

**Administration for Children and Families
Congressionally Directed Community Projects
(CDCP) Uniform Project Description (UPD)**

**OMB Information Collection Request
New Request**

**Supporting Statement Part A -
Justification**

February 2023

Submitted By:
Administration for Children and Families
U.S. Department of Health and Human Services

Summary

This request is for approval of a Uniform Project Description (UPD) that the Administration for Children and Families (ACF) will use as standard language to collect information from Congressionally Directed Community Projects (CDCP) recipients. The information will be gathered to reduce risk and meet statutory and regulatory requirements to allow award.

1. Circumstances Making the Collection of Information Necessary

In 2022, the Appropriation Committee invited Congress to submit projects that would address community needs, to be incorporated as Congressional Directives in Appropriations. A Congressional Directive is an authorization act or appropriations act that requires The Department of Health and Human Services (HHS) to make an award(s) to a named recipient(s) for a particular program, project, activity, or geographic area(s). Congressional Directive awards are also defined as discretionary awards made under the Congressional Directive language. (HHS Grants Policy Administration Manual (GPAM); Terms and Working Conditions; GPAM, Part E, Chapter 1(151)).

HHS (through Transmittal Notice OG-2022-02 revised April 22, 2022) indicated that “objective or merit review and scoring is not required for these grants (see GPAM Part F. Chapter 2). HHS Awarding agencies may choose to conduct a review and must conduct a pre-award risk evaluation used for similar discretionary programs in accordance with 45 CFR 75.205. HHS awarding agencies should also ensure applications are of a significant enough completeness and quality to ensure the recipient can be held accountable for achieving the goals of the project.”

The CDCP-UPD provides standard language and sections available for use by ACF program offices to solicit the required project description and project budget information from recipients of CDCP projects. Applications are required for grants as prescribed by HHS regulations 45 CFR § 75.203. In addition to the information required by regulation, the CDCP-UPD will provide a selection of text options for the program offices to communicate the application requirements to the recipients, as required by 45 C.F.R. § 75.203. The CDCP-UPD ensures sufficient information is obtained to assess risk, identify needs for technical assistance (TA) and monitoring, and address other requirements of Congress, ACF, HHS, the Office of Management and Budget, and funding and statutory regulation.

The funds have been designated by Congress for each CDCP recipient organization; therefore no competitive grant review is required for the CDCP applications. However, each

application does undergo review. The CDCP application is needed to gather the information to reduce funding risks, confirm the identity of the recipient organizations, communicate essential information about relevant statutory and funding regulations, and finalize the awards. The CDCP-UPD is fundamental to ACF's process to ensure minimum risk and meet statutory and regulatory requirements to allow award. The CDCP-UPD will provide the ability to select the appropriate standard language for the application guidance for the recipients. The CDCP-UPD will reduce the burden to applicants as the application will only include relevant sections for the Notice of Funding Opportunity (NOFO). In addition, it provides for consistency and clarity in the application process.

The ACF CDCP-UPD is included as Attachment A.

2. Purpose and Use of the Information Collection

ACF program offices, grants management officials, and reviewers will use the information provided through the CDCP applications to check for financial risk, accurate organizational information, and needs for TA or additional monitoring. Program offices will also use the information to ensure the Congressional intent of the authorizing legislation will be implemented through the funded grant projects, and that recipient entities are eligible to receive grant funds. Any regulatory requirements (from ACF, HHS, OMB, or Congress) that are specific to a CDCP cohort can also be communicated through the CDCP-UPD.

Expert federal program office staff, grants management staff, and non-federal experts will review the applications and assess that they are complete, that risk is low, regulatory requirements are met, and if TA or additional monitoring is needed.

Grants management officials use the information collected to ensure appropriate federal stewardship of federal grant funds. This includes review of compliance audits, information provided by OMB-designated websites, and, when available, certifications by a Certified Public Accountant that appropriate financial systems are in place and that proposed budgeted project costs are allowable, allocable and reasonable.

3. Use of Improved Information Technology and Burden Reduction

CDCP recipients will be asked to submit their applications electronically. Since the awards are not competitive, this may be directly into the ACF Grant Solutions system or through the Grants.gov website. In either case, the same documentation will be required. Electronic grant application submission process reduces the time and financial burden to the applicant, making the application process more efficient by eliminating delays and costs inherent in a paper-based manual process. If recipients have challenges with internet or computer access, they will be directed to provide the applications by email or in paper format by mail.

The electronic grant application process for CDCP recipients involves three functions. First, they are directed to the application site and establish their account. Next, the recipient prepares the application package off-line or with the Grants.gov *Workspace* (if applicable), and then submits the application package electronically. During this step, the recipient follows the instructions found in the UPD. Finally, the electronic grant application process allows the recipient to track the status of the submitted application.

4. Efforts to Identify Duplication and Use of Similar Information

There are no other sources of this information. CDCP recipients are specified by Congress during annual appropriations. The CDCP-UPD provides a common way in which the necessary information is collected to avoid duplicative efforts.

5. Impact on Small Businesses or Other Small Entities

The information requested for each CPCD cohort is selected from the available text options in the CPCD-UPD and assures the minimum amount needed to comply with program requirements. It cannot be reduced any further for small entities.

6. Consequences of Collecting the Information Less Frequently

Information is submitted once by applicants, in response to Application Guidance (including the CDCP-UPD) provided by ACF. The Application Guidance is sent when ACF appropriations are complete for a given fiscal year. If this information is not collected, ACF program offices will not have adequate data to review the proposed projects and identify risks and TA and monitoring needs. Reduced frequency is not possible as the annual frequency coincides with the annual appropriation of funds by Congress. Furthermore, not collecting applications for these projects would be inconsistent with Departmental policy, OMB Guidance regarding CDCP, and other authorities.

7. Special Circumstances Relating to the Guidelines of 5 CFR 1320.5

Proprietary trade secrets or other confidential information are addressed at items 10 and 16, below.

8. Comments in Response to the Federal Register Notice and Efforts to Consult Outside the Agency

In accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13) and Office of Management and Budget (OMB) regulations at 5 CFR Part 1320 (60 FR 44978, August 29, 1995), ACF published a notice in the Federal Register announcing the agency's intention to

request an OMB review for the revision of this information collection activity. This notice was published on December 2, 2022 (87 FR 74153) and provided a sixty-day period for public comment. No comments were received.

Because the grant establishes a relationship between ACF, applicants, and recipients, consultation with the community is a necessary and ongoing process. Through this relationship, feedback from applicants and recipients on the availability of data, frequency of collection, clarity of instructions and recordkeeping, disclosure, reporting format, and the data elements to be recorded, disclosed or reported is routinely obtained. This typically occurs through routine inquiries, pre- and post-award activities, grant closeout, and through continuous dialogue between ACF and CDCP recipients.

9. Explanation of Any Payment or Gift to Respondents

There are no payments or gifts to applicants. The only remuneration is the grant payment dispersed to those entities awarded a CDCP grant.

10. Assurance of Confidentiality Provided to Respondents

Assurances of confidentiality necessary to inform the applicant of project grants and cooperative agreements are located in three specific places, Grants.gov, GrantSolutions.gov (grants management system), and in HHS policy, which is incorporated in the HHS Grants Policy Statement (HHS GPS).

In obtaining a recipient user account, GrantSolutions.gov requires submission of a formal request form that includes a US Government Data Access Request/Security Compliance Statement and the HHS Rules of Behavior for Use of HHS Information Resources.

The HHS GPS provides the consolidated terms and conditions for HHS discretionary awards, including requirements for submitting applications in response to HHS notices of funding opportunities.

Privacy information can be found in the following locations:

- Grants.gov: <https://www.grants.gov/web/grants/privacy.html>
- GrantsSolutions.gov: https://www.hhs.gov/web/governance/digital-strategy/it-policy-archive/hhs-rules-of-behavior-for-the-use-of-hhs-information-and-it-resources-policy.html#_ftn1
- HHS Grants Policy Statement: <https://www.hhs.gov/sites/default/files/grants/grants/policies-regulations/hhsgps107.pdf>
 - o See page I-27 for *Use of Application Information*
 - o See page I-29 for *Privacy Act Information*

NOTE: Upon receiving email applications, ACF attaches them to the appropriate Grantsolutions.gov file, after which the original emailed copies are destroyed. If applications are received by mail, the paper documents are converted to PDFs, loaded into GrantSolutions and the original copies are destroyed.

11. Justification for Sensitive Questions

Questions of a sensitive nature are not asked.

12. Estimates of Annualized Burden Hours and Costs

This request is to use the CDCP-UPD for projects identified by Congress under ACF funding Appropriations.

In fiscal year (FY) 2022, 39 CDCP recipients were identified in ACF funding appropriations. Based on communications with Congress regarding potential FY 2023 recipients, we estimate that the number of recipients will be 200 in each year. In year 2 and year 3, approximately half (100) of the respondents will be repeat recipients of congressional funding. Therefore, in year 2 and year 3, we expect 100 new recipients and 100 repeat recipients.

Over the total approved period, we therefore expect:

- 400 new recipients
 - 200 new recipients in the first year plus 100 new recipients in each subsequent year
 - 400 responses (1 response per new recipient)
- 200 repeat recipients
 - 100 repeat recipients per year 2 and year 3
 - 500 responses (average 2.5 responses each).

This is a total of 600 recipients with a total number of 900 responses, which is an average of 1.5 responses per recipient.

Note that the project purpose for the CDCP recipients is identified by Congress and that the information requested by the CDCP-UPD does not rise to the level of complexity of a competitive grant or cooperative agreement. On average the burden hours per response to the CDCP-UPD is 30 hours.

Information Collection Title	Total Number of Respondent	Total Number of Responses Per Respondent	Average Burden Hours Per Response	Total Burden Hours	Annual Burden in Hours	Average Hourly Wage	Total Annual Cost
Uniform Project	600	1.5	30	27,000	9,000	\$51.88	\$466,920

Description (UPD)							
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The respondents to the UPD include a variety of program and administrative staff at the recipient organizations. As such, we have based the estimated annualized cost using the wage rate for Community and Social Service Occupations (Bureau of Labor Statistics Occupational Employment and Wage Statistics Job Code 21-0000¹). The mean hourly wage is \$25.94. To account for fringe benefits and overhead the rate was multiplied by two which is \$51.88.

13. Estimates of Other Total Annual Cost Burden to Respondents and Record Keepers

There are no direct (incremental) monetary costs to respondents other than their time to prepare the applications.

14. Annualized Cost to the Federal Government

The CDCP-UPD reduces the amount of time for federal employees to annually develop application guidance for the recipients, and therefore provides a savings to the federal government. It is estimated that, on average, there are 40 hours of labor on the part of government employees to develop a notice of funding opportunity. Based on an average of \$55 per hour, in monetary terms this equates to \$11,000.

15. Explanation for Program Changes or Adjustments

This request is for approval of a new information collection.

16. Plans for Tabulation and Publication and Project Time Schedule

Congress has published information regarding the recipient organizations and their project purpose. ACF will not publish information received in grant applications. The disclosure of information in grant applications is regulated by, and subject to, The Freedom of Information Act (FOIA) and The Privacy Act of 1974.

The most significant exemptions from disclosure of grant application information are 4 and 5 in the FOIA. Exemption 4 protects from public disclosure of two types of information: trade secrets and commercial or financial information obtained that is privileged or confidential. Exemption 5 applies to internal government documents and permits the withholding of internal recommendations, advisory opinions, and materials used for evaluation.

¹ <https://www.bls.gov/oes/current/oes210000.htm>

17. Reason(s) Display of OMB Expiration Date is Inappropriate

There will be no exceptions to the practice of displaying the expiration date.

18. Exceptions to Certification for Paperwork Reduction Act Submissions

There are no exceptions.