

**July 26, 2023**

**Grantee Communications: CRRSA ESSER, GEER, and EANS Obligation Deadlines and Extensions**

**CRRSA Act Obligation Deadlines**

The Department has received inquiries from States about the obligation of funds and the September 30, 2023, obligation deadline for Elementary and Secondary School Emergency Relief (ESSER) II, the Governor's Emergency Education Relief (GEER) II, and the Emergency Assistance to Non-Public Schools (EANS) I funds under the Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act. As a reminder, all ESSER II, GEER II, and EANS I funds under the CRRSA Act must be obligated by September 30, 2023. There are no exceptions, and the U.S. Department of Education does not have the authority to waive this deadline for obligations.

In light of the upcoming deadline, States have asked if funds that were previously committed for an allowable activity but are no longer needed for that purpose can be obligated for another allowable purpose. For the ESSER II, GEER II, and EANS I funds, if a State educational agency (SEA), Governor, or subrecipient, including LEAs, has obligated funds for an allowable activity and finds that some of the obligated funds will not be needed for that activity, the SEA, Governor, or subrecipient may de-obligate those funds so that they may be used for another allowable activity, provided the funds are obligated by the September 30<sup>th</sup> obligation deadline.

Specific to the funds that the State and SEA reserved under ESSER II (SEA Reserve) and GEER II, although the SEA and State were required to award those funds within a year of receiving them, if the funds are no longer needed for the original intended purpose for which the SEA or State planned to use those funds, the SEA or State may identify different allowable uses for those funds to ensure they are obligated by September 30, 2023.

Specific to the EANS I funds that were obligated by the SEA for services and assistance to non-public schools, any unobligated EANS funds must revert to the Governor, consistent with section 312(d)(6) of the CRRSA Act. If an SEA determines that not all funds will be needed for services or assistance to non-public schools, the SEA should work with the Governor's office to de-obligate (as necessary) the unneeded funds and revert them to the Governor in a timely manner. Reverted CRRSA EANS funds are available for obligation by the Governor until September 30, 2023.

The State or SEA should work with its subgrantees under each program to ensure that they are able to obligate all of their ESSER II, GEER II, and EANS I funds, including any reverted funds, by the September 30, 2023, obligation deadline. Further, unless the State or SEA has submitted and received approval for a liquidation extension, grantees must liquidate these funds within 120 calendar days after the close of the obligation period, or January 28, 2024, per 2 CFR § 200.344(b).

**CRRSA Act Liquidation Extensions**

The Department has the authority to approve liquidation extension requests based upon the specific facts and circumstances of a given obligation and upon written request of a grantee on behalf of itself or its subgrantees, in accordance with 2 CFR § 200.344(b), so long as a timely and valid obligation has been made pursuant to 34 C.F.R. § 76.707. If approved, grantees may have up to 18 months beyond the end of

the obligation period to liquidate funds. On May 5, 2023, the Department released an [updated CRRSA Act Liquidation Extension Request template](#) for grantees to utilize in the event that a request of an extended liquidation period is needed by the State or its subgrantees.

Grantees may submit requests as soon as data are available. The Department recommends submission prior to December 31, 2023, for CRRSA Act funds to minimize disruption in accessing funds in the G5 grants management system. Requests received after this date will still be reviewed.

As a reminder, if a grantee intends to submit a CRRSA Act liquidation extension for itself or its subgrantees, they must enter information related to the associated costs into the request template on the grantee or subrecipient tabs. Specific to the EANS I program, please note that non-public schools should not be listed on the subrecipient tab under the EANS I program as non-public schools were not subawarded any funds. Rather, grantees should include any related contracts or costs associated with the provision of services or assistance to non-public schools on the Grantee Information tab of the request template. The grantee should also utilize the notes column of the Grantee Information tab to delineate any specific information for the included costs, such as contract information, regional provider information, or whether the funds are EANS funds that were reverted to the Governor for allowable uses under the GEER II program.

The Department has also updated its technical FAQs for the CARES Act and CRRSA Act liquidation extension process; they are attached [here](#) for reference. Grantees are encouraged to reach out through their State mailbox (e.g., Alabama.OESE@ed.gov) with any questions related to completion of a liquidation extension request.