



**United States Department of Agriculture
Rural Development**

August 20, 2019

TO: Elke Hodson Marten
Senior Desk Officer
Office of Management and Budget

THROUGH: Ruth Brown
USDA Information Collection Officer

FROM: Chad Rupe
Administrator
Rural Utilities Service

SUBJECT: Request for Emergency Approval of a New Information Collection Request for the Revised Broadband Program

Rural Development (RD) is requesting emergency review and approval of a new information collection for the Rural Utilities Service (RUS) to implement its revised regulation, *Rural Broadband Access Loan, Loan/Grant Combination and Loan Guarantees*. The revised regulation makes changes that were introduced through the Agricultural Act of 2018 (2018 Farm Bill). The rule has been determined to be Significant for purposes of Executive Order (E.O.)12866. It has been submitted to OMB for review under E.O. 12866.

The Agency will publish the rulemaking action in the *Federal Register* as a Final rule; with request for comments to notify borrowers of the new servicing regulation. The Administrative Procedures Act exempts from prior notice rules any actions "relating to agency management or personnel or to public property, loans, grants, benefits, or contracts" (5 U.S.C. 553(b)(A)). Therefore, in order to ensure that any Information Collection and Recordkeeping activities are approved on the effective date, RD is requesting emergency approval of the new information collection in coordination with OMB clearance of the associated rulemaking, as the use of normal clearance procedures is likely to prevent or disrupt the collection of information from borrowers, the 60-Day notice for comments is embedded in the interim final rule; request for comments. Due to the need to consider comments received and then issue another notice for the *Federal Register* for an additional thirty days of comment, RD would not be able to complete the information collection process before applications would be received. Failure to collect proper

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information from borrowers could result in improper determinations of assistance, hinder the government's recovery of such loans, increase legal costs to the borrower as well as encumber customer service. Please note that after the 60-Day comment period closes, RD will submit the collection package for a 3-year approval addressing any comments received.

This new information collection addresses changes which include an increase in the number of respondents and the inclusion of Public Notice requirements for the Telecommunications Infrastructure Loan Program and Community Connect Program.

RD has been given a Congressional deadline of December 2019 to implement the changes outlined in the 2018 Farm Bill for this particular regulation.

The revised regulation is consistent with the Administration's efforts to streamline Government functions, improve the efficiency and effectiveness of Government activities, and strive to be more borrower-friendly. It will make the program more accessible by providing a new loan/grant combination loan to those entities that can provide the most coverage to underserved areas.

In compliance with OMB regulations (5 CFR Part 1320), which implements the Paperwork Reduction Act of 1995 (Pub. L. 104-13), the information collection and recordkeeping requirements that may be imposed by this section are submitted to OMB for emergency review and approval. Attached are the supporting statement and spreadsheet for this collection package.

Should you have any questions, please do not hesitate to contact Michele Brooks, Director, Regulations Management Division, Rural Development Innovation Center by telephone at (202) 690-1078 or by email at Michele.Brooks@usda.gov.

Thank you in advance for your quick review and response to us.