



**COMPLIANCE UPDATE**  
**By Amy Hedrick, Policy Analyst**

**2021–2022 NEGOTIATED RULEMAKING UPDATE**

Recordings and distributed materials for the first session have been posted to the [2021–22 Higher Education Negotiated Rulemaking webpage](#); transcripts are coming soon. Recordings, transcripts, and distributed materials for the second session will also be available soon. Additionally, recordings for the Prison Education Programs Subcommittee’s first session and the Public Hearing for the 90/10 Rule are available. Transcripts will be posted soon, along with recordings and transcripts for the Prison Education Programs Subcommittee’s second hearing. Check the webpage regularly for additional updates, including registration for the upcoming final session in December.

**EXTENSION TO MANDATORY SAIG SOFTWARE UPGRADE**

[Electronic Announcement](#) GENERAL-21-67 announced an extension to the deadline for upgrading [EDconnect](#) or [TDClient](#) past the original October 23, 2021 date; the new deadline will be announced in the near future and non-current versions will no longer connect to SAIG after that new date. Please note that EDconnect 8.5 must be used with Windows 10/Windows Server 2012 or higher. Previous versions, including Windows 7, 8, Vista, 2008, and Windows Server 2003 are not supported. Users experiencing technical issues after upgrading to EDconnect 8.5 may contact CPS/SAIG Technical Support at 1-800-330-5947 or [CPSSAIG@ed.gov](mailto:CPSSAIG@ed.gov) for assistance. For additional details on the mandatory upgrade, see [EA GENERAL-21-60](#) and [EA GENERAL-21-56](#).

**CONFIRMATION OF FSA DATA SYSTEM USERS BY DECEMBER 10, 2021**

[Electronic Announcement](#) GENERAL-21-65 announced that Primary Destination Point Administrators (DPAs) for the FSA data system must review and validate their assigned TG numbers and Electronic Services user accounts by December 10, 2021. Failure to do so will result in the loss of access to FSA data systems. Validations include TG numbers for users with NSLDS Professional Access, COD website access, all FAA Access to CPS Online, EDconnect user accounts, and SAIG batch services enrollees for NSLDS, CPS, COD, and FMS. See the announcement for step-by-step validation instructions. For questions, contact CPS/SAIG Technical Support at 800-330-5947 or [CPSSAIG@ed.gov](mailto:CPSSAIG@ed.gov).

**FAIR DEBT COLLECTION PRACTICES ACT (REGULATION F) FINAL RULE IMPLEMENTATION**

The final rule for Regulation F of the Fair Debt Collection Practices Act (12 CFR Part 1006) goes into effect on November 30, 2021. The final rule focuses on prohibiting harassment or abuse, false or misleading representations, and unfair collection practices in debt collection communication, especially regarding new modes of communication developed since the initial passage of the FDCPA in 1977. Notably, it clarifies time and place restrictions on communication with consumers, clarifies use of newer communication technologies and consumers’ ability to restrict communication

media, clarifies “repeated or continuous phone calls” frequencies, defines the new term “limited-content message” acceptable for voicemail messages, and clarifies required disclosure standards. See the CFPB’s [Debt Collection FAQs](#) pdf, CFBP’s [Debt Collections Practices \(Regulation F\)](#) webpage, and the [Federal Register](#) (85 FR 76734) for additional information.

### **FSA OFFICE OF ENFORCEMENT ESTABLISHED**

A U.S. Department of Education [press release](#), dated October 8, 2021, announced the restoration of an Office of Enforcement to “strengthen oversight of and enforcement actions against postsecondary schools that participate in the federal student loan, grant, and work-study programs.” The office’s four divisions are slated to collaborate with other federal agencies as well as state partners to “proactively identify and address major problems across institutions that pose widespread risks to students and taxpayers.” Also see [Electronic Announcement](#) GENERAL-21-64.

### **PSLF CHANGES TO IMPROVE FORGIVENESS APPROVAL**

A U.S. Department of Education [press release](#), dated October 6, 2021, announced “transformational changes” to Public Service Loan Forgiveness to impact an estimated 550,000 borrowers. Foremost, a temporary waiver will count all payments made on federal loans, including Federal Family Education Loan (FFEL) and Perkins Loan payments, during qualified employment towards the 120-payment requirement, regardless of loan type, payment plan, amount, or timeliness; however, borrowers with outstanding FFEL or Perkins loans must consolidate into a Direct Loan *and* submit a PSLF application no later than October 31, 2022 to qualify and receive payment credit. Direct Loan borrowers wishing to receive credit must have a PSLF or Employer Certification form on file no later than October 31, 2022. Military borrowers will be able to count active duty deferments and forbearances towards PSLF. Next year, DE will also begin to use data matching for military and federal employees to automatically credit payments towards PSLF without an application. *Note:* Parent PLUS loans are not eligible for the waiver. For additional information, see the PSLF Overhaul [Fact Sheet](#) and the PSLF Waiver [announcement](#).

### **NEGOTIATED RULEMAKING FOR 90/10 RULE**

In [Federal Register](#) (86 FR 54666) dated October 4, 2021, the U.S. Department of Education announced its intent to establish an additional committee for negotiated rulemaking no earlier than January 2022 for the 2021 American Rescue Plan’s “90/10 rule,” effective on or after January 1, 2023, that requires proprietary schools to derive at least 10% of their revenue from non-Federal education assistance fund sources.

### **MISCELLANEOUS**

- FEELP [Special Allowance Rates](#) for the quarter ending September 30, 2021 have been published. The average Commercial Paper Rate is 0.10%, the average LIBOR rate is 0.09%, and the average Treasury Bill rates is 0.05%.
- 2021 FSA Training Conference registration is open on the [FSA Conferences](#) webpage. Please note that the registration website does not support Internet Explorer.
- The [FSA Training Center](#) added the 2021-22 Learning Tracks. See [DCL ANN-21-11](#) for additional information.