

Department of the Treasury
Information Collection Request – Supporting Statement

Local Assistance and Tribal Consistency Fund
OMB No. 1505-NEW

Part A. Justification

1. Circumstances necessitating the collection of information

Section 605 of the Social Security Act, as added by section 9901 of the American Rescue Plan Act of 2021, established the Local Assistance and Tribal Consistency Fund (the LATCF), which appropriates \$2 billion in total funding across fiscal years 2022 and 2023 to Treasury to make payments to eligible revenue sharing counties and eligible Tribal governments. Specifically, for each of fiscal years 2022 and 2023, Treasury shall reserve \$250 million of the total amount appropriated to allocate and pay to eligible Tribal governments.

This Supporting Statement relates just to eligible Tribal governments. Treasury anticipates submitting another Supporting Statement for eligible revenue sharing counties.

Records Retention and Access Requirement (for Eligible Tribal Governments)

The award terms and conditions will require, by reference to the Uniform Guidance at 2 CFR 200.334-338, that all eligible Tribal government recipients maintain records regarding the award and permit access to such records Treasury and oversight bodies.

Recipient Payment Information Form (for Eligible Tribal Governments)

In order to assist Treasury in making proper payments, all eligible Tribal governments must supply basic bank routing and account information. Treasury expects this information to be readily available to officials or employees completing the form.

2. Use of the data

The information reported in these forms will assist Treasury in making proper payments to eligible governments.

3. Use of information technology

Treasury will manage the payment submission and any requests for records with the use of existing and widely available technology such as e-mail. When requesting bank routing information or other sensitive information, Treasury will provide governments with additional submission guidance to maintain privacy and security. If governments are not able submit sensitive information electronically, Treasury may provide alternative submission options, such as fax or mail.

4. Efforts to identify duplication

The information collections are under new statutory mandates. The information collection is tailored to leverage data that already exists and require only additional data that is necessary for making payments to eligible governments.

5. Impact on small entities

This collection of information will minimally affect small governments. Treasury will attempt to minimize the burden on small governments to the greatest extent practicable, such as by providing assistance to small governments.

6. Consequences of less frequent collection and obstacles to burden reduction

If eligible governments are unable to provide their Recipient Payment Information Form, Treasury will not be able to make payments to eligible governments. If eligible governments are unable to agree to retain and provide access to relevant records, Treasury will not receive the requisite level of comfort that eligible governments will be compliant with applicable laws.

7. Circumstances requiring special information collection

There are no special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.

8. Solicitation of comments on information collection and justification for expedited processing pursuant to 5 C.F.R. § 1320.13

Treasury hosted three Tribal consultations (on February 8, 9 and 10, 2022), feedback from which has deeply informed our approach to program design. Treasury has also received written comments from Tribal stakeholders and has continuously engaged with Tribal governments on this program through the dedicated Office of Recovery Programs' Tribal policy and engagement team. Through these engagements, Treasury has learned that Tribal governments have an urgent need for this funding, and given resource constraints, sometimes require additional time and one-on-one outreach by Treasury to navigate the funding request process. Given the inability to seek public comment during such a short timeframe, Treasury requests a waiver from the requirement to publish notice in the Federal Register seeking public comment.

9. Provision of payments to respondents

No payments or gifts are provided to respondents.

10. Assurance of confidentiality

Information collected through reporting carries no assurance of confidentiality, consistent with Treasury's commitment to transparency and accountability, and with the Freedom of Information Act and other applicable laws.

11. Justification of sensitive questions

No sensitive questions will be asked of eligible governments.

12. Estimate of the hour burden of information collection

The burden estimates for the records retention and access requirement to be included in the award terms and conditions (for Eligible Tribal Governments) and Recipient Payment Information Form (for Eligible Tribal Governments) are as follows:

| Reporting | # Respondents | # Responses Per Respondent | Total Responses | Hours per response | Total Burden in Hours | Cost to Respondent (\$48.80 per hour*) |
|--|----------------------|-----------------------------------|------------------------|---------------------------|------------------------------|---|
| Records Retention and Access Requirement (for Eligible Tribal Governments) | 581 | 1 | 581 | 0.25 | 145 | 7,088 |
| Recipient Payment Information Form (for Eligible Tribal Governments) | 581 | 1 | 581 | 1 | 581 | \$28,353 |
| Total | | | 1,162 | | 726 | \$35,441 |

* Bureau of Labor Statistics, U.S. Department of Labor, Occupational Outlook Handbook, Accountants and Auditors, on the Internet at <https://www.bls.gov/ooh/business-and-financial/accountants-and-auditors.htm> (visited March 28, 2020). Base wage of \$33.89/hour increased by 44% to account for fully loaded employer cost of employee compensation (benefits, etc.) for a fully loaded wage rate of \$48.80.

13. Estimated total annual cost burden to respondents

There are no annualized capital/startup costs for the eligible governments to provide the information in the Recipient Payment Information Form (for eligible Tribal governments) or records retention and access requirement (for eligible Tribal governments).

14. Estimated cost to the federal government

As this is a new program being set up in response to emergency circumstances, federal costs have not been estimated yet.

15. Reasons for change in burden

This submission is the first submission for this program.

16. Plans for tabulation, statistical analysis, and publication

Treasury plans to publish the data for disbursements.

17. Display of the expiration date for OMB approval

Treasury plans to display the expiration date for OMB approval of the information collection on all instruments.

18. Exceptions to requirements

There are no exceptions to the requirement for eligible Tribal governments to complete the Recipient Payment Information Form or comply with the records retention and access requirement.

Part B. Describe the use of statistical methods such as sampling or imputation

This collection does not employ statistical methods.