

Supporting Statement A

APPLICATION TO WITHDRAW TRIBAL FUNDS FROM TRUST STATUS, 25 CFR 1200

OMB Control Number 1035-0003

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.

In October 1994, Congress enacted Public Law 103-412, “*The American Indian Trust Fund Management Reform Act of 1994*,” (the “Reform Act”) that authorizes Indian tribes on a voluntary basis to take their funds out of trust status within the Department of the Interior to manage such funds on their own. The collection of certain information from a tribe by the Office of the Special Trustee for American Indians (OST) is required in order for OST to review and approve a tribe’s application to withdraw its trust funds out of trust status for self-management/investment under the Reform Act. This information collection is codified in 25 CFR 1200, Subpart B, Section 1200.13, “How does a tribe apply to withdraw funds?” and describes the application requirements for the withdrawal of tribal funds from trust status. The Reform Act encompasses all tribal trust funds, including judgment funds as well as some settlement funds, but excludes Individual Indian Money (IIM) account funds. Both the Reform Act and its

implementing regulations (25 CFR Part 1200) state that upon withdrawal of the funds, the Government has no further liability for such funds. Thus, such decisions as the investment and management of the funds become key decisions for tribal applicants. Accompanying their application to withdraw tribal funds from trust status, tribes submit a Tribal Management Plan for managing the trust funds that includes an acknowledgement of the statutory requirements for the protection of the funds once they are out of trust status.

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 regulations that implement the Reform Act, 25 CFR 1200 Sections describe the tribal application process for the withdrawal of funds from trust status. This tribal application for withdrawal is a necessary requirement for the tribes to take their funds out of trust status under the Reform Act. The tribal application provides OST specific information about how a tribe intends to manage its funds once the funds are withdrawn from trust status. This application process allows OST to assess whether the tribe's proposed management of its funds is reasonable and provides protection against a substantial loss of principal.

OST's actual past use of the information provided by a tribe in its trust fund withdrawal application, has been to assess whether the Secretary has sufficient information to approve a tribe's request to withdrawal its trust funds from trust status for self-management. OST conducts this assessment of the tribe's application by doing the following:

1. Determine a tribe's compliance with the required application contents in 25 CFR 1200.14, "What Must the Tribal Management Plan Contain".
2. Evaluating the contents of the tribe's Management Plan (25 CFR 1200.16, "What Criteria Will Be used in Evaluating the Management Plan") to determine:
 - a. Completeness of management plan
 - b. Whether the management plan is approved by the appropriate tribal governing body
 - c. Whether the management plan is reasonable

- d. Whether the private-sector entities/individuals managing the tribe's funds have the experience and capability to manage the funds
- e. Whether the entities have the ability to compensate the tribe if the entities are found liable for failing to comply with the tribe's management plan.
- f. Whether the tribe has the experience to manage the investments made by the entities above.
- g. Whether the tribe has internal audit and control systems for overseeing and monitoring its investment activities
- h. Whether the tribe's portfolio has adequate protection against substantial loss of principal
- i. Assess the inherent riskiness of the proposed tribal investments
- j. Assess the tribe's projected need for income from the proposed investments
- k. Determine the likelihood that the management plan will be followed.

The Application process requests general information as follows:

Name of Tribe

Date

Address of Tribe

Phone Number

Identification of funds to be withdrawn

Approximate dollar amount of the funds to be withdrawn

Name and title of person submitting the application

Type of fund to be withdrawn

The Specific Regulatory Requirements in 25 CFR 1200 § 1200.13 also require a tribe's application to include the following:

- (1) proof that the Tribe's membership has been notified
- (2) tribal resolution
- (3) formal agreement between the Tribe and the investment entity
- (4) legal Opinion by the tribe's attorney
- (5) results of a tribal referendum (if required by the tribe's constitution)
- (6) if judgment or settlement funds, a copy of the Act setting out the use of the funds, and
- (7) a funds management plan.

These documents are required to enable the Government to review and approve the tribe's plans for the management of the funds, and to ensure that a tribe is aware that once the funds are withdrawn from trust status, the Federal Government has no further liability for the funds. These documents contain the information which will be used by the Government to determine if the Management Plan provided by the tribe is reasonable and provides protection against a substantial loss of principal, to determine whether the investment entity is capable of managing these funds, and to determine whether the tribal governing body has taken the proper legal steps to authorize this action.

More specifically:

-- The information provided in the Management Plan is used by the Government to verify that the Plan is approved by the appropriate tribal governing body.

-- The information provided in the plan is also reviewed to ensure that it is reasonable in light of the trust responsibility and the principles of Indian Self-Determination. Information considered includes the capability and experience of the investment individuals and/or firm, and the tribal investment goals and strategy for achieving them.

-- In addition, for judgment funds, the plan is reviewed to determine if it adequately provides for compliance with conditions, uses of funds, or other requirements established by the original law or settlement act.

Approval of this information collection is requested from OMB to provide the tribes with a benefit that was not available prior to enactment of the Reform Act. The information provided to OST is required to obtain a benefit, and the benefit obtained will be the release of funds out of trust status to the tribe for its own management/investment.

Information collected by the Government on applications for withdrawal of trust funds received since OMB approval of information collection 1035-0003 on 08/20/2003 has enabled the tribes submitting the application packages to withdraw their funds for their own management/investment.

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.

OST's information collection process for trust withdrawal applications is not automated and currently does not use electronic submissions of applications. 25 CFR 1200.13 cites that "a tribe must submit four copies of its application and attachments listed in this section to Director, Office of External Affairs . . ."

However, information regarding how to apply for Withdrawal of Tribal Trust Funds from Trust Status and to request an information packet regarding the application process is available online at <http://www.doi.gov/ost/information/tribal/funds.html>.

Lastly, a tribe may request current information from its OST Fiduciary Trust Officer regarding their trust accounts from OST's automated Trust Funds Accounting System (TFAS).

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 entire body of information requested under this collection is not duplicated elsewhere in OST. A tribe's application to withdraw its funds from trust status may be a one-time event for the tribe. As a result, it may be possible that the information could be collected only once.

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

The collection of information does not have a significant impact on a substantial number of small businesses or other small entities.

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.

Government compliance with Public Law 103-412, “*The American Indian Trust Fund Management Reform Act of 1994*,” which authorizes tribes to manage and invest their own funds, once out of trust status, would be hindered, if not rendered ineffectual, if this information codified in 25 CFR 1200 was not collected by OST. OST would not be in compliance with the Reform Act and the governing Regulations (25 CFR 1200), and tribes would not receive the benefit accorded them under the Reform Act.

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.

25 CFR 1200.13 cites that “a tribe must submit four copies of its application and attachments listed in this section to Director, Office of External Affairs . . .” This exceeds one original and two copies indicated above. There are no other special circumstances that require this collection of information to be conducted in a manner inconsistent with the general information collection guidelines in 5 CFR 1320.5.

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.

A notice asking for comments on this information collection was published in the Federal Register on June 7, 2012, at 77 FR 33767. No public comments were received in response to this notice.

Since the current OMB 1035-0003 (2010-2012) information collection authorization has been in effect, there has only been one tribe to take its trust funds out of trust status for self-management/investment under the Reform Act. OST interviewed a retired representative of this tribe on September 27, 2012. This representative was a key member of the Tribe's trust withdrawal application team in 2010.

OST did not expend resources to interview tribes that took their funds out of trust status prior to this current 2010-2012 OMB authorization. Prior to the tribe cited above, the last tribe that has taken its funds out of trust status for self-management/investment, before this current OMB authorization did so in March 2005.

Because OST does not require tribes to track the time or their costs to prepare their application packages, and because such application packages require such a substantial investment of both time and money, we believe that we must depend upon good-faith estimates from a tribe that has mostly recently, successfully completed the trust withdrawal application process, as our most reliable indications of the amount of effort required to complete such applications.

The following retired representative of the tribe cited above, took their funds out of trust status during the period of the current OMB information collection

authorization (2010-2012).

<u>Tribe Contact</u>	<u>Burden Estimate</u>
Ms. Heidi Gudgell, Legal Counsel (retired) Nez Perce Tribe	1,200 hours

This representative also shared that regulations (25 CFR 1200), and the required information collection for implementing the trust withdrawal application, were both reasonable. However, the representative further shared that OST’s interpretation of the regulations was “overly burdensome” (the full text of this interview is contained in OST’s case file on this renewal, housed in room 323, cabinet 4, drawer 4, 4400 Masthead Street, NE, Albuquerque, NM 87109).

The representative’s view that OST’s interpretation of the regulations was overly burdensome is important to analyze. There were instances during the trust withdrawal process where the Tribe believed in had met or exceeded the information requirements in the regulations (25 CFR 1200) yet, in the view the tribe, OST had asked for more clarifying information.

OST requested this clarifying information to assure that OST understood the intent and context of the submissions contained in the tribe’s trust withdrawal application, especially the management plan. This context is key because a tribe may be removing tens of millions of dollars from the protection of trust status, and up until the point of withdrawal OST is still the tribe’s fiduciary for those funds held in trust status.

Therefore, OST must assure itself that, among other things, that (a) the tribe’s management plan for the funds is “reasonable”, (b) the tribe has the “experience” to manage the investments made using its funds, (c) that the inherent “riskiness” of the proposed tribal investments is small, and (d) the “likelihood” that the tribe’s management plan will in fact be followed in the future.

In a-d above, OST employs judgment in evaluating and assessing a tribe’s trust withdrawal application. For example, determining the “likeliness”, “riskiness” or the “reasonableness” of an event or action takes judgment, and from time-to-time the use of that judgment will require OST to request a tribe provide clarifying information to assure that OST has a complete and thorough understanding of the information the tribe has already provided.

Viewed from the tribe’s perspective, such OST requests for clarifying information could be viewed as overly burdensome. To be clear, up to the point that the tribe withdraws its funds from trust status, OST is still the fiduciary, and has a legally enforceable duty to protect the tribe’s monetary interests, and therefore OST must clearly understand every element of the tribe’s application to judge its likelihood of success.

This representative estimated 1,200 hours (above) as the burden for this information collection. This differs from the last estimate cited by OST of 400 hours in OST’s 2010-2012 OMB 1035-003 renewal Supporting Statement.

OST has provided below the estimated hourly burden from three tribal representatives (collected July 30 – August 4, 2009) for the 2010-2012 OMB 1035-003 Information Collection renewal, for the purpose of comparison to the 1,200 hours reported above:

Tribe Contact	Burden Estimate
Cheryl Painter, Acting Chief Financial Officer Winnebago Tribe of Nebraska (withdrew funds in March 2003) 100 Bluss Street, Winnebago, Nebraska 68071 (402) 878-2272	300 hours
Michael Bowechop, Compliance and Legislative Analyst Puyallup Tribe (inquired about withdrawing funds in July 2009, but did not complete the withdrawal process) 3009 East Portland Avenue Takoma, Washington 98404 (253) 573-7821	400 hours
Robert Palmer, Chief Financial Officer Taos Pueblo (inquired about withdrawing funds in July 2006, but did not complete the withdrawal process) 1075 Veteran’s Highway Taos, New Mexico 87571 (575) 741-1732	400 hours

Since only the Winnebago Tribe of Nebraska actually completed the withdrawal process, OST averaged its burden hours (300 hours) with that of the Nez Perce Tribe (1,200 hours) for an average of 750 burden hours per trust withdrawal application.

There are possible factors that drive the large difference in the burden hours reported by the two tribes, such as:

- a. The Nez Perce trust fund withdrawal was from a complex water rights settlement act; the Winnebago withdrawal was not. The result is that Nez Perce Tribe's management plan had to accurately account for the use and management of the withdrawn funds for each and every purpose under the Tribe's water rights settlement act.
- b. The Nez Perce trust withdrawal amount was 153 times larger than the amount withdrawn by the Winnebago Tribe of Nebraska, with therefore more investment instruments (and risk) for the Nez Perce Tribe to analyze in their management plan.
- c. OST's contact with the Nez Perce representative occurred two years after the Tribe's withdrawal process was complete. OST's contact with the Winnebago Tribe of Nebraska occurred six years after the Tribe's withdrawal process was complete. The inference is that the number of burden hours provided by the Winnebago Tribe representative is less fresh and potentially recalled with less accuracy than that of the Nez Perce representative.

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

No payments or gifts were provided to the respondent or the Tribe.

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

In accordance with Departmental policy, Tribes have been afforded confidentiality with regard to information concerning their tribal trust fund account matters. The

Department of the Interior's policy is that information concerning accounts or applications for the withdrawal of tribal funds from trust status will not be shared with anyone outside OST or the Department of the Interior, without written permission from the affected Tribe.

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.

This information collection does not include questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, or other such matters relating to individuals that are commonly considered private. However, this information collection does pertain to confidential financial information pertaining to tribes' trust fund accounts. This trust fund tribal account information is required because its acquisition enables OST to review and approve trust withdrawal applications necessary for tribes to manage these funds, out of trust status, under the Reform Act. Confidential financial information pertaining to tribes is not shared with anyone outside OST or the Department of the Interior without written permission from the affected tribes. The information collection is only used to enable OST to approve the tribes trust withdrawal applications.

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.

OST believes that it may receive an maximum of one application to withdraw tribal funds from trust status each year for this information collection renewal approval period. However, based on historical trends, the average has been one application every three years.

Based on information received from the one retired tribal representative OST interviewed prior to submitting this information collection for OMB approval, and the information it received from the Winnebago Tribe of Nebraska in July-August 2009, OST now believes that it takes approximately 750 hours for a respondent tribe to research, develop and submit a complete and adequate trust withdrawal application package leading to OST approval of a tribe's trust withdrawal application.

This results in a total burden of 750 hours (One trust withdrawal application every year x 750 hours per application = 750 hours) for this information collection. This results in an annualized burden of 750 hours.

A description of the stages involved in the preparation by a tribe of application package is listed below:

1. Perform general research and coordination with key personnel regarding__ the application for withdrawal requirements, and
2. Notify tribal membership of the intent to withdraw the funds, and
3. Prepare a Tribal Resolution, and
4. Develop a Formal Agreement between the tribe and the investment entity, and
5. Prepare a Legal opinion by the tribal attorney, and
6. Prepare a Tribal Referendum, and
7. Obtain a Copy of Settlement Act or Plan, and
8. Develop a Tribal Management Plan.

The average current hourly wage for an attorney in the private sector (usually it is a tribe's attorney either in-house or by contract that manages the tribe's trust withdrawal application process), taken from the Bureau of Labor Statistics, is \$62.74. Source: http://www.bls.gov/oes/current/oes_nat.htm#23-0008). This hourly wage is multiplied by a factor of 1.304 to include benefits, yielding a total hourly rate of \$81.81 per hour. (Benefits rate derived from BLS news release USDL: 12-1803, September 11, 2012, at

<http://www.bls.gov/news.release/pdf/ecec.pdf>.) This sum multiplied by the expected number of hours to complete a trust withdrawal application at 750 hours = \$61,358. The annualized burden dollar equivalent is also \$61,358.

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.

There are no additional costs to tribal respondents or tribal record keepers, which are not already listed in our response to question 12. The costs we show, such as office supplies, business machine usage, internal communications between tribal staff, tribal subject matter experts and tribal elected officials within a tribe are considered to be contained/included within the usual cost of doing business for a tribe.

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.

Although the historical trend is one trust withdrawal application every three years, OST wishes to use for this information collection renewal 2013-2015, one trust withdrawal application every year, and that each application requires an average level of time for review and approval by OST (312 hours). This total cost to OST to review and approve a single trust withdrawal application is expected to be \$29,991.

See below for a breakdown of specific OST personnel that participate in the application review process. OST added to the overall salary cost (based on the 2012 federal GS salaries), a multiplier of 1.5, applied to the salary costs to account for benefits.

For more complex applications (such as those where multiple trust accounts are to be withdrawn simultaneously), additional OST subject matter experts may be called upon to render review assistance to the core OST review team. Such assistance could increase the cost beyond that which is reported below:

1. In-Depth review of application by key personnel with primary responsibility

	Cost	Hours
Director, Office of External Affairs, GS-15, step 10 \$147,877 per year, or \$71 per hour: 40		\$2,840
Management Analyst, Office of External Affairs, GS-14, step 6 \$112,804 per year, or \$54 per hour 32		\$1,728
Regional Trust Administrator, SES \$150,000 per year, or \$72 per hour	\$2,304	32
Fiduciary Trust Officer, GS-14, step 4 \$106,358 per year, or \$51 per hour	\$1,632	32
Solicitor, Department of the Interior, GS-15, step 10 \$147,877 per year, or \$71 per hour: 16		\$1,136
Director, Office of Trust Funds Investments, GS-15, Step 10 \$147,877 per year, or \$71 per hour: 16		\$1,136
Investment Officer, GS-14, step 4 \$106,358 per year, or \$51 per hour	\$816	16

2. Review and Meetings between team members assigned to review applications for withdrawal

Director, Office of External Affairs, GS-15 \$147,877 per year, or \$71 per hour: 8	\$568	
Management Analyst, Office of External Affairs, GS-14 \$112,804 per year, or \$54 per hour 16	\$864	
Regional Trust Administrator, SES \$150,000 per year, or \$72 per hour	\$1,152	16
Fiduciary Trust Officer, GS-14 \$106,358 per year, or \$51 per hour	\$816	16
Solicitor, Department of the Interior, GS-15 \$147,877 per year, or \$71 per hour: 8	\$568	
Director, Office of Trust Funds Investments, GS-15, Step 10 \$147,877 per year, or \$71 per hour: 8	\$568	
Investment Officer, GS-15 \$106,358 per year, or \$51 per hour	\$816	16

3. OST Senior Management Review

	Cost	Hours
Special Trustee, PAS \$180,000 per year, or \$87 per hour	\$870	10
Principal Deputy Special Trustee, SES \$155,000 per year, or \$75 per hour	\$750	10
Deputy Special Trustee – Field Operations, SES \$150,000 per year, or \$72 per hour	\$720	10
Director, Office of External Affairs, GS-15 \$147,877 per year, or \$71 per hour: 10		\$710

Total Before benefits Multiplier Applied: **\$19,994 312hr**

Total after Application of 1.5 multiplier to account for Benefits **\$29,991**

times 1 tribal
application /
every year,
equals=

Grand Total: **\$29,991 312hr**

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

- a. There is an increase in the hourly burden for a tribal applicant from 400 hours to 750 hours for each information collection.
- b. OST has reduced the probable number of collections from two collections annually to one collection annually even though the historical trends have been one trust withdrawal application every three years (only one trust withdrawal application was reviewed during the current 3-year Information Collection authorization, 2010-2012).
- c. The result is that for this information collection renewal, the total annualized burden to a tribal applicant has increased from 400 hours per annualized information collection to 750 hours per annualized information collection (one application per year). The result is a total hourly annualized burden to the public (tribe) of 750 hours.

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.

OST has no plans to publish any of the information collected via this OMB 1035-0003 information collection.

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 expiration date for OMB approval of the information collection will be displayed and is appropriate.

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

There are no exceptions requested to #19, Certification for Paperwork Reduction Act submissions.