

Department of the Treasury
Information Collection Request – Supporting Statement

Coronavirus Capital Projects Fund
OMB No. 1505-XXXX

Part A. Justification

1. Circumstances necessitating the collection of information

Section 604 of the Social Security Act (the “Act”), as added by section 9901 of the American Rescue Plan Act of 2021, Pub. L. No. 117-2 (Mar. 11, 2021) authorized the Coronavirus Capital Projects Fund (“CPF”). The CPF provides \$10 billion in funding for the Department of the Treasury (“Treasury”) to provide grant payments to States (defined to include the District of Columbia and Puerto Rico), seven territories and freely associated states (including the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau), and Tribal governments¹ to carry out critical capital projects directly enabling work, education, and health monitoring, including remote options, in response to the public health emergency with respect to the Coronavirus Disease (“COVID-19”).

Section 604(b) of the Act prescribes that the \$10 billion be allocated to eligible grant recipients according to a formula provided in the statute. Treasury has used this formula to calculate the CPF grant fund allocations for each eligible recipient and has posted these allocations on its website². In general, each State (including the District of Columbia and Puerto Rico) will receive between approximately \$107 million and \$500 million, each of the seven named territories and freely associated states will receive approximately \$14 million, and each Tribal government will receive approximately \$167,000.

Treasury has previously received approval under OMB #1505-0274 for information collections related to applying for CPF grant awards (“Applications”) and for specifying the use of funds (“Grant Plans”)

The current information collection will be used to solicit information related to quarterly project and expenditure reports and annual performance reports. Both information collections are described generally in the Compliance and Reporting Guidance. The Compliance and Reporting Guidance provides recipients information needed to fulfill their reporting requirements and compliance obligations. Treasury will also prepare an IT portal user guide with specific instructions on entering data into the reporting web-based portal.

¹ An eligible Tribal government is the recognized governing body of any Indian or Alaska Native tribe, band, nation, pueblo, village, community, component band, or component reservation, individually identified (including parenthetically) in the list published most recently as of the date of enactment of this Act pursuant to section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5131). The State of Hawaii, for exclusive use of the Department of Hawaiian Home Lands and the Native Hawaiian Education Programs to assist Native Hawaiians, is also eligible to apply for funding under this funding category.

² <https://www.treasury.gov/CPF>

Quarterly Project and Expenditure Report

The initial Project and Expenditure Report must be submitted by States, territories, and freely associated states on October 31, 2022³, with subsequent reports being due at the end of each calendar quarter for the duration of the period of performance. The Project and Expenditure Report contains a set of standardized questions to ascertain the recipient's use of funds received as of the date of reporting, as well as the status of individual projects. Treasury will make the data submitted by recipients publicly available.

Annual Performance Report

The first interim Performance Report must be submitted by States, territories, and freely associated states on January 31, 2023, with subsequent reports being due annually on July 31 for the duration of the period of performance. The Performance Report will contain detailed performance data corresponding to the "Programs" specified previously in a recipient's Grant Plan. This will include information on efforts to improve equity and engage communities. The Performance Report is largely freely written text, and while there are certain data and topics that recipients must cover in the Performance Report, it is mostly free-form written content. Recipients are required to publish the Performance Report on their website and provide the reports to Treasury. Treasury will make the Performance Reports and associated data submitted by recipients publicly available.

2. Use of the data

All information will be provided by eligible entities or their designees. The information reported will allow Treasury to obtain the status of recipient's use of CPF grant awards received as of the date of reporting and to verify that the recipient is using CPF funds in a manner consistent with program requirements. The information will also be used as a reference for future data submissions and compliance. Data will be shared with other Federal agencies to the extent necessary, or in response to inquiries by inspectors general and other oversight bodies. Treasury will also make the data submitted by recipients publicly available.

3. Use of information technology

Treasury will manage the form intake and reporting submission processes with the use of existing and widely available technology such as online web-based forms and e-mail. Certain information will be posted on Treasury's public website.

4. Efforts to identify duplication

This information collection is under new statutory mandates. The information is not known to overlap with any other data collected under any other information collections at Treasury. Furthermore, the information collection is tailored to leverage data that already exists and only additional data that is necessary to meet Treasury's and recipients' compliance obligations is being requested.

³ State, territory, and freely associated state recipients that have not received any payments by September 15, 2022, will be exempted from the report due on October 31, 2022.

5. Impact on small entities

This collection of information will minimally affect small entities. However, Treasury will attempt to minimize the burden on small entities to the greatest extent practicable.

6. Consequences of less frequent collection and obstacles to burden reduction

If Treasury does not collect the data in the Project and Expenditure Report, it will not be able to assess recipients' use of funds and compliance with program guidelines.

If Treasury does not collect the data in the Performance Report, it will not be able to assess the program outputs and outcomes against the objectives in the previously collected Grant Plans.

7. Circumstances requiring special information collection

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

8. Solicitation of comments on information collection and justification for expedited processing pursuant to 5 C.F.R. § 1320.13

This Information Collection Request is being submitted under emergency clearance procedures. On May 10, 2022, Treasury published a notice in the Federal Register at 87 FR 28103, soliciting public review and comment for a 15-day period. Treasury also directly solicited comments from affected recipients by e-mail and posted a note on the CPF page of its website with instructions on submitting comments to the Federal Register. Treasury received comments from 7 commentators, including several that raised multiple concerns. Treasury took these comments into consideration and used them to revise and improve the CPF Compliance and Reporting Guidance. Treasury would like to thank the commentators for their thoughtful insights. The comments and Treasury's responses are summarized below:

One commenter noted that an address may not be the most appropriate location data for all 1B-Digital Connectivity Technology Projects. Treasury has adjusted the text to allow more flexibility, but notes that the specific location data format requirements will be provided in a forthcoming user guide. The same commenter recommended clarifying the definition of "public Wi-Fi". Treasury plans to release an FAQ in coming months to clarify this definition. The same commenter also noted that "acquisition" was missing from the "Investment Type" list for 1C-Multi-Purpose Community Facility Projects. Treasury has clarified the requirement to allow for certain acquisitions.

One commenter asked if there is a minimum amount of time that the annual Performance Report must be made available on the recipient's website before submitting it to Treasury. Treasury has added text noting that the report must remain posted for at least five years after the recipient has published it.

Two commenters raised issues with a requirement to report on non-CPF funding sources for all projects. Treasury has not changed the requirement, but has re-drafted the paragraph to clarify that financial information is required in two categories: CPF-funding, and total funding inclusive of CPF and all other sources.

Multiple comments were related to the reporting burden due to a variety of reasons, such as overlap with other federal funding reporting schedules and financial tracking requirements. The reporting requirements put forth in this CPF Compliance and Reporting Guidance were reached through thoughtful weighting of the necessity and utility of the requested data against the burden on recipients to collect it. Treasury has assessed that the administrative burden is well justified considering the size and scope of the CPF awards. Treasury plans to publish a user guide and additional FAQs to further help CPF recipients to meet their reporting requirements.

Four comments were related to the burden associated with complying with the labor reporting requirements in the guidance. Treasury notes that the CPF Compliance and Reporting Guidance is not a change from previous guidance issued by Treasury. The CPF Compliance and Reporting Guidance requires that recipients provide certain labor data for all projects receiving more than \$5 million in CPF funding, but it offers the option for recipients to voluntarily certify that a project complies with the Davis-Bacon Act, in lieu of providing such data.

Some commenters expressed a need for additional clarification that would be useful in assisting with their compliance with the reporting requirements for CPF, such as information to be provided related to the format, length, and method of submitting required data. Treasury plans to publish a user guide and additional FAQs to address such comments. At this time, Treasury does not plan to require states to pre-define programmatic outcomes, equity-related objectives/outcomes, and various definitions related to equity before the initial annual Performance Report, nor will Treasury pre-approve these things.

Several commenters asked questions or raised issues that out of scope for the CPF Compliance and Reporting Guidance. Treasury reviewed these comments but made no changes.

9. Provision of payments to respondents

No payments or gifts are provided to respondents.

10. Assurance of confidentiality

Information collected through reporting carries no assurance of confidentiality, consistent with Treasury's commitment to transparency and accountability, and with the Freedom of Information Act and other applicable laws.

11. Justification of sensitive questions

No sensitive questions will be asked of eligible entities.

12. Estimate of the hour burden of information collection

The Project and Expenditure Report, and the Performance Report burden estimates are as follows:

Reporting	# Respondents	# Responses Per Respondent	Hours per response	Total Burden in Hours	Cost to Respondent (\$50.93 per hour*)
Project and Expenditure Report – States, Territories, and Freely Associated States	59	4 per year	62 per year	14,632 per year	\$745,208 per year
Performance Report – States, Territories, and Freely Associated States	59	1 per year	80 per year	4,720 per year	\$240,390 per year
Total	118	-	-	19,352	\$985,598

* Bureau of Labor Statistics, U.S. Department of Labor, Occupational Outlook Handbook, Accountants and Auditors, on the Internet at <https://www.bls.gov/ooh/business-and-financial/accountants-and-auditors.htm> (visited March 17, 2021). Base wage of \$35.37/hour increased by 44% to account for employer cost of employee compensation (benefits, etc.) for a fully loaded wage rate of \$50.93.

13. Estimated total annual cost burden to respondents

There are no annualized capital/startup costs for the eligible entities to provide the information in the form or certification.

14. Estimated cost to the federal government

As this is a new program being set up in response to emergency circumstances, federal costs have not been estimated yet.

15. Reasons for change in burden

This is a new information collection and all burden estimates are new.

16. Plans for tabulation, statistical analysis, and publication

Treasury plans to publish total award amounts and disbursements. Some additional information will be made available to the public on Sam.gov as required by law, and on Treasury's website in accordance with CPF program terms.

Treasury plans to publish the Performance Reports on Treasury's public website. As noted in the Compliance and Reporting Guidance, recipients must also post the Performance Report on a public-facing website and provide the link to Treasury.

Treasury plans to publish data provided by each recipient in the Project and Expenditure Report. The information may be displayed on Treasury's website. No complex analytical techniques will be used to post the information as the information will be a direct extract of the data reported to Treasury.

17. Display of the expiration date for OMB approval

Treasury plans to display the expiration date for OMB approval of the information collection on all instruments.

18. Exceptions to certification requirement

There are no exceptions to the certification statement.

Part B. Describe the use of statistical methods such as sampling or imputation

This collection does not employ statistical methods.