

RESPONSE SUMMARY TO PUBLIC COMMENTS

(as a result of the 60-day comment period)

October 2010

We published a notice of proposed information collection requests for this program in the **Federal Register** on June 23, 2010 (75 FR 35774-35775). That notice contained background information and our reasons for proposing the particular requirements for two State Fiscal Stabilization Fund annual reports. There are several changes between the proposed information and this notice of final requirements. These comments and resulting changes are described in greater detail below.

Analysis of Comments and Changes

Four parties submitted comments on the proposed requirements. An analysis of the comments and changes to the requirements since publication of the notice of proposed information collection requirements follows.

Summary Response

Comment: One commenter noted an inconsistency in the reported due date for each of the annual reports.

Discussion: The Department agrees that inconsistent dates were provided for the initial and final annual reports in the June 23, 2010 Federal Register.

Changes: The initial report will be due to the Department by February 18, 2011 to WWW.SFSF-APR.US. Each State must submit its final SFSF report by February 17, 2012 to WWW.SFSF-APR.US.

Comment: One commenter noted that the request for collecting data on SFSF funds obligated by LEAs would be an excessive burden to the State.

Discussion: The Department recognizes the need to minimize the level of burden. The Department believes that reporting the amount of SFSF funds the State has drawn down on behalf of its subrecipients will be sufficient for each annual report.

Changes: In Section II. Part A. 2. of both reports, the phrase "LEA obligated" has been replaced with "State has drawn down on behalf of its LEAs." In Section II. Part A. 2. of both reports, the phrase "IHE obligated" has been replaced with "State made on behalf of its IHEs."

Comment: One commenter submitted feedback in response to (4) and (5) of the supplementary information provided in the June 23 notice.

Discussion: This commenter noted that local records management may enhance the quality, utility, and clarity of the information collected. This commenter also noted that the burden on respondents may be minimized by utilizing internal reports collected in repository libraries.

Changes: None.

Comment: One commenter submitted feedback in response to the four essential education reform areas noted in abstract.

Discussion: This commenter provided State-specific sources for acquiring information in each of these areas. The Department appreciates public feedback on this notice but does not find these comments to be relevant to the current review of the proposed requirements for the SFSF annual reports.

Changes: None.

Comment: Two commenters expressed concerns with the categories for LEA-specific uses of funds and the additional level of burden these categories might impose upon the States.

Discussion: The Department recognizes that States may have already collected "LEA-specific uses of funds" through various methods that may be inconsistent with the categories specified in the proposed annual progress report.

Changes: In order to reduce the potential burden States may experience, a State will be able to estimate the total amount of dollars that were spent on salaries, contracts, and other costs.

In Section II, Part A.2., this section was revised to state, "Estimate the amount of drawn-downs that the State made on behalf of LEAs, as of September 30, 2010 under the following categories: Salaries; Contracts for construction, modernization, renovation, or repair projects; and Other (i.e., costs other than those salaries or contracts for construction, modernization, renovation, or repair projects).

In Section II, Part B.2., this section was revised to state, "Estimate the amount of drawn-downs that the State made on behalf of IHEs, as of September 30, 2010, as of September 30, 2010". The categories remained the same.

In Section II, Part C.2. this section was revised to state, “estimate the amount of Government Services Funds that the State has drawn-down on behalf of its subrecipients, as of September 30, 2010”. The categories remained the same.

Finally, in Section V. the Department has removed the requirement to “estimate the percentage (of jobs) that fall within each category”. Section V. will provide information on the number of quarterly jobs saved or created, States will not be asked to estimate the percentage of jobs that fall within a category.

Comment: Two commenters noted that averaging jobs across the available quarters (from the 1512) report would not accurately portray the cumulative number of jobs that have been saved or created with the funds received.

Discussion: The Department recognizes that creating a single cumulative number to represent the jobs that have been created or saved could pose specific challenges given the variation of reported jobs from quarter to quarter. The Department believes the information found on the 1512 Quarterly Reports will provide the most accurate number of jobs from quarter to quarter. This data will be calculated using the 1512 Quarterly Reports. No further data will be needed from the State.

Changes: In Section V, the Department will use the number of jobs reported to be saved or created on the 1512 Quarterly reports. This section of the annual progress report will be pre-populated for the States; based on the 1512 Quarterly reports already submitted by the States.