

Under the current unprecedented national health emergency, Congress and the Executive Branches came together to offer relief to those individuals and industries affected by the COVID-19 virus under the Coronavirus Aid, Relief, and Economic Security Act or the CARES Act (the Act), Pub. L. No. 116-136 (March 27, 2020) .

Section 18004 of the CARES Act establishes the Higher Education Emergency Relief Fund (HEERF) and instructs the Secretary to allocate funding to eligible institutions in connection with the COVID-19 outbreak. It requires the institutions 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 childcare).

On June 17, 2020, the Department of Education (the Department) published an interim final rule (IFR) in the *Federal Register* (85 FR 36494), in which, for purposes of the phrases "grants to students" and "emergency grants to students" in section 18004(a)(2), (a)(3), and (c) of the CARES Act, "student" was defined as an individual who is, or could be, eligible under section 484 of the Higher Education Act of 1965, as amended (HEA), to participate in programs under title IV of the HEA.

Based on comments received on the IFR and further review of the CARES Act, including in light of legal challenges, the Department has been persuaded that this definition was too prescriptive. In the final rule the Department is removing the requirement that a student must be eligible for title IV aid to receive financial assistance under the HEERF programs and clarifying in the definition of "student" that any individual who is or was enrolled at an eligible institution on or after the date the national emergency was declared for COVID-19 may qualify for assistance under the HEERF programs.

The Department is requesting a new emergency clearance of this ICR to allow for immediate outreach to institutions to clarify these changed requirements of the Final Rule . There is no form attached to this ICR. This collection will help to ensure that the distribution of CARES Act funds is managed by institutions in accordance with this clarification as discussed in the Final Rule.

We estimate that each institution that received an allocation would require five hours to set up any new institutional application or other process, to review student requests, and establish review and recordkeeping procedures to be able to comply with the separate reporting requirements in the Certification and Agreement between the institutions and the Secretary. The total burden to all institutions receiving an allocation of funds is 25,680 hours (5,136 institutions x 5 hours).

The Department believes that the broader definition of "student" in this final rule increases the universe of students eligible to receive funds. Using the unduplicated head count for 2018-2019 as reported by IPEDS, the number of enrolled students is calculated at 26,685,592. We

estimate that 60 percent, or 16,011,355 of those eligible students may request additional aid from their institution based on changed circumstances due to the coronavirus. We believe the time for students to make a request for additional funds from their institution would take approximately 5 minutes per student for a total student burden of 1,280,908 hours (.08 hours x 16,011,355 students).

### Estimated Annual Burden and Respondent Costs Table

| Information Activity or IC (with type of respondent) | Number of Respondents | Number of Responses | Average Burden Hours per Response | Total Annual Burden Hours | Estimated Respondent Average Hourly Wage | Total Annual Costs (hourly wage x total burden hours) |
|--|-----------------------|---------------------|-----------------------------------|---------------------------|--|---|
| Individual   | 16,011,355            | 16,011,355          | .08 hours                         | 1,280,908                 | \$17.50                                  | \$22,415,890  |
| For-Profit Institution                               | 1,641                 | 1,641               | 5 hours                           | 8,205                     | \$46.87                                  | \$384,568   |
| Private Institution                                  | 1,651                 | 1,651               | 5 hours                           | 8,255                     | \$46.87                                  | \$386,912   |
| Public Institution                                   | 1,844                 | 1,844               | 5 hours                           | 9,220                     | \$46.87                                  | \$432,141   |
| Annualized Totals                                    | 16,016,491            | 16,016,491          |                                   | 1,306,588                 |  | \$23,619,511  |