



November 7, 2011

U.S. Department of Education
400 Maryland Avenue, SW., LBJ,
Washington, DC 20202-4537

sent via email to icdocketmgr@ed.gov

Re: FR Doc 2011-23004 (Total and Permanent Disability Discharge Application)

To Whom It May Concern:

These comments are in response to the September 8, 2011 *Federal Register* notice (FR Doc: 2011-23004) seeking public input on the Department of Education's Total and Permanent Disability Discharge Application form for the Federal Family Education Loan (FFEL), William D. Ford Federal Direct Loan (Direct Loan), Federal Perkins Loan (Perkins), and Teacher Education Assistance for College and Higher Education (TEACH) Grant Programs.

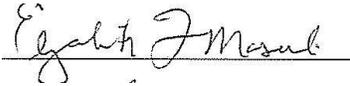
The Institute for College Access & Success (TICAS) is a national nonprofit, nonpartisan research and policy organization working to make higher education more available and affordable for people of all backgrounds. Our work focuses primarily on financial aid issues, including how policy, processes, and communication at every stage – from early awareness through loan repayment – can better support both enrollment and completion. One of our initiatives, the Project on Student Debt, works to increase public understanding of student loan borrowing as well as promote a more rational and effective balance of borrower obligations and protections within our student loan system.

The ability for borrowers to receive a discharge of their federal student loans in the event of total and permanent disability is a key consumer protection that we are very pleased the Department has included as a topic to be addressed in the upcoming negotiated rulemaking. The regulations urgently need to be revised to ensure the process is fair. Our goal in submitting these comments is to ensure that the application form for a borrower to establish total and permanent disability discharge is as clear as possible and does not create unnecessary barriers and confusion.

The National Consumer Law Center (NCLC) has significant experience and expertise in assisting student loan borrowers who have been totally and permanently disabled, and we endorse NCLC's comments on this discharge form. We share NCLC's concern that some of the sections on the form currently create confusion and lead to the unnecessary denial of many otherwise qualified applications. In particular, we support their recommendations regarding clarifying the section on the "Ability to Engage in Substantially Gainful Activity" and the physician certification signature block, and increasing the font size on the form.

Thank you for the opportunity to comment on the Total and Permanent Disability Discharge Application forms for the federal student loan programs. If you have any questions or concerns regarding our comments, please do not hesitate to contact me by phone at (202) 223-6060, or via email at lmasiuk@ticas.org.

Sincerely,

A handwritten signature in cursive script, reading "Elizabeth Masiuk", written over a horizontal line.

Elizabeth (Libby) Masiuk
Policy Associate
The Institute for College Access & Success