

May 14, 2007

**Supporting Statement for Renewal
Of
Antarctic Conservation Act
Application and Permit Form (OMB Approval 3145-0034)**

1. Justification

Circumstances that make the collection of information necessary

The National Science Foundation (“NSF”) promulgated regulations at 45 CFR Part 670, to conserve and protect animals and plants native to Antarctica, pursuant to the Antarctic Conservation Act of 1978, Public Law 95-541 (“ACA”), as amended by the Antarctic Science, Tourism, and Conservation Act of 1996, Public Law 104-227 (16 USC 2401 et seq.). The regulations have been in effect since 1979 and apply to all United States citizens in Antarctica and to everyone importing into or exporting from the United States certain designated Antarctic animals and plants. Under the ACA and NSF’s regulations, a permit from NSF is required for entry into protected areas, taking of birds, mammals, and certain plants, introduction of non-indigenous plants and animals into Antarctica, and engaging in harmful interference with native plants, mammals, birds and invertebrates. NSF has used the Antarctic Conservation Act Application and Permit Form for many years to collect information for its permit administration. There are no changes to the form. The National Science Foundation is requesting a 3 year extension of a currently approved collection which will expire July 31, 2007.

Use of Information

Pursuant to NSF regulations, applicants for permits are required to submit certain information to NSF. The data to be collected through the use of the permit application form is used by NSF in permit administration. The Antarctic Conservation Act Application Form provides NSF with the necessary information to determine whether to issue the permit. NSF staff review the application for sufficiency, evaluate whether the proposed activity is scientifically justified, and determine whether issuance of the permit is in accordance with the Antarctic Conservation Act and NSF’s regulations.

The NSF Director publishes notice in the Federal Register of each application for a permit. The notice invites the submission by interested parties, within 30 days after the date of publication of the notice, of written data, comments, or views with respect to the application. Information received by the Director as part of any application is available to the public as a matter of public record.

In addition, if the Director received a permit application involving any native mammal which is a marine mammal as defined by the Marine Mammal Protection Act of 1972 (16 U.S.C. 1362(5), any species which is an endangered or threatened species under the Endangered Species Act of 1973 (16 U.S.C. 1631 et seq.), or any native bird which is protected under the Migratory Bird Treaty Act (16 U.S.C. 701 et seq.), the Director submits a copy of the application to the Secretary of Commerce or to the Secretary of the Interior, as appropriate.

Improved information technology

Electronic mail, facsimile, and computers are employed. Electronic signatures are accepted.

Duplication

Because of the unique nature of the Antarctic Program, there is no duplication of any other information collection nor is there similar information already available.

Small entities

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Most applicants are individual researchers at educational institutions and no small businesses or other such entities.

Frequency

Research in Antarctica generally is conducted via scientific project awards. Each new project that is subject to the permit requirements of the Antarctic Conservation Act needs a separate permit application. Less frequent (than annual) collection of information is already employed where projects extend over multiple years.

Special circumstances

There are no special circumstances associated with the collection of information.

Notice Soliciting Comments on Information Collection

NSF has already published its first notice in the FEDERAL REGISTER on February 14, 2007 (72 FR 7089) soliciting comments on this information collection. No public comments were received. NSF is publishing its second notice in the FEDERAL REGISTER in conjunction with submission of this package to OMB.

Assurance of confidentiality

The permit application form contains a Privacy Act notice.

Sensitive questions

There are no sensitive questions on the proposed form.

Annualized cost

The cost to the Federal Government is subsumed in the general administrative costs of the U.S. Antarctic Program. Several employees participate in the review and evaluation of the information collected, but this is in connection with other related duties. The total equivalent cost to all Federal participants is less than one-half person year. The cost to respondents is estimated to be \$30 per respondent (0.5 hour @ \$60 per hour), or a total of about \$750.

Estimation of respondent reporting burden

Estimated number of respondents	25
Frequency of response	1 per year
Estimated burden per response`	½ hour
Estimated total	12.5 hours

In developing the “estimated average number of hours per response” it was determined that most, if not all, applicants for permits under the Antarctic Conservation Act and NSF regulations pursuant to the Act would be research scientists in educational institutions. The information required in the permit application form would be known to the applicants who would be submitting the permit application form. The time required per response was estimated through informal consultation with scientists and other members of the NSF staff..

Changes in burden

None.

Statistical use

The information collection is not to be published for statistical use.

The National Science Foundation has used the subject form in permit administration during the past 28 years. No particular problems have developed in use of the form. Approximately twenty-five applications for permits under the Antarctic Conservation Act (P.L. 95-541) have been received and acted upon each year. Because of the minimal burden to the public in using this form and the importance of the form to NSF in permit administration, it is requested that a three-year extension of time be granted to NSF to use the Antarctic Conservation Act Permit Application Form.