



DEPARTMENT OF EDUCATION

[Docket No.: ED-2023-SCC-0210]

Agency Information Collection Activities; Comment Request; Foreign Institution Reporting Requirements under the CARES Act

AGENCY: Federal Student Aid (FSA), Department of Education (ED).

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act (PRA) of 1995, the Department is proposing a new information collection request (ICR).

DATES: Interested persons are invited to submit comments on or before [INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: To access and review all the documents related to the information collection listed in this notice, please use <http://www.regulations.gov> by searching the Docket ID number ED-2023-SCC-0210. Comments submitted in response to this notice should be submitted electronically through the Federal eRulemaking Portal at <http://www.regulations.gov> by selecting the Docket ID number or via postal mail, commercial delivery, or hand delivery. If the [regulations.gov](http://www.regulations.gov) site is not available to the public for any reason, the Department will temporarily accept comments at ICDocketMgr@ed.gov. Please include the docket ID number and the title of the information collection request when requesting documents or submitting comments. Please note that comments submitted after the comment period will not be accepted. Written requests for information or comments submitted by postal mail or delivery should be addressed to the Manager of the Strategic Collections and Clearance Governance and Strategy Division, U.S. Department of Education, 400 Maryland Ave, SW, LBJ, Room 6W203, Washington, D.C. 20202-8240.

FOR FURTHER INFORMATION CONTACT: For specific questions related to collection activities, please contact Beth Grebeldinger, 202-377-4018.

SUPPLEMENTARY INFORMATION: The Department, in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed, revised, and continuing collections of information. This helps the Department assess the impact of its information collection requirements and minimize the public's reporting burden. It also helps the public understand the Department's information collection requirements and provide the requested data in the desired format. The Department is soliciting comments on the proposed information collection request (ICR) that is described below. The Department is especially interested in public comment addressing the following issues: (1) is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology. Please note that written comments received in response to this notice will be considered public records.

Title of Collection: Foreign Institution Reporting Requirements under the CARES Act

OMB Control Number: 1845-NEW

Type of Review: A new ICR

Respondents / Affected Public: State, local, and Tribal governments; private sector

Total Estimated Number of Annual Responses: 104

Total Estimated Number of Annual Burden Hours: 52

Abstract: The Department of Education (the Department) is requesting a new information collection, 1845-NEW, Foreign Institution Reporting Requirements under

the CARES Act, be made available for full clearance with public comment. Section 3510(a) of the CARES Act, Pub. L. No. 116-136 (March 27, 2020), authorized the Secretary of Education (Secretary) to permit a foreign institution, in the case of a public health emergency, major disaster or emergency, or national emergency declared by the applicable government authorities in the country in which the foreign institution is located, to provide any part of an otherwise eligible program to be offered via distance education for the duration of such emergency or disaster and the following payment period for purposes of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.). Additionally, under section 3510(d) of the CARES Act, the Secretary may allow a foreign institution to enter into a written arrangement with an institution of higher education located in the United States that participates in the Federal Direct Loan Program under part D of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087a et seq.) for the purpose of allowing a student of the foreign institution who is a borrower of a loan made under such part to take courses from the institution of higher education located in the United States. The CARES Act requires foreign institutions that use either type of authority described above to report such use to the Secretary. Institutions are required to report use of either distance education or written arrangements to the Department no later than 30 days after it begins offering coursework online to Direct Loan recipients. The Department must also collect specific information from a school that requests a waiver in order to determine if the school is eligible to receive the waiver. On May 12, 2020, Federal Student Aid, an Office of the Department, notified foreign institutions of the new authority and requested that any foreign institution who wished to utilize this new authority to respond with information specified in the email. This information collection was discontinued following the discontinuation of the national COVID-19 emergency status. However, due to other global situations we are now requesting a new collection to allow for the on-going use of the CARES Act waiver.

Dated: December 11, 2023.

Kun Mullan,

PRA Coordinator,

Strategic Collections and Clearance,

Governance and Strategy Division,

Office of Chief Data Officer,

Office of Planning, Evaluation and Policy Development.

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