Sample Letter to the U.S. Department of Education
Subject: Eligibility of Students at Institutions of Higher Education for Funds under the Coronavirus Aid, Relief and Economic Security Act

Docket ID: ED-2020-OPE-0078-0001

July \_\_, 2020

[Name of Organization] submits this comment in response to the U.S. Department of Education’s interim rule regarding the eligibility of students at institutions of higher education to receive federal Coronavirus Aid, Relief and Economic Security (CARES) Act relief funds, published June 17, 2020 (Federal Register No. 2020-12965).

[Name of Organization] urges the Department to rescind this interim final rule and instruct institutions of higher education to use Higher Education Emergency Relief Fund resources to provide critical support to all students regardless of citizenship status.

[Insert short paragraph describing your organization’s mission, make-up and other relevant information about why you are concerned about this particular rule].

The Department’s rule should be rescinded for the following reasons:

* The rule excludes DACA students and undocumented students who, like their peers, are experiencing financial, academic and other hardships due to the global pandemic. If these students are not able to receive critical emergency relief funds, they may not be able to purchase digital learning devices and other instructional materials, buy groceries, or cover childcare and health care costs. This could compromise their education and their ability to weather the economic downturn that is impacting all communities.
* The rule places unnecessary and harmful limitations on institutions of higher education (IHEs), including colleges, and the students they serve. Many IHEs will attempt to meet their mission to support all students and may struggle to do so with the rule’s student eligibility limits. Additionally, IHE budgets and course offerings may be impacted if students are forced to withdraw from school due to financial hardship.
* When the U.S. Congress passed the CARES Act, it did not intend for the HEERF financial aid grants to be distributed to students based on citizenship status. The Department’s interpretation of this provision is an arbitrary and capricious administrative action – it is not consistent with the letter and spirit of the law and fails to consider the real-world implications of denying critical relief funds to thousands of students during a global pandemic.

This rule affects the academic progress, social success and mental well-being of 450,000 students across the United States. Undocumented and DACA students are our nation’s future doctors, lawyers, teachers and leaders who will positively impact our economy and communities. These students and their families face unique challenges posed by the economic and public health crises. Immigrant families are more likely to have lower median incomes, limited access to health insurance and care, and jobs that do not allow them to work from home, increasing their risk of infection.

[Include information, data and anecdotes about the impact this rule will have on you personally and/or on the people with whom your organization works.]

The CARES Act was passed to provide emergency aid to the educational institutions and students who most need support during the pandemic. This rule is contrary to that purpose and [Name of Organization] urges the Department to rescind it. Many students need support, and it is unacceptable to not help during this crisis.

[Optional: Should you have any questions, please contact \_\_\_\_\_ at \_\_\_\_\_\_\_\_\_\_.]

Sincerely,
[Organization name, address and website, if applicable]