

SUPPORTING STATEMENT - PART A

Corps Water Infrastructure Financing Program (CWIFP): Preliminary Application – 0710-XXXX

1. Need for the Information Collection

The authority for the U.S. Army Corps of Engineers (USACE) CWIFP is Subtitle C of Title V of the Water Resources Reform and Development Act of 2014 (WRRDA), which is referred to as the Water Infrastructure Finance and Innovation Act of 2014 (WIFIA, see also at 33 U.S.C. 3901–3914). 33 U.S.C. 3904 specifies that entities such as corporations, partnerships, joint ventures, trusts, state infrastructure financing authorities, and federal, tribal, state or local government entities are eligible to receive federal credit assistance under WIFIA. USACE CWIFP involves two sequential collections for eligible entities seeking federal credit assistance: ENG Form 6176 (Preliminary Application) and ENG Form 6177 (Final Application). The Preliminary Application collection is required to 1) validate the eligibility of the prospective borrower and the proposed project, 2) perform a preliminary creditworthiness assessment, 3) perform a preliminary engineering and environmental feasibility assessment, and 4) evaluate the project against the selection criteria. and identify which projects USACE will invite to submit a Final Application. The Preliminary Application addresses the CWIFP eligibility criteria, CWIFP selection criteria, and identifies other specific information that must be provided to USACE to be considered for credit assistance. Based on evaluation of the Preliminary Application, USACE will identify those eligible projects which are likely to proceed to closing and invite the prospective borrowers to submit a Final Application. Only those entities who are invited by USACE to submit a Final Application should proceed with the process. USACE expects to invite only five applicants to be invited to move forward, and thus the ENG Form 6177 is exempt from PRA requirements.

2. Use of the Information

The respondents to ENG Form 6176 (Preliminary Application) are eligible entities who are seeking federal credit assistance under the CWIFP. As defined at 33 U.S.C. Section 3904, eligible entities include the following: a corporation; partnership; joint venture; trust; Federal, State, or local governmental entity, agency, or instrumentality; tribal governments or consortium of tribal governments; or a State infrastructure finance authority.

Respondents can access the Preliminary Application form on-line at: <https://www.usace.army.mil/Missions/Civil-Works/Infrastructure/revolutionize/CWIFP/>. Respondents may complete the Preliminary Application within the form itself, and they may include narrative responses and provide referenced documents as attachments. All submissions are required to be submitted on respondent-furnished external hard drives. The information collection process for the Preliminary Application is initiated by the publication in the Federal Register of a CWIFP Notice of Funding Availability (NOFA). As specified in the CWIFP implementation rule at 33 CFR Part 386, for

each fiscal year that Congress appropriates funds for credit assistance, USACE will publish one (or more) NOFA in the Federal Register to solicit Preliminary Applications for credit assistance. USACE also posts each NOFA on the CWIFP web site, at <https://www.usace.army.mil/Missions/Civil-Works/Infrastructure/revolutionize/CWIFP/>. The NOFA provides detailed instructions for submitting Preliminary Applications as well as the due dates for submissions. It advises prospective borrowers of the estimated amount of funding available to support CWIFP credit instruments and information required in the application process. The first step requires respondents to submit a Preliminary Application prior to the deadline set out in the NOFA. Based on evaluation of the Preliminary Applications, the CWIFP program office will determine which projects and applicants are creditworthy and would be likely to proceed to closing. The subset of projects and applicants that the CWIFP program office determines to be creditworthy will be invited to submit Final Applications.

3. Use of Information Technology

All (100%) submissions are required to be submitted on respondent-furnished external hard drives. All hard drives received are subjected to security screening. After being properly screened, Preliminary Applications and all attachments are copied from the external hard drives onto a USACE network drive accessible to CWIFP staff and support contractors. Each application is assigned a unique identifier to enable storage and retrieval of project-specific information and documentation. Records will be retained for 12 months after loan closing or termination of application processing (see Equal Credit Opportunity Act (Regulation B), 12 CFR 1002.12).

4. Non-duplication

The information obtained through this collection is unique and is not already available for use or adaptation from another cleared source.

5. Burden on Small Businesses

This information collection does not impose a significant economic impact on a substantial number of small businesses or entities.

6. Less Frequent Collection

The collection frequency for the CWIFP Preliminary Application is "On Occasion," because it is tied to congressional appropriations. In general, appropriations for the CWIFP are anticipated to occur only once annually; however, in some years a supplemental appropriation may result in issuance of an additional Notice of Funding Availability which would initiate a new opportunity for prospective borrowers to submit Preliminary Applications.

7. Paperwork Reduction Act Guidelines

This collection of information does not require collection to be conducted in a manner inconsistent with the guidelines delineated in 5 CFR 1320.5(d)(2).

8. Consultation and Public Comments

Part A: PUBLIC NOTICE

A 60-Day Federal Register Notice (FRN) for the collection published on Wednesday, November 13, 2019. The 60-Day FRN citation is 84 FRN 61603.

No comments were received during the 60-Day Comment Period.

A 30-Day Federal Register Notice for the collection published on Friday, November 13, 2020. The 30-Day FRN citation is 85 FRN 72640.

Part B: CONSULTATION

USACE CWIFP staff have coordinated with staff members of similar, infrastructure-focused federal credit programs, including U.S. Environmental Protection Agency's Water Infrastructure Finance and Innovation Act (WIFIA) Program and U.S. Department of Transportation's Transportation Infrastructure Finance and Innovation Act (TIFIA) Program, to structure the CWIFP information collection process and requirements similarly, and to incorporate refinements and lessons-learned from the WIFIA and TIFIA programs. The CWIFP Notice of Funding Availability and application processes reflect these consultations.

9. Gifts or Payment

No payments or gifts are being offered to respondents as an incentive to participate in the collection.

10. Confidentiality

A Privacy Act Statement is required for this collection because it requires submission of the applicant's Employer Identification Number (EIN) or Taxpayer Identification Number (TIN).

A System of Record Notice (SORN) is not required for this collection because records are not retrievable by PII.

A Privacy Impact Assessment (PIA) has not been developed as an IT solution to manage the documentation has not been decided by the Corps. A few options are being considered such as an IL4 cloud solution. In the interim, the data will be stored/managed on USACE's secure network/SharePoint or USACE Teams, which will have restricted permissions.

The request for applications is currently an unscheduled action. The program office is working with the Army Records Office to schedule these records. The plan is for records to be retained for 12 months after loan closing or termination of application processing (see Equal Credit Opportunity Act (Regulation B), 12 CFR 1002.12), but they will be treated as permanent until this schedule is approved.

11. Sensitive Questions

EIN or TIN is collected to provide positive identification of the applicant and to verify that financial and tax documentation provided by the applicant as part of the Preliminary Application is complete, accurate, and consistent with official tax records.

12. Respondent Burden and its Labor Costs

Part A: ESTIMATION OF RESPONDENT BURDEN

1) Collection Instrument

ENG Form 6176 (Preliminary Application)

- a) Number of Respondents: 15
- b) Number of Responses Per Respondent: 1
- c) Number of Total Annual Responses: 15
- d) Response Time: 50 hours
- e) Respondent Burden Hours: 750 hours

2) Total Submission Burden

- a) Total Number of Respondents: 15
- b) Total Number of Annual Responses: 15
- c) Total Respondent Burden Hours: 750 hours

Part B: LABOR COST OF RESPONDENT BURDEN

1) Collection Instrument

ENG Form 6176 (Preliminary Application)

- a) Number of Total Annual Responses: 15
- b) Response Time: 50 hours
- c) Respondent Hourly Wage: \$41.75 (Weighted average of expected respondent occupations)
- d) Labor Burden per Response: \$2,087.50
- e) Total Labor Burden: \$31,313

2) Overall Labor Burden

- a) Total Number of Annual Responses: 15
- b) Total Labor Burden: \$31,313

The Respondent hourly wage was determined by using the Bureau of Labor Statistics website (<https://www.bls.gov/home.htm>)

13. Respondent Costs Other Than Burden Hour Costs

There are no annualized costs to respondents other than the labor burden costs addressed in Section 12 of this document to complete this collection.

14. Cost to the Federal Government

Part A: LABOR COST TO THE FEDERAL GOVERNMENT

1) Collection Instruments:

ENG Form 6176 (Preliminary Application)

- a) Number of Total Annual Responses: 15
- b) Processing Time per Response: 60 hours
- c) Hourly Wage of Worker(s) Processing Responses: \$154
- d) Cost to Process Each Response: \$9,240
- e) Total Cost to Process Responses: \$138,600

2) Overall Labor Burden to the Federal Government

- a) Total Number of Annual Responses: 15
- b) Total Labor Burden: \$138,600

Part B: OPERATIONAL AND MAINTENANCE COSTS

1) Cost Categories

- a) Equipment: \$0
- b) Printing: \$2,750
- c) Postage: \$250
- d) Software Purchases: \$0
- e) Licensing Costs: \$0
- f) Other: \$0

2) Total Operational and Maintenance Cost: \$3,000

Part C: TOTAL COST TO THE FEDERAL GOVERNMENT

1) Total Labor Cost to the Federal Government: \$138,600

2) Total Operational and Maintenance Costs: \$3,000

3) Total Cost to the Federal Government: \$141,600

15. Reasons for Change in Burden

This is a new collection with a new associated burden.

16. Publication of Results

USACE publishes on an annual basis summary-level information for preliminary application submissions as well as summaries of loans issued. The summary-level information includes project name and description, location, the population protected or served by the project, and the loan amount. In addition, USACE publishes information describing the cohort of loans issued each year including information such as number of projects selected, total loan amount, total infrastructure investment supported, and total population protected or served. In general, the detailed information provided by applicants in the Preliminary Application will not be published. However, the instructions accompanying this collection inform prospective applicants that USACE may be required to disclose their information under the Freedom of Information Act, unless the applicant has submitted a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as trade secret, proprietary, or company confidential.

17. Non-Display of OMB Expiration Date

We are not seeking approval to omit the display of the expiration date of the OMB approval on the collection instrument.

18. Exceptions to “Certification for Paperwork Reduction Submissions”

We are not requesting any exemptions to the provisions stated in 5 CFR 1320.9.