



UNITED STATES DEPARTMENT OF EDUCATION

April 26, 2021

MEMORANDUM

TO: Lindsay Abate
Office of Management and Budget Desk Officer

FROM: Beatriz Ceja *Beatriz Ceja*
Senior Director, Institutional Service

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, Voluntary Decline of Higher Education Emergency Relief Funds Form, 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 ED's ability to effectively address the disruptions posed by the Novel (new) Coronavirus ("2019-nCoV").

Funding for HEERF is provided by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) (Pub. L. 116-136), the Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (CRRSAA) (Pub. L. 116-260), and the American Rescue Plan Act of 2021 (Pub. L. 117-2). Institutions eligible for funding under these statutes may elect to voluntarily decline all or a portion of their HEERF grant awards, in which case the U.S. Department of Education (the Department) will then deobligate the funds from the institution's G5 account and will later redistribute the funds to other institutions with greater needs due to the coronavirus. In order to process the deobligation and redistribution of these funds more efficiently, the Department is requesting approval of a short form that will allow these institutions to provide the Department with information regarding the funds being declined.

If this emergency collection is not approved, the Department will be unable to deobligate and redistribute these funds in a timely manner. The Department is required by statute under CRRSAA to reallocate any funding for which IHEs do not apply within 90 days of publishing a notice inviting applications for funding under CRRSAA (a)(1), (a)(2) or (a)(4). The Department's intention is to conduct a single reallocation of CARES, CRRSAA and ARP funds, as running multiple reallocations would create heavy administrative burden for the agency. Furthermore, funding under the CARES Act will lapse on September 30, 2021, making it essential for the Department to give grantees

400 MARYLAND AVE. SW, WASHINGTON, DC 20202
www.ed.gov

ample opportunity to return unneeded CARES funds in order to reallocate these funds to grantees with greater need, and the Department does believe that timely reallocation of these funds is essential. Campus closures, staff layoffs, navigating the processes needed to switch to online learning, and assistance with paying for new structural changes are just several examples of the challenges and concerns that IHEs navigate on a continuous basis and about which ED receives daily questions and concerns from IHEs concerning their use of funds. These institutional changes also have a direct impact on students. The redistribution of HEERF funds will greatly benefit those institutions that have faced the most drastic economic difficulties as well as students with exceptional need.

Given the short timeframe, the Department is unable to consult with the public prior to issuing the form. However, the Department has ample experience designing other similar forms in a way that is clear and minimizes burden. We estimate that the form will require 30 minutes per respondent to complete.

The Department is requesting an emergency clearance from OMB by May 7 and will publish an emergency notice with a 60 day comment period as required by 5 CFR 1320.8(d) to solicit public comments on the regular information collection.