

Health and Economic Recovery Omnibus Emergency Solutions (HEROES) Act

\$46.6 BILLION IN INSTITUTIONAL AND STUDENT SUPPORT

- The support provided by the CARES Act is simply not of the magnitude and scope needed to keep employees in their jobs, communities strong, and students enrolled in school.
- The higher education community, public and private and two-year and four-year, is collectively asking for an additional \$46.6 billion in grant funding for institutions and students.
- Any funding for students needs to be clearly directed to helping them pay their educational costs, including tuition, room, board and related expenses. Neither students nor institutions are well-served if colleges are used as a simple pass through in giving students cash grants without sufficient accountability to ensure the funding helps students succeed and complete college. Institutional funds also need to be available to cover our most significant economic losses.
- Our institution is facing staggering economic losses and also facing the potential for even greater losses in the coming months (*fill in with your institutional numbers*). This will not only affect our campus but our larger community.

ZERO-INTEREST FEDERAL LOANS TO INSTITUTIONS

- Continued, broad-based federal access to capital is needed to assist institutions with the recovery.
- If smaller classes enroll this fall, and students that do enroll have greater need, institutions will sustain continued operational losses from COVID-19 for the next four years.
- We hope you will provide access for higher education access to low- or zero-interest federal loans to address our sector's particular needs.
- Please make federal lending programs, such as the Paycheck Protection Program or the Main Street Lending Program, available to colleges and universities. Any programs that have a ceiling on employee numbers for eligibility should not include any student workers in the employee count.

SAFETY SHOULD BE THE PRIORITY

- Colleges cannot re-open in the fall without testing, tracing and treatment.
- As effective COVID-19 testing becomes available, colleges should be given the testing resources necessary to ensure that it is safe for all students, faculty, and staff to return to campus and that they will remain safe while on campus. Federal funding to help colleges adequately prepare and effectively execute the return of students to the classroom will protect our campuses and larger communities.
- We also need assistance to help fund the enormous costs associated with protecting our new online systems from cybersecurity attacks.

LIABILITY RELIEF

- The unprecedented nature of the COVID-19 pandemic poses unique challenges for colleges and institutions, which must consider the best way to address safety concerns across multiple settings, including dorms, classrooms, cafeterias, athletic facilities, etc.
- Reopening institutions of higher education is a critical step in reopening the American economy, and keeping students on track for attending and completing college, but institutions cannot guarantee against an outbreak.
- Higher education needs temporary, limited protection for liability from COVID-19-related lawsuits for institutions that are acting in good faith and complying with governmental policies and recommendations.
- Without limited liability protection, colleges and universities may simply not be able to afford to reopen. Students, many of whom are reluctant to continue studies online, will lose their educational footing.

UNEMPLOYMENT INSURANCE

- The CARES Act gave federal funding to states to reduce the liability of self-insured nonprofits for their COVID-19 claims with the intention of helping to mitigate the financial impact these nonprofits are experiencing.
- Subsequent Department of Labor guidance would require states to bill self-insured nonprofits 100% of their UI amounts, and only allowed for a 50% reimbursement back to the nonprofits from the states. Many private colleges self-insure, and this will be an enormous financial burden to those already struggling to deal with liquidity issues.
- Please override this guidance through a technical correction to ensure states can waive 50% of the amount owed by such employers. Senators James Lankford (R-OK) and Angus King (I-ME) recently sent a bi-partisan [letter](#) to leadership with 28 Senate colleagues asking for this problem to be addressed.