

2010 - SUPPORTING STATEMENT

7 CFR PART 1942-G, RURAL BUSINESS ENTERPRISE GRANTS AND TELEVISION DEMONSTRATION GRANTS OMB No. 0570-0022

A. Justification

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

Section 310B of the Consolidated Farm and Rural Development Act (as amended), authorizes the Rural Business Enterprise Grant (RBEG) program to facilitate the development of small and emerging private businesses, industry, and related employment for improving the economy in rural communities. Television Demonstration Grants (TDG) are available to statewide, private nonprofit, public television systems to provide information on agriculture and other issues of importance to farmers and other rural residents.

7 CFR 1942, Subpart G is a Rural Business-Cooperative Service (RBS) regulation which covers the administration of this program including eligibility requirements and evaluation criteria to make funding selection decisions.

The reporting burden to be cleared with this request includes the submission of a grant application; documentation to support selection priority points such as evidence of experience, commitment by other funding sources, evidence of loans are needed, commitment by business of jobs created or saved, and evidence that the proposed project is covered by a plan; and reporting requirements after grant approval.

2. 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.

The various forms and narrative requirements contained within this regulation are collected from applicants, who are public bodies and private nonprofit organizations. This information is for determining such factors as: (1) eligibility; (2) the specific purposes for which grant funds will be utilized; (3) time frames or dates by which actions surrounding the use of funds will be accomplished; (4) who will be carrying out the purposes for which the grant is made; (5) project priority; (6) applicants experience in administering a rural economic development program; (7) employment improvement; and (8) mitigation of economic distress of a community through the creation or salvation of jobs or emergency situations. This information is collected in the process of developing the full application and is gathered in the RBS field offices.

Grant selection priority points will be provided for applicants based on evidence of experience, commitment by small business, commitment by other funding sources, evidence that loans are needed, commitment by business of jobs created or saved, and evidence the proposed project is covered by a plan.

The program has not been funded since FY 2006 and no funds have been allocated under the appropriations for the last four fiscal years. The likelihood of funding in future years is not known. However, because this regulation would be needed to process these grants should the

program be funded in the future, the Agency felt it should be prepared by extending the clearance of this regulation. We understand that a burden must be reported in order to administer a program once any funds are appropriated. A summary of the reporting burden to be cleared with this request is described as follows:

REPORTING REQUIREMENTS – NO FORMS

Evidence of Experience

The applicant must provide evidence of at least 5 years of successful experience in the type of activity proposed in the application. Evidence of successful experience must be in writing and may be (1) a description of experience supplied and certified by the applicant, or (2) a letter of support from appropriate local elected officials explaining the applicant's experience.

Estimate 720 respondents for a total of 720 burden hours.

Evidence of Commitment by a Small Business

The applicant must provide evidence that small business development will occur by startup or expansion as a result of the activities to be carried out under the grant. This evidence must be in the form of a written commitment by the small business with details on its startup or expansion plans.

Estimate 720 respondents for a total of 720 burden hours.

Evidence of Commitment by Other Funding Sources

The applicant must provide evidence that a substantial commitment of funds from non-Federal sources will be available for the project. An authorized representative of the source organization of the non-Federal funds must provide written evidence that the funds available will be used for the proposed project.

Estimate 540 respondents for a total of 270 burden hours.

Evidence Loans are Needed

For a grant to establish a revolving loan fund, the applicant must provide specific written documentation through loan applications or letters from small businesses to evidence that loans are needed by small and emerging businesses in the project area.

Estimate 130 respondents for a total of 65 burden hours.

Commitment by Business of Jobs Created and Saved

The number of jobs to be created and/or saved by the proposed project must be evidenced in writing from the business to be assisted.

Estimate 720 respondents for a total of 720 burden hours.

Evidence Project is Covered by a Plan

The applicant must provide evidence that the proposed project is consistent with economic development plans for the area. Appropriate plan references and copies of appropriate sections of the plan, as well as plan adoption by appropriate governmental officials should be provided.

Estimate 720 respondents for a total of 720 burden hours.

Narrative on Selection Priorities

Applicants for RBEG/TDG grants are asked to provide a brief narrative which would include items such as: proposed service to be provided/projects to be funded, data on economic conditions, data on who the grantee will serve, and the grantee's experience in providing the proposed service, need for a revolving fund, grantees financial ability to administer a revolving loan fund, other funds available to leverage funds made available by this program. This information will be used by RBS to determine the priority score of the proposed project. Estimate 720 respondents for a total of 2,880 burden hours.

Plan to Provide Financial Assistance to Third Parties

The plan to provide financial assistance to third parties from a revolving fund established, in part, with RBEG/TDG grant funds will provide RBS with information regarding the project to be financed, sources of all non-RBEG/TDG funds, amount of technical assistance, purpose of loans/grants, number of jobs to be created or saved with each project, project priority, and length of time for completion of each project, and other relevant information. This information will be used to ensure that loans made as a direct result of grant funds are being utilized in accordance with RBS regulations, include EEO laws, environmental regulations and will help ensure that the objectives and purpose of the grant program are met. Estimate 130 respondents for a total of 2,080 burden hours.

Scope of Work

The scope of work will be prepared by the applicant and will be used for applications involving a purpose other than a construction project. It will explain the proposed use of grant funds, time frames for actions, key personnel to be utilized, use of other than RBEG/TDG grant funds, etc., and will be used to monitor what is accomplished by the grantee. Estimate 130 respondents for a total of 5,200 burden hours.

Budget

For technical assistance and television demonstration program projects, the applicant must provide a written scope of work which includes a budget with a breakdown of salaries fringe benefits, consultant costs, indirect costs, and other appropriate direct costs for the project. Estimate 411 respondents for a total of 822 burden hours.

Intergovernmental Consultations

This consultation is required in accordance with Executive Order 12372. Estimate 540 respondents for a total of 1,080 burden hours.

Appraisal Report

Appraisal reports will be supplied to determine the fair market value of land being purchased with grant funds. Estimate 72 respondents for a total of 288 burden hours.

Request for Appeal

This is a letter from the grantee requesting a review of any adverse decision made by RBS, which affects the borrower or lender. Estimate 130 respondents for a total of 65 burden hours.

Evidence of Fidelity Bond Coverage

Fidelity bonds are required for an amount equal to the greatest amount of funds on hand by the grantee. This is to assure that if funds are somehow lost, stolen, misappropriated, etc., that the actual loss to the grantee will be mitigated and that purposes of the grant will continue. Estimate 411 respondents for a total of 411 burden hours.

Project Performance Report

Applicants are required to submit project performance reports in accordance with 7 CFR 3015, 3016 and 3019. These reports are necessary to monitor the appropriate use of the grant funds. The project performance report shall include but need not be limited to:

1. A comparison of actual accomplishments to objectives established for that period;
2. Reasons why established objectives were not met;
3. Problems, delays, or adverse conditions which will materially affect attainment of planned project objectives, prevent the meeting of time schedules or objectives, or preclude the attainment of project work elements during established time periods. This disclosure shall be accompanied by a statement of the action taken or contemplated to resolve the situation;
4. Objectives established for the next reporting period;
5. Status of compliance with any special conditions on the use of grant funds.

Estimate 411 respondents for a total of 3,288 burden hours.

Audit Report

The audit requirements only apply to the year(s) in which grant funds are expended. Grantees expending \$300,000 or more of Federal assistance per year must submit an audit in accordance with the requirements of OMB Circular A-133 as codified in 7 CFR 3052.

Estimate 25 respondents for a total of 150 burden hours.

REPORTING REQUIREMENTS – FORMS

AD-1049 “Certification Regarding Drug-Free Workplace Requirements (Grants) Alternative I – For Grantees Other Than Individuals”

This form will be executed by the applicant no later than grant closings to certify that the Drug-Free Workplace requirements will be met. The use of this form complies with 7 CFR 3017.

Estimate 411 respondents for a total of 103 burden hours.

Form AD-1047, “Certification Regarding Debarment, Suspension, and Other Responsibility Matters - Primary Covered Transactions”

This form certifies that the applicant is not presently debarred, suspended, or voluntarily excluded from covered transactions by any Federal department or agency.

Estimate 411 respondents for a total of 103 burden hours.

Form AD-1048, “Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions”

This form certifies that lower tier participants are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation by any Federal department or agency.

Estimate 411 respondents for a total of 103 burden hours.

SF-270 “Request for Advance or Reimbursement”

This form will be submitted by the grantee and used by RBS to disburse grant funds. The use of this form complies with 7 CFR 3015.

Estimate 411 respondents for a total of 4,932 burden hours.

Standard Form LLL, “Disclosure of Lobbying Activities”

All applicants are required to complete this form, regardless of their involvement in lobbying activities.

Estimate 411 respondents for a total of 66 burden hours.

REPORTING REQUIREMENTS – FORMS APPROVED UNDER OTHER OMB NUMBERS

RD 1940-20, “Request for Environmental Information”

The applicant is required to submit RD-1940-20 to inform the Agency of any environmental impacts that could affect the proposed project.

Estimate 411 respondents for a total of 206 burden hours.

Form 449-22, “Certification of Non Relocation and Market Capacity Information Report”

This form is required if the applicant is going to employ more than 50 employees and propose to transfer its business to another area.

Estimate 0 respondents for a total of 0 burden hours.

SF-424 “Application for Federal Assistance”

This form will be utilized for applications for the program. Applicants for RBEG/TDG grants are initially requested to utilize a pre-application to provide detailed information for RBS to use in determining eligibility and priority for available funds. The information will be utilized by RBS to determine that applicants meet the eligibility criteria mandated by law and have the capability and resources to carry out the proposed projects.

The application and related information will be used by RBS to approve RBEG/TDG grants. The applicants are asked to provide a minimum amount of additional information with their applications.

Estimate 720 respondents for a total of 1440 burden hours.

RD 1942-46, “Letter of Intent to Meet Conditions”

The applicant signs this form to certify that it understands all of the conditions discussed in the Letter of Conditions and provides a deadline date to meet all of conditions.

Estimate 411 respondents for a total of 411 burden hours.

Form RD 400-1, “Equal Opportunity Agreement”

All applicants and recipients are required to complete this form to comply with Equal Opportunity requirements.

Estimate 411 respondents for a total of 103 burden hours.

Form RD 400-4, “Assurance Agreement”

All applicants and recipients are required to complete this form to comply with Civil Rights Acts and laws.

Estimate 411 respondents for a total of 103 burden hours.

SF-425 “Federal Financial Report”

This form will be used by RBS to monitor quarterly the financial status of the grantee. The use of this form complies with 7 CFR 3015 and 3019. This form replaces SF-269 and SF-272.

Estimate 411 respondents for a total of 2,466 burden hours.

RD 1951-4, “Report of IRP/RDLF Lending Activity”

The grantee will submit this form on a quarterly basis until all funds have been loaned out and then submitted semiannually thereafter. RBS will use this form to monitor the operation of the revolving loan fund.

Estimate 300 respondents for a total of 300 burden hours.

RECORDKEEPING REQUIREMENTSFinancial Records

Grantees must maintain financial management systems and retain financial records in accordance with standards prescribed in 7 CFR 3015 and 3016, as appropriate, in accordance with terms and conditions of the grant. Grantee records must include an accurate accounting and must document how these funds are used.

Estimate 411 respondents for a total of 1,233 burden hours.

Property Records

Grantees must maintain property records in accordance with standards prescribed in 7 CFR 3015 and 3016, as appropriate, in accordance with terms and conditions of the grant.

Estimate 411 respondents for a total of 1,233 burden hours.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g. permitting electronic submission of responses, and the basis for the decision for adopting this means of collection.

There is no electronic collection of information required by the RBEG regulation at this time. Applicants can apply through Grants.Gov. However, the Agency does not allow electronic submission of applications packages to the State Office. This means that applicants can get forms from the website and complete them but a hard copy must be sent to the State Office.

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

The Agency has reviewed all grant programs it administers to determine which programs may be similar in intent and purpose. The Agency has two grant programs where an applicant could simultaneously apply for funding. If there was a simultaneous participation in more than one Agency grant program, the Agency would make every effort to accommodate the requests within the same set of applications and processing forms. This effort is presently facilitated by assignment of management of these programs to the same program area of responsibility. If a grantee is applying for or receiving a grant from another Federal agency the forms and documents furnished the other Agency would be utilized to the extent possible.

5. If the collection of information impacts small businesses or other small entities (item 5 of OMB Form 83-1), describe any methods used to minimize burden.

As stated in 4, if similar information is available within RBS or another agency, every effort would be made to utilize that information as is or in an appropriately modified form for this program.

The information to be collected is in a format to minimize the paperwork burden on small businesses and other small entities. The information collected is the minimum needed by the Agency to approved grants and monitor the grantee performance.

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

If the information were not collected, RBS would not be able to determine: a) the eligibility of applicant/projects and authorized use of grant funds; (b) whether applicable laws and regulations are complied with; and (c) the feasibility of the project. If the collection of information were conducted less frequently, it could have an adverse effect on the Agency's ability to administer the grant program.

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

a. Requiring respondents to report information more than quarterly.

There are no information requirements that require specific reporting on more than a quarterly basis.

b. Requiring written responses in less than 30 days.

There are no information requirements that require specific reporting in less than 30 days.

c. Requiring more than an original and two copies.

There are no information requirements that require more than an original and two copies.

d. Requiring respondents to retain records for more that 3 years.

The regulation 7 CFR 1942, Subpart G, Attachment 1 requires that financial records, supporting documents, statistical records, and all other records pertinent to the grant shall be retained for a period of at least 3 years after the grant closing. The exception that

records shall be retained beyond the 3-year period is if audit findings have not been resolved.

e. Not utilizing statistical sampling.

There are no such requirements.

f. Requiring use of statistical sampling which has not been reviewed and approved by OMB.

No such requirement exists.

g. Requiring a pledge of confidentiality.

There are no such requirements.

h. Requiring submission of proprietary trade secrets.

There are no such requirements.

8. If applicable, identify the date and page number of publication in the Federal Register of the agency's notice soliciting comments on the information collection. Summarize public comments received and describe actions taken by the agency in response to these comments. Describe 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, reporting format (if any), and on data elements to be recorded, disclosed, or reported.

A Federal Register notice for proposed collection was published on November 23, 2009 [Vol. 74 FR 61103]. No comments were received.

The information collection contained herein and the estimates of the associated public burden were discussed with the following potential respondents:

- (1) Robert Gribben
Fairmont Community Development Partnership
(304) 366-7600
- (2) John Kibler
Scott County Economic Development Authority
(276) 386-2525
- (3) Ethan Park
Vermont Housing and Conservation Board
(802) 828-3250

These eligible applicants and recipients did not believe the paperwork or reporting process was neither difficult nor more burdensome than other Federal programs.

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

No payments or gifts are provided to respondents.

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

No assurance of confidentiality is provided to applicants and grantees. Request for and release of records and informant is handled in accordance with the Privacy Act of 1974.

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

There will be no collection of any information that would be considered sensitive in nature or commonly considered private.

12. Provide estimates of the hour burden of the collection of information.

See attached spreadsheet for breakdown. The total amount of annual responses is 13,928, which is an increase from last submission. The total estimated burden hours are 26,943.

13. Provide an estimate of the total annual cost burden to respondents or record keepers resulting from the collection of information.

There are no capital/startup or operation/maintenance costs associated with this collection.

14. Provide estimates of annualized cost to the Federal Government.

The cost to the Federal Government to collect and evaluate this information is estimated to be \$1,554,480. An average wage of \$30 per hour for federal employees compiling the information was used. The cost to the Government is broken down as follows:

Activity	Number	No. of hours	Rate	Total
Review pre-application materials/eligibility determination	720	40	30	\$864,000
Process application/determine funding priority	411	40	30	\$493,200
Approve grant and obligate funds	411	8	30	\$98,640
Servicing/grant closing	411	8	30	\$98,640
TOTAL				\$1,554,480

The reviews, processing and servicing are typically completed by GS-11 and GS-12 specialist and GS-13 program directors. The GS-5/7 state technician typically does the data entry in the computer system. Staff time will vary with appropriation levels because the amount of available resources does affect how many applicants will apply and need evaluation for funding, how many projects will need monitoring and servicing. This estimated cost is based on applications received and grants approved and serviced.

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

This submission reflects an increase in burden 7,464 hours. This increase is a result of accounting for burden for the use of SF-270, SF-LLL, and the recordkeeping requirements that previously were not accounted for in the last submission.

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

The information collected is not for the purpose of publication.

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

The Agency is requesting approval to not display the expiration date on these forms, which are used in a number of other collections approved under other OMB numbers that have varying expiration dates.

18. Explain each exception to the certification statement identified in item 19 on OMB 83-I.

There are no exceptions to the certification.

19. How is this information collection related to the Service Center Initiative (SCI)? Will the information collection be part of the one stop-shopping concept?

The Rural Development Program of USDA has 47 State Offices throughout the United States. Each State Office is staffed by employees from all three agencies of Rural Development, which are Rural Business-Cooperative Service, Rural Utilities Service, and the Rural Housing Service. The State Office is a center where an applicant can go to seek assistance and conveniently have all three Agencies readily available to them.