

SUPPORTING STATEMENT
U.S. Department of Commerce
National Telecommunications and Information Administration
Connecting Minority Communities Pilot Program
Post-Award Baseline Report, Semi-Annual Performance Progress Report and Annual Reports
OMB Control No. 0660-XXXX

SUPPORTING STATEMENT PART A

Abstract

This request is required for NTIA to collect performance information from eligible grant recipients through reporting and monitoring, to comply with the Consolidated Appropriations Act, 2021.

Justification

- 1. 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 collection of information.**

The Connecting Minority Communities Pilot Program (CMC) is authorized by the Consolidated Appropriation Act, 2021, Division N, Title IX, Section 902, Pub. L. 116-260, 134 Stat. 1182 (Dec. 27, 2020) (ACT). This pilot program seeks to address the lack of broadband access, connectivity, adoption and equity at our nation’s Historically Black Colleges and Universities (HBCUs), Tribal Colleges and Universities (TCUs), and Minority-Serving Institutions (MSIs), and in their surrounding anchor communities. Congress has directed NTIA to provide \$268,000,000 in grants to eligible HBCUs, TCUs, and MSIs to facilitate educational instruction and learning, including through remote instruction; and to consortia including Minority Business Enterprises (MBEs) or tax-exempt 501(c)(3) organizations to operate that MBE or tax-exempt 501(c)(3) organization. Eligible recipients may use grant funds to: (1) purchase broadband internet access service, including the installation or upgrade of broadband facilities on a one-time, capital improvement, basis to increase or expand broadband capacity and/or connectivity at the eligible institution; (2) purchase or lease eligible equipment and devices for student or patron use, subject to any restrictions and prohibited uses; and (3) hire and train information technology personnel who are a part of the eligible anchor institution, MBE, or tax-exempt 501(c)(3) organization.

The Office of Management and Budget (OMB) requires agencies administering grant programs to implement post-award financial and performance reporting for those programs.¹ The Uniform Administrative Requirements, Cost Principles, and Audit Requirements and the Department of

¹ See Office of Management and Budget, OMB Circular A-102, *Grants and Cooperative Agreements with State and Local Governments*, at §2(a) (Revised 10/7/94, as further amended 8/29/97); Office of Management and Budget, OMB Circular A-110, *Uniform Administrative Requirements for Grants and Agreements With Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations*, at Subpart C, §21 (Revised 11/19/93, as further amended 9/30/99); Office of Management and Budget, OMB Circular A-136, *Financial Reporting Requirements*, at §II.3 (Revised 6/10/09).

Commerce Financial Assistance Standard Terms and Conditions authorizes NTIA to require performance reports from CMC grant recipients.²

As part of the reporting requirement detailed in the Notice of Funding Opportunity (NOFO) for the CMC, award recipients are required to submit an SF-425 Financial Report on a quarterly basis, a Performance (Technical) Reports on a semi-annual basis, and an Annual Report no later than one year after receiving grant funds to the NTIA Federal Program Officer. Award recipients are to follow the reporting requirements described in Sections A.01, Reporting Requirement, of the Department of Commerce Financial Assistance Standard Terms and Conditions (dated November 12, 2020). Additionally, in accordance with 2 C.F.R. Part 170, all recipients of a federal award made on or after October 1, 2010, are required to comply with reporting requirements under the Federal Funding Accountability and Transparency Act or 2006, Pub. L. No. 109-282 (Sept. 26, 2006).

During the period of performance for the CMC Pilot Program, award recipients will be required to submit technical progress reports to the NTIA Federal Program Officer, Grants Officer and Grants Specialist on a semi-annual basis for the periods ending March 31 and September 30 of each year, as well as a Performance (Technical) Report at closeout. The technical progress report will contain information as prescribed in 2C.F.R. § 200.329 and the Department of Commerce Financial Assistance Standard Terms and Conditions (dated November 12, 2020), Section A.01.

As indicated in the NOFO, not later than one year after receiving grant funds under the Connecting Minority Communities Pilot Program, and annually thereafter until the funds have been expended, an eligible recipient shall submit to the Assistant Secretary (via email to the NTIA Federal Program Officer listed in the recipient's award documents) a report, with respect to the one-year period immediately preceding the report date, that:

- a) describes how the eligible recipient expended the funds (examples include a description of services provided, equipment purchased, the number of locations on campus or in anchor communities at which broadband internet service was improved or connectivity expanded using the grant funds, and the number of students/patrons connected);
- b) certifies that the eligible recipient complied with the requirements of the Act and the Connecting Minority Communities Pilot Program; and
- c) identifies each subrecipient that received a subgrant from the eligible recipient and a description of the specific project for which grant funds were provided.

NTIA is seeking OMB approval for the collection of the Baseline Report, Semi-Annual Performance (Technical) Reports, and Annual Report to effectively administer and monitor the grant program to ensure the achievement of CMC Pilot Program purposes and account for the expenditure of federal funds to deter waste, fraud, and abuse.

² *Uniform Administrative Requirements for Grants*, at §14.51; Department of Commerce, *Financial Assistance Standard Terms and Conditions*, at A.01 (Nov. 12, 2020).

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.

NTIA will collect information on the performance of individual CMC awards through the Baseline Report, Semi-Annual Performance (Technical) Reports, and Annual Report. The Baseline Report, submitted once according to the timeline denoted in the Specific Award Condition applicable to each CMC award, provides grant recipients an opportunity to update baseline project information that may have changed from their original application. The semi-annual performance reports, submitted for the periods ending March 31 and September 30 of each year, asks a series of questions that broadly address project progress and monitoring needs of program personnel by getting baseline (planned) and actual information on the semi-annual and cumulative project and milestone progress, and potential project barriers, if any. The annual report submitted one year after receiving grant funds under the CMC Pilot Program, and annually thereafter until the funds have been expended, provides grant recipients an opportunity to detail how grant funds were expended. Grant recipients can also address milestones and potential project barriers, if any, in the annual report.

NTIA intends to make performance reporting information available to the public in an aggregated format. Applicants' proprietary information will remain confidential and will not be made public.

3. 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, and the basis for the decision for adopting this means of collection. Also, describe any consideration of using information technology to reduce burden.

Collection of all information will be accomplished through electronic submissions. Analysis and aggregation of information will not be done using technical analysis techniques. All submissions will be analyzed individually.

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 Question 2

Post-Award Baseline Reports, Performance (Technical) Reports, and Annual Reports are unique to this pilot program. CMC Pilot Program Baseline and performance reports ask specific questions relating to the pilot program's awards and operational performance. The main objective of the reports is unique to CMC and each recipient's award. NTIA may only collect this information from CMC recipients and it is not available elsewhere.

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

This item does not apply.

6. 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.

Without the information requested on the Baseline Reports, Semi-Annual Performance Reports, and Annual Report, NTIA cannot effectively ensure that grant recipients are spending their grant dollars in a way that is consistent with the purposes of the CMC. Together with the quarterly SF-425 Federal Financial Reports, the Baseline Reports, Semi-annual Performance Reports, and Annual Report, NTIA will be able to monitor the grant recipients' spending habits and activities. NTIA will use the information collected from each award recipient to effectively administer and monitor the grant program and account for the expenditure of federal funds to deter waste, fraud, and abuse.

In the absence of collecting this information, NTIA would lack the means to evaluate grant recipients' progress toward achieving CMC Pilot Program purposes and priorities. Moreover, without these reports, the grants could be the subject of waste, fraud, and abuse of federal funds. Therefore, it is necessary for NTIA to collect information using the Baseline Reports, Semi-Annual Performance Reports, and Annual Report.

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;**

No special circumstances require the collection of information to be conducted in a manner inconsistent with OMB guidelines. This information collection is consistent with OMB guidelines.

- **requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**

No special circumstances require the collection of information to be conducted in a manner inconsistent with OMB guidelines. This information collection is consistent with OMB guidelines.

- **requiring respondents to submit more than an original and two copies of any document;**

No special circumstances require the collection of information to be conducted in a manner inconsistent with OMB guidelines. This information collection is consistent with OMB guidelines.

- **requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;**

No special circumstances require the collection of information to be conducted in a manner inconsistent with OMB guidelines. This information collection is consistent with OMB guidelines.

- **in connection with a statistical survey, that is not designed to produce valid and reliable results**

that can be generalized to the universe of study;

No special circumstances require the collection of information to be conducted in a manner inconsistent with OMB guidelines. This information collection is consistent with OMB guidelines.

- **requiring the use of a statistical data classification that has not been reviewed and approved by OMB;**

No special circumstances require the collection of information to be conducted in a manner inconsistent with OMB guidelines. This information collection is consistent with OMB guidelines.

- **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 which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or**

No special circumstances require the collection of information to be conducted in a manner inconsistent with OMB guidelines. This information collection is consistent with OMB guidelines.

- **requiring respondents to submit proprietary trade secret, 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 special circumstances require the collection of information to be conducted in a manner inconsistent with OMB guidelines. This information collection is consistent with OMB guidelines.

- 8. If applicable, provide a copy and identify the date and page number of publications in the Federal Register of the agency's notice, required by 5 CFR 1320.8 (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 by the agency in response to these comments. Specifically address comments received on cost and hour burden.**

NTIA provided the 60-day notice in the Federal Register, published on February 16, 2022 (Vol. 87, No.32, p.8,802) and received one comment from the public as of the end of the comment period April 18, 2022. The comment expressed concern over the CMC Program's purpose and targeted recipient base, rather than the cost and hour burden of the proposed reporting requirement. See Attachment A – Comment from Jean Public. NTIA did not receive comments that addressed the cost and burden of the proposed information collection. The 60-day notice can be found at <https://www.govinfo.gov/content/pkg/FR-2022-02-16/pdf/2022-03367.pdf>.

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

NTIA will not provide gifts or payments to CMC award recipients.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy. If the collection requires a systems of records notice (SORN) or privacy impact assessment (PIA), those should be cited and described here.

NTIA will protect confidential and proprietary information in performance and financial reports from public disclosure to the fullest extent authorized by applicable law, including the “Freedom of Information Act,” as amended (5 U.S.C. § 552 et seq.), the “Trade Secrets Act,” as amended (18 U.S.C. § 1905 et seq.), and the “Economic Espionage Act of 1996,” as amended (18 U.S.C. §1831 et seq.).

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior or attitudes, religious beliefs, and other matters that are commonly considered private. This 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.

This collection of information does not contain any questions of a sensitive nature.

12. Provide estimates of the hour burden of the collection of information.

- **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, 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 the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.**
- **If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens.**
- **Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included under ‘Annual Cost to Federal Government’.**

NTIA developed burden estimates for the Baseline Reports, Performance (Technical) Reports, and Annual Reports based on an activity breakdown analysis of the reporting forms. A team of consultants reviewed the forms in detail. Each individual on the team estimated how much time it would take for them to perform the following activities:

- Reviewing instructions;
- Collecting and processing information;

- Adjusting existing practices to comply with the rules of the information collection;
- Searching data sources;
- Completing and reviewing the response (on a field-by-field basis); and
- Transmitting or disclosing the information.

The analysis team then averaged out their burden hour estimates for each activity to produce a final activity breakdown, which added up to the burden hours for individual forms. NTIA estimates that it will award roughly 100 grants in total.

Connecting Minority Communities Pilot Program						
(Estimated Annualized Respondent Burden Hours (Estimated 183 total awards))						
Information Collection Instrument and OMB Number	Type of Respondent (e.g., Occupational Title)	# of Respondents (a)	Annual # of Responses/ Respondent (b)	Total # of Annual Responses (c) = (a) x (b)	Burden Hours/ Response (d)	Total Annual Burden Hours (e) = (c) x (d)
Baseline Report	Administrative Services Manager	100	1	100	33.22	3,322
Performance (Technical) Report	Administrative Services Manager	100	2	200	33.22	6,644
Annual Progress Report	Administrative Services Manager	100	1	100	33.22	3,322
Total				400	99.66	13,288

NTIA estimates that responses to the questions included in the proposed regulations would require an average of 33.22 hours to complete (Baseline Report, Performance, Annual Report, and Closeout Performance Report –400 hours). Estimating the maximum number of respondents at 100, this would result in a total burden of 13,288 hours.

The total estimated costs to respondents or record-keepers are based on the following:

- The total hour burden of the collection of information equaling 13,288 hours.

- Respondents will be State or territory personnel. To estimate reasonable staff expenses to respond to this information collection, NTIA reviewed the Bureau of Labor Statistics (BLS) Occupational Outlook Handbook and determined that the Administrative Services Manager description closely aligns with the positions of recipient staff responsible for completing this request. BLS lists a median salary of \$98,890 annually, amounting to \$47.54 per hour. <https://www.bls.gov/ooh/management/administrative-services-managers.htm>
- Total cost based on an hour’s burden equals \$631,711.52 for the Baseline Report, Performance (Technical) Report, and Annual Report.

- Estimated Annualized Respondent Cost

Type of Respondent/Occupational Title	Form	Number of Respondents	Number of Responses per Respondent	Annual Burden per Response (Hrs)	Hourly Wage Rate	Total Burden Costs
Administrative Services Manager	Baseline Report	100	1	33.22	\$47.54	\$157,927.88
Administrative Services Manager	Performance (Technical Report)	100	2	33.22	\$47.54	\$315,855.76
Administrative Services Manager	Annual Progress Report	100	1	33.22	\$47.54	\$157,927.88
Total						\$631,711.52

The estimate in hours of the burden of the collection of information does not include the hours for the Standard Forms associated with this grant program. The burden hour estimates for the Standard Forms will be included on NTIA’s Request for Common Form to use the previously approved OMB information collection instruments.

13. Provide an estimate for 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 already reflected on the burden worksheet).

- **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 consider 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 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 purchasing or contracting out information collections 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.**

There are no capital/start-up or ongoing operation/maintenance costs associated with this information collection.

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 may also aggregate cost estimates from Question 12, 13, and 14 in a single table.

NTIA intends to make all grant awards for the initial rounds of CMC funding, by June 30, 2022. The costs to the federal government for this information collection also will include: (1) NTIA staffing; (2) Contract Services to support grants processing and monitoring; (3) Grants Office Services to make financial awards; and (4) other related expenses. The administrative budget ceiling in the Consolidated Appropriation Act for CMC equals \$268,000,000. This is a non-recurring collection of limited cost to NTIA. NTIA will collect and store the information in electronic format for a maximum of 400 responses and will not need to acquire additional information systems for the collection and storage of the data. Therefore, costs associated with printing, equipment, and support services are incidental to general NTIA administrative and infrastructure costs. The cost to review responses is a small portion of the staff salary time assigned to the program.

Estimated Cost: 2,000 hours at \$43.04 per hour (based on GS-12 staff salary³) = **\$86,080**.

Annualized Costs to the Federal Government

Staff	Grade/Step	Salary	Fringe (if applicable)	% of Effort	Total Annualized Cost to Gov't
NTIA Program Staff	12	\$43.04 per hour	Included in hourly estimate	5 hours per response, 732 responses	\$43.04 * 5 hours * 400 responses=\$86,080
Total Cost to the Government					= \$86,080

The estimated annualized cost to the Federal government is based on the amount of time spent on review by program staff within NTIA. NTIA estimates that at an average cost of \$43.04 per hour and an estimated level of 5 hours per respondent (5 hours each to review the Baseline Report, the Performance Report, and the Annual Report,), with 400 annual responses (100 for the Baseline Report, 200 for the Performance Report, and 100 for the Annual Report), the total annual cost would be \$86,080.

15. Explain the reasons for any program changes or adjustments reported in ROCIS.

This is a new information collection.

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.

The information collected will not require complex analytical techniques. The information collected may be tabulated or published in aggregate on the NTIA website in the near future.

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.

Approval is not being sought to not display the expiration date for OMB approval of the information collection. The standard OMB control number is expected to be displayed on the paper and electronic versions of the Baseline Report, Performance (Technical) Report, and Annual Report.

18. Explain each exception to the certification statement identified in “Certification for Paperwork Reduction Act Submissions.”

³Office of Personnel Management, 2022 General Schedule (GS) Pay & Leave – Salaries & Wages for Washington-Baltimore-Arlington, https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/22Tables/html/DCB_h.aspx.

The agency certifies compliance with 5 C.F.R. § 1320.9 and the related provisions of 5 C.F.R. § 1320.8(b)(3).

SUPPORTING STATEMENT PART B

A. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

The proposed Baseline Reports, Performance (Technical) Report and Annual Report will not employ statistical methods to analyze the information collected from respondents.