



UNITED STATES DEPARTMENT OF EDUCATION

May 3, 2021

MEMORANDUM

TO: Lindsay Abate  
Office of Management and Budget Desk Officer

FROM: Ian Rosenblum *Ian Rosenblum*  
Deputy Assistant Secretary for Policy and Programs  
Delegated the Authority to Perform the  
Functions and Duties of the Assistant Secretary  
Office of Elementary and Secondary Education

RE: Emergency request for Paperwork Reduction Act (PRA) approval

Pursuant to the Office of Management and Budget (OMB) procedures established in 5 CFR 1320, ED requests that the following collection of information, program implementation data for the Education Stabilization Fund and American Rescue Plan to the Outlying Areas under Section 18001(1) of the CARES Act, Section 311(a)(1) of the CRRSA, and Section 2005 of the ARP, and related Outlying Areas and the Republic of Palau programs under Section 1121 of Title I, Part A of the ESEA, be processed in accordance with section 1320.13 Emergency Processing. The ARP was signed into law on March 11, 2021 and required that funds be allocated to the Outlying Areas within 30 days, which has not allowed for the creation and clearance of a monitoring protocol under the standard timeline. ED has determined that this information must be collected to meet reporting requirements under 2 CFR 200.327 and 2 CFR 200.328, and that this information is essential to ED's ability to effectively implement Section 18001(1) of the CARES Act, Section 311(a)(1) of the CRRSA, and Section 2005 of the ARP in a timely manner.

If this collection is not allowed to proceed, ED will not be able to fulfill its oversight responsibilities under 2 CFR 200.207 and 2 CFR 3474.10. Three of the four Outlying Areas have been designated for high-risk status for over ten years resulting in ED's need to more routinely monitor grantee progress and program implementation. The Risk Management Services Division of the Office of Grants Administration has determined that all ED grants awarded to the SEA in each Outlying Area are subject to Departmental Specific Conditions applicable to that Outlying Area. In addition, two Outlying Areas are each required to have a third-party fiduciary agent to manage ED funds. Given that the funds have already been awarded to the Outlying Areas, the need for immediate and frequent monitoring and technical assistance is critical to ensure that the funds are used in accordance with grant award assurances and conditions. This collection, and the

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monitoring and technical assistance that it will inform, will allow the Outlying Areas to more effectively implement programs to address learning loss through systematic ED support of ARP implementation plan development, prior to their due date in July 2021. These aforementioned realities, paired with the unprecedented amount of funding awarded to the Outlying Areas through the CARES Act, CRRSA, and ARP further support the need for this emergency PRA request. If approved, ED will be able to mitigate potential harm to federal interests, which includes noncompliance with grant conditions and assurances and an increased likelihood of waste, fraud, and abuse of Federal funds.

Given the short timeframe, ED is unable to consult with the public prior to initiating the collection; however, the collection form is consistent with a similar monitoring form used by other ED programs, for which public comment was collected in late 2020 (see Agency Docket No.: ED-2020-SCC-0148). We estimate that the form will take on average 1 hour to complete.

ED requests approval of the submission by May 31, 2021. ED will provide at least 10 business days for public comment for the emergency ICR and include 60 day language for the regular ICR.