

SUPPORTING STATEMENT
U.S. Department of Commerce
Economic Development Administration
PROPERTY MANAGEMENT
OMB CONTROL NO. 0610-0103

A. JUSTIFICATION

This Supporting Statement is for the extension of a currently approved information collection.

1. Explain the circumstances that make the collection of information necessary.

The Economic Development Administration (EDA) leads the Federal economic development agenda by promoting innovation and competitiveness, preparing American regions for growth and success in the worldwide economy. Guided by the basic principle that sustainable economic development should be locally-driven, EDA works directly with communities and regions to help them build the capacity for economic development based on local business conditions and needs.

The Public Works and Economic Development Act of 1965 (PWEDA) (42 U.S.C. § 3121 *et seq.*) is EDA's organic authority and is the primary legal authority under which EDA awards financial assistance. Under PWEDA, EDA provides financial assistance to both rural and urban distressed communities by fostering entrepreneurship, innovation, and productivity through investments in infrastructure development, capacity building, and business development in order to attract private capital investments and new and better jobs to regions experiencing economic distress.

To effectively administer and monitor its economic development assistance programs, EDA collects certain information from applications for, and recipients of, EDA investment assistance. First, this collection of information allows EDA to determine whether an incidental use of property acquired or improved with EDA investment assistance is appropriate. Pursuant to 13 CFR part 314.3(g), an incidental use of property: (1) does not interfere with the scope of the project or the economic purpose for which the investment was made; (2) provided that the recipient is in compliance with applicable law and the terms and conditions of the investment assistance, and (3) the incidental use of the property will not violate the terms and conditions of the investment assistance or otherwise adversely affect the economic useful life of the property. A recipient must request in writing EDA's approval to undertake an incidental use of property acquired or improved with EDA's investment assistance.

Second, this collection of information allows EDA to determine whether to release its real property or tangible personal property interests. If a recipient wishes for EDA to release its real property or tangible personal property interests before the expiration of the property's estimated useful life, the recipient must submit a written request to EDA. Pursuant to 13 CFR 314.10(c), the recipient must disclose to EDA the intended future use of the property for which the release is requested.

2. Indicate how, by whom, and for what purpose the information is to be used.

The information is used by EDA personnel to determine whether to grant a request for incidental use of property acquired or improved with EDA investment assistance and/or whether to release EDA's real property or tangible personal property interest.

3. 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.

Property management requests are collected via both paper and electronic submissions.

4. Describe efforts to identify duplication.

EDA reviews existing information collections to ensure that there is no duplication. The information requested is unique to the information collection and is not collected elsewhere.

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

Pursuant to EDA's authorizing legislation and regulations, eligible applicants and eligible recipients of EDA investment assistance include "small entities" as defined by the Regulatory Flexibility Act (5 U.S.C 601(6)). Accordingly, this information collection potentially involves small entities. As part of this process, EDA has conducted a thorough review of its forms and other information collections to minimize respondent burden. EDA collects only the minimum amount of information to effectively administer its programs and to monitor compliance with PWEDA and EDA regulations.

6. Describe the consequences to the Federal program or policy activities if the collection is not conducted or is conducted less frequently.

EDA would not be able to fulfill its statutory mandate if the information collection is not conducted. This information is only collected when the recipient seeks EDA approval to undertake an incidental use of a property acquired or improved with EDA investment assistance or for EDA to release its real property or tangible personal property interest.

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

There are no special circumstances that would require the information collection to be conducted in a manner inconsistent with OMB guidelines.

8. Provide a copy of the PRA Federal Register Notice that solicited public comments on the information collection prior to this submission. Summarize the public comments received in response to the notice and describe the actions taken by the agency in response to those comments. Describe the efforts to consult with persons outside the agency 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 reported.

On November 11, 2024, EDA published a Federal Register notice (FRN) that solicited public comments on this information collection (89 FR 92088). In particular, EDA solicited views from persons outside the agency on topics including but not limited to: (a) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency’s estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

EDA received no public comments in response the FRN that pertained to the Property Management information collection.

9. Explain any decisions to provide payments or gifts to respondents, other than remuneration of contractors or grantees.

No gifts or payments are made to any respondent, other than disbursements of award funds to financial assistance recipients.

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

There is no assurance of confidentiality provided to respondents of this information collection.

While information submitted by a respondent to EDA generally is subject to public disclosure, EDA does not publicly release confidential business information, including trade secrets and confidential commercial or financial information, to the extent that such information is exempt from public disclosure under the Freedom of Information Act (FOIA). See 5 U.S.C. 552(b)(4).

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

This collection of information does not request information of a sensitive nature.

12. Provide estimates of the hour burden of the collection of information.

Type of Request	Number of Respondents	Average Hours Per Response	Estimated Burden Hours
Incidental use request	54	2.75	148.5

Release request	96	2.75	264
Total	150 respondents		412.5 hours

Multiplying the expected number of responses by the average time to complete a response, EDA estimates the above total respondent burden.

13. Provide an estimate of the total annual cost burden to the respondents or record keepers resulting from the collection of information (excluding the value of the burden hours in Question 12 above).

Apart from the value of the burden hours, there is no additional cost to respondents associated with this information collection.

14. Provide estimates of annualized cost to the Federal government.

EDA estimates that each request for incidental use requires one hour of EDA staff time to review and approve or deny. EDA estimates that each request to release EDA’s property interest requires 10 hours to review, approve or deny, and, if approved, prepare the necessary paperwork to release EDA’s property interest.

Type of Request	Number of Respondents	Average Hours Per Response	Estimated Burden Hours
Incidental use request	54	1	54
Release request	96	10	960
Total	150 respondents		1,014 hours

EDA estimates the total annual cost burden to the federal government to be \$83,766 (1,014 hours multiplied by \$82.61 per hour). The hourly wage used is that of a federal employee at grade 13, step 4, plus 30% to account for overhead and other costs (\$63.55 per hour + \$19.06 per hour).

Apart from the value of the burden hours, there is no additional cost to the federal government associated with this information collection.

15. Explain the reasons for any program changes or adjustments.

EDA proposes to extend this information collection without change.

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

Specific details of information collected from respondents will generally not be published.

However, information collected from respondents may be published in aggregate form as part of EDA's annual report, GPRA reporting, EDA's Balanced Scorecard, progress reports to the DOC and/or its OIG, or other summary reports.

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

EDA is not seeking approval to not display the expiration date of OMB approval for the information collections.

18. Explain each exception to the certification statement.

There are no exceptions to the certification statement.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

EDA does not employ statistical methods to collect data for this information collection.