

January 13, 2021

MEMORADUM

TO: Lindsay Abate  
Office of Management and Budget Desk Officer

FROM: Hilary Malawer  
Deputy General Counsel

RE: Emergency request for Paperwork Reduction Act (PRA) approval

Pursuant to the Office of Management and Budget (OMB) procedures established at 5 CFR 1320, ED requests that the following collection of information, Recipient's Funding Certification and Agreement--Emergency Financial Aid Grants to Students under Section 18004(c) of the CARES Act, be processed in accordance with section 1320.13 Emergency Processing. ED has determined that this information must be collected prior to the expiration of time periods established under Part 1320, and that this information is essential to the ED's ability to effectively implement section 18004(a)(1) of the CARES Act, Pub. L. No. 116-136 (March 27, 2020) and address the economic disruption posed by the Novel (new) Coronavirus ("2019-nCoV").

Section 18004 of the Act authorizes the Secretary of Education ("Secretary") to allocate formula grant funds to participating institutions of higher education (IHEs). It requires the IHEs to use no less than fifty percent of the funds received to provide emergency financial aid grants to students for expenses related to the disruption of campus operations due to coronavirus (including eligible expenses under a student's cost of attendance such as food, housing, course materials, technology, health care, and child care). ED is requesting an emergency clearance to allow for immediate outreach to IHEs to meet the requirements of the CARES Act.

If this emergency collection is not approved, these emergency financial aid grants to students would be delayed. The pressing financial need of students due to the disruption of campus operations from coronavirus would remain unmet, leaving students without the aid intended for such critical benefits as such as food, housing, course materials, technology, health care, and child-care expenses.

Given the short timeframe, ED is unable to consult with the public prior to issuing the forms, however ED has ample experience designing other similar forms in a way that is clear and minimizes burden.

ED requests approval of the submission by April 8, 2020. Given the inability to seek public comment during such a short timeframe, ED requests a waiver from the requirement to publish notice in the Federal Register seeking public comment during the period of OMB review. Public comment will be solicited within a reasonable period, but not later than May 30, 2020, of the approval to collect this information.