

**SUPPORTING STATEMENT FOR
PAPERWORK REDUCTION ACT SUBMISSION**

OMB No. 1810-0036

**IMPACT AID PROGRAM
APPLICATION FOR SECTION 8002 ASSISTANCE**

A. Justification

Q1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.

A1. The U.S. Department of Education revised the regulations for the Impact Aid Section 8002 Program. These regulations clarify and improve the administration of payments under section 8002 of the Act relating to the Federal acquisition of real property. The application for Impact Aid Payments for Federal Property is used by Local Educational Agencies (LEAs) that have lost taxable property due to Federal activities to request financial assistance. Regulations for the Impact Aid Program are found at 34 CFR 222.

The statute and regulations for this program require a variety of data from applicants annually to determine eligibility for the grants and the amount of grant payment under the statutory formula. The proposed regulations describe specific procedures that must be used by the local taxing official in estimating the assessed value of the Federal property in the school district. This estimate is reported on Table 1 of the Section 8002 application. The application forms included in this package reflect changes to Table 1, consistent with the NPRM.

The least burdensome method of collecting this required information is for each applicant to submit these data through a web-based electronic application hosted on the Department of Education's e-Grants website.

Both the Section 8003 and Section 8002 applications were previously approved under OMB 1810-0036. To facilitate more efficient clearance processes for both applications this year and in future years, the Department has separated these two applications into two paperwork approval packages. The Section 8003 application was approved under the OMB 1810-0687. An extension of the current Section 8002 application was also submitted under 1810-0036 as a contingency, and was approved, should the final regulations and the revised application discussed in this package not be approved in time for the FY 2010 application cycle.

Q2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.

A2. 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 statute and implementing regulations (34 CFR Part 222) require information from applicants annually to determine eligibility for and the amount of payments. The least burdensome method of collecting this required information is for each applicant to submit it as part of its annual Impact

Aid application, previously approved under OMB 1810-0036. ED is now requesting a three year approval of the revision to this regular collection.

Q3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or forms of information technology, e.g. permitting electronic submission of responses, and the basis for the decision of adopting this means of collection. Also describe any consideration of using information technology to reduce burden.

A3. Impact Aid Program Section 8002 applications are prepared and submitted through an e-application on the e-grants.ed.gov website. The e-application offers recurring LEA applicants significant advantages in preparing the application because it pre-populates much of the LEA's identifying information and Federal property data. The e-application automatically checks for completion of all necessary items and includes arithmetic checks for table subtotals and the application total. This software reduces the number of errors in applications submitted to ED.

Q4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use of the purposes described in Item 2 above.

A4. The information requested under these collections is not duplicated in any other data collection, is unique to this program and the particular applicants, and is intended to serve specific purposes mandated by the statute.

Q5. If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I), describe any methods used to minimize burden.

A5. Small businesses are not impacted by this data collection. Approximately 150 small local education agencies complete this application. The new rule is designed to clarify and standardize the reported information to minimize the burden for all applicants.

Q6. Describe the consequences to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

A6. The statute requires applicants to apply for funds annually and authorizes the payment of funds based upon those annual applications. Without the annual information, the Department would not be able to disburse these funds efficiently and accurately.

Q7. Explain any special circumstance that would cause an information collection to be conducted in a manner:

- *requiring respondents to report information to the agency more often than quarterly;*
- *requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;*
- *requiring respondents to submit more than an original and two copies of any document;*
- *requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;*
- *in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;*
- *requiring the use of a statistical data classification that has not been reviewed and approved by OMB;*
- *that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or*
- *requiring respondents to submit proprietary trade secrets, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality*

to the extent permitted by law.

A7. The regulations do not require the information collection to be conducted in a manner inconsistent with the requirements of 5 CFR 1320.5.

Q8. If applicable, provide a copy and identify the date and page number of publication in the FEDERAL REGISTER of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.

Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instruction and record keeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years - even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

A8. There were no public comments on the burden estimates for this package.

Q9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

A9. The information collection does not require gifts or payments to be made to respondents.

Q10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulations, or agency policy.

A10. The information collection requires no assurance of confidentiality.

Q11. 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. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

A11. The information collection does not include any questions of sensitive nature.

Q12. Provide estimates of the hour burden of the collection of information. The statement should:

- Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.*
- If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB Form 83-I.*

- Provide estimates of annualized cost to respondents of the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 14.

A12. Estimated hour burden for the collection of information. We estimate that it will require 6 hours per respondent one-hour for the school district official to complete tables 2, 3, and 4 and coordinate the submission, as well as five hours for the local tax official to develop an estimated assessed value for the Federal property, and complete and certify Table 1.

Estimates of annualized burden to respondents.

Burden data estimates					
Collection	Number of Respondents	Frequency	Number of Responses	Average Hours	Total
Section 8002 application (Tables 1 – 4)	250	1.0	250	6.00	1,500.00
TOTAL	250	1.0	250	6.00	1,500.00

Burden cost of collections: At an average cost of \$30 per hour, the cost per response is estimated to be:

-- Section 8002 application	\$ 30.00
	<u>x 6</u>
Total	\$180.00

LEA Respondents

Estimating respondent costs at an average of \$30/hour for school staff and local tax officials organizing the data, and completing the application:

- \$30/hour x 1,500 hours = **\$45,000** per year

Annual Total Costs

Total estimated annual cost to the public of this collection is **\$45,000**.

Q13. Provide an estimate of the total annual cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14.)

- The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life); and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.

- If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.
- Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.

A13. The only costs to respondents are those shown above for staff time for data collection and reporting. There should be no costs beyond those covered under customary and usual business practices.

Q14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information. Agencies also may aggregate cost estimates from Items 12, 13, and 14 in a single table.

A14. Estimated Annualized Federal Cost of Collection

Federal costs associated with this collection of information are generally those normally associated with Department staff conducting application review.

Application Preparation						
Preparing and mailing instructions	Hours per Application	Total Hours	Wage Rate for Personnel¹	Total Personnel Cost	Other Costs Copy & Mailing	Total Cost
250	.25	62.50	\$33.54	\$2,096.25	\$1,000	\$3,096.25

Application Receipt and Logging						
Rec'v Signatures	Hours per Application	Total Staff Hours	Wage Rate for Personnel	Total Personnel Cost	Fax & Printing Costs	Total Cost of Review
250	.25 hours	62.50	\$33.54	\$2,096.25	\$2,000	\$4,096.25

Application Review	Review	Total Hours	Wage Rate for Personnel	Total Personnel Cost	Other Costs	Total Cost of Review
250	2 hours	500	\$39.88	\$19,940.00	0.00	\$19,940.00

Total \$27,132.50

¹

2008 Pay rate for a GS-12/ 1 = \$33.54

2008 Pay rate for a GS-13/1 = \$39.88

Q15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I.

A15. There is no burden change.

Q16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

A16. The collection of information does not require publication of the information or use of complex analytical techniques.

Q17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

A17. The OMB approval number will be displayed on the forms.

Q18. Explain each exception to the certification statement identified in Item 20, "Certification for Paperwork Reduction Act Submissions," of OMB Form 83-I.

A18. There are no proposed exceptions to the certifications.

Q19. Collections of Information Employing Statistical Methods

A19. The collection does not require that statistical methodology be employed.