



441 G St. N.W.  
Washington, DC 20548

B-338420

June 3, 2026

The Honorable Bill Cassidy  
Chairman  
The Honorable Bernie Sanders  
Ranking Member  
Committee on Health, Education, Labor, and Pensions  
United States Senate

The Honorable Tim Walberg  
Chairman  
The Honorable Bobby Scott  
Ranking Member  
Committee on Education and Workforce  
House of Representatives

Subject: *Department of Education: Accountability in Higher Education and Access Through Demand-Driven Workforce Pell: Pell Grant Exclusion Relating to Other Grant Aid; and Workforce Pell Grants*

Pursuant to section 801(a)(2)(A) of title 5, United States Code, this is our report on a major rule promulgated by the Department of Education (ED) entitled “Accountability in Higher Education and Access Through Demand-Driven Workforce Pell: Pell Grant Exclusion Relating to Other Grant Aid; and Workforce Pell Grants” (RIN: 1840-AD99). We received the rule on May 19, 2026. It was published in the *Federal Register* on May 19, 2026. 91 Fed. Reg. 29254. The stated effective date of the rule is July 20, 2026, except for amendatory instructions 10 and 13, which are effective May 19, 2026.

According to ED, this rule amends the regulations governing institutional eligibility, general provisions, and the Federal Pell Grant (Pell Grant) Program under title IV of the Higher Education Act (HEA) of 1965, as amended (the title IV, HEA programs). ED stated that the rule implements statutory changes to the title IV, HEA programs included in the Working Families Tax Cuts Act, including changes to student eligibility requirements for the Pell Grant Program and the establishment of Workforce Pell Grants for students who enroll in an eligible workforce program.

The Congressional Review Act (CRA) requires a 60-day delay in the effective date of a major rule from the date of publication in the *Federal Register* or receipt of the rule by Congress, whichever is later. 5 U.S.C. § 801(a)(3)(A). This rule was published in the *Federal Register* on May 19, 2026. 91 Fed. Reg. 29254. The Senate received the rule on May 19, 2026. 172 Cong. Rec. S2415 (daily ed. May 20, 2026). The House of Representatives received the rule on May 21, 2026. 172 Cong. Rec. H3733 (daily ed. May 26, 2026). The stated effective date of the rule is July 20, 2026, except for amendatory instructions 10 and 13, which are

effective May 19, 2026. Therefore, with respect to amendatory instructions 10 and 13, the stated effective date is less than 60 days from the date of receipt by Congress.

Enclosed is our assessment of ED's compliance with the procedural steps required by section 801(a)(1)(B)(i) through (iv) of title 5 with respect to the rule. If you have any questions about this report or wish to contact GAO officials responsible for the evaluation work relating to the subject matter of the rule, please contact me (202) 512-8156.

A handwritten signature in black ink that reads "Shirley A. Jones". The signature is written in a cursive style with a large initial 'S' and 'J'.

Shirley A. Jones  
Managing Associate General Counsel

Enclosure

cc: Philip Rosenfelt  
Deputy General Counsel  
Department of Education

REPORT UNDER 5 U.S.C. § 801(a)(2)(A) ON A MAJOR RULE  
ISSUED BY THE  
DEPARTMENT OF EDUCATION  
ENTITLED  
“ACCOUNTABILITY IN HIGHER EDUCATION AND ACCESS THROUGH DEMAND-DRIVEN  
WORKFORCE PELL: PELL GRANT EXCLUSION RELATING TO OTHER GRANT AID;  
AND WORKFORCE PELL GRANTS”  
(RIN: 1840-AD99)

(i) Cost-benefit analysis

The Department of Education (ED) prepared an analysis of the costs and benefits for this rule. 91 Fed. Reg. 29254, 29314–29323 (May 19, 2026). ED stated that this rule will result in benefits to students, employers, institutions of higher education, and taxpayers. *Id.* at 29314. ED estimated administrative costs would average \$5.3 million (using a 3 percent discount rate) in systems and other changes on an annualized basis over the 2026–2035 period. *Id.* at 29315. ED stated that these costs are associated with activities such as collecting data and making alterations to ED systems. *Id.*

(ii) Agency actions relevant to the Regulatory Flexibility Act (RFA), 5 U.S.C. §§ 603–605, 607, and 609

The Secretary of ED certified that this rule will not have a significant economic impact on a substantial number of small entities. 91 Fed. Reg. at 29327.

(iii) Agency actions relevant to sections 202–205 of the Unfunded Mandates Reform Act of 1995, 2 U.S.C. §§ 1532–1535

In its submission to us, ED indicated that the Act is not applicable to this rule.

(iv) Other relevant information or requirements under acts and executive orders

Administrative Procedure Act, 5 U.S.C. §§ 551 *et seq.*

On March 9, 2026, ED published a notice of proposed rulemaking. 91 Fed. Reg. 11378. ED stated that it received 440 comments and responded to comments in this rule. 91 Fed. Reg. at 29258.

Paperwork Reduction Act (PRA), 44 U.S.C. §§ 3501–3520

ED determined that this rule contains information collection requirements under the Act and submitted them to the Office of Management and Budget for review. 91 Fed. Reg. at 29328.

Statutory authorization for the rule

ED promulgated this rule pursuant to sections 1082, 1221e-3, 3441, 3471, and 3474 of title 20, United States Code.

Executive Order No. 12866 (Regulatory Planning and Review)

ED stated that the Office of Information and Regulatory Affairs has determined that this rule is economically significant under the Order. 91 Fed. Reg. 29310.

Executive Order No. 13132 (Federalism)

ED determined that this rule does not have federalism implications. 91 Fed. Reg. at 29333.