



December 15, 2025

Mr. Matthew Soldner  
Acting Commissioner, National Center for Education Statistics  
Acting Director, Institute of Education Sciences  
United States Department of Education  
400 Maryland Ave, SW  
Washington, DC 20202

Dear Mr. Soldner:

On behalf of the American Council on Education (ACE), we write to reiterate our strong opposition to the Admissions and Consumer Transparency Supplement (ACTS) survey component proposed by the Department of Education (Department)<sup>1</sup> in response to the Presidential Memorandum regarding higher education admissions.<sup>2</sup> We understand the value of transparent data on colleges and universities to allow students and families to make informed decisions regarding postsecondary education, but we believe that this new data collection will only prove to yield insufficient data that does not meet its intended purpose.

While we have already submitted a comprehensive comment letter regarding the new ACTS survey component<sup>3</sup>, we would like to emphasize a key concern. From the most recent 30-day Information Collection Request (ICR) notice<sup>4</sup>, we learned that institutions that fail to submit completed ACTS surveys on time would be fined an amount up to \$71,545 for each violation,<sup>5</sup> and institutions would need to complete the first survey by March 18, 2026. The Department stated:

In the 2025-26 survey only, the new component will capture data not only from the 2025-26 academic year but also from the five prior academic years. As such, in the 2025-26 survey, institutions will provide admissions data for the 2020-21 through 2025-26 academic years. Similarly, graduation rates reported in the 2025-26 survey will cover not only academic year 2024-25, but also academic years 2019-20 through 2023-24. This retrospective collection will allow data users to explore changes in reported data over time.<sup>6</sup>

---

<sup>1</sup> Federal Register. (2025, November 13). *Agency information collection activities; submission to the office of management and budget for review and approval; comment request; integrated postsecondary education data system (IPEDS) 2024-25 through 2026-27*. U.S. Department of Education. <https://www.federalregister.gov/documents/2025/11/13/2025-19874/agency-information-collection-activities-submission-to-the-office-of-management-and-budget-for>

<sup>2</sup> Trump, D. J. (2025, August 7). *Ensuring transparency in higher education admissions* [Presidential Memoranda]. The White House. <https://www.whitehouse.gov/presidential-actions/2025/08/ensuring-transparency-in-higher-education-admissions/>

<sup>3</sup> American Council on Education. (2025, October 7). *Comments to ED on ACTS survey component*. <https://www.acenet.edu/Documents/Comments-ED-ACTS-100725.pdf>

<sup>4</sup> Federal Register. (2025, November 13). *Agency information collection activities; submission to the office of management and budget for review and approval; comment request; integrated postsecondary education data system (IPEDS) 2024-25 through 2026-27*. U.S. Department of Education. <https://www.federalregister.gov/documents/2025/11/13/2025-19874/agency-information-collection-activities-submission-to-the-office-of-management-and-budget-for>

<sup>5</sup> Amount of the fine established in Title IV, HEA program regulations 34 CFR 668.84, 668.85, and 668.86

<sup>6</sup> National Center for Education Statistics. (2025, October). *Integrated postsecondary education data systems 2025-26 through 2026-27* [Appendix B]. U.S. Department of Education, Institute of Education Sciences. [https://www.regulations.gov/document/ED-2025-SCC-0382-3466#:~:text=Appendix\\_B\\_Communications\\_ACTS\\_change\\_package\\_102925%20\(1\)](https://www.regulations.gov/document/ED-2025-SCC-0382-3466#:~:text=Appendix_B_Communications_ACTS_change_package_102925%20(1))

Given that the new data collection does not open until Dec. 3, with a Dec. 15 deadline for comments to this ICR notice, we believe that it is an egregious ask to have institutions report data up to seven years in the past with only months to do so. For any data collection, the importance of accuracy is key, and no institution of higher education was made aware of this drastic change in reporting in a reasonable period of time. Additionally, the actual survey instrument was not released until Nov. 13, and that is not enough time to gather extensive data for the last seven years.

The Department's own estimates are that it would take each institution 200 additional hours on average to complete the initial ACTS survey, with an additional 40 hours on average in subsequent years.<sup>7</sup> The average estimated annual total burden hours of all the survey components in the Integrated Postsecondary Education Data System (IPEDS) for all participating institutions are 404,170 hours for 2024-2025, 750,793 hours for 2025-2026, and 460,308 hours for 2026-2027.<sup>8</sup> While we are not supportive of the ACTS survey and question its motives, to ensure institutional compliance we would like to reinforce the importance of allowing institutions adequate time to complete this important data request. Ideally, there would be an implementation date of Academic Year 2026-2027 or later, especially given the significant financial penalties that may apply.

We strongly urge the Department to prioritize accuracy over politics and ensure that any new data collection will result in data that is usable and useful for better understanding higher education. We appreciate your time and consideration of these comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Ted Mitchell".

Ted Mitchell  
President

---

<sup>7</sup> Regulations.gov. (2025, November 13). *Supporting statement Part A ACTS change package 102925* [Table 18]. <https://www.regulations.gov/document/ED-2025-SCC-0382-3465>

<sup>8</sup> Regulations.gov. (2025, November 13). *Supporting statement Part A ACTS change package 102925* [Table 19]. <https://www.regulations.gov/document/ED-2025-SCC-0382-3465>; These amounts do not include the additional years of reporting from 2019-2020 through 2023-2024.