

2014

SUPPORTING STATEMENT
0572- 0138
7 CFR 1783, Revolving Fund Program

A. Justification

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

This package is being submitted under a regular clearance as an extension of a previously approved collection, without change. On May 13, 2002, the Farm Security and Rural Investment Act of 2002 (Farm Bill) was signed into law as Public Law 107-171. Section 6002 of the Farm Bill amended the Consolidated Farm and Rural Development Act (CONACT), by adding a grant program to establish a revolving loan fund (RFP). The Secretary may make grants to qualified private, non-profit entities to establish a revolving loan fund. The loans will be made to eligible entities to finance predevelopment costs of water or wastewater projects, or short-term small capital projects not part of the regular operation and maintenance of current water and wastewater systems.

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.

Nonprofit organizations applying for the Revolving Fund Program grant(s) must submit an application, which includes an application form, narrative proposal (work plan), various other forms, certifications, and supplemental information. The Rural Development State Offices and the RUS National Office staff will use the information collected to determine applicant eligibility, project feasibility, and the applicant's ability to meet the grant and regulatory requirements. Failure to collect proper information could result in improper determinations of eligibility, improper use of funds, or hindrances in making grant(s) authorized by the Revolving Fund Program.

FORMS APPROVED WITH THIS PACKAGE:

Common Form - SF- 424, "Application for Federal Assistance" (Common Form approved under 4040-0004).

Applicants use this common form as a required cover sheet for applications submitted for the Revolving Fund Program grants. The application is an official form required for all Federal grants and requests basic information about the applicant and the proposed project. This common form is submitted as part of the application.

Form - RD-400-1, “Equal Opportunity Agreement” (Form approved under 0575-0018).

This certification prohibits federal contractors and federally-assisted construction contractors and subcontractors, who do over \$10,000 in Government business in one year, from discriminating in employment decisions on the basis of race, color, religion, sex, or national origin. The certification also requires Government contractors to take affirmative action to insure equal opportunity is provided in all aspects of their employment.

Form - RD-400-4, “Assurance Agreement” (Form approved under 0575-0018).

This certification assures RUS the recipient is in compliance with and will continue to comply with Title VI of the Civil Rights Act of 1964. In accordance with that Act and the program specific regulations, the recipient agrees that any program or activity for which the recipient receives Federal financial assistance, no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination.

Form AD-1048 - Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Transaction

The form will be signed by applicant’s suppliers, auditors, contractors, etc., and retained by applicant in their files.

Written - Work Plan Narrative

Applicants will provide a written work plan that will demonstrate the feasibility of the Intermediary’s lending program to meet the objectives of the Revolving Fund Program. The work plan will document the Intermediary's ability to administer and service the revolving fund; document the Intermediary's ability to commit financial resources under the control of the Intermediary to the establishment of the revolving fund; demonstrate a need for loan funds; include specific loan purposes for lending the revolving funds; and provide a set of goals, strategies, and anticipated outcomes for the Intermediary's program.

Written - Budget Justification

The budget justification demonstrates how the funds will be spent and provides details for proposed expenditures, calculations of costs, and explanations of unusual lines in the budget. It discusses how the budget supports the proposed project activities and explains how each budget item is essential to achieving project objectives. RUS uses this information to evaluate the cost effectiveness of the project and the adequacy of funding to carry out the activities of the project. The information will also be used to evaluate a grant recipient’s request for payments.

Written - Balance Sheets and Financial Statement (Latest Financial Information)

Applicants will provide a pro forma balance sheet at start-up and projected balance sheets for at least 3 additional years; financial statements for the last 3 years, or from inception of the operations of the Intermediary if less than 3 years; and projected cash flow and

earnings statements for at least 3 years supported by a list of assumptions showing the basis for the projections. The projected earnings statement and balance sheet must include one set of projections that shows the revolving fund only and a separate set of projections that show the proposed Intermediary organization's total operations. RUS uses this information to assess the financial capabilities and to help determine if the applicant is financially viable to complete the proposed work plan.

Written - Legal Authority and Responsibility

The applicant must submit certified copies of organization documents and a certified list of directors and officers as evidence of the applicant's legal existence and authority for the proposed project. The organizational documents can be charters, bylaws, or articles of incorporation. RUS uses the information to determine if the applicant has the proper authority to enter into a binding agreement to use grant funds.

Written - Evidence of Tax Exempt Status

To be eligible to receive a grant under this program the applicant must be a non-profit organization that has been granted tax-exempt status by the Internal Revenue Service (IRS) of the United States. RUS uses this information to ensure that the applicant meets the eligibility criteria mandated by law.

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

USDA regulations published at 7 CFR Part 3017 implement the government-wide debarment and suspension system for USDA's non-procurement transactions. Applicants for TAT and SWM grants are required to provide certification under these regulations.

Form-AD 1049 - Certification Regarding Drug-Free Workplace Requirements (Grants) Alternative I - for Grantees Other Than Individuals

USDA regulations published at 7 CFR Part 3017 implement the Drug-Free Workplace Act of 1988, which requires that grant recipients agree that they will maintain a drug-free workplace. Applicants are required to provide certification under these regulations.

Written - Grant Agreement

The Grant Agreement is the official grant instrument between RUS and the Revolving Fund grant recipient. It outlines the terms and conditions of the grants, including each party's obligations and remedial authorities available for nonperformance.

Written - Project Performance Report

As part of the grant agreement signed by the recipient, a narrative progress report is required to be submitted on a quarterly basis to ensure that government funds are being used for the approved purposes set forth in the work plan submitted by the grant recipient to the Agency. The project performance report summarizes the project's progress for the quarter and includes information needed to support expenditures claimed for the quarter. The last quarterly report may serve as the final report and must be submitted within 90 days of the project end date. RUS uses this information to monitor performance, ensure schedules are met, projected work is accomplished, and objectives are achieved. The

project performance report meets the requirements of 7 CFR Part 3019, the USDA implementation of OMB Circular A-110, “Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Nonprofit Organizations.”

Written - Audit

Grant recipients must comply with the audit requirements of OMB Circular A-133, “Audits of State, Local Governments, and Non-Profit Organizations.” Generally, they must submit an audit report after project completion. However, the requirements for submitting an audit report under OMB Circular A-133 are based on the total amount of Federal financial assistance expended during a grant recipient’s fiscal year from all Federal Sources. Grant recipients that expend \$500,000 or more in a year in Federal awards must have a single or program-specific audit conducted for that year. Those that expend less than \$500,000 in Federal awards may be exempt from audit requirements for that year. RUS will review the information and determine if a grant recipient must submit an audit in accordance with the requirements of the Water and Waste Disposal program and OMB Circular A-133.

Written - Financial Statements

Grant recipients that expend less than \$500,000 in a year in Federal awards may be able to submit their financial statement in lieu of an audit report after project completion. RUS will review the information and determine if a grant recipient must submit an audit in accordance with the requirements of the Water and Waste Disposal program and OMB Circular A-133.

Written - Statement of Compliance

To assure compliance with Title VI of the Civil Rights Act of 1964, the applicant must provide a narrative of how they plan to notify eligible entities of the availability of the service being provided.

Written - Evidence of Financial Management System

Applicant must provide evidence that a financial management system is in place or proposed. RUS uses the information to determine if the applicant will be able to adequately account for federal funds expended.

Written - Documentation of Assistance Provided to Rural Development Employees

Borrowers must sign a form that indicates whether or not they provided assistance to any Rural Development employees. The purpose of this form is to ensure high standards of honesty, integrity, and impartiality is maintained by Rural Development employees.

FORMS APPROVED UNDER OTHER PACKAGES:

Form - SF-424A, “Budget Information--Non-Construction Programs” (Approved under 4040-0006).

Applicants project costs and expenses for the grant project. The form also provides information on matching funds. This form is submitted as part of the application.

Form - SF-424B, “Assurances--Non-construction Programs” (Approved under 4040-0007).

Applicants read and sign this form to indicate the organization’s intent to comply with the laws, regulations, and policies to which a grant is subject. This form is submitted as part of the application.

Form - SF 270, “Request for Advance or Reimbursement” (Approved under 4040-0012).

Grant recipients will submit SF 270 for disbursement of grant funds. RUS uses it to approve the disbursement. The use of this form complies with OMB Circular A-110.

Form - SF 425, “Federal Financial Report” (Approved under 4040-0014).

Grant recipients must report the status of grant funds on SF-425 on a quarterly basis. The use of this form complies with OMB circular A-110. (The form replaces the SF-269, Financial Status Report.) The project performance report summarizes the project’s progress for the quarter and supports expenditures claimed.

Form - SF-LLL, “Disclosure of Lobbying Activities” (Approved under 4040-0013).

For grants over \$100,000, applicant must certify that no Federal appropriated funds will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant or Federal loan and the extension, continuation, renewal amendment, or modification of any Federal contract, grant or loan.

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.

RUS is committed to meeting the requirements of E-Government Act, which requires Government agencies in general to provide the public the option of submitting information or transacting business electronically to the maximum extent possible. The Agency makes the forms related to the application process available on the RUS and Rural Development website. Grant applications for this program can be submitted either by U.S. Mail or electronically via Grants.gov

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.

RUS collects information only from applicants who are applying for or are receiving Revolving Fund Program grants. There is no duplication in the collection of information

required. If applicants are applying for other programs where similar information is required, the Agency would make every effort to use that information which is the same.

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.

The information to be collected is the minimum that RUS needs to approve the grants and monitor performance. Small entities may be affected by the reporting burden, but only minimum information necessary will be required to carry out the authorized programs. This program is geared to large organizations that are nationally based and typically no small businesses apply for this program. For this collection, none of the respondents are small businesses.

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.

The information collected under these programs is the minimum necessary to conform to the requirements of the program regulations established by law. Much of the information is collected when applicants file for grants or when the grants are closed. Information is collected when needed or required by departmental regulations and OMB circulars. Information cannot be collected less frequently and meet the requirements of the programs. Failure to collect proper information could result in improper determinations of eligibility or improper use of funds.

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 for reporting more than quarterly. However, the SF 270, "Request for Advance or "Request for Advance or Reimbursement," is submitted by some borrowers as much as 12 times a year in order for them to receive reimbursement for monthly business expenses.

b. Requiring written responses in less than 30 days. There are no information requirements for written responses in less than 30 days. However, grant recipients must notify RUS immediately of developments that have a significant impact on the grant-supported activities or that might materially impair the ability to meet the objectives of the grant.

c. Requiring more than an original and two copies. There are no such requirements.

d. Requiring respondents to retain records for more than 3 years. There are no such requirements unless any litigation, claim, or audit is started before the expiration of the 3-year period and has not been resolved and final action taken.

e. That is not designed to produce valid and reliable results that can be generalized to the universe of study. There are no such requirements.

f. Requiring use of statistical sampling which has not been reviewed and approved by OMB. There are no such requirements.

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 recordkeeping, disclosure, reporting format (if any), and on data elements to be recorded, disclosed, or reported.

RUS published a notice and request for comments in the *Federal Register* on February 21, 2014, at 79 FR 9877. No comments were received.

The Agency contacted three program recipients and their comments are provided as follows:

National Rural Water Association, 2915 South 13th Street, Duncan, Oklahoma 73533, telephone: (580) 252-0629: Spoke with Claudette Atwood who stated that the application process and required documentation is not burdensome. She stated that the documents required were not redundant and the RD staff has been extremely helpful in the application process. She felt the time required to complete the applications was fairly typical.

Community Resource Group, 3 East Colt Square Drive, Fayetteville, Arkansas 72703, telephone: (479) 443-2700: Mark Rounsavall, RCAP Director, did not believe the paperwork required for the application was not burdensome. Also, he indicated that the RD Staff has been great with answering any questions to help in this process. Also, he felt that the time required to complete applications were typical. He felt the instructions were very helpful, which cut down the time required to complete the application packet. Record keeping and disbursement forms are minimal and not time consuming to prepare.

Rural Community Assistance Corporation, 3120 Freeboard Drive, Suite 201, West Sacramento, CA 95691, Carol Rosset, telephone: (916) 447-9832 x1065:
The application package is not a burden to complete, it is my job to complete applications and you always have the State Rural Development staff there for back up assistance. The RD staff was always available for questions and the instructions are clear, and you have the application guide to follow. As far as time required, it is not timely to complete the application, but timely to gather the required documents, but not really burdensome. I feel as a change, if we are a repeat applicant it would be nice that we do not have to re-submit the same documents each time because it is timely and costly to reproduce these documents. The documents are already in your office on file and it would reduce the size of the application.

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

RUS has not made any such decisions or payments.

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. Under the Freedom of Information Act, the public can request most data collected from respondents. The information collected under the provisions of these programs is not considered to be confidential.

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.

The information collected does not contain any questions of a sensitive nature that would be considered private.

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

Please reference the separate spreadsheet for a breakdown of the official, approved burden of each individual form's burden hours that is accounted for in this collection package.

- **Estimate for annualized costs to respondents for the hour burden for collections of information, identifying and using appropriate wage rate categories.**

RUS estimates a cost of \$91,698 for respondents to comply with this regulation. The cost is based on an average of 5 organizations filing an application of which 2 will receive a grant. The estimated cost per respondent is \$18,339. Primary individuals for a grant respondent would normally be a director and a clerical staff member. Based on information from similar programs, RUS used a labor rate of \$48.20 per hour for a director and a clerical earning \$17.37 per hour plus 29.4% in benefits. Benefits as a percentage of total compensation for private trade, transportation, and utilities industry workers were 29.4% of total hourly compensation. (Please reference <http://www.bls.gov/ncs/ect/sp/ecsuphst.pdf> on page 91). The Department of Labor, Bureau of Labor Statistics, Standard Occupational Classification wage rates were considered in the cost estimates. The estimate for annualized costs to respondents for the hour burden for collections of information is summarized as follows:

Director preparation time
 5 responses @ \$48.20/hr. x 249 hrs.
 + 29.4% benefits (\$17,642) \$77,651

Clerical time
 5 responses @ \$17.37/hr. x 125 hrs. + 29.4% benefits (\$3,191) \$14,047

Total cost for respondents	\$91,698
Estimated cost per respondent	\$18,339

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

- a. Total capital and start-up cost component (annualized over its expected useful life). There are no capital and start-up cost components involved with this collection.
- b. Total operation and maintenance and purchase of services component. There are no costs associated with this category.

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

The cost to the Federal Government is estimated as follows:

Application phase analysis: (10 hours X 5 applicants X \$48.83) + 36.25% benefits = \$3,327
 First Administrative phase: (5 hours X 2 applicants X \$48.83) + 36.25% benefits = \$665
 Second Administrative phase: (3 hours X 2 applicants X \$48.83) + 36.25% benefits = \$399
 Servicing per quarter: (4 quarters X 4 hours X 2 borrowers X \$48.83) + 36.25% benefits = \$2,129
 End of grant period: (5 hours X 2 borrowers X \$48.83) + 36.25% benefits = \$665

Closeout: (2 hours X 2 borrowers X \$48.83) + 36.25% benefits = \$266

Total estimated cost to the Federal Government is: \$7,451

The salary of \$48.83 per hour is based on the base rate of a D.C. area - loan specialist (GS 13 - 5) in FY 2014.

15. Explain the reasons for any program changes or adjustments reported in items 13 or 14 of the OMB Form 83-1.

This renewal submission reflects an increase of 61 burden hours. Award recipients increased from 1 to 2 which accounts for 58 hours. The additional 3 hour increase is due to including forms that were previously assigned to other collection packages and are now accounted for under this collection.

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

RUS has no plans to publish the information collected under the provisions of these programs.

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.

RUS requests an exception not to display the OMB expiration date because these forms are cleared under multiple packages.

18. Explain each exception to the certification statement identified in item 19 on OMB 83-1.

There are no exceptions requested.

19. Collection of Information Employing Statistical Methods.

This collection does not employ statistical methods.