

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 the appropriate section of each statute and regulation mandating or authorizing the collection of information.

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 program statute was amended and reauthorized on October 30, 2000, by the Impact Aid Reauthorization Act of 2000, which was part of the Floyd D. Spence National Defense Authorization Act for Fiscal Year (FY) 2000 enacted by P.L. 106-398. That reauthorization authorized a new Discretionary Construction Grant program under Section 8007(b). Further amendments to Section 8007(b) were enacted as part of the ESEA reauthorization in January 2002.

The Impact Aid Discretionary Construction Program provides grants to eligible Impact Aid school districts to assist in addressing their school facility emergency and modernization needs. The eligible Impact Aid school districts have a limited ability to raise revenues for capital improvements because they have large areas of Federal land within their boundaries. As a result, these districts find it difficult to respond when their school facilities are in need of emergency repairs or modernization. The fiscal year 2010 appropriation provided \$17 million for this competitive construction grant program, available for obligation through FY 2010.

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 Department will use the information collected in the application to determine whether applicants meet the basic eligibility requirements of section 8007(b), to determine whether the applicant is requesting an emergency or modernization grant, and to determine which of the four priorities described in the statute applies to the individual application. Among the criteria the Secretary is required to consider are the applicant's total assessed value of real property that may be taxed for school purposes, its use of bonding capacity, and the nature and severity of its need for funds. In addition, information on the application will be used to rank applications within each of the four priorities.

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 given to using technology to reduce burden.

The Department of Education has developed an electronic application for this grant program, which will be available for preparing and submitting the FY 2012 applications. The software will populate certain data fields for applicants that submitted an FY 2012 Impact Aid section 8003 application, and will have built-in checks for completion of all necessary items. This software will reduce the burden on applicants of organizing and entering data that were already submitted to the Impact Aid Program, will help applicants to determine whether their LEAs meet the program's eligibility requirements, and will reduce the number of errors in applications.

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.

As noted above, eligibility for this grant program relies partially on data that were already submitted in FY 2010 Impact Aid applications for section 8003. The Department has developed an electronic application that will allow certain data that are necessary for this application, but that were already submitted by an Impact Aid applicant, to be populated in the application. These data items include the applicant's identifying information and DUNS number, the applicant's FY 2012 Impact Aid survey date, and the Federal property codes that the applicant used on Tables 1 through 5 of the FY 2012 application. This will increase the accuracy of the information submitted in the applications and eliminate duplication of effort on the part of the applicants. Further, the eligibility requirements for this competitive grant are complex. Populating these data for the applicants will assist them in determining whether their LEAs may be eligible, thus possibly helping certain applicants avoid the burden of completing an application that could not be successful.

5. If the collection of information impacts small businesses or other small entities (Item 8b of IC Data Part 2), describe any methods used to minimize burden.

The respondents are LEAs and local officials. Small businesses or other small entities are not significantly impacted by this collection of information.

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.

The statute requires applicants to apply for funds. The Department would not be able to award these funds without the application to collect the required information.

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, 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 than 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 that 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.

This application is consistent with all of the guidelines in 5 CFR 1320.5.

8. 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.

In accordance with 5 CFR 1320.8(d) a 30-day Federal Register Notice was published providing the public opportunity to comment on the Impact Aid Discretionary program specific application forms.

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

No gifts or payments will be made to respondents other than the funds awarded under the statute.

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

There is no assurance of confidentiality provided to the respondents concerning these collections of information.

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 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.

There are no questions of a sensitive nature in these collections of information.

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 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 16 of IC Data Part 1.
- 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.

Based on applications previously received Impact Aid maintains previously approved OMB inventory burden of 1080 total burden hours.

Cost estimates of the hour burden of the collection requirements.

Burden data estimates					
Collection	Number of Respondents	Frequency	Number of Responses	Average Hours	Total
Section 8007(b) application	180	1	180	5.25	945
Health/Safety Emergency Certification Letter	180	1	180	.75	135
TOTAL	360	1	360	3	1,080

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 annual number of responses for this collection totals 180. The average number of hours/response is 4.5hours, a total of 1,080 annual burden hours.

Burden cost of collections: At an average cost of \$25 per hour, the cost per response is estimated to be:

-- Section 8007(b) application	\$ 131.25
-- Health/Safety Emergency Certification Letter	\$ 18.75
Total	<u>\$ 150.00</u>

There are no start-up costs for this collection.

- 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 acquiring and maintaining 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.

Total Annualized Capital/Startup Cost	: \$.00
Total Annual Costs (O&M)	: \$.00
Total Annualized Costs Requested	<u>: \$.00</u>

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

Section 8007(b) e-application development:	20,000.00
Analysis and processing (5 hrs./app. x \$32.09 hr. x 150 apps.)	24,067.50
Peer Review: 12 reviewers x \$1,500 (travel and stipend)	18,000.00
TOTAL	67,067.50

15. Explain the reasons for any program changes or adjustments to #16f of the IC Data Part 1 Form.

There is an adjustment increase of 180 respondents, previous OMB approval of 1810-0657 included 360 respondents in supporting documentation, but did not indicate such in the burden table submitted to OMB via ROCIS. ED is making this adjustment to reflect 360 respondents, for an adjustment of 180 respondents keeping the current OMB inventory total burden of 1080 hours.

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.

The information collected will not be published.

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 expiration date will be displayed on the applications.

18. Explain each exception to the certification statement identified in the Certification of Paperwork Reduction Act.

There are no exceptions to the certification statement.