

Supporting Statement for Paperwork Reduction Act Submission
OMB Control Number 1018-0113
Information Collection in Support of Grant Programs Authorized by
the Neotropical Migratory Bird Conservation Act
(PL 106-247, 14 Stat. 593)

November 17, 2005

Terms of Clearance. OMB approved this information collection in November 2002 with the following terms of clearance: When the Agency promulgates regulations to implement its authority under the Neotropical Migratory Bird Conservation Act, it should examine the approved information collection to ensure it's consistent with the information collection needs specified in the Act.

The Fish and Wildlife Service and the Department of the Interior have not promulgated regulations pursuant to the Neotropical Migratory Bird Conservation Act (NMBCA, Act) and have no plans to do so. This grants program operates under the guidelines of 43 CFR 12, Administrative and Audit Requirements and Cost Principles for Assistance Programs. Existing information collection requirements are consistent with the Act.

Specific Instructions

A. Justification

1. 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 collection of information.

The NMBCA establishes a matching grants program to fund projects that promote the conservation of neotropical migratory birds in the United States, Latin America, and the Caribbean. The purposes of the Act are to: (1) perpetuate healthy populations of neotropical migratory birds; (2) assist in the conservation of these birds by supporting conservation initiatives in the United States, Latin America, and the Caribbean; and (3) provide financial resources and foster international cooperation for those initiatives. Principal conservation actions supported by the Act are protection and management of populations; maintenance, management, protection and restoration of habitat; research and monitoring; law enforcement; and community outreach and education.

2. 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. [Be specific. If this collection is a form or a questionnaire, every question needs to be justified.]

During the first 3 years of the NMBCA grants program (FY 2002-2004), \$9.6 million was awarded in 109 grants to partners in 34 countries. Awards have ranged from \$2,000 to about \$250,000, with an

average of about \$88,000. Congress appropriated \$4 million in Fiscal Year 2005. At a minimum, 75 percent of this money will be available for projects in Latin America and the Caribbean. For FY 2005, the maximum award may not exceed \$250,000.

Competing for grant funds involves applications from partnerships that describe in substantial detail project locations, migratory bird benefits, partnership funding, and other characteristics to meet the requirements of the Act. We use the application to determine eligibility, the scale of resource values or relative worth of the proposed projects, and how well the proposed projects will meet the purposes of the Act. We also use information collected under this program to respond to such needs as: GPRA reporting, SF 424s, grant agreements, grantee reporting requirements, budget reports and justification, public and private requests for information, data provided to other programs for databases on similar programs, Congressional inquiries and reports required by the Act, etc.

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, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden [and specifically how this collection meets GPEA requirements].

Materials that describe the program, including grant instructions and application forms, are available on our website at <http://www.fws.gov/birdhabitat/>. Consistent with directives to move to E-Government, electronic applications are required and are submitted by e-mail or diskettes. We use very little hard copy to communicate with applicants and grant recipients; virtually all of these communications are by phone, e-mail or facsimile. We advertise this grant program in the Catalog of Federal Domestic Assistance and on the Grants.Gov (Find) website. We use innovative technological developments, as appropriate and feasible, to lessen paperwork burdens on applicants and grantees.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.

There is no duplication. The information collected for the NMBCA program is unique to each location, situation, and application.

5. If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I), describe any methods used to minimize burden.

Small entities, e.g., small land trusts and conservancies, are affected in the same way and to the same degree as larger entities. Most of the applicants and grantees qualify as small entities. We collect only the minimum information necessary to evaluate proposals for participation in the NMBCA grants program.

6. 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.

Elimination of this information collection would result in elimination of the NMBCA grant program as it would be otherwise impossible to determine eligibility and the scale of resource values or relative worth of the proposed projects. Elimination of the information collection process would also place the Fish and Wildlife Service in violation of the various legal strictures to which the program is subject. Reducing the frequency of collection would not be possible since applicants submit proposals only once per year.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner:

- * **requiring respondents to report information to the agency more often than quarterly;**
- * **requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**
- * **requiring respondents to submit more than an original and two copies of any document;**
- * **requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records, for more than three years;**
- * **in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;**
- * **requiring the use of a statistical data classification that has not been reviewed and approved by OMB;**
- * **that includes a pledge of confidentiality that is not supported by authority established in statute or 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; or**
- * **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.**

No special circumstances exist that would require this collection to be conducted in a manner inconsistent with OMB guidelines.

8. 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 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice [and in response to the PRA statement associated with the collection over the past three years] and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.

Describe 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. [Please list the names, titles, addresses, and phone numbers of persons contacted.]

Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years — even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

On July 29, 2005, we published in the Federal Register (70 FR 43900) a 60-day notice of our intent to request renewal of this information collection authority from OMB. In that notice, we solicited public comments for 60 days ending September 27, 2005. We did not receive any comments regarding this notice.

We consulted the following people regarding our collection of information for the NMBCA grants program:

Dr. Monserrat Carbonell, Program Director, Ducks Unlimited, Inc., 901-758-3788
Dr. Dave Mehlman, Director of Conservation Programs, The Nature Conservancy, 505-244-0535
Dr. Lisa Sorenson, Assistant Professor, Boston University, 617-353-2462
Mr. Robert McCready, Director, Prairie Wings Program, The Nature Conservancy, 206-780-1102
Mr. Xico Vega, Director of Conservation, Pronatura Northwest, 011-52-667-759-1653.

We queried the above previous grant recipients regarding: (1) the availability of the information requested, (2) the clarity of the instructions, and (3) the accuracy of our estimates of the annual burden hours for preparing applications and other materials, such as annual and final reports. All respondents advised that the application instructions are readily available for organizations in the United States. One respondent indicated that some smaller organizations in Latin America and the Caribbean might have difficulty finding the information. Similarly, respondents found the clarity of the information/instructions to be good, while some smaller organizations outside the United States might require assistance. One respondent indicated that the Grant Administration Guidelines, provided to successful grant recipients, are complex and sometimes difficult to interpret. Respondents reported that, on average, proposal preparation requires about 70 hours and report preparation averaged about 30 hours.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

We do not provide payments or gifts to respondents.

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

There is no confidentiality needed or involved in the information that the applicants or grant recipients provide as a result of the information collection.

11. 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 the agency 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.

We do not require applicants or grant recipients to answer questions of a personal or other sensitive nature.

estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.

- * If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.**
- * Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.**

There is no nonhour cost burden to respondents.

14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information. Agencies also may aggregate cost estimates from Items 12, 13, and 14 in a single table.

The annual administrative budget for the NMBCA program could be interpreted as the cost of the program to the Federal Government. In FY 2005, that cost was \$119,567.

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I.

We increased the annual burden hours to 13,000 (an increase of 11,800 hours) based upon information from respondents regarding the time required to prepare an application and to correct our previous estimates. We increased our estimate for preparing grant applications by 10,000 hours, which reflects an increase in the number of respondents as well as an increase in the time required to prepare the application. In addition, we are reporting a program change of 1,800 hours for report preparation. While the submission of reports is not a new requirement, we erroneously omitted the burden hours for preparing annual and final reports in our previous estimates.

16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

We do not plan to publish data from this information collection.

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

We are not seeking a waiver of the requirement to display the expiration date.

18. Explain each exception to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submissions," of OMB Form 83-I.

There are no exceptions to the certification statement in item 19 of OMB form 83-I.

B. Collections of Information Employing Statistical Methods

This collection does not employ statistical methods.