

Testimony of Stephen Guertin
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Before the House Committee on Small Business
“Evaluating the Paperwork Reduction Act Part II: Are Burdens Being Reduced?”

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Introduction

Good morning Chairman Chabot, Ranking Member Velazquez, and Members of the Committee. I am Stephen Guertin, Deputy Director for Policy for the U.S. Fish and Wildlife Service (Service). The Service’s mission is “working with others to conserve, protect and enhance fish, wildlife and plants and their habitats for the continuing benefit of the American people.” The Service is the oldest Federal conservation agency, tracing its lineage back to 1871, and it is the only agency in the Federal government whose primary responsibility is conservation of fish and wildlife resources for the American public. The goal of the Service and this Administration in the area of information collection is to reduce burdens and improve efficiency; and in general, be a good neighbor and partner to the public and the states.

I appreciate the opportunity to testify before you today on the Paperwork Reduction Act (PRA) of 1995, as amended. The PRA, signed into law in 1980 and reauthorized in 1995 (P.L. 104-13, 44 U.S.C. 3501 *et seq.*), provides the statutory framework for the Federal government’s collection, use, and dissemination of information. The primary purpose of the PRA is to minimize the burden of federal paperwork on the public and maximize the usefulness of the information collected in order to improve the government’s effectiveness. Information collected by the Service from the public is critical to a number of activities important to the economy. This includes our work with states to manage robust and sustainable migratory bird hunting opportunities for the public in states along migratory bird flyways. This is a significant economic driver for small businesses and local economies across the country.

Implementation of the Paperwork Reduction Act

The PRA applies broadly across federal agencies and its mandates cover a wide range of information-collection requirements and activities. The Service’s information collections cover a number of activities, including hunting and fishing license applications and reports; migratory bird and eagle permit management; fish and wildlife import/export compliance; annual surveys of fishing, hunting, and wildlife-associated recreation; marine mammal marking, tagging, and reporting requirements; Federal subsistence regulations; international conservation grant programs; and migratory bird surveys. The Service currently has 44 active collections comprised of 2,670,931 total annual responses, 1,684,915 total annual hours, and \$11,360,763 total annual costs. In our most recent 2017 Information Collection Budget submission, we reported to the Office of Management and Budget’s Office of Information and Regulatory Affairs (OMB–OIRA) a decrease of 24,863 burden hours and a decrease of \$497,080 annual costs.

Within the Department of the Interior (Department), the Service is responsible for its own information collection process, which is under the oversight of the Department's Information Collection Clearance Officer, who also provides guidance and support to the Service as needed. This includes the preparation of requests to OMB–OIRA for approval of all information

collections. The PRA and Service's Information Collection Clearance Program ensure that the requirements the Service places on the public (e.g., individuals, private sector, and state/local/tribal governments) are justified and controlled. It is a priority of the Service to ensure all information collected from the public adheres to the requirements of the PRA, OMB-OIRA regulations and guidance, and other applicable laws.

The Service's various program areas work closely with our Information Collection Clearance Officer (ICCO) to determine if an information collection requires clearance from OMB-OIRA. If required, the responsible program works with the ICCO to obtain OMB-OIRA's approval and clearance prior to information collection. The ICCO reviews all draft PRA submissions to ensure the burden placed on the public is reasonable and that the Service considered all comments and suggestions from the public. The Department's Information Collection Lead reviews and approves all Service submissions under the PRA before formally submitting the packages to OMB-OIRA. The Service does not make exceptions to legal requirements of the PRA, recognizing that that authority rests solely with OMB-OIRA.

Public participation in the information collection process is important to the Service. As required by the PRA, the Service seeks public comment before requesting or requiring information from the public. For each collection, we publish two separate notices in the *Federal Register*. The first notice opens a 60-day comment period through which the public sends comments to the Service ICCO. The ICCO works with the relevant Service programs to incorporate and address the comments in the final information collection package. Prior to transmitting the information collection to OMB-OIRA, we publish a second notice to give the public a 30-day opportunity to provide comments on the information collection directly to OMB-OIRA, with a copy to the Service ICCO. In addition to the above public comment periods, the Service conducts targeted outreach to individuals to ensure that we are reducing the impact to the public to the greatest extent practicable. Through this targeted outreach, the Service seeks to solicit comments from a sample pool of respondents reflective of potential respondents to the information collection.

It is essential for the Service to understand and solicit feedback on both the time and cost burdens placed on small businesses. If an information collection affects small businesses, the Service ICCO works to ensure the targeted outreach process includes a representative sampling from small businesses. We document the results of this targeted outreach in the final information collection package and note whether we adjusted the collection based on feedback received through this targeted outreach. Adjustments to the packages may include adjusting burden estimates as appropriate; consolidating similar information collection instruments to streamline compliance; and automating processes to reduce burden time on respondents whenever possible.

Balancing Information Collection Needs with Public Burden

The Service strives to limit the information and paperwork requirements we place on the public, balancing our data and information needs with the burdens associated with those needs. One such example is the collection of harvest information from migratory bird hunters, which enables us to develop sound, science-based hunting guidelines. Harvest surveys allow the Service to gather information on hunter participation, success rates, and target species. We use this, and other types of information, to inform our regulatory decisions so that regulations result in

sustainable hunting guidelines that ensure maximum hunting opportunities for the public each year.

An example of how we use information collected from the public is a recent change to hunting guidelines for black ducks. In 2017, the Service expanded the harvest of black ducks based on information from banding studies and the harvest survey program. Our science is well established, and we can demonstrate that populations remain healthy.

The Service places great priority on expanding public access to fish and wildlife resources while maintaining the sustainability of those resources so they can be accessed by the public in future years. We depend on information collected from the outdoor-recreation community in order to do so. The Service recognizes that hunting, fishing and other wildlife-based recreation is not only an important leisure pastime and a way for people to bring food to the table, but it is also a catalyst for economic activity, creating jobs supporting small businesses across the nation. Hunters, anglers, and wildlife watchers spent more than \$156 billion on wildlife-related recreation in 2016. This spending contributed to local economies throughout the country, which improved employment, raised economic output, and generated tax revenue.

Efforts to Improve PRA Compliance

The Service is working to further reduce the burden of information collections on both the public and our agency's work. Beyond the standard PRA approval process, the Service also applies the Department's Programmatic Clearance for customer satisfaction surveys and the Department's "Fast Track" Clearance for collection of qualitative feedback. These two processes, when applicable, provide the Service with a streamlined approach to PRA compliance. For collection of customer satisfaction data, the Programmatic Clearance process significantly reduces the time to internally develop and obtain OMB approval to as few as 45 days, as compared to the six to nine months it typically takes the Department to develop a standard PRA package, issue notices and respond to any public comments, and submit to OMB-OIRA for approval under the standard PRA compliance process. The Fast Track process is designed for a wide range of information collections that focus on the awareness, understanding, attitudes, preferences, or experiences of customers or other stakeholders. Through this process, the Service may proceed with the collection in as soon as five days if OMB-OIRA does not respond with questions, concerns, or issues identified with the submission.

Other Efforts to Reduce Public Burdens

The Service and this Administration place great priority on being a good neighbor and improving government efficiency. We are taking actions outside of the scope of the PRA to further reduce burdens on the public and small businesses. The Service is working with the Department to implement Secretary's recent order on streamlining our review processes. One of its primary directives will reduce paperwork by setting standard page limits, consistent with Council on Environmental Quality guidance, for National Environmental Policy Act (NEPA) analyses. The Secretary's order will also ensure timely completion of environmental reviews by designating lead agencies for projects and setting reasonable timelines for analyses. Implementation of these directives will allow for a more transparent process and provide businesses and the public with more certainty.

Through the use of online platforms, the public can quickly and easily conduct business with the Service that was previously more time consuming. The Service has endeavored to make processes easier for the public, as well as to make our operations more efficient, by making forms available electronically through our website. The Service has nearly 200 forms available to the public online, ranging from the “Horseshoe Crab Tagging Release Form” to the “Oil and Gas Operations Special Use Permit Application”. In 2013, the Service launched an electronic version of the Federal Duck Stamp that allows users to buy stamps online through participating state licensing systems. A printed receipt, available immediately, is valid for 45 days, during which time a physical duck stamp is mailed. There currently are 23 states that participate in the e-stamp program. The stamp represents the permit required by the Migratory Bird Treaty Act of 1918 to hunt waterfowl and is required to be carried by every waterfowl hunter who is more than 15 years old.

Conclusion

Through implementation of the PRA, the Service ensures that our information collections are not unduly burdensome on the public. We continue to seek improvements in our compliance with the Act to reduce impacts to the public and our agency’s work.

Thank you for your interest in examining the Paperwork Reduction Act. I appreciate the opportunity to testify and look forward to working with the Committee on the implementation of the Act.