

Department of Education Delays Borrower Defense Rules and Proposes Reset on Gainful Employment

June 14, 2017

The Department of Education announced today that it will delay, with limited exceptions, the entire set of [Borrower Defense to Repayment regulations](#) (BDTR) scheduled to take effect July 1 until further notice, as well as convene a negotiated rulemaking committee to develop regulations on BDTR, Gainful Employment and other matters. The Department will hold two public hearings to discuss — and potentially add to — the rulemaking agenda on July 10 and July 12, at which individuals can present comments. The Department expects to begin negotiations in November or December 2017.

The Department's [press release](#) also states that, during the negotiated rulemaking, the Department will “continue to process applications under the current borrower defense rules.”

The announcement delaying BDTR is available in unpublished form [here](#) and the announcement convening a negotiated rulemaking committee is available in unpublished form [here](#). Both announcements are scheduled for official publication in the Federal Register on June 16.

We are monitoring events and will be regularly updating this post.

Vince Sampson focuses on helping clients predict, navigate and understand the increasingly complex involvement of federal agencies and Congress.

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