

**SUPPORTING STATEMENT
FOR PAPERWORK REDUCTION ACT SUBMISSION**

A. Justification

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

The College Access Challenge Grant (CACG) Program is authorized by the Section 781 of the Higher Education Act of 1965, as amended. CACG is a formula grant program that is designed to foster partnerships among Federal, State and local government and philanthropic organizations to increase access and affordability of postsecondary education for underserved students. CACG funds are awarded to States based on the relative number of residents between the ages of 5 and 17 and 15 and 44 that are living below the poverty line within the state.

The CACG statute requires grantees to submit an Annual Performance Report (APR) that includes the activities and services that were implemented, the costs of such activities and services, the number of students who participated in the activities and services, and the total contributions from private organizations.

In addition, the maintenance of effort (MOE) requirement under the Higher Education Act of 1965, as amended, requires states to maintain support to private institutions for student financial aid and to public institutions for non-capital and non-research and development. If a state violates this requirement and does not receive a waiver it cannot receive funding under the CACG program until it makes a significant effort to correct the violation. The data allows the U.S. Department of Education (ED) to determine if states have satisfied MOE requirements or whether the State is eligible to receive a waiver of those requirements based on exceptional or uncontrollable circumstances that prevent it from satisfying funding obligations.

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 U.S. Department of Education will use the information presented in the APR to determine if grantees are making substantial progress in achieving the goals and objectives of the grant and to ensure that funds are being used in an allowable, allocable and reasonable manner. Data on program performance measures are also collected as part of the APR. The data will be aggregated and analyzed to determine whether the CACG program is effective. ED will also determine if States are in compliance with MOE requirements or whether a State is eligible to receive a waiver of those requirements.

3. 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.

CACG will require grantees to submit APRs electronically to an e-mail mailbox to minimize burden and costs associated with submission. This method of submission will allow ED staff to efficiently and expeditiously assess the quality of programmatic and budgetary information. If a grantee cannot submit an APR electronically, the grantee may seek a waiver in advance to submit the APR by mail.

4. 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.

This information does not duplicate any other information collection effort. The information collection is relevant only to grantees under the CACG program. There is no similar information available in other forms or as the result of other information collections.

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

The information collection does not affect small businesses or other small entities.

6. 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.

Without the data collection, ED could not comply with the statutory requirements of the CACG program since it requires grantees to submit an APR. Data collection is conducted as infrequently as possible.

7. Explain any special circumstances 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 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 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

- Requiring respondents to submit propriety 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.

No special circumstances exist for the CACG program. Information collection will be conducted in a manner consistent with established guidelines.

8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agencies 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 any actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.

The 60 day notice was published in the Federal Register on March 3, 2011 – 76 FR 11765. No public comments were received. A 30 day Federal Register notice was published in the Federal Register. ED will assess the validity of all comments and implement suggestions/ideas that enhance the quality of the APR.

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

No payments or gifts to respondents have been made and none are planned or contemplated.

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

There are no assurances of confidentiality.

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. The justification should include the reasons why the agency considers these 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.

The data collection contains no questions of a sensitive nature.

12. 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 of 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 burden.
- 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.

ED estimates that 57 State grantees will submit an APR for each performance period. The average burden hours per response are 40 hours. The number of responses per APR is one. The total burden hours for this year are 2,280. Fifty-seven APRs x 40 hours to prepare APR x \$30 per hour = \$68,400.

13. 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 our 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.

ED estimates that the total annual cost burden to respondents or record keepers resulting from the collection of information is as follows:

a. Capital/Start Up Cost:

There is no start up costs involved with the CACG program.

14. 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 the collection of information. Agencies also may aggregate cost estimates from Items 12, 13, and 14 in a single table.

ED estimates that the cost to the Federal government is as follows:

Updating APR (1 staff x 30 hours x \$45/hour)	=	\$1,350
Staff time to review APRs (1 staff x 80 hours/staff member x \$45)		<u>\$3,600</u>
	Total	\$4,950

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

The additional data from States is required to allow the U.S. Department of Education (ED) to determine if States have satisfied MOE requirements and if States are eligible to receive a waiver of those requirements based on exceptional or uncontrollable circumstances that prevented States from satisfying funding obligations.

16. 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.

There are no plans for publication of this information.

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.

ED plans to display the expiration date of the OMB approval of the information collection.

18. Explain each exception to the certification statement.

There are no exceptions to the certification statement.