

SUPPORTING STATEMENT
FOR PAPERWORK REDUCTION ACT SUBMISSION

- 1. Explain the circumstances that make the collection of information necessary. What is the purpose for this information collection? Identify any legal or administrative requirements that necessitate the collection. Include a citation that authorizes the collection of information. Specify the review type of the collection (new, revision, extension, reinstatement with change, reinstatement without change). If revised, briefly specify the changes. If a rulemaking is involved, list the sections with a brief description of the information collection requirement, and/or changes to sections, if applicable.**

On February 27, 2020 Department of Education (Department) published in the Federal Register a Notice of Proposed Priorities for the Native American Language Program (NAL@ED) (Vol. 85, No. 39, pages 11322-11329). The priorities, requirements, definitions, and selection criteria are proposed to foster the development, improvement, expansion, or maintenance of programs that support elementary or secondary schools in using Native American and Alaska Native languages as the primary language of instruction. The Office of Indian Education (OIE) of the Department requests a reinstatement with change clearance for the NAL@ED Program Grant Application authorized under Title VI, Part A, of the Elementary and Secondary Education Act, as amended. NAL@ED is a competitive discretionary grant program. The grant application submitted for this program is evaluated on the basis of how well an applicant addresses the selection criteria and is used to determine applicant eligibility and amount of award for projects selected for funding.

This is a request for a reinstatement with change of a previously approved information collection request. The previous application was used to implement the first NAL@ED competition under the statutory changes made to the ESEA by the ESSA, under a waiver of rulemaking (section 437(d)(1) of GEPA).

- 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 type of information provided in the application includes: the purpose of the project; the objectives, activities, and timelines for the funding period requested, qualifications of key personnel; the evaluation procedures to be used to measure progress and effectiveness of the project; and a detailed budget and description of resources.

Eligible applicants submit the information to describe the project for which funding is requested. The information provided by the applicant addresses the selection criteria for the program. The application is evaluated through a peer review process and an application's score is used to determine its ranking and selection for funding. Projects may be funded for up to three years.

Eligible applicants for the programs include: an Indian tribe, a Tribal College or University (as defined in section 316 of the Higher Education Act of 1965 (20 U.S.C. 1059c)), a tribal education agency, a local educational agency, including a public charter school that is a local educational agency under State law, a school operated by the Bureau of Indian Education, an Alaska Native Regional Corporation (as described in section 3(g) of the Alaska Native Claims Settlement Act (43 U.S.C.1602(g))), a private, tribal, or Alaska Native nonprofit organization, or a nontribal for-profit organization.

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. Please identify systems or websites used to electronically collect this information. Also describe any consideration given to using technology to reduce burden. If there is an increase or decrease in burden related to using technology (e.g. using an electronic form, system or website from paper), please explain in number 12.**

This grant program requires an electronic submission of applications through the grants.gov system. For those applicants that do not have the capability for on-line submissions through the Internet, the application may also be submitted in hard copy format if an exception is requested in writing at least two weeks prior to the closing date.

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.**

No duplication of effort exists. This information collection requests information specifically for the NAL@ED program authorized under section 6133 of the ESSA. Applicants will be required to provide information that addresses the statutory purpose and requirements, as well as the selection criteria.

5. **If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden. A small entity may be (1) a small business which is deemed to be one that is independently owned and operated and that is not dominant in its field of operation; (2) a small organization that is any not-for-profit enterprise that is independently owned and operated and is not dominant in its field; or (3) a small government jurisdiction, which is a government of a city, county, town, township, school district, or special district with a population of less than 50,000.**

This information collection requirement does not place a significant burden on small businesses or other small entities.

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 is not collected, the Department will be unable to make grant awards in a timely manner. Applications provide information describing the project for which funding is requested. The information collected is necessary to evaluate the applications and select projects for funding annually.

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

No such circumstances exist.

8. As applicable, state that the Department has published the 60 and 30 Federal Register notices as required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB.

Include a citation for the 60 day comment period (e.g. Vol. 84 FR ##### and the date of publication). Summarize public comments received in response to the 60 day

notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden. If only non-substantive comments are provided, please provide a statement to that effect and that it did not relate or warrant any changes to this information collection request. In your comments, please also indicate the number of public comments received.

For the 30 day notice, indicate that a notice will be published. 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.

On February 27, 2020 Department of Education (Department) published in the Federal Register a Notice of Proposed Priorities for the NAL@ED program with a 30 day public comment period that ended on March 30, 2020. (Vol. 85, No. 39, pages 11322-11329). The U.S. Department of Education consulted on this NAL@ED Program at four tribal consultations in 2016. The Department also conducted two additional consultation opportunities through webinars to obtain feedback on specific questions relating to the grant program, and to help design the program to better understand the unmet needs. At the time the Notice of Proposed Priorities was published, no Information Collection Request was submitted concurrently. We are publishing a separate 30-day FRN to solicit public comment on the paperwork burden.

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

No payments or gifts to respondents will be provided.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy. If personally identifiable information (PII) is being collected, a Privacy Act statement should be included on the instrument. Please provide a citation for the Systems of Record Notice and the date a Privacy Impact Assessment was completed as indicated on the IC Data Form. A confidentiality statement with a legal citation that authorizes the pledge of

confidentiality should be provided.¹ If the collection is subject to the Privacy Act, the Privacy Act statement is deemed sufficient with respect to confidentiality. If there is no expectation of confidentiality, simply state that the Department makes no pledge about the confidentiality of the data. If no PII will be collected, state that no assurance of confidentiality is provided to respondents. If the Paperwork Burden Statement is not included physically on a form, you may include it here. Please ensure that your response per respondent matches the estimate provided in number 12.

Confidential information is not requested, there are no assurances of confidentiality.

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.**

Information of a sensitive nature is not requested.

12. **Provide estimates of the hour burden for this current information collection request. The statement should:**

- **Provide an explanation of how the burden was estimated, including identification of burden type: recordkeeping, reporting or third party disclosure. Address changes in burden due to the use of technology (if applicable). Generally, estimates should not include burden hours for customary and usual business practices.**
- **Please do not include increases in burden and respondents numerically in this table. Explain these changes in number 15.**
- **Indicate the number of respondents by affected public type (federal government, individuals or households, private sector – businesses or other for-profit, private sector – not-for-profit institutions, farms, state, local or tribal governments), frequency of response, annual hour burden. 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 this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burden in the table below.**

¹ Requests for this information are in accordance with the following ED and OMB policies: Privacy Act of 1974, OMB Circular A-108 – Privacy Act Implementation – Guidelines and Responsibilities, OMB Circular A-130 Appendix I – Federal Agency Responsibilities for Maintaining Records About Individuals, OMB M-03-22 – OMB Guidance for Implementing the Privacy Provisions of the E-Government Act of 2002, OMB M-06-15 – Safeguarding Personally Identifiable Information, OM:6-104 – Privacy Act of 1974 (Collection, Use and Protection of Personally Identifiable Information)

- **Provide estimates of annualized cost to respondents of the hour burdens for collections of information, identifying and using appropriate wage rate categories. [Use this site](#) to research the appropriate wage rate. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 14. If there is no cost to respondents, indicate by entering 0 in the chart below and/or provide a statement.**

Provide a descriptive narrative here in addition to completing the table below with burden hour estimates.

Based on the past competition it is estimated that a total of 50 applications will be received annually for this grant competition. The cost per applicant for compilation of the information and completion of the application is estimated to take 30 hours for each program. Estimates are based on the basic hourly rate of a GS 13/1 for development of the application and the basic hourly salary of a GS 4/1 for clerical support. This makes the average hourly rate for the staff developing the application package an estimated \$40. The total burden for the public is estimated to be 1500 hours and \$60,000. See the table below for a breakdown of the estimates.

Estimated Annual Burden and Respondent Costs Table

Information Activity or IC (with type of respondent)	Number of Respondents	Number of Responses	Average Burden Hours per Response	Total Annual Burden Hours	Estimated Respondent Average Hourly Wage	Total Annual Costs (hourly wage x total burden hours)
Application Package – Eligible entity	50	1 per respondent	30	1500	\$40	\$60,000
Annualized Totals	50	1 per respondent	30	1500		\$60,000

Please ensure the annual total burden, respondents and response match those entered in IC Data Parts 1 and 2, and the response per respondent matches the Paperwork Burden Statement that must be included on all forms.

- 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 acquiring and maintaining 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. Also, these estimates should not include the hourly costs (i.e., the monetization of the hours) captured above in Item 12.**

Total Annualized Capital/Startup Cost :
Total Annual Costs (O&M) : _____
Total Annualized Costs Requested :

There is no additional annual cost burden to respondents and recordkeepers from this collection of information.

- 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.**

We estimate it will take 2 staff at the GS 13 level 40 hours each to review applications for eligibility. This will result in a total cost to the federal government of 2 staff at \$43/hour x 40 hours each staff person must work = \$3,440. The peer review costs are expected to be \$60,000. Overall, the cost to the Federal government is estimated at \$63,440.

15. Explain the reasons for any program changes or adjustments. Generally, adjustments in burden result from re-estimating burden and/or from economic phenomenon outside of an agency's control (e.g., correcting a burden estimate or an organic increase in the size of the reporting universe). Program changes result from a deliberate action that materially changes a collection of information and generally are result of new statute or an agency action (e.g., changing a form, revising regulations, redefining the respondent universe, etc.). Burden changes should be disaggregated by type of change (i.e., adjustment, program change due to new statute, and/or program change due to agency discretion), type of collection (new, revision, extension, reinstatement with change, reinstatement without change) and include totals for changes in burden hours, responses and costs (if applicable).

Provide a descriptive narrative for the reasons of any change in addition to completing the table with the burden hour change(s) here.

This is a reinstatement with change of a previously approved information collection request. We are making this request due to the Notice of Proposed Priorities related to the NAL@ED program. The new priorities and application requirements will result in an estimated 1,000 burden hours and 25 responses at a total cost of \$40,000 for the public.

	Program Change Due to New Statute	Program Change Due to Agency Discretion	Change Due to Adjustment in Agency Estimate
Total Burden	1500	0	0
Total Responses	50	0	0
Total Costs (if applicable)	\$60,000	0	0

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.

Results of the individual information collected will not be published.

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.

Such approval is not being requested.

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

There are no exceptions to the certifications.