

Exhibit 6



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF MANAGEMENT

Regulatory Information Management Services

December 7, 2010

Mr. Jonathan C. Glass
DowLohnes
1200 New Hampshire Avenue, NW
Suite 800
Washington, DC 20036-6802
jglass@dowlohn.com

RE: FOIA Request No. 10-01765-F

Dear Mr. Glass:

This letter is a final response to your letter dated July 27, 2010 requesting information pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552. Your request was received in this office on July 28, 2010. Your request has been assigned to the following offices within the Department to search for responsive records: Federal Student Aid (FSA) and Office of Post Secondary Schools (OPE). You requested copies of all information in the possession, custody or control of the Department of Education or the employees, etc in reference to contracts or agreements that the DoEd entered into in the preparation of the Notice of Proposed Rulemaking (NPRM) regarding Program Integrity Gainful Employment as published in the Federal Register on July 26, 2010, etc.

Staff in FSA informed the FOIA Requester Services Center that after a search of their files, they were unable to locate any documents that were responsive to your request.

Enclosed is an e-mail containing 26 pages of OPE documents responsive to your request. The documents provided are:

- NPRM Data Analysis
- NPRM Logistical Support

However, certain information has been withheld according to the FOIA exemption specified below:

- Personal information under exemption (b)(6) of the FOIA, 5 U.S.C. § 552(b)(6) and Departmental regulation 34 CFR § 5.71(a). Disclosure of this information would constitute a clearly unwarranted invasion of personal privacy.

Provisions of the FOIA allow us to recover the costs pertaining to your request. The Department has concluded that you fall within the category of a “commercial use” requester. The fee for processing your request totals \$24.96. The breakdown for this cost is as follows: The cost of search time for 30 minutes and review time for 30 minutes at the rate of pay of a GS-12 plus 16 percent of that rate = \$24.96; and the cost for documents recorded on CD = \$0.

A check in the amount of \$24.96 should be made payable to the U.S. Department of Education (please include the FOIA number) and sent to the address below. Please note that if the payment is not received, future requests may require advance payment.

Payment Address:

U.S. Department of Education
Office of Management
400 Maryland Avenue, SW, LBJ, 2W220
ATTN: FOIA Office
Washington, DC 20202-4500

You have the right to appeal this decision by writing to the address below, 35 days from the date of this letter. Your appeal should be accompanied by a copy of your initial letter of request and this denial letter, and should contain any evidence or argument you wish the Department to consider in making an administrative determination on your appeal.

Appeal Address:

U.S. Department of Education
Office of Management
400 Maryland Avenue, SW, LBJ 2W311
ATTN: Appeals Office
Washington, DC 20202-4500

Or, you may complete the online FOIA appeal form, located at:
http://www.ed.gov/policy/gen/leg/foia/foia_appeal_form_1.html.

If you have any questions, please contact the FSC at (202) 401-8365 or
EDFOIAManager@ed.gov.

Sincerely,



Christie D. Swafford
FOIA Public Liaison, OM/RIMS

Enclosures