



VETERANS EDUCATION SUCCESS

July 14, 2020

Department of Education
Office of Postsecondary Education
400 Maryland Ave., SW
Washington, DC 20202
Via electronic submission

Re: Interim Final Rule on CARES Act Eligibility for Emergency Grants, Docket ID ED-2020-OPE-0078

Dear Sir/Madam:

Thank you for the opportunity to comment on the interim final rule outlining student eligibility for emergency financial grants under section 18004 of the Coronavirus Aid, Relieve, and Economic Security (CARES) Act. The interim rule limits eligibility for these emergency grants to students at institutions of higher learning who are or could be eligible for Title IV aid. We are concerned that the implementation of this rule may cause serious delay for military-connected students trying to receive these emergency grants, and may exclude some student veterans from receiving these vital grants at all.

The publication of this interim rule follows months of changing and inconsistent guidance from the Department of Education on who is eligible to receive the emergency grants under section 18004. Initially, Secretary DeVos [wrote](#) a letter to college presidents on April 9, 2020, giving them “significant discretion on how to award this emergency assistance to students.” Then, on April 21, 2020, the Department issued updated [guidance](#) restricting the aid to students who could be eligible for Title IV aid. The National Association of Student Financial Aid Administrators [noted](#) that having a student’s FAFSA on file would be the only practicable way for institutions to determine who is Title IV-eligible.

Undergraduate student veterans are less likely than non-veterans to file a FAFSA. According to the Department’s survey data in the 2016 National Postsecondary Student Aid Study, summarized in our [factsheet](#), 36 percent of undergraduate student veterans did not file a FAFSA in academic year 2015-16, compared to 29 percent of non-veterans. That same data shows that only 35 percent and 33 percent of undergraduate veterans who attended 4-year nonprofit or public institutions, respectively, filled out the FAFSA, while almost half of student veterans who attended a 2-year community college did not apply for federal aid. On May 19, 2020, we sent a [letter](#), with Student Veterans of America, to Secretary DeVos alerting her to the potential harmful consequences to military-connected students in issuing guidance that would require schools to use the FAFSA to determine who is eligible for emergency grants.

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Yet, in the interim rule notice, the Department states “institutions could encourage students who currently do not receive title IV aid to submit the Free Application for Federal Student Aid (FAFSA) in order to determine title IV eligibility.” This is impracticable and adds an unnecessary additional step to the process, further complicating what is supposed to be a swift emergency response for students who are suffering due to the COVID-19 pandemic. Student veterans who have not applied for federal aid are experiencing the same financial disruptions as students who have filled out the FAFSA. The interim rule is needlessly burdensome to both colleges and student veterans who need to access these emergency grants quickly.

Returning to the Department’s original guidance from April 9 or implementing another system ensuring that servicemembers, veterans, and their dependents are automatically eligible are two potential solutions that would alleviate this issue. The new rule as drafted leaves open the real possibility that veterans who need these emergency grants will be delayed in accessing them or potentially unable to access them at all.

Sincerely,

James Haynes
Federal Policy Manager
Veterans Education Success