

**SUPPORTING STATEMENT**  
**U.S. Department of Commerce**  
**National Institute of Standards and Technology**  
**Request for Updated Information from 2008 Unfunded Meritorious**  
**Construction Grant Program Applicants**  
**OMB Control No. 0693-XXXX**

**A. JUSTIFICATION**

**This is a request for expedited review of the information collection.**

**1. Explain the circumstances that make the collection of information necessary.**

The statutory authority for the NIST Construction Grant Program is the American Recovery and Reinvestment Act of 2009 (Recovery Act) (Public Law 111-5). Additional information on the program was provided on page 418 of the Conference Report to accompany House Report 111-16 (Feb. 12, 2009): “. . . \$180,000,000 shall be for the competitive construction grant program for research science buildings, including fiscal year 2008 and 2009 competitions.”

The Recovery Act NIST Construction Grant Program (Program) is a competitive financial assistance (grant) program for research science buildings through the construction of new buildings or expansion of existing buildings. For purposes of this program, “research science building” means a building or facility whose purpose is to conduct scientific research, including laboratories, test facilities, measurement facilities, research computing facilities, and observatories. In addition, “expansion of existing buildings” means that space to conduct scientific research is being expanded from what is currently available for the supported research activities.

**Consistent with the Conference Report language NIST intends to issue grant awards to unfunded meritorious proposals submitted under the fiscal year 2008 competition. This request is for the information collection requirements associated with requesting updated information from the unfunded meritorious 2008 applicants.** The intent of the collection is to meet programmatic requirements, as well as compliance with 15 C.F.R. Part 14.

To comply with these Recovery Act requirements, the FY 2008 proposals under consideration with Recovery Act funds are subject to an additional Selection Factor, “shovel readiness.” This factor may be applied by the Selecting Official to select proposals out of rank order based on the likelihood that they will (1) stimulate local economies through the creation or retention of jobs for work in U.S. jurisdictions, and (2) yield significant program benefits.

Accordingly, projects are expected to be those where feasibility studies and/or other baseline information required for a design are available, where required consultations and permits, if not in-hand, are either in progress or there is reasonable assurance provided that they can be attained

quickly, and where National Environmental Policy Act (NEPA) analysis and any environmental permits and authorizations are finished or can be expeditiously completed, so that projects can be implemented shortly after funding is made available.

**2. Explain how, by whom, how frequently, and for what purpose the information will be used. If the information collected will be disseminated to the public or used to support information that will be disseminated to the public, then explain how the collection complies with applicable NIST Information Quality Guidelines.**

NIST will request the information from the unfunded meritorious applicants from the 2008 NIST Construction Grant Program competition. This is a one time collection and the information will be reviewed to make final selections of funding recipients and issuance of grant awards.

The information collected is essential for NIST to be able to perform the appropriate review of updated information to determine if a project should be selected for funding.

This information collection and dissemination will comply with the NIST Information Quality Guidelines and Standards.

**3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological techniques or other forms of information technology.**

The updated information may be submitted electronically via e-mail.

**4. Describe efforts to identify duplication.**

The Program was funded for the first time in fiscal year 2008. Additional funding has been made available in fiscal year 2009 under the Recovery Act. NIST needs to accomplish the goals and objectives of the program. There are no other collections that gather similar information. The information requested is unique to the unfunded meritorious applicants. No duplication of effort exists with other Federal government information collection efforts.

**5. If the collection of information impacts small businesses or other small entities, describe the methods used to minimize burden.**

Not applicable. The collection of information under this program has no impact on small businesses or other small entities as they are not eligible to participate.

**6. Describe the consequences to the Federal program or policy activities if the collection is not conducted or is conducted less frequently.**

If the collection is not conducted, NIST will not be able to make final selections of funding recipients and issue grant awards. NIST would not be able to accomplish its mission without obtaining updated information to a previously submitted proposal and make awards in accordance with the authorizing legislation.

**7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.**

The proposed collection of information will be conducted in a manner that is consistent with OMB guidelines.

**8. Provide a copy of the PRA *Federal Register* Notice that solicited public comments on the information collection prior to this submission. Summarize the public comments received in response to that notice and describe the actions taken by the agency in response to those comments. Describe the efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and record keeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.**

A *Federal Register* Notice will be submitted to solicit public comments on this information collection. The public will be requested to send comments to the OMB Desk Officer.

**9. Explain any decisions to provide payments or gifts to respondents, other than remuneration of contractors or grantees.**

Respondents whose proposals are selected for funding receive awards using the grant financial assistance-funding instrument. No other payments or gifts are provided to respondents.

**10. Describe any assurance of confidentiality provided to respondents and the basis for assurance in statute, regulation, or agency policy.**

The government will protect confidential/proprietary information on business operations and trade secrets possessed by any applicant to the full extent of the law. Such information will be withheld from disclosure pursuant to the following statutes:

- a. Trade Secrets Act – 18 U.S.C. § 1905  
([http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=browse\\_usc&docid=Cite:+18USC1905](http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=browse_usc&docid=Cite:+18USC1905)).
- b. Freedom of Information Act (FOIA) – 5 U.S.C. § 552(b)  
([http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=browse\\_usc&docid=Cite:+5USC552](http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=browse_usc&docid=Cite:+5USC552)).

- c. Economic Espionage Act – 18 U.S.C. § 1832  
(<http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=usc&docid=Cite:+18USC1832>).

**11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.**

Not applicable.

**12. Provide an estimate in hours of the burden of the collection of information.**

The burden hours for the collection of information are estimated at approximately 18 based on approximately 18 applicants at 1 hour per applicant.

**13. Provide an estimate of the total annual cost burden to the respondents or record-keepers resulting from the collection of information (excluding the value of the burden hours in Question 12 above).**

None as it is anticipated that the applicants will submit their updated information electronically and thus will not incur any duplicating costs.

**14. Provide estimates of annualized cost to the Federal government.**

The estimate of annualized cost to the Federal government for the review of the updated information is \$783 (using a loaded wage rate of \$87 per hour for professional time x 9 hours (½ hour per submission)).

**15. Explain the reasons for any program changes or adjustments.**

Not applicable. This is a new collection of information.

**16. For collections of information whose results will be published, outline the plans for tabulation and publication.**

Not applicable. The information collected will not be published for statistical use.

**17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons why display would be inappropriate.**

Not applicable. Expiration date will be displayed on forms.

**18. Explain each exception to the certification statement.**

Not applicable.

**B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS**

This collection of information does not employ statistical methods.