

SUPPORTING STATEMENT

JUSTIFICATION FOR INFORMATION COLLECTION

Procedures to Use the Child Care and Development Fund (CCDF) for Construction or Major Renovation

A. JUSTIFICATION

1. Information Collection

The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L.104-193) added a provision at 42 U.S.C. 9858m(c)(6) of the Child Care and Development Block Grant Act that allows Tribal Lead Agencies to use Child Care and Development Fund (CCDF) grant awards for construction and renovation of child care facilities. Final regulations governing this provision were issued July 24, 1998 at 45 CFR 98.84.

Under the law, a Tribal Lead Agency must first request and receive approval from the Secretary of Health and Human Services before using CCDF funds for construction or major renovation. The law also requires the Secretary to develop and implement uniform procedures for the solicitation and consideration of requests.

This information collection contains the statutorily-mandated uniform procedures. Respondents will be Tribal Child Care Lead Agencies applying to use CCDF funds for construction or major renovation. Under the procedures, responsibility for review and approval of applications is delegated to the Administration for Children and Families (ACF).

This collection updates the information collection that was originally approved in August 1997 and was last revised in January 2004. The changes in the new, updated information collection:

- Require, rather than recommend, a community assessment to document the need for construction or renovation.
- Clarify that draft architectural plans and specifications are acceptable as long as specified criteria are met.
- Clarify that an itemized cost estimate broken-down by major categories is required.
- Add a new application requirement asking Tribal Lead Agency to describe how it will provide and maintain competent and adequate oversight and inspection at the work site.
- Provide a sample Notice of Federal Interest.
- Clarify a number of application items and other requirements.

2. Purpose of Information

The information collected through the application process will be used by ACF in determining whether or not to approve a Tribal Child Care Lead Agency's request to use CCDF funds for construction or renovation.

The information will allow ACF to determine, as required by the statute, whether adequate facilities are otherwise available to a Tribal Lead Agency to carry out the CCDF program, and whether the lack of facilities will inhibit the operation of the CCDF program in the future.

In addition, the information will allow ACF to ensure, in accordance with the statute, that CCDF funds used for construction or renovation will not result in a decrease in the level of child care services provided by the tribal Lead Agency compared with the preceding fiscal year.

The application also provides other details about proposed construction and renovation projects, including information about adherence to applicable Federal laws and information necessary to protect the Federal interest in the projects.

ACF will review applications for completeness and adherence to the application requirements. Since the construction/renovation procedures were put in place in 1997, ACF has approved over \$62 million in CCDF funds for use on 125 tribal construction and renovation projects.

3. Information Technology

An electronic copy of the procedures will be made available via the Internet and, upon request, via a diskette or e-mail attachment. Applicants may submit applications via an e-mail attachment submitted to the ACF Regional Office. Applicants may need to submit some attachments in hard copy (such as architectural drawings and maps) if these materials are not available in electronic format.

4. Duplication Information

No similar information is available.

5. Small Entity Burden

This information collection will not have a significant economic impact on a substantial number of small entities. The information being required has been held to the absolute minimum required for the intended use.

6. Frequency of Information Collection

This information collection will be ongoing. Consistent with the statute, a Tribal Lead Agency may submit an application at any time (although, in order to use CCDF funds awarded in a given fiscal year on construction or major renovation, a Tribal Lead Agency must submit an application prior to July 1 of that fiscal year).

If this information collection is not conducted, Tribal Lead Agencies will be unable to use CCDF funds for construction or renovation of child care facilities. As a result, Tribal Lead Agencies would continue to suffer from a lack of appropriate facilities, and the intent of Congress to remedy this situation would be thwarted.

7. Special Circumstances

Under the proposed procedures, a Tribal Lead Agency must retain all records pertinent to the construction or renovation of a facility for a period equal to the period of the grantee's use of the facility plus three years. This requirement is consistent with the requirements for retention of records at 45 CFR 92.42, and is necessary to protect the Federal interest in property that is constructed or renovated with CCDF funds.

None of the other special circumstances apply to this information collection.

8. Consultation

The ACF's notice soliciting comments on the information collection was published in the Federal Register on July 10, 2006 at 71 FR 38888. ACF distributed the Federal Register notice to ACF Regional Offices. In addition, the Child Care Bureau consulted with the Head Start Bureau to ensure coordination with the Head Start procedures for construction and renovation.

In response to the notice, ACF received no public comments. We did not receive any comments that addressed cost and hour burden.

9. Payment to Respondents

No payments or gifts are provided to respondents.

10. Confidentiality

There is nothing of a confidential nature in the applications. No assurance of confidentiality will be provided to respondents.

11. Sensitive Nature

There are no questions of a sensitive nature.

12. Information Collection Burden

The public reporting burden for this collection of information is estimated to average 20 hours per response. This estimate includes the time for reviewing instructions, gathering and maintaining the data needed, and reviewing the collection of information.

The estimate of the reporting burden for this information collection is:

INSTRUMENT	NUMBER OF RESPONDENTS	NUMBER OF RESPONSES PER RESPONDENT	HOURS PER RESPONSE	RESPONSE BURDEN
Construction and renovation collection	10	1	20	200

Estimated Total Annual Burden Hours: 200

The burden was estimated based on experience with prior activities.

The annual cost per grantee is estimated at \$320 (20 hours x \$16 per hour). This would result in an estimated annual cost for all respondents of \$3200.

13. Annual Respondent Costs

There are no direct monetary costs to respondents other than their time to complete the application.

14. Annual Federal Costs

The annual cost to the Federal government is estimated at \$15,670. This is based on submission of 10 applications, requiring approximately 500 professional staff hours at an average of \$30 per hour (\$15,000); 40 clerical staff hours at an average of \$15 per hour (\$600); and reproduction and mailing fees of approximately \$70.

15. Program Changes/Adjustments

Not applicable.

16. Publication

The names of grantees submitting successful applications may be publicly-announced on the Child Care Bureau's web-site or possibly by other means. However, no other publication is anticipated.

17. Display of OMB-Approval Expiration Date

The Federal Register announcement will display the expiration date for the OMB-Approval.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

The information collection requirements employed in this report do not employ the use of statistical methods.