
Supporting Statement for Department of Energy Financial Assistance

Part A: Justification

OMB No. 1910-0400

Department of Energy Financial Assistance

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U.S. Department of Energy
Washington, DC 20585

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Introduction

Provide a brief introduction of the Information Collection Request. Include the purpose of this collection, note the publication of the 60-Day Federal Register Notice, and provide the list of forms within this collection.

The information obtained from applicants and recipients under the existing Financial Assistance collection (OMB Control Number 1910-0400) allow DOE Contracting Officers, Contract Specialists, and Program Managers the ability to oversee and manage DOE's financial assistance programs, projects, and awards in accordance with applicable statutes, regulations and policies.

This supporting statement provides additional information regarding the Department of Energy's (DOE) request for an extension of the existing Financial Assistance collection for an additional three-year period. A 60-day Notice was published in the Federal Register, Vol. 88, No. 43 on March 6, 2023, for public comment.

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.

This package requests an extension of the existing collection, Financial Assistance, under OMB Control Number 1910-0400, for an additional three-year period. The authority and requirements for this collection are the Department of Energy Organization Act, Public Law 95-91, and the Department of Energy Assistance Regulations, 2 CFR 910. The Organization Act assigns the Secretary of Energy the executive direction and management functions, authority, and responsibilities for the Department. The DOE assistance regulations at 2 CFR 910 implements the Federal Grant and Cooperative Agreement Act, Public Law 95-224, as amended by Public Law 97-258 (31 U.S.C. §6301-6308), and establishes uniform policies and procedures for the award and administration of DOE grants and cooperative agreements in accordance with OMB's Agency guidance at 2 CFR 200.

The basic authority for these collections is the statute establishing the Department of Energy, the Department of Energy Organization Act (42 U.S.C. §7254), which vests the Secretary of Energy with the executive direction and management functions, authority, and responsibilities for the Department, including financial assistance management. The provisions of 42 U.S.C. §7254 state that "the Secretary is authorized to prescribe such procedural and administrative rules as he may deem necessary or appropriate to administer and manage the functions now or hereinafter vested in him;" and 42 U.S.C. §7256(a) says "the Secretary is authorized to enter into and perform such contracts, leases, cooperative agreements, or other similar transactions with public agencies and private organizations and persons, and to make such payments (in lump sum or installments, and by way of advance or reimbursement) as he may deem to be necessary or appropriate to carry out functions now or hereafter vested in the Secretary."

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.

DOE financial assistance applicants and recipients include state, local and tribal governments, institutions of higher education, non-profit and for-profit entities. The information obtained from applicants and recipients allow DOE Contracting Officers, Contract Specialists, and Program Managers the ability to review, oversee and manage DOE's financial assistance programs, applications, projects and awards in accordance with applicable statutes, regulations and polices. The following information is used to determine the merit of the applications, negotiate awards, and administer awards to ensure recipients are performing properly and using Federal funds in accordance with the objectives, terms and conditions of the award. DOE administered 13,150 financial assistance awards per year during the current collection period.

Application narratives include letters of intent, concept papers, and full applications provided by an applicant requesting DOE funding for project/research. These application narratives describe the applicant's proposed project by providing: a project summary, proposed project objectives, proposed scope of work or task lists, description of the technology or technical area of interest, or a work plan for the project; a proposed budget and budget justifications to support the project/research, and depending on the type of project one or more of the following: a project management plan, manufacturing plan, data management plan, intellectual property management plan, open source distribution plan, waiver requests, and other miscellaneous program policy and special requirements.

Administration and reporting requirements for awards includes project management reports and award management reports. Project management reports include performance reports, financial reports, scientific and technical reports, intellectual property reports, invention utilization reports, project management plan updates, special status reports, miscellaneous administrative and special notifications and/or other technical or ad-hoc reports as required and identified in the award.

Award management reports include financial, and organizations conflicts of interest reporting, lobbying disclosures, current and pending support reporting, property reports, Uniform Commercial Code Financing Statement filings, subaward reporting, incurred cost reporting, audit reporting, and miscellaneous administrative and special notifications and/or other ad-hoc reports as required and identified in the award.

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.

Financial assistance applicants and recipients are authorized to submit information to the Department electronically, e.g., via the internet, e-mail, or computer disk. In some instances, such as the submission of proposals, technical, management or financial reports, or invoices, there are web-based tools available to facilitate the submission of information. In all instances, 100% of the information provided by

applicants and recipients can be submitted electronically. The burden on recipients is reduced by using Grants.gov, FedConnect and DOE's E-Link system for submitting these reporting requirements electronically.

A.4. Efforts to Identify Duplication

Describe efforts to identify duplication.

The collection of information will document progress and performance of DOE financial assistance awards, specifically to the requirements of each financial assistance award. Therefore, the information collected is unique to DOE and can only be obtained through this request.

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 are considered in the development of the financial assistance requirements and documents and is minimized to the extent permitted by applicable statutory requirements and other legal and management constraints. In those programs where small businesses are encouraged to submit applications some information requirements may be delayed and/or reduced. For those small businesses certain application requirements may be required later in the application or award process and the frequency of award reporting requirements may also be reduced.

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 will be in non-compliance with the Department of Energy Organization Act, Public Law 95-91 and the provision of 42 USC §7254, which vest the Secretary of Energy with the executive direction and management functions, authority and responsibilities including financial assistance management. The Secretary is authorized to prescribe procedural and administrative rules appropriate to administer and manage said functions.

If the collection is conducted less frequently, the Department would be unable to determine the merit of the applications, negotiate awards, and administer awards to ensure the recipient is performing properly and spending funds in accordance with the terms and conditions of the award. Not collecting the information or reducing the collection frequency may adversely affect the Department's oversight and management of its financial assistance programs, projects, and awards.

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; (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.

The Department does not have any special circumstances for the information collection. 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.

The Department published a 60-day Federal Register Notice and Request for Comments concerning this collection in the Federal Register on March 6, 2023 (Vol. 88, No. 43), Page 13812. No comments were received.

The Department uses these Federal Register Notices to publicize its information collection requirements for comments, no specific consultations outside of these publications were made.

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.

The Department does not provide any payments or gifts to respondents of the information requests for 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 further instruct applicants on how to protect confidential data in their application for financial assistance. 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, neither intended nor 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 the burden reported by Departmental elements and Field organizations as compiled from their respective recipients or estimated by expert personnel familiar with these collections. Burden hour computations for required information responses are based on the number of estimated responses multiplied by the average hours required by the applicable respondent to prepare each response.

The burden hour estimate is based on award information from previous fiscal years (FY) and estimates for future financial assistance activities. For FY2019 – FY2022, DOE received approximately 6,800 financial assistance applications a year and made approximately 1,800 financial assistance awards per year. Also, during that time period DOE has averaged 13,150 active financial assistance awards every year. Most awards are for periods of 3 to 5 years. Approximately \$2 billion in base appropriations per year is obligated to financial assistance awards each year with \$1 billion of that going to new awards. The estimates for future financial assistance activities for the next three years increase the burden hour estimates due to the increase in funding DOE anticipates from the Infrastructure Investment and Jobs Act and the Inflation Reduction Act. As a result, DOE anticipates receiving approximately 2,000 additional applications and making 950 additional awards which will increase the total awards DOE annually administers to an estimated 14,100.

Each applicant requesting DOE funding is required to submit an application that describes the technical and financial aspects of their proposed project. Each financial assistance award recipient has management, financial, and technical reporting required to provide project status to DOE.

Using these calculations, the estimated annual burden of this package is as follows:

Annual Estimated Number of Respondents: 22,900

Annual Estimated Number of Total Responses: 265,550

Total Estimated Annual Burden Hours: 1,464,800

Annual Estimated Cost of Burden to Respondents: \$81,516,120

Table A1. Estimated Respondent Hour Burden

Form Number/Title (and/or other Collection Instrument name)	Type of Respondents	Estimated Number of Respondents	Annual Reporting Frequency	Estimated Annual Number of Responses	Burden Hours Per Response	Estimated Annual Burden Hours
Financial Assistance Applications	Applicants	8800				
Application Narrative (Block/Formula)	Govts (State, Local, Tribal)	1000	1	1,000	10	10,000
Application Narrative (RD&D)	All Others NFE Applicants	7800	1	7,800	40	312,000
Financial Assistance Award Administration	Award Recipients	14,100				
Management Reporting (Project Status, RPPR, PMP, other)	All Award Recipients	14100	4	56,400	8	451,200
Financial Reporting	All Award Recipients	14100	4	56,400	4	225,600
Audit Reporting	All Award Recipients	14100	1	14,100	10	141,000
Continuation Requests	All Award Recipients	14100	1	14,100	2	28,200
Misc Reporting and Requests (Ad-Hoc, Special, Risk, Waivers, Change Approvals, No-Cost Ext, Etc)	All Award Recipients	14100	1	14,100	4	56,400
Conflict of Interest - Financial COI, Financial Disclosures, Current and Pending Support, as required	All Others NFE Recipients	12200	3	36,600	2	73,200
Conflict of Interest - Organizational COI Disclosures, Participation and Collaborating Organizations, Foreign National Participation/Access	All Others NFE Recipients	12200	3	36,600	2	73,200
Lobbying Disclosure (SF-LLL)	All Others NFE Recipients	12200	1	12,200	1	12,200
Science and Technical Reporting (OSTI), as req	All Others NFE Recipients	9150	1	9,150	8	73,200
Property Reporting (SF and UCC), as req	All Others NFE Recipients	6100	1	6,100	1	6,100
Indirect/Incurred Cost Reporting	For-Profit Recipients	500	1	500	4	2,000
IP Reporting (IP, Utilization, Manufacturing etc)	For-Profit Recipients	500	1	500	1	500
TOTAL		22,900		265,550		1,464,800

The annual estimated cost to respondents for this collection is \$81,516,120. This amount was calculated by multiplying the fully burdened national mean wage estimated hourly rate for business operations

specialists responsible for providing the responses ($\$39.75 \times 1.4 = \55.65) by the total annual number of burdened hours (1,464,800). The national mean wage estimated hourly rate for business operations specialists ($\$39.75$) is based on the Department of Labor's Bureau of Labor Statics May 2022 Occupational Employment and Wages for 13-1199 Business Operations Specialists, All Other. The standard benefits multiplier applied to the hourly wage rate to convert the hourly wage to a fully-burdened wage (i.e., wage plus benefits) is 1.4 for private employees based on the Department of Labor's Bureau of Labor Statics Employer Costs for Employee Compensation Summary released in March of 2023.

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 financial assistance 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 \$23,049,740. This amount was calculated by multiplying the fully burdened hourly rate for the procurement and program personnel reviewing the responses ($\$54.25 \times 1.6 = \86.80) by the total number of responses (265,550) by average review time of 1 hour. Cost per hour ($\$86.80$) is based on the General schedule GS14 Step 5 hourly rate of \$54.25 for 2023. The standard benefits multiplier applied to the hourly wage rate to convert the hourly wage to a fully-burdened wage (i.e., wage plus benefits) is 1.6 for government employees based on the Department of Labor's Bureau of Labor Statics Employer Costs for Employee Compensation Summary released in March of 2023.

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.

The renewal information collection package contains increased burden hour estimate from that reflected in the current Office of Management and Budget inventory. The increase in the number of burden hours estimated for this package reflects the estimated increase in funding provided to the Department which will result in an increase in the estimated number of respondents. In addition, the increase in the number of information requirements for applications and awards, and the amount of information required also increased the estimated average response times.

Table A2. ICR Summary of Burden

	Requested	Program Change Due to Agency Discretion	Change Due to Adjustment in Agency Estimate	Previously Approved
Total Number of Responses	265,550		228,836	36,714
Total Time Burden (Hr)	1,464,800		940,760	524,040
Total Cost Burden	\$81,516,120		\$81,516,120	0

A.16. Collection, Tabulation, and Publication Plans

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

This package contains no collections whose results will be published for statistical use.

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.

The Department 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 provided in Item 19 of OMB Form 83-I.