

SUPPORTING STATEMENT
FOR THE
ADMINISTRATION FOR NATIVE AMERICANS
Consultant and Evaluator Qualifications Form

OMB No. 0970-0265

Reinstatement, without change, of a previously approved collection for which approval has expired.

A. Justification

- 1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection.**

This information collection is conducted in accordance with 42 USC of the Native American Programs Act of 1972, as amended. Specifically, 42 USC 2991d-1, “Panel review of applications for assistance,” states that ANA will:

(1) “The Commissioner shall establish a formal panel review process for purposes of evaluating applications for financial assistance under sections 2991b and 2991d of this title; and determining the relative merits of the projects for which such assistance is requested.”

(2) “To implement the process established under paragraph (1), the Commissioner shall appoint members of review panels from among individuals who are not officers or employees of the Administration for Native Americans. In making appointments to such panels, the Commissioner shall give preference to American Indians, Native Hawaiians, other Native American Pacific Islanders (including American Samoan Natives), and Alaska Natives.” (See Attachment)

The responses to this collection are necessary to allow the Commissioner of ANA to select qualified people to review grant applications for: Social and Economic Development Strategies (SEDS), Native Language Preservation and Maintenance, Environmental Regulatory Enhancement, and Environmental Mitigation. The panel review process is a legislative mandate in the ANA funding process.

Furthermore, this collection is necessary for the Commissioner to comply with the legislatively required preference given to prospective panel members of American Indians, Native Hawaiians, other Native American Pacific Islanders (including American Samoans), and Alaska Natives.

- 2. Indicate how, by whom, and for what purpose the information is to be used. Except for new collection, indicate the actual use the agency has made of the information received from the current collection.**

The purpose of this information collection is to collect information that ANA can use to select qualified people to review grant applications.

The information obtained in this collection allows the Commissioner of ANA to comply with the legislatively required preference under 42 USC 2991d-1, and use that preference in selecting panels members of American Indian, Native Hawaiian, other Native Pacific Islander (including Native Samoan), and Alaska Native descent.

- 3. Describe whether, and to what extent the collection of information involves the use of automated, electronic, and 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.**

Applicants/respondents have the option to utilize automated, electronic information technology to complete the Consultant and Evaluator Qualifications Form.

The form is “housed” electronically on the ANA website and the ANA shared drive. The completed forms will be maintained by ANA. Respondents are encouraged to submit the completed forms electronically, but they do have an option to submit in paper form.

- 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 similar information, and ANA program staff has determined through extensive contacts with organizations and individuals in both the private and public sectors that there is no similar data available.

- 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.**

The collection of this information causes no effect upon small businesses or other small entities. The information being requested and required has been held to the absolute minimum required for the intended use.

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 reduce burden.

Failure to collect this information would violate the legislative mandate of the Native American Programs Act of 1974 as amended to establish a formal panel review process for purposes of evaluating applications for financial assistance, determining the relative merits of the projects for which such assistance is requested, and in making appointments to such panels, giving preference to American Indians, Native Hawaiians, other Native American Pacific Islanders (including American Samoan Natives), and Alaska Natives.

7. Explain any special circumstances that require the collection to be conducted in manner:

There are no special circumstances requiring collection be conducted in any manner described in Item #7 of the OMB Supporting Statement Instructions and Guidance.

8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notices, required by 5 CFR 320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments.

Attached is a copy of the Federal Register 60-Day Notice, "Proposed Information Collection Activity: Comment Request," Volume 72, No. 84, Page 24313, on Wednesday, May 2, 2007.

Also attached is a copy of the Federal Register 30-Day Notice, "Submission for OMB Review; Comment Request," Volume 72, No. 132, Page 37784, on Wednesday, July 11, 2007.

Summary of comments received:

Comments were received on two separate occasions from one individual. The first email, received on 5/2/07, was a request for ANA to mail a paper copy of the ANA Consultant and Evaluator Qualifications Form for review and further comment. The requestor expressed a concern about how consultants/evaluators are selected, and whether or not they are politically connected or "have done favors for politicians." In response, ANA immediately mailed a copy of the form to the individual.

On 5/8/07, the same individual provided further comment upon receipt of the form. He/she expressed the same concern as noted above, with further comments summarized as follows:

- How does ANA ensure truly independent and honest people are selected as Consultants/Evaluators?

Response: Every potential ANA evaluator must provide a resume and a list of references in order to be considered as a panel reviewer. Resumes are reviewed by the ANA Director of Program Operations and then by the ANA Commissioner to ensure the evaluator are qualified to read and evaluate ANA grant applications and specific program areas (i.e., Social and Economic Development Strategies [SEDS], Language Preservation and Maintenance, Environmental Regulatory Enhancement). References are contacted to ensure the evaluator is a respectable individual.

When the review panels are built, evaluators are assigned to avoid any conflict of interest. They are not just selected to review only those applications for which they have expertise, but also to review only those applications from states that are NOT contiguous with the states from which they reside (i.e., a West coast resident/evaluator would be selected to review applications from tribes or tribal organizations located in the East). In addition, at the time of registration evaluators are given a list of applications selected for their review and must sign a Conflict of Interest form (please see attached) certifying that they either have no conflict of interest with any of the applications to be reviewed or checking off those applications that they may have a conflict with (the application would then be pulled from that panel).

- How are fees held to a minimum?

Response: Qualified evaluators are selected and contacted to make travel arrangements at least 2 months prior to the review sessions in order to obtain the cheapest air fares. There are two panel review weeks and are divided (i.e., Language and Environmental applications are reviewed the first week, SEDS applications are reviewed the second week). The sessions run consecutively for 2 weeks. In order to reduce costs evaluators who are qualified to review Language, Environmental and SEDS applications are typically selected to review for the two week session. No per diem is paid to the evaluators as their daily fee covers meals and incidentals.

- Suggested new people should be selected as evaluators, and that it should not be a requirement that the consultant has prior experience evaluating for ANA.

Response: ANA's reviewer/evaluator database is continually updated with new applicants interested in being a grant reviewer. Previous

experience is asked to determine level of awareness of ANA’s program areas and not as a qualifier. After reviewing the resume and contacting references, individuals are contacted for availability. ANA reaches out to Native communities throughout the year and makes every effort to encourage individuals to apply to become an evaluator. 25% of the selected evaluators at last year’s sessions were new reviewers. All new evaluators are assigned to panels with experienced ANA evaluators, who provide guidance throughout the review session.

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

No payment or gift to respondents or remuneration to contractors or grantees has been paid.

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

This information is considered confidential, therefore, safeguards are considered necessary beyond that customarily applied to routine government information. The Consultant and Evaluator Qualifications Form is “housed” electronically on the ANA website and is only password accessible by applicants and certain ANA staff. The completed forms are maintained confidentially by ANA.

No information of a confidential nature will be disseminated per 45 CFR 73.735-307 (a) Use of official information.

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 is not applicable. No information of a sensitive nature is requested in the ANA Consultant and Evaluator Qualifications Form.

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

Instrument	Number of Respondents	Number of Responses per Respondent	Average Burden Hour per Response	Total Burden Hours
Consultant and Evaluator Qualifications Form	300	1	1	300

Estimated Total Annual Burden Hours: **300**

Public reporting burden for the preparation and review of the ANA funding application is estimated to average **1 hour** per response, including the time for reviewing instructions, gathering and maintaining data needed, and reviewing the collection of information.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

13. Provide an estimate of the annual cost burden to respondents or record keepers resulting from the collection of information.

The annual cost burden to respondents or record keepers resulting from the collection of information is zero. There are no direct monetary costs to respondents other than their time to complete the form, and the use of existing resources.

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

The estimated annualized cost to respondents for hour burdens for collection of information identifying and using appropriate wage rate categories is \$194.

The form is “housed” electronically on the ANA website, as well as on the shared drive, and will be completed by the applicant. The cost that the Government will incur will be printing the documents when desired and the actual time spent reviewing the forms.

- Costs for printing documents – paper and printer toner = \$100
- Costs for tabulating and analysis of responses – 2 hours at \$47/hr = \$94

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

There are no program changes or adjustments reported in items 13 and 14 of the OMB Form 83-I.

16. For collections of information whose results are planned to be published, outline plans for tabulation and publication.

Data that will be collected will not be tabulated and published. The results of the collection will not be used for any statistical use. The collection of

information by means of the ANA Consultant and Evaluator Qualifications Form does not employ statistical methods.

- 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.**

This is not applicable.

- 18. Explain each exception to the certification statement identified in Item 19, “Certification for Paperwork Reduction Act Submission,” on Form OMB 83-I.**

This is not applicable.