
Supporting Statement for Output and Outcome Metrics for Financial Assistance and Rebates

Part A: Justification

OMB No. 1910-NEW

December 2022

U.S. Department of Energy
Washington, DC 20585

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A.1. Legal Justification

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 information collection.

The Department of Energy (DOE) requires emergency approval for the collection of information for its programs implemented by the Office for Science and Innovation and the Office of Infrastructure, including financial assistance programs and rebate programs under the Infrastructure Investment and Jobs Act (Public Law 117-58; commonly referred to as the Bipartisan Infrastructure Legislation, or BIL). Collection of information is required for implementation of Executive Order (E.O.) 14052, *Implementation of the Infrastructure Investment and Jobs Act*, and for the OMB requirements for grant and financial administration. DOE provides federal financial assistance and technical support to states, local governments, and non-government entities under a number of authorities, including the Energy Policy Act of 1992 (Public Law 102-46), the Energy Policy Act of 2005 (Public Law 109-58), the Energy Independence and Security Act of 2007 (Public Law 110-140), and the Energy Act of 2020 (Division Z, Consolidated Appropriations Act, 2021). DOE also provides rebates pursuant to section 40555 of BIL (referencing sections 1005 and 1006 of the Energy Act of 2020, Public Law 116-260).

Given the historic level of investment represented by BIL programs and the urgent need to address the climate crisis as directed in E.O. 14008, *Tackling the Climate Crisis at Home and Abroad*, it is incumbent on DOE to transparently track, report, and communicate the outcomes of DOE's financial assistance and rebate programs. E.O. 14052 directs agencies to prioritize "investing public dollars efficiently and equitably, working to avoid waste, and focusing on measurable outcomes for the American people." This guidance specifies the uniform collection, measurement, and reporting methodologies necessary for a set of key metrics that DOE can use to communicate the outcomes and outputs of BIL investments, ensuring consistency, transparency, and accountability to support Administration and program objectives. Information gathered will include post-award information on the status of award-specific goals and objectives in accordance with OMB Memorandum M-22-12 and will inform DOE responses to the DOE Inspector General, OMB, Congressional and consumer requests, and budget preparation. The information subject to this ICR will allow for better stewardship of public investment and provide for improved understanding of the effectiveness of DOE's programs in combating the climate crisis. As emphasized by the Administration, we have a narrow moment to pursue action in order to avoid the most catastrophic impacts of that crisis.

The information included in this Information Collection Request (ICR) supplements, and is distinct from, information DOE is already collecting under OMB Control Number 1910-0400 from DOE financial assistance applicants and recipients to inform DOE's administration and management of its financial assistance programs, projects, and awards.

A.2. Needs and Uses of Data

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

This Information Collection (IC) addresses a set of key cross-cutting metrics that will track across DOE programs to assess and communicate DOE’s progress toward meeting key agency priorities, including creating quality jobs, supporting domestic manufacturing, increasing equity and justice, reducing greenhouse gas (GHG) emissions, and providing pathways to private sector uptake. The metrics associated with the key priorities are as follows:

- Community Benefits
- Direct Jobs
- Training and Outcomes
- Labor engagement
- Funding by Community
- Community Engagement
- Consent-Based Siting
- Technical Assistance
- Community Ownership
- Direct Domestic Manufacturing and Recycling Capacity
- Critical Materials and Rare Earth Element Production and Mining Capacity
- Infrastructure Supported
- Energy Saved
- Net GHG Emissions
- Criteria Air Pollutants
- Reduction in Household Energy Costs
- Follow-on-Funding
- Location

The method of quantifying data will vary by metric, but includes counts of various units (e.g., hours, number of individuals, responses to yes/no questions, MW, tons/year, dollar values, etc.) that will be aggregated across programs by relevant subcategories (e.g., community), others may be reported in percentages based on those counts. Only a subset of the total metrics will apply to each individual funding recipient; for example, direct domestic manufacturing capacity will only be relevant to the small subset of funding recipients support (i.e., construct, establish, retool, re-equip, or retrofit) manufacturing capacity or advanced energy property recycling capacity. The metrics will inform transparent and consistent reporting of the key metrics across DOE awards and will include project-level location data covering outcomes and outputs for specific communities, allowing DOE to better understand who is affected by DOE funded programs and how (See M-22-12, Part II, D). This approach will enable DOE to report metrics at the agency, office, portfolio, and program levels and will provide data that can help evaluate the efficiency and equity of the programs, educate the design and implementation of future programs, and identify and address potential waste. Collection instruments are not being proposed. As stated, the subset of data to be collected will be award dependent and the collection of the relevant metrics will be addressed in individual award agreements.

DOE program offices will manage data collection from funding recipients and work with recipients to ensure necessary data is collected from sub-recipients for each metric that is relevant to their program, with the support of the Office of the Undersecretary for Infrastructure (S3), the Office of Policy, and the

Office of Economic Impact and Diversity and will report those data to a designated point of contact in S3 at a specified frequency. DOE will work with funding recipients to determine the appropriate metrics to be reported. DOE will integrate financial and performance data into an internal dashboard to report the metrics. The internal dashboard has not yet been developed.

Additionally, DOE proposes to collect information through applications and supporting documents information necessary to determine whether rebate applicants meet the specified statutory criteria to receive payments under the equipment rebate programs.

A.3. Use of Technology

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.

The Department will provide for collection of the information using electronic systems for all the covered collections. The specific electronic system used will vary by DOE program office. The burden on recipients is reduced by electronic reporting systems, such as Grants.gov, FedConnect, and DOE's E-Link system. 100 percent of information collected will be submitted electronically.

A.4. Efforts to Identify Duplication

Describe efforts to identify duplication.

The collection of information will document progress and performance of DOE awarded funds, with specificity to the requirements of each financial assistance award. Therefore, the information collected is unique to DOE and can only be obtained through this request. DOE reviewed its data sources and reporting systems, including information collected under OMB Control Number 1910-0400, to ensure no duplication of recipient reporting requirements. DOE is consolidating all ICs necessary to meet the needs and uses outlined above into this ICR; avoiding the need for multiple ICR submissions from DOE's program offices. DOE will collect supplementary information from existing sources, such as certified pay roll reporting required for projects where the Davis Bacon Act is applicable.

A.5. Provisions for Reducing Burden on Small Businesses

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

The impact of the collection of information to small businesses was considered in the development of the metrics listed in A.2. The information collected from small businesses will better enable DOE to analyze the impact of DOE funding on small businesses and better inform DOE's future programming to invest public dollars efficiently and equitably, to the benefit of small businesses.

A.6. Consequences of Less-Frequent Reporting

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.

If the collection is not conducted, DOE would be unable to carry out the requirements of E.O. 14052, which directs agencies to prioritize “investing public dollars efficiently and equitably, working to avoid waste, and focusing on measurable outcomes for the American people.” This information collection is necessary for DOE to communicate the outcomes and outputs of BIL investments, ensuring consistency and transparency.

DOE would also be unable to meet the requirements of M-22-12, which states agencies should “collect project-level location data.” This information collection will provide DOE with the project-level location data necessary to report outcomes and outputs for specific communities, to better understand who is affected by BIL funded programs and how.

If the collection is conducted less frequently or if DOE’s ability to collect the information is delayed, the quality and impact of the data will be reduced and will therefore hamper DOE’s ability to analyze and communicate the outcomes and outputs of BIL investments. Not collecting the information or reducing the collection frequency may also adversely affect the Department’s oversight and management of its financial assistance programs, projects, and awards.

The collection is also necessary to verify that the subject equipment meets the applicable statutory requirements to qualify for a rebate.

A.7. Compliance with 5 CFR 1320.5

Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines:

- (a) requiring respondents to report information to the agency more often than quarterly;**
- (b) requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**
- (c) requiring respondents to submit more than an original and two copies of any document;**
- (d) requiring respondents to retain records, other than health, medical government contract, grant-in-aid, or tax records, for more than three years;**
- (e) in connection with a statistical survey, that is not designed to product valid and reliable results that can be generalized to the universe of study;**
- (f) requiring the use of statistical data classification that has not been reviewed and approved by OMB;**
- (g) that includes a pledge of confidentiality that is not supported by authority established in stature of 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**

(h) requiring respondents to submit proprietary trade secrets, 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.

There are no special circumstances. The package is consistent with OMB guidelines.

A.8. Summary of Consultations Outside of the Agency

If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5CFR 320.8(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 in response to the comments. Specifically address comments received on cost and hour burden. Describe efforts to consult with persons outside DOE to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or report.

Due to the expedited timeframe for collecting this information, DOE is requesting an Emergency Clearance ICR as referenced in 5 CFR 1320.13, Emergency processing. DOE has published a request for comment on the proposed emergency collection (87 FR 79294; Dec. 27, 2022).

During the period of the emergency clearance, DOE will proceed with preparing a package under the normal ICR publish. DOE will publish A 60-day and 30-day Federal Register Notice and Request for Comments concerning this collection in the Federal Register. DOE will use these Federal Register Notices to publicize its information collection requirements for comments.

A.9. Payments or Gifts to Respondents

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

There is no remuneration given for submission of any of the information in this collection.

A.10. Provisions for Protection of Information

Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

Per the Department's Funding Opportunity Announcements, information received in applications are used for evaluation purposes only. Funding Opportunity Announcements and post-award reporting instructions instruct applicants and recipients on how to protect confidential data in their application and reporting submissions. Collection of information will be consistent with OMB policies related to the administration of federal financial assistance as well as agency policies and practices for access to electronic and paper records.

A.11. Justification for Sensitive Questions

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

justification should include the reasons why DOE 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.

No such sensitive questions are present, intended or otherwise anticipated in this collection.

A.12A. Estimate of Respondent Burden Hours

Provide estimates of the hour burden of the collection of information. The statement should 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, DOE should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample fewer than 10 potential respondents is desirable.

The estimated burden, expressed in burden hours, is the sum of burden reported by DOE elements and organizations as estimated by expert personnel familiar with these collections. Burden hour computations for required reports are based on the number of estimated responses multiplied by the average hours required by respondent to prepare each response.

The burden estimate for financial assistance applications and awards is based on actuals from previous years of similar programs and estimates for future activities. The estimated burden associated with the rebate programs, expressed in burden hours is based on estimates for future activities. Annually, DOE expects to receive approximately 10,125 financial assistance applications, make approximately 9,500 financial assistance awards, and receive 40,000 rebate applications.

The average length of DOE financial assistance awards is three to five years. Each applicant for DOE financial assistance is required to submit a new application for every project. Each recipient of DOE financial assistance will be required to submit post-award progress reports no more frequently than quarterly (burden hour estimates reflect a quarterly reporting requirement). Information is requested from rebate applicants one-time, with the application.

DOE estimates the burden hours per financial assistance application to be two (2) hours, per financial assistance post-award report to be one (1) hour, and per rebate application to be (1) hours. This estimate is based on the time required by a DOE employee to provide similar information in previously issued financial assistance awards, with the conservative assumption that respondents will require more time than a DOE employee.

Under these calculations, the estimated annual burden hours of this IC are as follows:

Table A1. Estimated Respondent Hour Burden

Form Number/Title (and/or other Collection Instrument name)	Type of Respondents	Number of Respondents	Annual Number of Responses	Burden Hours Per Response	Annual Burden Hours*	Annual Reporting Frequency
Financial Assistance Applications	Award recipients	10,125	10,125	2	20,250	1
Post-award Reporting	Award recipients	9,500	38,000	1	38,000	4

	Equipment Purchasers and Manufacturers					
Rebate Applications		40,000	40,000	1	40,000	1
TOTAL		59,625	88,125		98,250	

* Totals may not add due to rounding

A.12B. Estimate of Annual Cost to Respondent for Burden Hours

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’.

The annual estimated cost to respondents for this collection is \$6,286,035. This amount was calculated by multiplying the fully burdened wage rate for the professional, scientific, and technical service employees responsible for providing the responses (\$63.98) by the total annual number of burden hours (98,250).

Per the Bureau of Labor Statistics (USD L-22-1892, September 20, 2022, <http://www.bls.gov/news.release/ecec.nr0.htm>), private industry employer costs averaged \$63.98 per hour worked for the professional, scientific, and technical services industry. Wages and salaries averaged \$45.16 per hour worked and represented 70.6 percent of total compensation costs, while benefit costs averaged \$18.82 and accounted for the remaining 29.4 percent.

Table A2. Estimated Respondent Cost Burden

Type of Respondents	Total Annual Burden Hours	Hourly Wage Rate	Total Respondent Costs
For-profit, non-profit, individuals, IHEs, tribes, state and local governments, FFRDCs	98,250	\$63.98	\$6,286,035
TOTAL	98,250		\$6,286,035

A.13. Other Estimated Annual Cost to Respondents

Provide an estimate for the total annual cost burden to respondents or recordkeepers resulting from the collection of information.

There are no additional costs for the respondents in the collection of this data that is outside of customary and usual business or private practices. The costs incurred by DOE recipients for generating, disclosing and maintain reporting requirements are recovered in their reimbursement of expenses under their financial assistance award.

A.14. Annual Cost to the Federal Government

Provide estimates of annualized cost to the Federal government.

The estimated cost to the Government for this collection is \$6,323,850. This amount was calculated by multiplying the hourly rate for the procurement and program personnel reviewing the responses by the total number of responses (88,125) by average review time of one hour. Cost per hour (\$71.76) is based on an average of General schedule GS-12 and GS-13 hourly rate of \$52.67 for 2021, plus the 36.25% civilian personnel full fringe benefit rate taken from OMB Memo M-08-13.

A.15. Reasons for Changes in Burden

Explain the reasons for any program changes or adjustments reported in Items 13 (or 14) of OMB Form 83-I.

This is a new emergency collection and thus this is not applicable.

A.16. Collection, Tabulation, and Publication Plans

For collections whose results will be published, outline the plans for tabulation and publication.

DOE has no immediate plans to publish results related to this collection.

A.17. OMB Number and Expiration Date

If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons why display would be inappropriate.

This collection is not seeking approval to not display the expiration date for OMB approval of this information.

A.18. Certification Statement

Explain each exception to the certification statement identified in Item 19 of OMB Form 83-I.

The Department is not requesting any exceptions to the Certification Statement.