

DEPARTMENT OF THE TREASURY  
WASHINGTON, D.C. 20220



**TO:** Mancini, Acting Administrator, Office of Information and Regulatory

**FROM:** Ryan Law, Deputy Assistant Secretary for Privacy, Transparency, and Records

**SUBJECT:** Justification for Emergency Processing: Emergency Rental Assistance (ERA1) Program Final Report

Pursuant to the Office of Management and Budget (OMB) procedures established at 5 C.F.R. § 1320.13, the U.S. Department of the Treasury (Treasury) requests emergency processing for an Emergency Rental Assistance (ERA1) program information collection request, revising OMB Control Number 1505-0266.

Treasury administers the ERA1 program which was authorized by Division N, Title V, Section 501 (a)(1) of the Consolidated Appropriations Act, 2021 (the “Act”). The Act provided \$25 billion for Treasury to make payments to States (defined to include the District of Columbia), U.S. Territories, Indian Tribes or their Tribally designated housing entities, as applicable, the Department of Hawaiian Homelands, and certain local governments with more than 200,000 residents (collectively the “eligible grantees”) to provide financial assistance and housing stability services to eligible households in response to the COVID-19 pandemic. Treasury made ERA1 awards to more than 700 eligible grantees in early 2021.

Treasury is seeking approval for the ERA1 final report form which each ERA1 grantee will be required to use to report on their utilization of ERA1 award funds over the entire award period of performance. This information collection is vitally important for Treasury to fulfill its statutory public reporting requirements, satisfy the Pandemic Relief Accountability Committee (PRAC) reporting requirements, and continue to effectively monitor and oversee the ERA1 grantees’ compliance with the ERA1 Award Terms.

The ERA1 final report will require grantees to calculate and submit cumulative data on several key performance metrics covering the entire award period of performance. In addition, based on Treasury’s need to properly reconcile and align the grantee-reported data, Treasury has recently determined the need to require grantees, as part of their final report, to verify and revise, if necessary, details of subrecipient expenditure records that were previously reported on quarterly reports throughout the award period of performance.

The award period of performance for a total of 465 ERA1 grantees ended on September 30, 2022, and the final report for these grantees will be due by January 30, 2023. The final report due date coincides with the award closeout date for federal award recipients, which is set forth in 2 CFR 200.344(a), and requires all federal award recipients to closeout their awards by no later

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than 120 calendar days after the end of their award period of performance. As a result, providing the final report template to ERA1 grantee expeditiously will be critical to meeting this deadline.

Due to the need for ERA1 grantees to prepare and submit their ERA1 final report to Treasury expeditiously, Treasury's requests emergency processing and approval of the ERA1 final report form and draft instructions by November 3, 2022 in order to develop and distribute the online report templates and associated reporting guidance so that these grantees whose award period of performance ends on September 30, 2022 will have sufficient time to gather the required data and to prepare and submit complete and accurate reports to Treasury by the January 30, 2023 deadline. In addition, approval ensures adequate time for Treasury's planned communications with the ERA1 grantees about the final reporting procedures and the need for complete and accurate data.

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.