

**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 Education Department General Administrative Regulations (EDGAR) contain several requirements that grantees maintain certain types of records related to their grants and to report or submit certain information to the Department. The specific EDGAR recordkeeping and reporting requirements that are part of this information collection package are described in Table I (attached). These requirements are necessary for the effective administration and monitoring of grant projects.

Open Licensing

As part of a final rule, §3474.20(d) would add that a grantee that is awarded discretionary grant funds must have a plan to disseminate the openly licensed resources that were created in whole, or in part, with Department grant funds. Streamlined clearances for discretionary grants (1894-0001) and generic grants (1894-0006) are also affected by this requirement.

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.

As there are several program recordkeeping and reporting requirements under this information collection a table has been added to provide a detailed description of each ED recordkeeping and reporting requirement in the attached Table I.

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.

The Department's grant management system, G5, gives Project Directors the ability to submit administrative changes to their grant awards. The following types of changes are available: DUNS/SSN, address, key personnel, Project Director name and address, dates (no-cost time extensions), certifying representative, and others. The submission of the aforementioned administrative requests prompts e-mail notification to the ED Program Manager of the administrative request. The creation and printing and signing of a Grant Award Notification (GAN) and subsequent mailing of copies of the GAN signify approval of the administrative request. The G-5 Grants Management System also has additional grants management, monitoring and administrative capabilities.

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.

The information that the grantees must maintain or submit to the Department under the EDGAR recordkeeping and reporting requirements included in Table I are unique to each individual grant project and cannot be obtained from any other sources. This information would not have been submitted to the Department previously for any other purpose.

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.

Similar methods as described in number 3 also apply to methods used to minimize burden that impacts small businesses or other small entities. The Department's grant management system, G5 gives Project Directors the ability to submit administrative changes to their grant awards. The following types of changes are available: DUNS/SSN, address, key personnel, Project Director name and address, dates (no-cost time extensions), certifying representative, and others. The submission of the aforementioned administrative requests prompts e-mail notification to the ED Program Manager of the administrative request. The creation and printing and signing of a Grant Award Notification (GAN) and subsequent mailing of copies of the GAN signify approval of the administrative request.

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.

If this information collection is not conducted or conducted less frequently, it would hinder the ability of ED Program Staff to effectively monitor, provide guidance and technical assistance to grantees. The goal of monitoring is to establish partnerships with grantees that allow for

flexibility in local decision-making, in conjunction with a results-oriented approach to program management that demonstrates excellence, accountability, and successful performance outcomes. Monitoring must also address ED's fiduciary responsibility to ensure the grantee's legal and fiscal compliance and to protect against fraud, waste, and abuse.

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 which 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 tht it has instituted procedures to protect the information's confidentiality to the extent permitted by law.

The information will not be collected in a manner inconsistent with the general information collection 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.

The Department published a 60 day notice on March 11, 2014 (79 FR 13647) A 30-day Federal Register notice was published. There were no public comments.

Comments were also provided through annual national conferences, regional and state meetings, frequent monitoring contacts with applicants/grantees (i.e., State Education Agencies (SEA's), Local Education Agencies (LEA's), Tribal Governments, Institutions of Higher Education (IHE's) and Non-Profit Organizations [NPO's] ), which are the entities affected by the information collection. Individuals have expressed their views on the availability of data, frequency of collection, the clarity of instructions and disclosure of reporting format, and on the data elements to be disclosed or reported. These consultations have been effective in resolving any major problems related to the information collection.

In the proposed rule, there was no provision covering dissemination. A public comment period was provided to determine whether there should be such a provision in the final rule. Final §3474.20(d) was added as a compromise to the divergent comments, some of which wanted a specific dissemination requirement and others did not want the rule to cover dissemination at all.

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

There are no payments or gifts to respondents other than the allocation of federal funds that result from the information collection.

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

ED is not requesting any confidential information in this collection; therefore no assurances of confidentiality are required.

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.

This information collection does not include information 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 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 not be included in Item 14.

Approximately 4988 respondents will be required to maintain records or submit reports in accordance with the recordkeeping and reporting requirements contained in the Education Department General Administrative Regulations (EDGAR). See the attached table for the burden hour calculation for each EDGAR recordkeeping and reporting requirement.

**Total Annual Burden Hours to Respondents for the EDGAR Recordkeeping and Reporting Requirements = 22,448 burden hours**

**State, Local and Tribal affected public:**

Total Recordkeeping burden hours: 17,460

Total Reporting burden hours: 2,744

**Private Sector-Not or Profit Institution:**

Total Recordkeeping burden hours: 1940

Total Reporting burden hours: 304

The addition of the dissemination plan under §3474.20(d) adds 40 hours of burden that are already covered under the current burden of 22,448 hours under this ICR.

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 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 : \$ .00

There are no start-up costs.

**Total Annual Cost Burden to Respondents for the EDGAR Recordkeeping and Reporting Requirements**

22,448 total burden hours (recordkeeping and reporting) X \$25/hour = \$561,200

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.

**Total Annual Cost to the Federal Government for EDGAR Reporting Requirements: \$205,805**

The total annual cost is based on the following:

EDGAR Reporting Requirements: 1 hour per response X 4988 responses X \$41.26/per hour (average DC- area GS-12 hourly rate) = \$205,805

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

There are no change or adjustments in burden.

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.

No plans exist to publish the results of this information collection.

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.

We are not seeking approval to not display the expiration date for this information collection.

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

There are no exceptions to the certification statement.