

Alliance For Economic Stability, Inc.
747 Third Avenue, 25th Floor
New York, New York 10017

July 22, 2010

Cass R. Sustein
Administrator
Office of Information and Regulatory Affairs
Office of Management and Budget
New Executive Office Building
725 17th Street, NW
Washington, D.C. 20503

Re: OMB and DOE Disclosures concerning DOE's proposed gainful employment rule.

Dear Mr. Sustein:

I write on behalf of the Alliance for Economic Stability, Inc. ("AES"), a non-partisan policy research organization. The AES has been involved in conducting research into the U.S. Department of Education's ("DOE") programs for enforcing its rules on large publicly-traded for-profit education companies. This research has led us to advocate changes to DOE rules to protect tax-payers, students, and the nation's education system from waste and abuse.

I write regarding the review conducted by Office of Information and Regulatory Affairs ("OIRA") within the Office of Management and Budget ("OMB") of proposed rulemaking by the DOE. Specifically, I am concerned about apparent leaks of information surrounding the OMB's review of the DOE's proposed "gainful employment" rules.

There have been numerous reports issued by stock analysts at certain investment banks that make specific statements about the results of the OIRA's review of the DOE's proposed rules on gainful employment, the date such proposed rules will be published, and the contents of the not-yet-published proposed rules.

The DOE's proposed gainful employment rules stand to have a significant economic impact on the publicly-traded for-profit education companies, which wrongfully influence the DOE's allocation of billions of dollars in tax-payers' funds in federal student aid.

Given such economic impact, the release of information that is purportedly special non-public information by persons with vested interest in the publicly-traded for-profit education companies must be taken seriously by the OMB. The fact that certain parties have publicly alleged to have knowledge of confidential information controlled by OMB prior to release of such information to

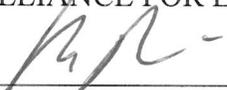
Mr. Sustain
July 22, 2010
Page 2 of 2

the public by either the DOE or OMB raises questions of whether the OMB is adequately ensuring confidentiality and fair treatment of interested parties.

The above is particularly important given that the intention of the rule is to protect the integrity of the DOE's programs that have been compromised.

In order to understand what information the OMB has made public on this issue, or made available to interested parties, I request that you provide me with all information available for us to have equal and fair access to any information the DOE or OMB have released, or will release on this matter.

Sincerely,
ALLIANCE FOR ECONOMIC STABILITY, INC.



Manuel P. Asensio

cc: Arne Duncan, Secretary
U.S. Department of Education

Kathleen Tighe, Inspector General
U.S. Department of Education

Bridgette C.E. Dooling
Desk Officer for the Employment Standards Administration
Office of Management and Budget