

Supporting Statement for Uniform Administrative Requirements for Grantors and Cooperative Agreements to State, Local, and Tribal Governments

A. Justification

1. Circumstances Making the Collection of Information Necessary

This is a request for a renewal of an existing Information Collection Request (ICR) due to expire July 31, 2009. This ICR authorizes the collection of information under the Department of Health and Human Services' regulation at 40 CFR Part 92, "Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments." This regulation, which implements OMB Circular A-102, includes the management requirements for States, local governments, and Indian Tribal governments. This regulation includes only those provisions mandated by statute or OMB Circulars. On March 12, 1987, the President signed a memorandum directing all affected Executive Departments and agencies to simultaneously issue a common rule that adopts Governmentwide terms and conditions for grants to State and local governments. The common rule sets forth the pre-award, post-award, and after-the-grant requirements. The information requirements have been in OMB Circular A-102 since 1971 and consequently subject to continuing comment by grantees. The legal authority for this information collection is 5 U.S.C 301.

2. Purpose and Use of Information Collection

The information is necessary because of the information collection and reporting requirements included in HHS regulation 45 CFR Part 92. This regulation implements OMB Circular A-102, and sets forth the pre-award, post-award, and after-the-grant requirements. This information is needed by HHS staff in order to manage the award and administration of assistance awards to State, local and Indian tribal governments.

The information is used to evaluate and select applications for grants, to monitor progress of grantees, to verify compliance with grant conditions, and to closeout accounts.

3. Use of Improved Information Technology and Burden Reduction

There is no improved technology that would reduce burden. In consideration of Federalism, reporting and recordkeeping is kept to a minimum, especially for State

grantees.

States are required to follow the same financial, property and procurement rules and procedures as they would when spending their own State funds. Local and other governmental recipients are required to follow minimum, uniform, generic management standards.

4. Efforts to Identify Duplication and Use of Similar Information

There is no other source for this information.

5. Impact on Small Businesses or Other Small Entities

The information requirements do not pertain to small business or other small entities.

6. Consequences of Collecting the Information Less Frequent Collection

Less frequent collection of this information would make it impossible to account for the uses to which Federal appropriations are put. HHS staff would not be able to oversee the programmatic and financial performance of its assistance awards without this information.

The uniform administrative requirements require respondents to maintain records as required by statute or OMB circulars. The regulation also requires performance and financial reporting on an annual, quarterly or semi-annual basis, as directed by the HHS awarding office. The regulation also requires other financial reports to be used, when necessary, to monitor cash advanced to grantees and to obtain disbursement or outlay information for each grant from grantees. The regulation requires HHS grant recipients to use standard forms prescribed by OMB. Reporting frequency is determined by HHS agencies consistent with their program needs, while placing the minimum burden on grant recipients.

These reporting requirements have been prescribed by OMB through the rulemaking process. HHS cannot reduce the burden, unless directed by OMB, and subsequent rulemaking.

7. Special Circumstances Relating to the Guidelines of 5 CFR 1320.5

There are no special circumstances in this collection. The request fully complies with the regulation

8. Comments in Response to the Federal Register Notice/Outside Consultation

A 60-day Federal Register Notice was published in the *Federal Register* on June 29, 2009, vol. 74, No.123; p. 31035. There were no public comments. See Attached 60-day FRN.

All of the basic information requirements under these regulations have already been subject to considerable comment by recipients through OMB’s revisions to OMB Circular A-102. Most of the recipient burden involves completing Federal Standard forms such as the SF-269, SF 272, SF 424, etc. HHS participates in the Grants Policy Committee and its various workgroups that are currently engaged in Government-wide grants streamlining efforts. This activity includes reviewing current administrative requirements and engaging the public through Federal Register notices and public meetings.

9. Explanation of any Payment/Gift to Respondents

No payments will be made for this collection.

10. Assurance of Confidentiality Provided to Respondents

No confidentiality is provided; however this collection does not consist of identifiable information.

11. Justification for Sensitive Questions

No sensitive information is collected.

12. Estimates of Annualized Burden Burden Hours (Total Hours & Wages)

The annual public reporting and recordkeeping burden for this collection of information is estimated to average 70 hours per grantees

12A. Estimated Annualized Burden Hours

Type of Respondent	Number of Respondents	Number of Responses per Respondent	Average Burden hours per Response	Total Burden Hours
State, local and Tribal Governments	4,000	1	70	280,000

12B. Cost Estimate:

Type of	Total	Hourly	Total
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Respondent	Burden Hours	Wage Rate	Respondent Costs
State, local and Tribal Governments	280,000	\$18/ hr	\$5.04M

13. Estimates of other Total Annual Cost Burden to Respondents or Recordkeepers/Capital Costs

The collection does not result in additional costs to grantees because the information would be maintained by State and local governments as a result of their own operations. Furthermore, HHS pays grantees the indirect costs resulting from grants.

14. Annualized Cost to Federal Government

Estimated Federal costs: 4000 grantees x 25 hrs. x \$24/hr. = \$2.4 million.

15. Explanation for Program Changes or Adjustments

There is no program change.

16. Plans for Tabulation and Publication and Project Time Schedule

No publication of results will be made.

17. Reason(s) Display of OMB Expiration Date is Inappropriate

Not applicable.

18. Exceptions to Certification for Paperwork Reduction Act Submissions

Not applicable.