

July 6, 2010

Supporting Statement for Paperwork Reduction Act Submissions

OMB Control Number: 1660 – NEW

Title: FEMA Preparedness Grants: State Homeland Security Program (SHSP) Tribal

Form Number(s): FEMA Form# 089-22

General Instructions

A Supporting Statement, including the text of the notice to the public required by 5 CFR 1320.5(a)(i)(iv) and its actual or estimated date of publication in the Federal Register, must accompany each request for approval of a collection of information. The Supporting Statement must be prepared in the format described below, and must contain the information specified in Section A below. If an item is not applicable, provide a brief explanation. When Item 17 or the OMB Form 83-I is checked “Yes”, Section B of the Supporting Statement must be completed. OMB reserves the right to require the submission of additional information with respect to any request for approval.

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. Provide a detailed description of the nature and source of the information to be collected.**

FEMA’s State Homeland Security Program (SHSP) Tribal is authorized by Sections 2004 and 2005 of the Homeland Security Act of 2002, as amended by Section 101, Title I of the Implementing Recommendations of the 9/11 Commission Act of 2007, Public Law 110-53, (6 U.S.C. §605 and 606). SHSP provides supplemental funding to eligible tribes to help strengthen the Nation against risks associated with potential terrorist attacks. SHSP support building and sustaining capabilities at the State and Local levels through planning, equipment, training, and exercise activities, and help states to implement the strategic goals and objectives included in the State Homeland Security Strategies.

This law empowers FEMA Administrator to make grant awards directly to eligible tribes and requires the Administrator to accept appropriate application data submitted by eligible tribes similar to the SHSP application requirements of States, such as:

- o the purpose for which the State seeks grant funds and the reasons why the State needs the grant to meet its target capabilities;
- o a description of how the State plans to allocate the grant funds to local governments and Indian tribes;
- o a budget showing how the State intends to expend the grant funds; and
- o a directly eligible tribe must provide a copy of its application to each State within which any part of the tribe is located for review before the tribe submits such application to the Department.

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. Provide a detailed description of: how the information will be shared, if applicable, and for what programmatic purpose.

FEMA Form 089-22, SHSP-Tribal Investment Justification Template – Submitted with the application, this document provides narrative detail on proposed activities (Investments) that will be accomplished with grant funds. Investment Justifications must demonstrate how proposed projects address gaps and deficiencies in current programs and capabilities and the ability to provide enhancements consistent with the purpose of the program and guidance provided by FEMA. The data from the IJ is collected to assist decision-making at all levels, although, it is primarily used by individual application reviewers through a national review process. This process results in the scoring of eligible tribal applications based on the anticipated effectiveness of proposed investments and how well the proposed investments address the identified need(s) or capability shortfall(s). The national review is comprised of subject matter experts familiar with tribal issues. These reviewers then determine whether proposed activities identified in the application and IJ help achieve core missions of the respective grant program.

Copy of Application provided to State prior to submission – Eligible tribes are required to submit a copy of their application for SHSP Tribal funds to each State within which any part of the tribe is located for review before the tribe submits it to <http://www.grants.gov>. This coordination ensures consistency with State plans. This information is used by FEMA to verify applicants' compliance with all administrative and eligibility criteria identified in the SHSP Tribal grant guidance.

Biannual Strategy Implementation Report (BSIR) – The BSIR serves as the reporting format for the Semiannual Progress Report, formerly known as the Categorical Assistance Progress Report (CAPR). The SAA/Direct Tribal Grantee (DTG) is responsible for providing FEMA with BSIR reports to account for grant funding. The BSIRs are due within 30 days of the end of the reporting periods (June 30 and December 31), for the life of the award. A close-out BSIR is due 120 days after the end date of the award period. The submission of a completed BSIR satisfies programmatic reporting

requirements as outlined in the grant program guidance to ensure legal and prudent use of federal funds. All funds provided to the SAA through these grant programs must be accounted for and linked to one or more projects. This, in turn, must support specific goals and objectives in the State Homeland Security Strategy and where appropriate, the Urban Area Homeland Security Strategy, and Regional Transit Security Strategy, as detailed in the special conditions of the grant award. The BSIR data is submitted electronically in a FEMA-sponsored system, the Grants Reporting Tool (GRT). This collection activity is currently in the OMB process for approval under ICR Reference No. 201003-1660-005.

Preparedness Comprehensive Assessment Support Tool (PrepCAST) formerly known as the National Incident Management System Compliance Assistance Support Tool (NIMSCAST) – PrepCAST facilitates and reports State, Territory, tribal and local jurisdictions’ compliance with the National Incident Management System (NIMS). PrepCAST allows incident management authorities and resource managers to assess their current capabilities as well as to determine what additional measures should be taken and what resources are needed to effectively implement the NIMS nationwide. The State Preparedness Report provides information on the readiness of states to respond to disaster situations. The capability based data in this report is used in conjunction with other data to create documents such as the National Preparedness Report. This collection activity is approved under OMB Control Number 1660-0087.

FEMA Form 024-0-1, Environmental and Historic Preservation (EHP) Environmental Screening Form (ESF) - The Environmental and Historic Preservation Environmental Screening Form is a paper form used by FEMA’s Grant Programs Directorate (GPD) and is utilized when following the requirements for grant packages that utilize this instrument. This form should be attached to all project information sent to GPD for an Environmental and Historic Preservation (EHP) regulatory compliance review. This collection activity is currently in the OMB process for approval under ICR Reference No. 201003-1660-007.

Homeland Security Exercise and Evaluation Program (HSEEP) After-Action Report (AAR) and Improvement Plan (IP) – The information contained within this report identifies areas where expectations for preparedness to respond to an emergency situation are met as well as areas where improvement is required. This information is used by the Secretary of Homeland Security and shared with heads of other Federal Departments including FEMA’s National Preparedness Directorate to allow for planning methods to increase levels of preparedness, establishing mechanisms for improved delivery of Federal preparedness assistance to State and local governments, and outlining actions to strengthen preparedness capabilities of Federal, State and local entities.

This initiative is managed by FEMA’s National Preparedness Directorate (NPD). Grant recipients must report on scheduled exercises and ensure that an HSEEP After-Action Report (AAR) and Improvement Plan (IP) are prepared for each exercise conducted with FEMA support. This information must be submitted to the FEMA within 60 days following completion of an exercise. There are two separate templates that support this

data collection effort: (1) **Discussion-Based Exercise template**; 2) **Operations-Based Exercise template**. This collection activity is currently in the OMB process for approval under ICR Reference No. 201006-1660-001.

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.

FEMA posts most of its grant application packages on www.Grants.gov. This allows applicants to download the application package and complete it offline. After applicants have completed all required forms, they can electronically submit the package to FEMA through www.Grants.gov. Applicants must create their Investment Justifications (IJ) in MS Word and upload the information as an attachment to the SHSP application, which is electronically submitted via www.grants.gov. The copy of the application provided to the State prior to submission is transmitted as an attachment in www.Grants.gov.

Additionally, grant applicants must use the FEMA-sponsored Grants Reporting Tool (GRT) to submit data for the Investment Justification(s) (IJ) and the Biannual Strategy Implementation Report (BSIR) to report on funds awarded. The GRT provides grantees the ability to electronically create and submit these data collection requirements. The GRT homepage is (<https://www.reporting.odp.dhs.gov/>). The GRT is used to capture FEMA's annual award and biannual grant reporting data. The GRT was designed to help the SAA and Direct Tribal Grantees (DTGs) meet all reporting requirements identified by DHS FEMA's Grant Program Directorate (GPD) as well as to streamline the reporting process for grantees. This system was developed in response to customer feedback concerning difficulties using other means of providing progress report data. The Department developed the GRT as a tool to streamline the reporting process for grantees. The GRT is user-friendly with a web-based format, thus reducing burden on the grantees by providing increased flexibility yet ensuring adherence to agency guidelines.

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.

This information is not collected in any form, and therefore is not duplicated elsewhere.

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.

This information collection does not have an impact on small businesses or other small entities.

6. Describe the consequence to Federal/FEMA program or policy activities if the collection of information is not conducted, or is conducted less frequently as well as any technical or legal obstacles to reducing burden.

If FEMA could not request and obtain this information, FEMA could not exercise comprehensive financial management and ensure the efficient and effective use of Federal funds. If FEMA was not able to receive information collected from grant recipients, the agency could not fulfill monitoring requirements.

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

(a) Requiring respondents to report information to the agency more often than quarterly.

No data collection elements are required more often than quarterly. Most collection elements are only required once per year per grant application.

(b) Requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it.

There are no requirements for respondents to prepare a written response to this collection of information in fewer than 30 days after receipt of it.

(c) Requiring respondents to submit more than an original and two copies of any document.

There are no requirements for a respondent to submit more than an original and two copies of any document.

(d) Requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years.

Records must be retained for three years after close-out. If any litigation, claim, negotiation, audit or other action involving the records has been started before the expiration of the three-year period, the records must be retained until completion of the action and resolution of all issues which arise from it, or until the end of the regular three-year period, whichever is later.

(e) 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.

There is no statistical survey involved with this data collection.

(f) Requiring the use of a statistical data classification that has not

been reviewed and approved by OMB.

There is no use for statistical data classification in this data collection.

(g) 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.

There is no pledge of confidentiality that is not supported by authority established in statute or regulation for this data collection.

(h) Requiring respondents to submit proprietary trade secret, 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.

There are no requirements for respondents to submit proprietary trade secret, or other confidential information for this data collection.

8. Federal Register Notice:

a. Provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice 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. Specifically address comments received on cost and hour burden.

A 60-day Federal Register Notice inviting public comments was published on February 24, 2010, Volume 75, Number 36, pp. 8384. No comments were received. See attached copy of the published notice included in this package.

A 30-day Federal Register Notice inviting public comments was published on July 1, 2010, Volume 75, Number 126, pp. 38115. No comments were received. See attached copy of the published notice included in this package.

b. 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.

FEMA meets with the National Governors Association (NGA), the National Emergency Management Association (NEMA), and the International Association of Emergency Managers (IAEM) national associations that represent these entities, as well as individual grantees, through regular program-specific conferences and workshops. Additionally, teleconferences and e-mail communications are also used. Throughout the grant lifecycle

of past years, FEMA met and consulted directly with grant recipients on a number of occasions to discuss the whole range of grant administration matters, including reporting requirements.

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

FEMA consults on a regular basis with Federal, State, local, tribal stakeholders on a variety of issues. These consultations involve discussions regarding the nature of information needed by FEMA to manage the grant programs. Partners offer comments and suggestions about their reporting practices. The most common area of concern is performance reporting, as most States are very familiar and comfortable with the grant administrative and financial reporting data elements that FEMA uses.

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

FEMA does not provide payments or gifts to respondents in exchange for a benefit sought.

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

The DHS Privacy Office approved the Privacy Impact Assessment (PIA) for this information collection on July 14, 2009.

11. Provide additional justification for any question 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.

There are no questions of sensitive nature.

12. Provide estimates of the hour burden of the collection of information. The statement should:

a. Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated for each collection instrument (separately list each instrument and describe information as requested). Unless directed to do so, agencies should not conduct special surveys to obtain

information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desired. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.

The SHSP is an existing grant program that uses the forms outlined in this collection. The burden hour estimates shown on the following pages are based upon internal and external subject matter expertise. The burden estimated to collect the necessary information has estimated to be 12,007 total annual burden hours.

b. If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB Form 83-I.

c. Provide an estimate of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost to the respondents of contracting out or paying outside parties for information collection activities should not be included here. Instead this cost should be included in Item 13.

Table A.12: Estimated Annualized Burden Hours and Costs

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Type of Respondent	Form Name / Form Number	No. of Respondents	No. of Responses per Respondent	Total No. of Responses	Avg. Burden per Response (in hours)	Total Annual Burden (in hours)	Avg. Hourly Wage Rate*	Total Annual Respondent Cost
State, Local or Tribal Government	SHSP – Tribal Investment Justification Template / FEMA Form 089-22	40	1	40	300 hrs.	12,000	\$37.80	\$453,600.00
State, Local or Tribal Government	Copy of Application provided to State prior to submission / No Form	40	1	40	0.167 hr. (10 mins.)	7	\$37.80	\$264.60
Total		40		80		12,007		\$453,864.60

*Note: The “Avg. Hourly Wage Rate” for each respondent includes a 1.4 multiplier to reflect a fully-loaded wage rate.

According to the U.S. Department of Labor, Bureau of Labor Statistics Web site (www.bls.gov) the wage rate category for Local Representatives is estimated to be \$27 per hour, with the addition of the 1.4 multiplier, the total wage rate is \$37.80 for completing and submitting the FEMA grant information to FEMA for review and approval. Therefore, the estimated total burden hour cost to Local Representatives is estimated to \$453,864.60 annually.

The Standard Forms listed in the table below are used in FEMA administration of grant programs collections of information. These burden estimates are captured

under the OMB government-wide collections of information for Standard Forms (SF). Other data collection activities approved by OMB are also identified in the table below.

Type of Respondent	Form Name / Form Number	No. of Respondents	No. of Responses per Respondent	Total Number of Responses	Avg. Burden per Response (in hours)	Total Annual Burden (in hours)	Avg. Hourly Wage Rate (\$)	Total Annual Respondent Cost (\$)
Standard Forms								
State, Local or Tribal Government	Application for Federal Assistance / SF 424	40	1	40	0.75	30	\$37.80	\$1,134.00
State, Local or Tribal Government	Budget Information - Non-Construction Programs / SF 424A	40	1	40	3	120	\$37.80	\$4,536.00
State, Local or Tribal Government	Assurances - Non-Construction Programs / SF 424B	40	1	40	0.25	10	\$37.80	\$378.00
State, Local or Tribal Government	Budget Information - Construction Programs / SF 424C	40	1	40	3	120	\$37.80	\$4,536.00
State, Local or Tribal Government	Assurances - Construction Programs / SF 424D	40	1	40	0.25	10	\$37.80	\$378.00
State, Local or Tribal Government	Disclosure of Lobbying Activities / SF LLL	40	1	40	0.167	7	\$37.80	\$264.60
State, Local or Tribal Government	Direct Deposit Sign-Up Form / SF 1199A	40	1	40	0.167	7	\$37.80	\$264.60
Total				40		304		\$11,491.20

**Other Departments/
Agencies Data Collection Activities**

State, Local or Tribal Government	Biannual Strategy Implementation Report (BSIR) / No Form; FEMA OMB Number 1660-XXXX	40	2	80				
State, Local or Tribal Government	Preparedness Comprehensive Assessment Support Tool (PrepCAST) formerly known as the National Incident Management System Compliance Assistance Support Tool (NIMSCAST) / No Form Number; FEMA OMB Number 1660-0087	40	1	40				
State, Local or Tribal Government	State Preparedness Report (SPR) / No Form Number; FEMA OMB Number 1660-0087	40	1	40				
State, Local or Tribal Government	EHP - Environmental Screening Form / FEMA Form 024-0-1; OMB Number 1660-XXXX	40	1	40				
State, Local or Tribal Government	Homeland Security Exercise & Evaluation Program (HSEEP) After Action Report (AAR) and Improvement Plan (IP) / FEMA Form 091-0; FEMA OMB Number 1660-XXXX	40	1	40				
Total				240				

13. Provide an estimate of the total annual cost burden to respondents or recordkeepers resulting from the collection of information. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. (Do not include the cost of any hour burden shown in Items 12 and 14.)

The cost estimates should be split into two components:

- a. Operation and Maintenance and purchase of services component. These estimates should take into account cost associated with generating, maintaining, and disclosing or providing information. Include descriptions of methods used to 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.**
- b. Capital and Start-up-Cost should include, among other items, preparations for collecting information such as purchasing computers and software, monitoring sampling, drilling and testing equipment, and record storage facilities.**

There are no record keeping, capital, start-up or maintenance costs associated with this information collection.

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 have been incurred without this collection of information. You may also aggregate cost estimates for Items 12, 13, and 14 in a single table.

The total cost to FEMA is \$388,618.70. Approximately 15 staff members with an estimated grade level of GS-13 review and analyze the information collected by these forms.

Annual Cost to the Federal Government

Item	Cost (\$)
Contract Costs There are 2 contracts that support this effort: The Technical Assistance and Program Development Contract and the Grant Operations Support Contract. These contracts support the development of the programs & provide guidance/assistance to grantees, collect & review information, and the cost for these contracts are: Technical Assistance and Program Development: \$119,192.00 Grant Operations Support: \$86,880.00 Total: \$206,072.00	\$206,072.00
Staff Salaries [15 GS-13, step 1 employees spending approximately 10% of time annually for this administrative and financial data collection] $=15 \times \$86,927.00 = \$1,303,905.00 \times 1.4 = \$1,825,467.00 \times .10 = \$182,546.70$	\$182,546.70
Facilities [cost for renting, overhead, etc. for data collection activity]	
Computer Hardware and Software [cost of equipment annual lifecycle]	

Equipment Maintenance [cost of annual maintenance/service agreements for equipment]	
Travel	
Printing [number of data collection instruments annually]	
Postage [annual number of data collection instruments x postage]	
Other	
Total	\$388,618.70

*Note: The "Avg. Hourly Wage Rate" for each respondent includes a 1.4 multiplier to reflect a fully-loaded wage rate.

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I in a narrative form. Present the itemized changes in hour burden and cost burden according to program changes or adjustments in Table 5. Denote a program increase as a positive number, and a program decrease as a negative number.

A "**Program increase**" is an additional burden resulting from a Federal government regulatory action or directive. (e.g., an increase in sample size or coverage, amount of information, reporting frequency, or expanded use of an existing form). This also includes previously in-use and unapproved information collections discovered during the ICB process, or during the fiscal year, which will be in use during the next fiscal year.

A "**Program decrease**", is a reduction in burden because of: (1) the discontinuation of an information collection; or (2) a change in an existing information collection by a Federal agency (e.g., the use of sampling (or smaller samples), a decrease in the amount of information requested (fewer questions), or a decrease in reporting frequency).

Itemized Changes in Annual Burden Hours						
Data collection Activity/Instrument	Program Change (hours currently on OMB Inventory)	Program Change (New)	Difference	Adjustment (hours currently on OMB Inventory)	Adjustment (New)	Difference
SHSP – Tribal Investment Justification Template, FEMA Form 089-22	0	12,000	+12,000			
Copy of Application provided to State prior to submission	0	7	+7			
Total(s)	0	12,007	+12,007			

Explain: This is a new collection that was not previously on the OMB inventory. Therefore, the burden hours are positive program changes.

Itemized Changes in Annual Cost Burden

Data Collection Activity/Instrument	Program Change (cost currently on OMB Inventory)	Program Change (New)	Difference	Adjustment (cost currently on OMB Inventory)	Adjustment (New)	Difference
SHSP – Tribal Investment Justification Template, Form FEMA 089-22	0	\$453,600.00	+\$453,600.00			
Copy of Application provided to State prior to submission	0	\$264.60	+\$264.60			
Total(s)	0	\$453,864.60	+\$453,864.60			

Explain: This collection has not previously been approved for use by OMB and there was no previous Annual Cost Burden.

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.

FEMA does not intend to employ the use of statistics or the publication thereof for this information collection.

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

FEMA will display the expiration date for OMB approval of this information collection.

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

FEMA does not request an exception to the certification of this information collection.

B. Collections of Information Employing Statistical Methods.

There is no statistical methodology involved in this collection.