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# Supporting Statement for Financial Assistance

## **Part A: Justification**

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**OMB No. 1910-0400**

*DOE Financial Assistance*

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June 2020

U.S. Department of Energy  
Washington, DC 20585

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## A.1. Legal Justification

**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 information collection.**

This package requests an extension of the existing collection, Financial Assistance, under OMB Control Number 1910-0400, for an additional three year period. The authority and requirements for this collection are the Department of Energy Assistance Regulations, 2 CFR 910, and the Department of Energy Organization Act, Public Law 95-91. The Organization Act assigns the Secretary of Energy the executive direction and management functions, authority, and responsibilities for the Department. The DOE assistance regulations at 2 CFR 910 implements the Federal Grant and Cooperative Agreement Act, Public Law 95-224, as amended by Public Law 97-258 (31 U.S.C. §6301-6308), and establishes uniform policies and procedures for the award and administration of DOE grants and cooperative agreements in accordance with OMB's Agency guidance at 2 CFR 200.

The basic authority for these collections is the statute establishing the Department of Energy, the Department of Energy Organization Act (42 U.S.C. §7254), which vests the Secretary of Energy with the executive direction and management functions, authority and responsibilities for the Department, including financial assistance management. The provisions of 42 U.S.C. §7254 state that "the Secretary is authorized to prescribe such procedural and administrative rules as he may deem necessary or appropriate to administer and manage the functions now or hereinafter vested in him;" and 42 U.S.C. §7256(a) says "the Secretary is authorized to enter into and perform such contracts, leases, cooperative agreements, or other similar transactions with public agencies and private organizations and persons, and to make such payments (in lump sum or installments, and by way of advance or reimbursement) as he may deem to be necessary or appropriate to carry out functions now or hereafter vested in the Secretary."

## A.2. Needs and Uses of Data

**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**

DOE financial assistance applicants and recipients include state, local and tribal governments, institutions of higher education, non-profit and for-profit entities. The information obtained from applicants and recipients allow DOE Contracting Officers, Contract Specialists, and Program Managers the ability to oversee and manage DOE's financial assistance programs, projects and awards. The following information is used to determine the merit of the applications, negotiate awards, and ensure recipients are performing properly and using Federal funds in accordance with the objectives, terms and conditions of the award.

- Application narratives- Includes letters of intent, concept papers, project narrative, proposed objectives, scope of work, task lists, phase work, SF-424, deliverables list, budget and budget justifications, project management plan, manufacturing plan, data management plan,

intellectual property management plan, open source distribution plan, waiver requests, SF-424, SF-LLL, miscellaneous program policy and special requirements.

- Award Administration and Reporting Requirements – Includes management reports (project progress reports, project status reports); financial and property reports (reimbursement requests (SF-270), federal financial reports (SF-425), indirect cost reports, subject invention utilization report, patent report and property reporting (SF-428, UCC reporting); single and compliance audit reports (SF-SAC); miscellaneous administrative and special notifications and/or other technical or ad-hoc reports.

### **A.3. Use of Technology**

**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.**

Financial assistance applicants and recipients are authorized to submit information to the Department electronically, e.g., via the internet, e-mail, or computer disk. In some instances, such as the submission of proposals, technical, management or financial reports, or invoices, there are web based tools available to facilitate the submission of information. The burden on recipients is reduced by using Grants.gov, FedConnect and DOE's E-Link system for submitting these reporting requirements electronically.

### **A.4. Efforts to Identify Duplication**

**Describe efforts to identify duplication.**

The collection of information will document progress and performance of DOE financial assistance awards, specifically to the requirements of each financial assistance award. Therefore, the information collected is unique to DOE and can only be obtained through this request.

### **A.5. Provisions for Reducing Burden on Small Businesses**

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

The impact of the collection of information to small businesses are considered in the development of the financial assistance requirements and documents and is minimized to the extent permitted by applicable statutory requirements and other legal and management constraints. In those programs where small business are encouraged to submit applications some requirements may be delayed and/or reduced. For those small businesses certain application requirements may be required later in the application or award process and the frequency of award reporting requirements may be reduced.

## **A.6. Consequences of Less-Frequent Reporting**

**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 collection is not conducted, DOE will be in non-compliance with the Department of Energy Organization Act, Public Law 95-91 and the provision of 42 USC §7254, which vest the Secretary of Energy with the executive direction and management functions, authority and responsibilities including financial assistance management. The Secretary is authorized to prescribe procedural and administrative rules appropriate to administer and manage said functions.

If the collection is conducted less frequently, the Department would be unable to determine the merit of the applications, negotiate awards, and ensure the recipient is performing properly and spending funds in accordance with the agreement. Not collecting the information or reducing the collection frequency may adversely affect the Department's oversight and management of its financial assistance programs, projects, and awards.

## **A.7. Compliance with 5 CFR 1320.5**

**Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines. (a) requiring respondents to report information to the agency more often than quarterly; (b) requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it; (c) requiring respondents to submit more than an original and two copies of any document; (d) requiring respondents to retain records, other than health, medical government contract, grant-in-aid, or tax records, for more than three years; (e) in connection with a statistical survey, that is not designed to product valid and reliable results that can be generalized to the universe of study; (f) requiring the use of statistical data classification that has not been reviewed and approved by OMB; (g) that includes a pledge of confidentiality that is not supported by authority established in stature of 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; (h) 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.**

There are no special circumstances. The package is consistent with OMB guidelines.

## **A.8. Summary of Consultations Outside of the Agency**

**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 5CFR 320.8(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 in response to the comments. Specifically address comments received on cost and hour burden. Describe efforts to consult with persons outside DOE to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or report.**

The Department published a 60-day Federal Register Notice and Request for Comments concerning this collection in the Federal Register on Sept 10, 2019 (Vol. 84, No. 175), Page 47501. No comments were received.

The Department published a 30-day Federal Register Notice and Request for Comments concerning this collection in the Federal Register on December 13, 2019 (Vol. 84, No. 240), Page 68168. No comments were received.

The Department uses these Federal Register Notices to publicize its information collection requirements for comments, no specific consultations outside of these publications were made.

### **A.9. Payments or Gifts to Respondents**

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

There is no remuneration given for submission of any of the information in this collection.

### **A.10. Provisions for Protection of Information**

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

Per the Department's Funding Opportunity Announcements, information received in applications are used for evaluation purposes only. Funding Opportunity Announcements further instruct applicants on how to protect confidential data in their application for financial assistance.

### **A.11. Justification for Sensitive Questions**

**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. This justification should include the reasons why DOE 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.**

No such sensitive questions are present, neither intended nor otherwise anticipated in this collection.

### **A.12A. Estimate of Respondent Burden Hours**

**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, DOE should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample fewer than 10 potential respondents is desirable.**

The estimated burden, expressed in burden hours, is the sum of the burden reported by Departmental elements and Field organizations as compiled from their respective recipients or estimated by expert personnel familiar with these collections. Burden Hours computations for

required reports are based on the number of estimated responses multiplied by the average hours required by respondent to prepare each response.

The burden estimate was based on actuals from previous years and estimates for future financial assistance activities. DOE receives approximately 10,000 financial assistance applications a year and makes over 1,500 financial assistance awards per year. Most awards are for periods of 3 to 5 years. Approximately \$2 billion per year is obligated to financial assistance awards each year with \$1 billion of that going to new awards. Each applicant for DOE financial assistance is required to submit a new application for every project. DOE has averaged 9,500 active financial assistance awards every year. Each financial assistance award recipient is required to submit at the minimum an annual management, financial and audit report, and depending on the award or performance circumstance, may be required to submit a property report or other special or ad-hoc report identified in their award.

Using these calculations, the estimated annual burden of this package is as follows:

Annual Estimated Number of Respondents: 19,625

Annual Estimated Number of Total Responses: 57,625

Total Estimated Annual Burden Hours: 528,000

Annual Estimated Cost of Burden to Respondents: \$ 28,510,944

**Table A1. Estimated Respondent Hour Burden**

Form Number/Title (and/or other Collection Instrument name)	Type of Respondents	Number of Respondents	Annual Number of Responses	Average Burden Hours Per Response	Annual Burden Hours	Annual Reporting Frequency
Applications	Applicants	10,125	10,125	24	243,000	1
Award administration and reporting-management, financial, property, audit special, technical, ad-hoc, or miscellaneous reports	Award Recipients	9,500	47,500	6	285,000	5
<b>TOTAL</b>		<b>19,625</b>	<b>57,625</b>		<b>528,000</b>	

The annual estimated cost to respondents for this collection is \$28,510,944. This amount was calculated by multiplying the fully burdened wage rate for project management and business operations specialists responsible for providing the responses (\$38.57\*1.4) by the total annual number of burden hours (528,000). The national mean wage estimated hourly rate for project management and business operations specialists (\$38.57) is based on the Department of Labor’s Bureau of Labor Statics May 2019 Occupational Employment and Wages for 13-1198 Project Management Specialists and Business Operations Specialists, All Other. DOE estimated the private



industry multiplier for the fully-burdened wage rate (1.4) using data from the BLS news release USDL-19-1649, September 17, 2019 (see <http://www.bls.gov/news.release/ecec.nr0.htm>).

### **A.13. Other Estimated Annual Cost to Respondents**

**Provide an estimate for the total annual cost burden to respondents or recordkeepers resulting from the collection of information.**

There are no additional costs for the respondents in the collection of this data that is outside of customary and usual business or private practices. The costs incurred by DOE financial assistance recipients for generating, disclosing and maintain reporting requirements are recovered in their reimbursement of expenses under their financial assistance award.

### **A.14. Annual Cost to the Federal Government**

**Provide estimates of annualized cost to the Federal government.**

The estimated cost to the Government for this collection is \$3,863,756. This amount was calculated by multiplying the hourly rate for the procurement and program personnel reviewing the responses (\$67.05) by the total number of responses (57,625) by average review time of 1 hour. Cost per hour (\$67.05) is based on the General schedule GS14 Step 5 hourly rate of \$49.21 for 2019, plus the 36.25% civilian personnel full fringe benefit rate for 2009 taken from OMB Memo M-08-13 ( $\$49.21 \times 136.25\% = \$67.05$ )

### A.15. Reasons for Changes in Burden

Explain the reasons for any program changes or adjustments reported in Items 13 (or 14) of OMB Form 83-I.

The renewal information collection package contains decreased burden hour estimate from that reflected in the current Office of Management and Budget inventory. The reduction in the number of burden hours estimated for this package reflects the elimination of the need for applicants to request certain research pre-approvals, the combining of Financial Assistance reporting requirements, the reduction in the documentation requirements, and the reduction in estimated average response times for certain responses. The estimated average response times that were lowered was due to the use of emails and electronic forms to make requests or provide responses to the Department.

**Table A2. ICR Summary of Burden**

	<b>Requested</b>	<b>Program Change Due to Agency Discretion</b>	<b>Change Due to Adjustment in Agency Estimate</b>	<b>Previously Approved</b>
Total Number of Responses	57,625	-18,247		39,378
Total Time Burden (Hr)	528,000	-4,067		532,067

## **A.16. Collection, Tabulation, and Publication Plans**

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

This package contains no collections whose results will be published for statistical use.

## **A.17. OMB Number and Expiration Date**

**If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons why display would be inappropriate.**

This collection is not seeking approval to not display the expiration date for OMB approval of this information.

## **A.18. Certification Statement**

**Explain each exception to the certification statement identified in Item 19 of OMB Form 83-I.**

The Department is not requesting any exceptions to the certification statement provided in Item 19 of OMB Form 83-I.