

**Defraying Costs of Enrolling Displaced Students Program (DCEDS)  
and  
Emergency Assistance to Institutions of Higher Education Program (EAI)  
Summary of Public Comments on  
DCEDS Application and EAI Application and Pre-Application  
Following Public Comment Period**

On March 26, 2018, the Department of Education (Department) published a Notice of Proposed Information Collection Request (Notice) in the Federal Register inviting comments on the proposed application for the Defraying Costs of Enrolling Displaced Students Program (DCEDS) and the proposed application and pre-application for the Emergency Assistance to Institutions of Higher Education Program (EAI). The comment deadline was extended to April 5, 2018.

Twenty-six comments were received, six of which were unrelated to the subject matter of the proposed collections. Many commenters advocated for a more streamlined process or the abandonment of application forms altogether. Some commenters advocated that application and pre-application forms be available in Spanish. The Department reviewed each of these concerns and, where necessary, made changes to the forms. A summary and analysis of the comments as well as information on changes to the proposed forms in response to these comments follows. Suggestions for minor changes (generally those of a technical nature) are not discussed below.

**Comments:** Numerous commenters stated that the application forms were excessively burdensome and questioned whether an application process was necessary. They stated that the use of a two-stage application process would present difficulties for applicants, especially those in areas that have not fully recovered from the covered events. Some commenters urged the Department to combine the EAI pre-application and application into a single form or to use other methods to distribute funds (such as a formula based on the number of Pell-eligible students) that would not require institutions in affected areas to submit significant information to the Department in order to qualify for funding.

**Discussion:** The Department is committed to allocating aid quickly and efficiently to help institutions recover and serve their students and communities, while ensuring that aid recipients spend funds lawfully. The Department's process for making allotments will closely follow the process used in 2009 after the natural disasters in 2008. That process, which included the review of a pre-application and an application in allotting funds, remains available for public view at [www2.ed.gov/programs/disaster-relief/applicant.html](http://www2.ed.gov/programs/disaster-relief/applicant.html). Use of a pre-application helps applicants enter the program quickly, and the application will be simple once allocations are determined.

It also is important to note that the Bipartisan Budget Act of 2018 designates the EAI Program as "susceptible to significant improper payments" for purposes of the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note). See P.L. 115-123, the "Bipartisan Budget Act of 2018," Division B, Subdivision 1, Title XII, §21208(a), Feb. 9, 2018; 132 Stat. 108. The Department's plan to mitigate improper payments is further warranted by the fact that many eligible institutions have been classified as "high risk" by the Department. The institutions so classified include at least 10 institutions in the Virgin Islands and Puerto Rico as well as institutions in the affected States. Accordingly, in order to prevent waste, fraud, and abuse and

to maximize compliance with supplement-not-supplant requirements, EAI Program applicants will be required to declare or estimate basic data elements such as expenses incurred and funds received. Grantees also will be required to undertake significant additional reporting as the Department implements plans to identify and reduce improper payments.

**Action Taken by the Department:** No change.

**Comments:** Numerous commenters stated that the application documents are not available in Spanish and stated that this may place an additional burden on some applicants, particularly those in Puerto Rico.

**Discussion:** The Department traditionally has not provided such documents in languages other than English, but has provided technical assistance for people with limited English proficiency. To provide funds as quickly as possible, materials will be published only in English rather than waiting for legally equivalent documents to be produced in Spanish. The Department may review late applications but will not delay aid to applicants that meet the published deadline.

**Action Taken by the Department:** No change.

**Comments:** Some commenters stated that the public comment period for these proposed collection documents was too short and that more time should have been provided for public review and comment. One letter expressed concern that the closing and re-opening of the comment period caused confusion for members of the public.

**Discussion:** The public comment period was extended in order to accommodate more comments. Accommodating more comments outweighed the risk of confusion.

**Action Taken by the Department:** The Department extended the comment period. No change to documents.

**Comments:** A few commenters suggested changes to the substance of the proposed information collections, such as other types of data that should be collected as part of the application process and clarifications or additional questions related to homelessness.

**Discussion:** The Department is particularly grateful to comments focusing on the needs of students who are homeless or at risk of becoming homeless, and agrees that illustrating a wide variety of allowable activities can help maximize funds for such students.

**Action Taken by the Department:** The Notice Inviting Applications for EAI and the accompanying pre-application illustrate that expenses for students who are homeless or at risk of becoming homeless may include work to identify such students, outreach to them, food, employment, housing, counseling, emergency grants, transportation, and other services.

**Comments:** One commenter recommended that the Department's forms be synchronized with those submitted to the Federal Emergency Management Agency (FEMA) and the Middle States Commission on Higher Education.

**Discussion:** FEMA and the Department have different missions, and allowable activities differ across programs and agencies.

**Action Taken by the Department:** No change.

**Comments:** One commenter disagreed with the division of funds between the DCEDS and EAI programs and stated that the current funding allocations would disadvantage Puerto Rico.

**Discussion:** Congress appropriated funds for each program, and the Department is not authorized to modify those appropriations.

**Action Taken by the Department:** No change.