

**Supporting Statement for Information Collection**  
**3090-0310 – Nondiscrimination in Federal Financial Assistance Programs, GSA 3702**

**A. Justification**

**1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection.**

The General Services Administration (GSA) is required to collect information from sub-recipients of Federal financial assistance. The information is also used to determine compliance with the aforementioned laws and to identify areas of concern that may require technical assistance.

Pursuant to the provisions under Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), concerning race, color, and national origin; Title IX of the Education Amendments of 1972 (20 U.S.C. 1681 (et seq.) concerning sex bias; Section 606 of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 484), as amended concerning sex bias; Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794); concerning disability discrimination; the Age Discrimination Act of 1975 (42 U.S.C. 61 01 et seq.) concerning age bias, Executive Order 12250 (45 FR 72995, November 4, 1980); and 28 CFR 42.401-42.415 and 41 CFR 101-6.2; 41 CFR 101-4; and 41 CFR 101-8.3.

**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 Office of Civil Rights (OCR) analyzes the data collected from GSA Form 3702 to determine whether the sub-recipients are complying with the nondiscrimination provisions of the Federal Laws and GSA regulations. Sub recipients must be aware that the Federal Government is collecting the information so that they do not practice or implement policies, procedures, or activities that may be considered discriminatory.

**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.**

We use improved information technology to the maximum extent practicable. Where both the Government and the sub recipients are capable of electronic interchange, the sub recipients will submit this information collection requirement electronically.

**4. Describe efforts to identify duplication.**

In an effort to prevent duplication, we conducted extensive interviews throughout the agency, reviewed agency regulations, brochures and pamphlets regarding the collection of information for the Federal Financial Assistance Programs.

This data collection effort will not duplicate the collection of any compliance data that was provided to another Federal agency by the sub-recipients of Federal financial assistance. If a Civil Rights Compliance Report was completed within the last 24 months and sent to another Federal agency, OCR is allowing the sub-recipient to provide us with

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a copy of that report.

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

Not applicable.

**6. Describe the consequence 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 the data collection is eliminated or reduced, GSA will not be in compliance with the guidance issued by the Department of Justice (DOJ) regarding "Enforcement of Title VI of the Civil Rights Act of 1964 and Related Statutes in Block Grant-Type Programs." We are required to collect information from recipients and sub-recipients of Federal financial assistance. Therefore, the data is critical to the success of the program in that the collected data will allow GSA to identify program issues and assist GSA in determining appropriate technical assistance and conduct periodic compliance reviews.

**7. Explain any special circumstances.**

To ensure consistent and effective enforcement of Title VI of the Civil Rights Act of 1964, the data is being collected in accordance with OMB Bulletin No. 00-02, March 9, 2000.

**8. Describe efforts to consult with persons outside the agency.**

A 60-day notice published in the *Federal Register* at 84 FR 44620 on August 26, 2019. No comments were received. A 30-day notice published in the *Federal Register* at 84 FR 62531 on November 15, 2019.

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

Not applicable.

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

There are no confidential or sensitive questions on the questionnaire.

**11. Provide additional justification for any questions of a sensitive nature.**

There are no confidential, sensitive or private questions on the questionnaire.

**12 & 13. Provide estimates of the hour burden of the collection of information.**

GSA consulted with the DOJ, Coordination and Review Section. DOJ is the lead agency for Nondiscrimination in Federal Financial Assistance Programs (NFFAP). GSA also

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consulted with the Departments of Education (DOE) and Health and Human Services (HHS). Additional discussions were held with State agency directors (primary recipients), who are represented by the National Association of State Agencies for Surplus Property (NASASP). NASASP is aware that OCR will once again collect information regarding the NFFAP program.

The estimated burden hours and costs are captured in the following table for the sub-recipient:

*Table 1 - Burden Hours and Cost*

Number of Recipients	1200
Number of Responses from each recipient	<u>X 1</u>
Total Annual Responses	1200
Estimated Hours to Complete each Form	<u>X 2</u>
Estimated Total Burden Hours	2400
Average Hourly Wage	<u>X \$29</u>
Estimated Cost to the Public	\$69,000

The estimated cost per response is approximately \$57.50.

**14. Provide estimates of annualized costs to the Federal Government.**

The Federal cost has been estimated at \$55,200. It was calculated as follows, based on the wages of GSA’s Office of Civil Rights. The estimated cost to the Government is captured in Table 2.

*Table 2 - GSA Cost*

Total Annual Responses	1200
Estimated Hour to Review each Form	<u>X 1</u>
Estimated total hours	1200
Hourly Wage	<u>X \$46</u>
Estimated Cost to GSA	\$55,200

**15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14.**

No program changes to report.

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

No plans are being considered to publish the results of the survey. The data is for determining compliance with applicable Federal civil rights laws and regulations and to report, as requested, to DOJ.

**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.**

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Not applicable.

**18. Explain each exception to the certification statement identified in Item 19, “Certification for Paperwork Reduction Act Submissions”.**

None.

**B. Collections of Information Employing Statistical Methods**

Not applicable.