

Supporting Statement A

Bureau of Land Management Resource Advisory Council Application (43 CFR Subpart 1784)

OMB Control Number 1004-XXXX

Terms of Clearance: None

General Instructions

A completed Supporting Statement A 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 below. If an item is not applicable, provide a brief explanation. When the question “Does this ICR contain surveys, censuses, or employ statistical methods?” is checked "Yes," then a Supporting Statement B must be completed. OMB reserves the right to require the submission of additional information with respect to any request for approval.

Specific Instructions

Justification

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

This is a request for a new control number. Section 309 of the Federal Land Policy and Management Act (FLPMA) (U.S.C. 1739) requires the Secretary of the Interior to “establish advisory councils of not less than ten and not more than fifteen members appointed by him from among persons who are representative of the various major citizens’ interests concerning the problems relating to land use planning or the management of the public lands located within the area for which an advisory council is established...Appointments shall be made in accordance with rules prescribed by the Secretary.” Section 309 also requires that the establishment and operation of an advisory committee conform to the requirements of the Federal Advisory Committee Act (FACA), 5 U.S.C. App. 2. In accordance with FLPMA Section 309 and FACA, the Bureau of Land Management (BLM) has promulgated regulations (43 CFR Subpart 1784) governing the establishment and operation of advisory committees.

The BLM seeks to collect information to determine education, training, and experience related to possible service on an advisory committee of the BLM. This information is necessary to ensure that each advisory committee is structured to provide fair membership balance, both geographic and interest-specific, in terms of the functions to be performed and points of view to be represented, as prescribed by its charter.

- 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.**

The information obtained will be used for BLM officials to make selections for appointment on BLM advisory committees. Pertinent information from the form will be referred to the Department of the Interior (DOI) Executive Secretariat for review of applicants. The Office of the DOI White House Liaison will use the form to perform background checks on the applicants to confirm that the applicants are not delinquent with any loans to the DOI, as well as making sure they have no negative record that could be a negative reflection to the DOI and the BLM.

The form asks for the applicant's first name, middle name, last name, and date of birth so the individual can be identified and the BLM is able to distinguish that individual from others in the vetting process. The BLM asks for the applicant's business and home address so that the BLM can send an official appointment letter if he or she is selected. The applicant is asked his or her email address because the General Services Administration requires this information for its Federal Advisory Committee database. The form asks for the applicant's business and home phone number in case the BLM must reach the individual for questions regarding his or her application. The form asks for the applicant's occupation so that the BLM may determine if he or she is qualified to hold the position he or she seeks. The BLM asks for the applicant's educational background to determine if he or she is qualified to hold the position he or she seeks. The BLM asks for the applicant's work history in order to assist the Office of the White House Liaison in vetting the applicant. The form asks for the applicant's career/education/experience highlights to capture the qualifications of the applicant. The form asks the experience or knowledge of the committee's geographic area of jurisdiction to ensure that the applicant is knowledgeable of the committee's purview. The form asks for the applicant's experience working with disparate groups to evaluate whether the applicant is able to work with others to come to conclusions on possibly controversial issues. The form asks in which interest area the applicant believes he or she is qualified to serve so that BLM knows which interest area to possibly appoint the applicant. The form asks if the applicant or his or her employers holds any BLM permits, leases, or licenses. The BLM's advisory committee regulations (43 CFR subpart 1784) provide that "persons or employees of organizations who hold leases, licenses, permits, contracts or claims which involve lands or resources administered by the Bureau of Land Management normally shall not serve on advisory committees..." The form asks whether the applicant is a federally registered lobbyist because the Obama Administration prohibits individuals who are

currently federally registered lobbyists to serve on all FACA and non-FACA boards, committees, or councils. The form asks the applicant to attach letters of reference from interests or organizations the applicant is seeking to represent because the BLM's advisory committee regulations state this as a requirement. The applicant is also required to sign the form to ensure that he or she is the one who completed the form.

- 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.**

The proposed form, if approved, will be electronically available to the public in fillable, printable format on BLM's Forms Web site at <http://www.blm.gov/noc/st/en/business/eForms.html>. In the electronic format, respondents may complete the application and may choose to submit it electronically by scanning and then emailing it to the appropriate BLM office.

- 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.**

The BLM must obtain this information in order to maintain federal advisory committees. The necessary information is unique to each applicant, and cannot be obtained except from the respondents to this information collection. There is no similar information already available and no duplication of information collection.

- 5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.**

The information collection activity has no impact on small businesses. Information will be collected only from individuals.

- 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.**

If the BLM did not collect this information, it could not maintain advisory committees.

- 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.

There are no special circumstances requiring the collection to be conducted in a manner described above.

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.

Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every three 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 December 28, 2011, the BLM published the required 60-day notice in the Federal Register (76 FR 81523), and the comment period ended February 27, 2012. The BLM received no comments.

The BLM has consulted with the following respondents to obtain their views on the following aspects of the proposed form: availability of data; frequency of collection; the clarity of instructions; the recordkeeping, disclosure, and reporting formats; and on the data elements to be recorded, disclosed, or reported:

Name	Advisory Committee
James Catlin	Utah Resource Advisory Council
Paul McFarland	Central California Resource Advisory Council
Frank White	Utah Resource Advisory Council
Berta Youtie	John Day-Snake Resource Advisory Council

The four applicants agreed that the form was straightforward and asked only pertinent questions. As the information pertains to personal information about the applicant, the information is readily available. The applicants did not find the form cumbersome. None of the applicants felt that the information being requested was intrusive and none had reservations about releasing possible personally identifiable information (e.g., date of birth) to the BLM.

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

We provide no payments or gifts to the respondents.

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

According to General Records Schedule 26, “Committee management records include copies of charters, membership lists, agendas, policy statements, statistical data files, financial operating plans, General Service Administration reports and other statistical reports on the number of committees, types of committees, membership rosters, requests for approval of committee nominees, appointment documents for individual committee members, financial disclosure documents, material required to be available for public information and other related topics maintained by the Committee Management Officer.” General Records Schedule 26 mandates that Federal agencies, “Destroy/delete when [the records are] 6 years old.”

Upon receiving the records, the BLM will store them in locked cabinets to ensure privacy protection. The information in each application will be maintained in the Interior Volunteer Service File System (Interior/DOI-05) and is subject to routine uses of that system of records. These routine uses can be found at 66 FR 28536 (May 23, 2001).

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.

No questions of a sensitive nature will be asked.

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

- * **Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. 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 desirable. 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.**
- * **If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens.**
- * **Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included under “Annual Cost to Federal Government.”**

Table 12-1, below, shows our estimate of the hourly cost burdens for respondents. This cost was determined using national Bureau of Labor Statistics data for “All Occupations” at: http://www.bls.gov/oes/current/oes_nat.htm. We chose the hourly rate for all occupations because the respondents vary widely in terms of the type of business they are in, how they choose to perform the information collection, the circumstances of each operation, and the proportions of personnel performing the work (e.g., managerial technical, administrative).

The benefits multiplier of 1.4 is supported by information at <http://www.bls.gov/news.release/pdf/ecec.pdf>.

Table 12-1 – Hourly Cost Calculation

<u>A.</u> <u>Occupational Category</u>	<u>B.</u> <u>Mean Hourly Wage</u>	<u>C.</u> <u>Total Mean Hourly Wage</u> <u>(B x 1.4)</u>
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All Occupations	\$21.74	\$30.44
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The sole component of this information collection request, the Federal Advisory Committee Background Information Nomination Form, requires an estimated 4 hours per response. When multiplied by an estimated 200 responses annually, the total estimated burden to respondents for this information collection is 800 hours and \$24,352 in hour-related costs annually.

13. Provide an estimate of the total annual non-hour cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden already reflected in item 12.)

- * **The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life) and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information (including filing fees paid for form processing). 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. 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.**

No non-hour cost burdens are 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 not have been incurred without this collection of information.

The estimated hourly cost to the Federal Government, which is shown in Table 14-1, is based on the U.S. Office of Personnel Management Salary Table 2012-RUS at http://www.opm.gov/oca/12tables/html/RUS_h.asp. The benefits multiplier of 1.5 is implied by information at <http://www.bls.gov/news.release/eccec.nr0.htm>.

Table 14 -1 — Hourly Cost Calculations

A. Position	B. Pay Grade	C. Hourly Pay Rate (\$/hour)	D. Hourly Rate with Benefits (Column C x 1.5)	E. Percent of the Information Collection Completed by Each Occupation	F. Weighted Avg. (\$/hour) (Column D x Column E)
FACA Coordinator	GS-11, Step 5	\$31.17	\$46.76	50	\$23.38
Advisory Committee Lead	GS-12, Step 5	\$37.37	\$56.06	15	\$8.41
Supervisor	GS-14, Step 5	\$52.51	\$78.77	10	\$7.88
Designated Federal Officer	GS-15, Step 5	\$61.76	\$92.64	25	\$23.16
Totals				100	\$62.83

The sole component of this information collection request, the Federal Advisory Committee Background Information Nomination Form, requires an estimated 4.5 hours of Government time per response. When multiplied by an estimated 200 responses annually, the total estimated burden to respondents for this information collection is 900 hours and \$56,547 annually.

15. Explain the reasons for any program changes or adjustments in hour or cost burden.

This is a request for a new control number. The entire burden is a program change.

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 have no plans to publish the information.

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.

The BLM will display the expiration date of the OMB approval on the forms included in this information collection.

18. Explain each exception to the topics of the certification statement identified in "Certification for Paperwork Reduction Act Submissions."

There are no exceptions to the certification statement.