

**IMPACT AID PROGRAM
DISCRETIONARY CONSTRUCTION GRANTS
(TITLE VIII OF THE ELEMENTARY AND SECONDARY EDUCATION ACT)**

REQUEST FOR OMB APPROVAL

**SUPPORTING STATEMENT REQUIRED UNDER
THE PAPERWORK REDUCTION ACT**

JUSTIFICATION

1. Circumstances that make the collection of information necessary.

The Impact Aid Program, authorized by Title VIII of the Elementary and Secondary Education Act (ESEA), provides financial assistance to local educational agencies (LEAs) whose enrollment or revenues are adversely affected by Federal activities. The program statute was amended and reauthorized on October 30, 2000, by the Impact Aid Reauthorization Act of 2000, which was part of the Floyd D. Spence National Defense Authorization Act for Fiscal Year (FY) 2000 enacted by P.L. 106-398. That reauthorization authorized a new Discretionary Construction Grant program under Section 8007(b). Further amendments to Section 8007(b) were enacted as part of the ESEA reauthorization in January 2002.

The Impact Aid Discretionary Construction Program provides grants to eligible Impact Aid school districts to assist in addressing their school facility emergency and modernization needs. The eligible Impact Aid school districts have a limited ability to raise revenues for capital improvements because they have large areas of Federal land within their boundaries. As a result, these districts find it difficult to respond when their school facilities are in need of emergency repairs or modernization. The fiscal year 2008 appropriation provides \$17 million for this competitive construction grant program, available for obligation through FY 2009.

An application package and final rule were published for the first year of the program. In October of 2003, the Department of Education submitted a collection package with a notice of proposed rulemaking that made minor changes in the rules published for the first year of this competitive grant program as well as a new application package. The NPRM was published October 22, 2003 providing the public an opportunity to comment. Sections 222.183, 222.184, 222.185, and 222.186 of the regulation include information collection requirements. The Department has completed the Final Regulations and has attached them to this collection for OMB review and approval.

2. Purposes for which the information is used.

The Department will use the information collected in the application to determine whether applicants meet the basic eligibility requirements of section 8007(b), to determine whether the applicant is requesting an emergency or modernization grant, and to determine which of the four priorities described in the statute applies to the individual application. Among the criteria the Secretary is required to consider are the applicant's total assessed value of real property that may be taxed for school purposes, its use of bonding capacity, and the nature and severity of its need for funds. In addition, information on the application will be used to rank applications within each of the four priorities.

3. Use of information technology.

The Department of Education has developed an electronic application for this grant program, which will be available for preparing and submitting the FY 2008 applications. The software will populate certain data fields for applicants that submitted an FY 2008 Impact Aid section 8003 application, and will have built-in checks for completion of all necessary items. This software will reduce the burden on applicants of organizing and entering data that were already submitted to the Impact Aid Program, will help applicants to determine whether their LEAs meet the program's eligibility requirements, and will reduce the number of errors in applications.

4. Efforts to identify duplication.

As noted above, eligibility for this grant program relies partially on data that were already submitted in FY 2008 Impact Aid applications for section 8003. The Department has developed an electronic application that will allow certain data that are necessary for this application, but that were already submitted by an Impact Aid applicant, to be populated in the application. These data items include the applicant's identifying information and DUNS number, the applicant's FY 2008 Impact Aid survey date, and the Federal property codes that the applicant used on Tables 1 through 5 of the FY 2008 application. This will increase the accuracy of the information submitted in the applications and eliminate duplication of effort on the part of the applicants. Further, the eligibility requirements for this competitive grant are complex. Populating these data for the applicants will assist them in determining whether their LEAs may be eligible, thus possibly helping certain applicants avoid the burden of completing an application that could not be successful.

5. Collection of information involving small entities.

The respondents are LEAs and local officials. Small businesses or other small entities are not significantly impacted by this collection of information.

6. Consequence to Federal program or policy activities if the collection were

conducted less frequently.

The statute requires applicants to apply for funds. The Department would not be able to award these funds without the application to collect the required information.

7. Special circumstances that require the collection to be conducted in a manner inconsistent with the guidelines in 5 CFR 1320.5.

This application is consistent with all of the guidelines in 5 CFR 1320.5.

8. Efforts to consult with persons outside the agency.

In modifying the application package, the Impact Aid Program considered informal comments from school district officials that submitted applications, as well as observations of common errors applicants made in previous applications. Changes were made to the format of the cover page to discourage some common errors.

9. Payments or gifts to respondents.

No gifts or payments will be made to respondents other than the funds awarded under the statute.

10. Assurances of confidentiality.

There is no assurance of confidentiality provided to the respondents concerning these collections of information.

11. Questions of a sensitive nature.

There are no questions of a sensitive nature in these collections of information.

12. Cost estimates of the hour burden of the collection requirements.

Burden data estimates					
Collection	Number of Respondents	Frequency	Number of Responses	Average Hours	Total
Section 8007(b) application	180	1	180	5.25	945
Health/Safety Emergency Certification Letter	180	1	180	.75	135
TOTAL	360	1	360	3	1,080

The annual number of responses for this collection totals 360. The average number of hours/response is 3, which results in a total of 1,080 annual burden hours.

Burden cost of collections: At an average cost of \$25 per hour, the cost per response is estimated to be:

-- Section 8007(b) application	\$ 131.25
-- Health/Safety Emergency Certification Letter	\$ 18.75
Total	\$ <u>150.00</u>

13. Cost burden to respondents or record keepers from the collection of information.

There are no start-up costs for this collection.

14. Annualized cost to the Federal Government.

Section 8007(b) e-application development:	20,000.00
Analysis and processing (5 hrs./app. x \$32.09 hr. x 150 apps.)	24,067.50
Peer Review: 12 reviewers x \$1,500 (travel and stipend)	18,000.00
TOTAL	67,067.50

15. Reasons for changes in burden.

The hours burden is slightly reduced by the removal of a table and data element that required outside consultation. A budget table replaced this table, with a net change in average burden hours of .3 hours. The monetary burden to the applicant remains the

same, but the cost to the Department is decreased by an already established application system.

16. Publishing of the collection of information.

The information collected will not be published.

17. Displaying the expiration date for OMB approval.

The expiration date will be displayed on the applications.

18. Exceptions to the certification statement.

There are no exceptions to the certification statement.