federalregister.gov/documents/2025/04/04/2025-05825/intent-to-receive-public-feedback-for-the-development-of-proposed-regulations-and-establish>

PUBLIC COMMENT & FEDERAL NEGOTIATED RULEMAKING

April 4, 2025

Regulatory Issues

We intend to convene one or more negotiated rulemaking committees to develop proposed regulations pertaining to title IV regulations that have impacted institutions, States, and other partners and if their implementation may be inhibiting innovation and contributing to rising college costs. Some proposed topics for negotiation would include:

1. Refining definitions of a qualifying employer for the purposes of determining eligibility for the Public Service Loan Forgiveness program.
2. Pay As You Earn (PAYE) and Income Contingent Repayment (ICR) repayment plans.
3. Potential topics that would streamline current federal student financial assistance program regulations while maintaining or improving program integrity and institutional quality.

We will publish a notice in the Federal Register announcing the topics of PSLF, PAYE, ICR, or other topics related to current federal student financial assistance programs. This notice will solicit nominations for individual negotiators who represent the communities of interest significantly affected by the proposed regulations. This notice will also be posted on the Department's

website at: <https://www.ed.gov/laws-and-policy/higher-education-laws-and-policy/higher-education-policy/negotiated-rulemaking-for-higher-education-2025-2026>. We announce our intention to host public hearings and establish one or more negotiated rulemaking committees to prepare proposed regulations on various programs authorized under title IV of the Higher Education Act of 1965, as amended (HEA) (title IV, HEA programs). The Department invites public feedback, especially

PUBLIC COMMENT & FEDERAL NEGOTIATED RULEMAKING

April 4, 2025

Regulatory Issues

We will publish a notice in the Federal Register announcing the topics of PSLF, PAYE, ICR, or other topics related to current federal student financial assistance programs. This notice will solicit nominations for individual negotiators who represent the communities of interest significantly affected by the proposed regulations. This notice will also be posted on the Department's website at: <https://www.ed.gov/laws-and-policy/higher-education-laws-and-policy/higher-education-policy/negotiated-rulemaking-for-higher-education-2025-2026>.

<https://www.federalregister.gov/documents/2025/04/04/2025-05825/intent-to-receive-public-feedback-for-the-development-of-proposed-regulations-and-establish>

PUBLIC COMMENT & FEDERAL NEGOTIATED RULEMAKING

April 4, 2025

Public Hearings

For interested parties who want to discuss the rulemaking agenda, the Department will hold two public hearings, including one in-person hearing at the U.S. Department of Education located at 400 Maryland Ave. SW, Barnard Auditorium, Washington, DC 20202 and one virtual hearing. The in-person public hearing will be held on April 29, 2025, from 9:00 a.m. to 12:00 p.m. with a lunch break from 12:00 p.m. to 1:00 p.m., and from 1:00 p.m. to 4:00 p.m. Eastern Time. The virtual public hearing will be held from 9 a.m. to noon and 1 p.m. to 4 p.m., Eastern time, on May 1, 2025. Additional information on the public hearings is available at <https://www.ed.gov/laws-and-policy/higher-education-laws-and-policy/higher-education-policy/negotiated-rulemaking-for-higher-education-2025-2026>.

<https://www.federalregister.gov/documents/2025/04/04/2025-05825/intent-to-receive-public-feedback-for-the-development-of-proposed-regulations-and-establish>

PUBLIC COMMENT & FEDERAL NEGOTIATED RULEMAKING

April 4, 2025

Public Hearings

Individuals who would like to present comments at the public hearing must register by sending an email message to negreghearing@ed.gov no later than noon, Eastern time, on the business day prior to the public hearing. The message should include the name of the presenter, the general topic(s) the individual would like to address, and one or more dates and times during which the individual would be available to speak. We will attempt to accommodate each speaker's preference, but, if we are unable to do so, we will select speakers on a first-come, first-served basis, based on the date and time we received the message. We will limit each participant to three minutes. For those who need a reasonable modification in order to provide a live comment during the hearing, please see the “Reasonable Modifications” section below for information about how to make such a request.

PUBLIC COMMENT & FEDERAL NEGOTIATED RULEMAKING

April 4, 2025

Public Hearings

The Department will notify registrants of the date and time slot reserved for them and, for the virtual hearing, will provide information on how to log in to the hearing as a speaker. An individual may make only one presentation at the public hearings. If we receive more registrations than we are able to accommodate, the Department reserves the right to reject the registration of an entity or individual that is affiliated with an entity or individual that is already scheduled to present comments, and to select among registrants to ensure that a broad range of entities and individuals is allowed to present. We will accept registrations for any remaining time slots on a first-come, first-served basis, beginning at 8 a.m. on the day of the public hearing at the Department's on-site registration table (or at negreghearing@ed.gov for the virtual hearing).

PUBLIC COMMENT & FEDERAL NEGOTIATED RULEMAKING

April 4, 2025

Public Hearings

Registration is not required to observe the in-person public hearings; however, space may be limited. Registration is required to view the virtual public hearing. American Sign Language translation will be provided to all who attend the hearings, and closed captioning will be provided for the virtual public hearing. We will post links for attendees who wish to observe on our website at <https://www.ed.gov/laws-and-policy/higher-education-laws-and-policy/higher-education-policy/negotiated-rulemaking-for-higher-education-2025-2026>. The Department will also post transcripts of all hearings on that site.

The Department will accept written comments via the Federal eRulemaking portal through May 5, 2025.

<https://www.federalregister.gov/documents/2025/04/04/2025-05825/intent-to-receive-public-feedback-for-the-development-of-proposed-regulations-and-establish>

PUBLIC COMMENT & FEDERAL NEGOTIATED RULEMAKING

April 4, 2025

Schedule of Negotiations

The dates and locations of negotiated rulemaking meetings will be published in a subsequent Federal Register document and posted online at: <https://www.ed.gov/laws-and-policy/higher-education-laws-and-policy/higher-education-policy/negotiated-rulemaking-for-higher-education-2025-2026>.

<https://www.federalregister.gov/documents/2025/04/04/2025-05825/intent-to-receive-public-feedback-for-the-development-of-proposed-regulations-and-establish>



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Negotiated Rulemaking for Higher Education 2025-2026

This page provides information regarding the Department's negotiated rulemaking in 2025-2026 to make regulatory changes for the programs authorized by Title IV of the Higher Education Act of 1965, as amended.

View our [Frequently Asked Questions about Negotiated Rulemaking for Higher Education](#) for more information about negotiated rulemaking in general.

Federal Register Notices and Fact Sheets



**WHAT
COULD
BE
NEXT?**







LEGISLATIVE UPDATE

HOW DOES BUDGET RECONCILIATION WORK?



BUDGET RECONCILIATION





