

CDFI Fund
New Markets Tax Credit Program
Allocation Tracking System Data Points

Pursuant to a Federal Register Notice (77 Federal Register 35754, June 14, 2012), the CDFI Fund has solicited public comments regarding the information collection requirements (contained in the NMTC Allocation Agreement) related to an Allocatee's receipt of a Qualified Equity Investment (QEI). Allocatees will provide this information using an electronic data collection and submission system, which the CDFI Fund has developed, known as the Allocation Tracking System (ATS). Below is a summary of the system's key functionalities as well as a list of the data points Allocatees will be required to submit through the ATS. New data points and functionality are indicated by bold font. Enhancements to ATS have been developed to address certain Government Accountability Office recommendations highlighted in their January 2007 and January 2010 evaluations of the NMTC Program, as well as, comments gathered from a previous notice and request for public comments on ATS published in the Federal Register Federal Register Notice (75 Federal Register 9275, March 1, 2010).

The total hour burden of this information collection is estimated at 18 hours per respondent annually (estimate of one and one-half hour data entry session per month per respondent) for the 85 allocatees in CY2012 allocation round. The total hour burden of this information collection is estimated at 12 hours per respondent annually (estimate of one hour data entry session per month per respondent) for the 658 allocatees in all other allocation round. In sum, the CDFI Fund expects responses from the 743 entities for a total of 9,426 annual burden hours for the data collection. For recent allocatees starting with the CY2012 allocation round, the total hour burden per respondent is expected to increase as the full QEI structure will be reported, as well as, the reporting of future changes to QEI investors and claimants. The number of respondents is also expected to increase as new allocation rounds are added.

Paperwork Reduction Act Notice to appear in ATS.

Please note that the CDFI Fund has provided the Allocation Tracking System (ATS) to allocatees of the New Markets Tax Credit (NMTC) Program as a tool to assist allocatees with the administration of their NMTC allocations. However, an allocatee's entry of data into the ATS will not ensure that an Allocatee is in compliance with the terms of its Allocation Agreement with the CDFI Fund or any other applicable requirements set forth in the Internal Revenue Code, the Temporary and Proposed Income Tax Regulations for the NMTC Program or any other federal program, statute, or regulation. In addition, the CDFI Fund does not provide any warranty, expressed or implied, guarantee of any kind, nor assumes any legal liability or responsibility for the accuracy, reliability or completeness of any data contained in the ATS.

Allocatees are not required to respond to this collection of information unless it displays a currently valid OMB control number. The estimated average burden associated with this collection of information is 18 hours per year per allocation. Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden should be directed to the Program Manager for Certification, Compliance Monitoring and Evaluation, Community Development Financial Institutions Fund, U.S. Department of the Treasury, 1500 Pennsylvania Avenue, NW Washington, DC 20220

Key Definitions

- (1) *Tier N Investors* are those who directly provide QEIs to an allocatee or its eligible subsidiary CDEs.
- (2) *Tier N+1 Investors* are the partners and/or members of a Tier N Investor with a pass-through structure (e.g., a limited liability company or limited partnership).

Summary of Key System Functionalities

Asterisk indicates new functionality and required data field.

Allocatees will have the ability to:

- Enter and save data regarding any transfer of allocations to eligible subsidiary CDEs;
- **Enter and save data regarding the providers of QEIs for all pass-through entities;***
- **Enter and save individual investor contributions (equity and debt) at all tiers;***
- **Enter price of NMTC at QEI issuance;***
- **Enter dollar amount of public and private sources of funds contributed to QEI;***
- **Identify new NMTC claimants when original investor sells its interest in a CDE;***
- **Retrieve prior investor information when reporting new QEI;***
- Generate and submit the requisite email notification to the CDFI Fund regarding receipt of a QEI;
- Continually view QEI data that has already been finalized submitted to the CDFI Fund;
- Print PDF reports on submitted QEI data; and
- Download submitted QEI data in comma-delimited format, which is compatible with most spreadsheet software such as Excel.

List of Data Points

Using the ATS, allocatees will be required to submit the following information to the CDFI Fund regarding:

Allocation Transfers to Eligible Subsidiary CDEs

- (1) Name of the subsidiary CDE to which the allocatee is transferring allocations
- (2) Total amount of allocations transferred to the subsidiary CDE

QEIs

- (3) Name of the CDE that issued the QEI (e.g., the allocatee or an eligible subsidiary CDE that received a transfer of allocations)
- (4) Amount of the QEI at original issue
- (5) **Amount of QEI from private sources***
- (6) **Amount of QEI from public sources***
- (7) Date of the original QEI
- (8) **Is the issuing CDE an affiliate or subsidiary of an entity that files a consolidated tax return?***
- (9) **Name of the parent taxpayer with whom the issuing CDE files a consolidated tax return.***
- (10) **TIN of the parent taxpayer with whom the issuing CDE files a consolidated tax return.***

Tier N Investors

- (11) Name of the Tier N Investor(s) who provided the QEI
- (12) Type of investor (e.g., regulated bank, venture fund, real estate developer, individual, etc.)
- (13) Indication if this is a new investor
- (14) Indication if this is an affiliated investor
- (15) Investment amount
- (16) Form of the QEI (e.g., stock or capital interest)
- (17) **Amount from private sources***
- (18) **Amount from public sources***
- (19) Taxpayer identification number (TIN)
- (20) DUNS number
- (21) Anticipated rate of return
- (22) **Price per dollar of NMTC tax credit***
- (23) **Tax Credit Amount (i.e. NMTC eligible to be claimed)***
- (24) Full address (including street address, city, state, and zip code)
- (25) Phone number
- (26) Email address
- (27) Indication if the Tier N Investor is a pass-through entity;

- (28) Amount of equity capital that contributed to the investor's QEI amount in leverage structure
- (29) Amount of debt capital that contributed to the investor's QEI amount in leverage structure

Tier N+1 Investors (only provided if a Tier N Investor is a pass-through entity)

- (30) Name of the Tier N+1 Investor
- (31) Type of investor
- (32) TIN
- (33) **Indicate debt contribution amount***
- (34) **Indicate equity contribution amount***
- (35) **Amount of investment/financing***
- (36) **Tax Credit Amount (i.e. NMTC eligible to be claimed)***
- (37) Indication if the Tier N+1 Investor is a pass-through entity

Sale of NMTC*

- (38) **Name of new NMTC claimant/investor***
- (39) **TIN of new NMTC claimant/investor***
- (40) **Date of sale***
- (41) **Amount paid for remaining NMTC tax credit***
- (42) **Amount of NMTC remaining to be claimed***
- (43) **Estimated price per dollar paid for remaining NMTC tax credit***

Funds Committed

- (44) Allocation authority for which the entity has received binding commitments from investors

Repayments (if CDE is not using direct tracing)

- (45) Fiscal year repayment amount
- (46) Amount of Repayments from unrelated entities