

U.S. Department of Education

Build America, Buy America Act (BABAA) Data Collection

This form collects BABAA waiver related data for agency reporting purposes from U.S. Department of Education (the Department) grantees funded under the Department's infrastructure programs. A list of the applicable Department infrastructure programs is available [here](#).

Note: Grantees that do not fund construction or broadband infrastructure are not required to complete this form. This form is to be submitted when a grantee that funds construction or broadband infrastructure submits its annual performance report. Specific submittal instructions will be provided by your assigned program officer.

Grantee Information

Legal Name:

PR/Award Number:

Assistance Listing Number:

Reporting Period:

BABAA Grant Data

1. Is the grant project taking advantage of any agency-level approved BABAA waivers posted at [Build America Buy America Waivers \(ed.gov\)](#)?
 - Yes.
 - No. If no, proceed to question 4.
2. If yes to question 1, select the agency-level BABAA waiver(s) implemented from the list that follows, and identify the time period covered by the waiver.
 - General Applicability Public Interest Waiver of the Build America, Buy America Act Requirements Under Formula and Discretionary Grants to the U.S. Pacific

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Island Territories of the Commonwealth of the Northern Mariana Islands, Guam,
and American Samoa

Time period covered by the waiver:

- U.S. Department of Education Public Interest Waiver for Certain Previously
Planned Infrastructure Projects for Department Grantees

Time period covered by the waiver:

- U.S. Department of Education De Minimis, Small Grants and Minor Components
Waiver

Time period covered by the waiver:

- General Applicability Public Interest Tribal Consultation Waiver for Financial
Assistance Agreements with Indian Tribes

Time period covered by the waiver:

3. For the De Minimis, Small Grants, or Minor Components agency-level waiver, provide any of the following that apply:
- a. Select which of the following the grantee is implementing (may select more than one):
 - De Minimis
 - Small Grants
 - Minor Components
 - b. For De Minimis –
 - i. Identify the maximum De Minimis amount permitted under the grant

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project in accordance with the calculation required under the De Minimis, Small Grants or Minor Components agency-level waiver:

- ii. Identify the actual corresponding amount spent on infrastructure, i.e., construction or broadband infrastructure:

- c. For Minor Components –

- i. Itemize the minor components used in the infrastructure project and provide a summary explaining how the grantee determined that the minor component comprises no more than 5% of the total material cost.

Itemized List of Minor Components:

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Summary:

4. Is the grant implementing an approved infrastructure grant award level waiver or grant infrastructure project waiver?

- Yes.
- No. If no, proceed to question 6.

5. If yes to question 4, identify the waiver, the waiver approval date, the duration of the waiver, and the materials covered by the waiver.

Waiver Title:

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Approval Date:

Duration of the Waiver:

Materials Covered by the Waiver:

6. Identify the amounts of expenditures for infrastructure incurred this reporting period.

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- 7. Identify the cumulative amounts of expenditures for infrastructure since the beginning of the grant performance period through the current reporting period.

Certification

To the best of my knowledge and belief, by signing below I certify that this report is true, complete, and accurate and any identified expenditures and disbursements are for 1) infrastructure related purposes and objectives; and 2) are in compliance with the terms and conditions of the Federal award. I am aware that any false, fictitious, or fraudulent information, or the omission of any material fact, may subject me to criminal, civil or administrative penalties for fraud, false statements, false claims or otherwise. (U.S. Code Title 18, Section 1001 and Title 31, Sections 3729-3730 and 3801-33812).

Name of Authorized Representative:

Title:

Signature:

Date:

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PURPOSE

This form collects BABAA related data for agency reporting purposes from U.S. Department of Education (the Department) grantees funded under the Department's infrastructure programs. A list of affected programs is available at: [infrastructure-programs-list.pdf \(ed.gov\)](#). Grantees that do not fund construction or broadband infrastructure are not required to complete this form. This form is to be submitted when an affected grantee submits its annual performance report.

GENERAL INSTRUCTIONS

Grantee Information All fields under this section are required.

Legal Name: The legal name of the grantee that is undertaking the assistance activity. This is the organization that has registered with the System for Award Management (SAM). Information on registering with SAM may be obtained by visiting www.Grants.gov.

Enter your grant's PR/Award Number.

Enter the grant program Assistance Listing Number.

Enter the reporting date covered by this data collection.

BABAA Grant Data Questions

Item 1. Identify whether you have implemented an agency-level BABAA waiver. Approved agency-level BABAA waivers are listed here: [Build America Buy America Waivers \(ed.gov\)](#).

Item 2. If yes to question 1, select the agency-level BABAA waiver(s) implemented from the list provided, and identify the time period covered by the waiver.

Item 3. For the De Minimis, Small Grants or Minor Components agency-level waiver, provide any of the following that apply:

The component(s) of the waiver that have been implemented (i.e., De Minimis, and/or Small Grants, and/or Minor Components).

For De Minimis, identify the maximum De Minimis amount permitted under the grant project in accordance with the calculation required under the waiver, and identify the actual corresponding amount spent on infrastructure.

For Minor Components, itemize the minor components used in the infrastructure project and provide a summary explaining how the grantee determined that the minor component comprises no more than 5% of the total material cost.

Item 4. Identify whether the grant is implementing an approved grant award or grant project waiver.

Item 5. If you answered yes to question 4, list the waiver, its approval date, the duration of the waiver, and the materials covered by the waiver.

Item 6. List the amounts of expenditures for infrastructure incurred this reporting period.

Item 7. Identify the cumulative amounts of expenditures for infrastructure since the beginning of the grant performance through the current reporting period.

Public Burden Statement:

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for

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this information collection is 1894-xxxx. Public reporting burden for this collection of information is estimated to average 20 minutes per response, including time for reviewing instructions, searching existing data sources, gathering, and maintaining the data needed, and completing and reviewing the collection of information. The obligation to respond to this collection is required to obtain or retain benefit (section 70914 of the [Build America Buy America Act \(Pub. L. No. 117-58 §§ 70901-70953\)](#). Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the U.S. Department of Education, 400 Maryland Ave., SW, Washington, DC 20210-4537, or email ICDocketMgr@ed.gov and reference the OMB Control Number 1894-xxxx. Note: Please do not return the completed Build America Buy America (BABAA) Data Collection Form to this address.