

SUPPORTING STATEMENT
FOR PAPERWORK REDUCTION ACT SUBMISSION

**Higher Education Emergency Relief Fund (HEERF) I, II and III
Data Collection Form**

1. Explain the circumstances that make the collection of information necessary. What is the purpose for this information collection? Identify any legal or administrative requirements that necessitate the collection. Include a citation that authorizes the collection of information. Specify the review type of the collection (new, revision, extension, reinstatement with change, reinstatement without change). If revised, briefly specify the changes. If a rulemaking is involved, list the sections with a brief description of the information collection requirement, and/or changes to sections, if applicable.

Under the current unprecedented national health emergency, the legislative and executive branches of government have come together to offer relief to those individuals and industries affected by the COVID-19 virus under the Coronavirus Aid, Relief, and Economic Security (CARES) Act, the Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (CRRSAA), and the American Rescue Plan Act of 2021 (ARP). In each of these statutes, targeted relief to institutions of higher education (IHEs) was made available under the Higher Education Emergency Relief Fund (HEERF). HEERF, originally established by Section 18004 of the CARES Act, Pub.L. 116-136 (March 27, 2020) and expanded through CRRSAA and ARP, authorizes the Secretary of Education to allocate formula grant funds to participating IHEs to address impacts of COVID-19.

This information collection requests approval for a revision to a previously approved collection that includes annual reporting requirements to comply with the requirements of the HEERF program and obtain information on how the funds were used. In accordance with the Recipient's Funding Certification and Agreements executed by HEERF grantees, the Secretary may specify additional forms of reporting.

This referenced data collection form applies to the following HEERF categories authorized under the CARES Act, CRRSAA, and ARP:

- Student Aid (ALN 84.425E)
- Institutional Portion (ALN 84.425F)
- Historically Black Colleges and Universities (ALN 84.425J)
- American Indian Tribally Controlled Colleges and Universities (ALN 84.425K)
- Minority Serving Institutions (ALN 84.425L)
- Strengthening Institutions Program (ALN 84.425M)
- Fund for the Improvement of Postsecondary Education (ALN 84.425N)
- Proprietary Institutions Grant Funds for Students (ALN 84.425Q)

2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.

The information will be reviewed by the U.S. Department of Education (Department) to ensure that HEERF grant funds are used in accordance with applicable requirements under the HEERF grant program and will be

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shared with the public to promote transparency regarding the allocation and uses of funds. Furthermore, the information collected will be analyzed to provide aggregate statistics on institutional uses of HEERF grant funds to address the impacts of COVID-19 on students and institutions. The collection was used for a similar purpose in the first year of its administration, with reporting made public in June 2021.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or forms of information technology, e.g. permitting electronic submission of responses, and the basis for the decision of adopting this means of collection. Please identify systems or websites used to electronically collect this information. Also describe any consideration given to using technology to reduce burden. If there is an increase or decrease in burden related to using technology (e.g. using an electronic form, system or website from paper), please explain in number 12.

Data collection will be conducted through a Department-provided web portal. Electronic data collection through a web portal was chosen because of its efficiency, cost, and ability to pre-populate certain fields and conduct verification checks on others in an automated manner. The data collection web portal will leverage the existing structure for data collection set up in 2020 for CARES-specific data elements. This will create efficiencies to the extent that the proposed updated form includes questions that are the same or similar to the prior version of form. Moreover, most HEERF grantees already have accounts set up on the system and are familiar with it. The web portal was developed to align with objective 4.4 of the Department's data strategy.¹ In particular, the web portal conforms to the FAIR (Findable, Accessible, Interoperable, Re-usable) principle because it both collects and publishes data in a format consistent with these guidelines.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.

This is a unique collection that responds to reporting requirements in HEERF as authorized under the CARES Act, CRRSAA and ARP. There are no other data collections that seek this information with the exception of some questions that are similar to HEERF quarterly reporting² which requires grantees to publish (on their own websites) a subset of information on a quarterly rather than annual basis. The proposed data collection differs from the quarterly requirements because this data collection will represent the unduplicated aggregated institutional HEERF statistics (instead of just one quarter). In addition, grantees submit data directly to the Department under penalty of perjury (instead of grantees self-publishing on their own websites) and the submitted data is subject to quality checks and reviews for completeness, accuracy, and program monitoring purposes.

5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden. A small entity may be (1) a small business which is deemed to be one that is independently owned and operated and that is not dominant in its field of operation; (2) a small organization that is any not-for-profit enterprise that is independently owned and operated and is not dominant in its field; or (3) a small government jurisdiction, which is a government of a city, county, town, township, school district, or special district with a population of less than 50,000.

¹ See <https://www.ed.gov/sites/default/files/cdo/ed-data-strategy.pdf>.

² See <https://www2.ed.gov/about/offices/list/ope/heerfreporting.html/>

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Due to the burden required to complete this collection, the Department does not believe the requirements will adversely impact any institution that may meet the small entity designation.

6. Describe the consequences to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

If this collection is not allowed to proceed, the Department will not be able to fulfill the HEERF statutory reporting requirements and will not be able to effectively monitor the use of funded activities, and annual performance information will not be available for public reporting.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner:

- **requiring respondents to report information to the agency more often than quarterly;**
- **requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**
- **requiring respondents to submit more than an original and two copies of any document;**
- **requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;**
- **in connection with a statistical survey, that is not designed to produce valid and reliable results than can be generalized to the universe of study;**
- **requiring the use of a statistical data classification that has not been reviewed and approved by OMB;**
- **that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or that unnecessarily impedes sharing of data with other agencies for compatible confidential use; or**
- **requiring respondents to submit proprietary trade secrets, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.**

This information collection does not require any special circumstances.

8. As applicable, state that the Department has published the 60 and 30 Federal Register notices as required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB.

Include a citation for the 60 day comment period (e.g. Vol. 84 FR ##### and the date of publication). Summarize public comments received in response to the 60 day notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.

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If only non-substantive comments are provided, please provide a statement to that effect and that it did not relate or warrant any changes to this information collection request. In your comments, please also indicate the number of public comments received.

For the 30 day notice, indicate that a notice will be published. Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instruction and record keeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years – even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

The Department considers comments from the public when updating the currently approved forms. The Department has already published both a 60- and 30-day public comment notice in the Federal Register.

The 60-day public comment notice was published in the Federal Register on June 24, 2021--[Docket \(ED-2021-SCC-0093\)](#). Fifty-five comments were submitted during the 60-day period, the majority of which were substantive. Many of the comments addressed issues pertaining to the overall burden of the annual report, reporting data on lost revenue as an institutional expenditure category under the HEERF grant programs, reporting student data disaggregated by demographic subgroups, and comparison groups for enrollment status reporting. The responses were documented in the a “60-day Comment Response” document, which note whether and how they were incorporated in the revised form.

The 30-day public comment notice was published in the Federal Register on October 7, 2021. Twelve comments were submitted during the 30-day period, the majority of which were substantive. Comments addressed issues pertaining to the requirement to disaggregate data, the reporting of students not categorized in IPEDs, reporting of lost revenue expenditures, the retention rate measure, and instructions for completing the form. The responses, which are documented in the attached “30-day Comment Response” document, note whether and how they were incorporated in the revised form.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees with meaningful justification.

No payments or gifts will be provided to respondents.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy. If personally identifiable information (PII) is being collected, a Privacy Act statement should be included on the instrument. Please provide a citation for the Systems of Record Notice and the date a Privacy Impact Assessment was completed as indicated on the IC Data Form. A confidentiality statement with a legal citation that authorizes the pledge of confidentiality should be provided.³ If the collection is subject to the Privacy Act, the Privacy Act statement is deemed sufficient

³ Requests for this information are in accordance with the following ED and OMB policies: Privacy Act of 1974, OMB Circular A-108 – Privacy Act Implementation – Guidelines and Responsibilities, OMB Circular A-130 Appendix I – Federal Agency Responsibilities for Maintaining Records About Individuals, OMB M-03-22 – OMB Guidance for Implementing the Privacy Provisions of the E-Government Act of 2002, OMB M-06-15 – Safeguarding Personally Identifiable Information, OM:6-104 –

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with respect to confidentiality. If there is no expectation of confidentiality, simply state that the Department makes no pledge about the confidentiality of the data. If no PII will be collected, state that no assurance of confidentiality is provided to respondents. If the Paperwork Burden Statement is not included physically on a form, you may include it here. Please ensure that your response per respondent matches the estimate provided in number 12.

There are no assurances of confidentiality provided to HEERF grantees regarding this information.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. The justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

The request for information does not include any questions of a sensitive nature.

12. Provide estimates of the hour burden for this current information collection request. The statement should:

- **Provide an explanation of how the burden was estimated, including identification of burden type: recordkeeping, reporting or third-party disclosure. Address changes in burden due to the use of technology (if applicable). Generally, estimates should not include burden hours for customary and usual business practices.**
- **Please do not include increases in burden and respondents numerically in this table. Explain these changes in number 15.**
- **Indicate the number of respondents by affected public type (federal government, individuals or households, private sector – businesses or other for-profit, private sector – not-for-profit institutions, farms, state, local or tribal governments), frequency of response, annual hour burden. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable.**
- **If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burden in the table below.**
- **Provide estimates of annualized cost to respondents of the hour burdens for collections of information, identifying and using appropriate wage rate categories. [Use this site](#) to research the appropriate wage rate. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 14. If there is no cost to respondents, indicate by entering 0 in the chart below and/or provide a statement.**

Provide a descriptive narrative here in addition to completing the table below with burden hour estimates.

The HEERF instrument is targeted to a total of 4,879 institutions based on the number of grantees who reported in the prior year plus an estimate of new institutions that will need to report (e.g., new proprietary institution

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grantees that received funding under HEERF (a)(4)). The response burden by type of institution is shown in Table 1. The burden estimates reflect a 34 hour (per response) increase from the Year 1 HEERF Data Collection.⁴ The additional burden hours account for expanding the number of questions, increasing the complexity of existing questions, and the lower prior-year estimate than what was needed to complete the annual report. Adding questions and enhancing existing questions provides more detail on HEERF grantee activities and performance especially as it relates to information on equitable distribution of funding. This estimate was based on an analysis of public comments related to burden.

Based on public comments, the prior year estimates were lower than what was actually needed to complete the prior year form. In addition, commenters indicated that newly proposed data elements require many institutions to create new data infrastructure to retroactively link existing records across different data systems including financial aid data systems, institutional research data systems, and grant management data systems. For example, disaggregation of student data by subgroups and enrollment statuses of historical comparison groups will likely require more effort, in comparison with initial burden estimates, due to building necessary linkages across data systems. In the first year of reporting, for the newly proposed data elements, institutions may choose to report some of the more burdensome data elements in the next year. While this may reduce reporting burden in the first year, institutions will eventually need to report each data element for each reporting period and the hour estimate represents an average over three years.

Please ensure the annual total burden, respondents and response match those entered in IC Data Parts 1 and 2, and the response per respondent matches the Paperwork Burden Statement that must be included on all forms.

Table 1: Estimated Annual Burden and Respondent Costs Table

Information Activity or IC (with type of respondent)	Sample Size (if applicable)	Respondent Response Rate (if applicable)	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)
Public Institutions	N/A	N/A	1,778	1,778	40	71,120	\$43.96	\$3,126,435
Private Institutions	N/A	N/A	1,606	1,606	40	64,240	\$43.96	\$2,823,990
Proprietary Institutions	N/A	N/A	1,495	1,495	40	59,800	\$43.96	\$2,628,808
Annualized Totals	N/A	N/A	4,879	4,879	40	195,160	\$43.96	\$8,579,233

13. Provide an estimate of the total annual cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14.)

- **The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life); and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of**

⁴ The burden estimates for the year 1 collection were based on discussions with experts in the Office of Postsecondary Education and the number of eligible IHE recipients of HEERF funds (5,170) as of July 8, 2020.

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methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and acquiring and maintaining record storage facilities.

- **If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.**
- **Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government or (4) as part of customary and usual business or private practices. Also, these estimates should not include the hourly costs (i.e., the monetization of the hours) captured above in Item 12.**

Total Annualized Capital/Startup Cost	:	
Total Annual Costs (O&M)	:	_____
Total Annualized Costs Requested	:	

There are no capital startup costs. The information collection will not create costs associated with generating, maintaining, and disclosing or providing the information that are not already identified in question 12 of this supporting statement.

14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information. Agencies also may aggregate cost estimates from Items 12, 13, and 14 in a single table.

The **annual** costs to the Federal government, beyond the efforts normally associated with Department staff conducting monitoring, include both Federal and contractor staff time and resources totaling **\$824,666**.

The Department estimates the **annual** cost for Federal staff time at an average GS-13 level to be **\$199,665.88** which includes planning, instrument development, collection, analysis, and reporting.

The estimate assumes an average across three years, based on 4,255 hours X \$56.31 per hour in the first year (totaling \$239,599.05), plus an additional \$179,699.30 per year for the subsequent two years.

The Department also oversees a contract to support the data collection and the ESF reporting portal, which includes HEERF. The estimated **annual** contract cost for HEERF-related data collection and reporting is **\$625,000**, which includes \$825,000 in the first year in which the amended form is implemented, and \$525,000 per year in the subsequent two years.

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15. Explain the reasons for any program changes or adjustments. Generally, adjustments in burden result from re-estimating burden and/or from economic phenomenon outside of an agency's control (e.g., correcting a burden estimate or an organic increase in the size of the reporting universe). Program changes result from a deliberate action that materially changes a collection of information and generally are result of new statute or an agency action (e.g., changing a form, revising regulations, redefining the respondent universe, etc.). Burden changes should be disaggregated by type of change (i.e., adjustment, program change due to new statute, and/or program change due to agency discretion), type of collection (new, revision, extension, reinstatement with change, reinstatement without change) and include totals for changes in burden hours, responses and costs (if applicable).

Provide a descriptive narrative for the reasons of any change in addition to completing the table with the burden hour change(s) here.

	Program Change Due to New Statute	Program Change Due to Agency Discretion	Change Due to Adjustment in Agency Estimate
Total Burden		165,886	-1,746
Total Responses			-291
Total Costs (if applicable)			

This is a revision to the current collection package for the HEERF Data Collection Form.

There is a burden increase of 165,886 hours due to additional information being collected in light of the enactment of new statutes (CRRSAA and ARP), which added funds to HEERF, as well as the addition of new data elements added to better capture to what extent institutions are equitably distributing funds. This has resulted in an increase from six to 40 hours per response.

There is also a decrease in the numbers of responses and burden hours due to an adjustment in the Department's estimated number of respondents. Based on data from actual submissions to date, the Department expects the number of responses to decrease by 291 from the current estimate, with a corresponding decrease of 1,746 burden hours (291 responses x 6 hours).

Overall, these changes result in an increase in burden hours (+164,140) and a decrease in respondents (-291) compared to the currently approved collection.

16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

Institutions will be asked to respond to the information collection in the spring/summer of 2022. Data quality will be controlled and reviewed during data collection. Once the review is completed, the descriptive statistics based on this information collection will be published on the ESF Public Transparency Portal during summer/fall of 2022, and on a similar time frame in subsequent years.

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17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

The Department is not seeking this approval.