

June 27, 2013

## Supporting Statement for Paperwork Reduction Act Submissions

**OMB Control Number: 1660 - 0017**

**Title: Public Assistance Program**

**Form Number(s):** FEMA Forms: 009-0-49, 009-0-91, 009-0-91A, 009-0-91B, 009-0-91C, 009-0-91D, 009-0-111, 009-0-120, 009-0-121, 009-0-123, 009-0-124, 009-0-125, 009-0-126, 009-0-127, 009-0-128, and 055-0-0-1

### 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.**

The information collected is required for the Public Assistance (PA) Program eligibility determinations, grants management, and compliance with other Federal laws and regulations. The Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. §§ 5121-5207 (the Stafford Act), authorizes grants to assist State, Tribal, and local governments and certain Private Non-Profit entities with the response to and recovery from disasters following Presidentially declared major disasters and emergencies. 44 CFR Part 206 specifies the information collections necessary to facilitate the provision of assistance under the PA Program.

44 CFR 206.202 describes the general application procedures for the PA program. Section 206.202(c) requires the Grantee to submit a FEMA Form 009-0-49 for each applicant who requests Public Assistance. 44 CFR 206.202(d)(i) requires the applicant to submit a Project Worksheet (FEMA Form 009-0-91, 009-0-91A, 009-0-91B, 009-0-91C, and 009-0-91D) for each project. The Project Worksheet must identify the eligible scope of work and must include a quantitative estimate for the eligible work. As a supplement to the Project Worksheet, FEMA also requires FF 009-0-120, Special Considerations Questions form and a FEMA Form 009-0-128 Applicant's Benefits Calculation Worksheet.

44 CFR 206.203(d) describes funding options for improved and alternate projects. For an improved project, if a subgrantee desires to make improvements but restore the pre-disaster function of a damaged facility, the Grantee's approval must be obtained. In any case where a subgrantee determines that the public welfare would not be best served by restoring a damaged public facility or the function of that facility, the Grantee may request that the Regional Administrator approve an alternate project. Prior to the start of construction of any alternate project, 44 CFR 206.203(d)(2)(iv) require a Grantee to submit to FEMA, (on a Project Worksheet) a description of the proposed alternate project, a schedule of work, and the projected cost of the project. 44 CFR 206.203(d)(2)(v) also request a Grantee to provide the necessary assurances to document compliance with special requirements, including but not limited to floodplain management, environmental assessment, hazard mitigation, protection of wetlands, and insurance.

44 CFR 206.207 requires States to develop a State Administrative plan to administer the PA Program. The submission of the State Administrative Plan is required as a condition of receiving Public Assistance funding. FEMA must approve a State Administrative Plan before awarding any project grant assistance to a community or State applicant. The State must submit a revised plan annually. FEMA will request States to amend its plan to meet current policy guidance in each disaster for which Public Assistance is included.

44 CFR 206.204(c) allows the Grantee to approve time extensions for the completion of projects for an additional 6 months for debris clearance and emergency work and an additional 30 months for permanent work. 44 CFR 206.204(d) allow Grantees to submit to FEMA time extensions beyond extensions available under section 206.204(c). 44 CFR 206.204(d)(2) require Grantees to get the Regional Administrator's approval in writing.

44 CFR 206.204(e) allows the subgrantee to evaluate cost overruns for large projects and, when justified, submit a request for additional funding through the Grantee to the Regional Administrator for a final determination. All requests for the Regional Administrator's approval must contain sufficient documentation to support the eligibility of all claimed work and costs. The Grantee must include a written recommendation when forwarding the request to the Regional Administrator. The Regional Administrator will notify the Grantee in writing of the final determination.

44 CFR 206.204(f) requires progress reports to be submitted by the Grantee to the Regional Administrator on a quarterly basis. The Regional Administrator and Grantee negotiate the date for submission of the first report. Progress reports describe the status of those projects on which

a final payment of the Federal share has not been made to the Grantee, and outline any problems or circumstances expected to result in noncompliance with the approved grant conditions.

Once FEMA has made a determination on an application or project, the applicant may appeal that determination. If an applicant seeks appeal, 44 CFR 206.206 requires an applicant to submit a request for appeal, and the Grantee to submit a recommendation regarding the applicant's request. Projects over \$500,000.00 resulting from Hurricanes Katrina or Rita (DR-1603, DR-1604, DR-1605, DR-1606, and DR-1607), applicants may seek arbitration in lieu of an appeal. Arbitration is authorized by section 601 of the American Recovery and Reinvestment Act of 2009 (P.L. 111-5) and 44 CFR 206.209. To seek arbitration, applicants must submit a request for arbitration which may be accompanied by a recommendation from the Grantee.

The Sandy Recovery Improvement Act of 2013<sup>i</sup> (SRIA) directed FEMA to establish a Dispute Resolution Pilot Program for Public Assistance (assistance provided under sections 403, 406, or 407 of the Stafford Act). FEMA selected arbitration as the method of dispute resolution that will be used. Section 1105 of SRIA will only be available for legitimate disputes equal to or in excess of \$1 million (adjusted annually); and applicants will have to go through the first appeal pursuant to 44 CFR 206.206. In addition, only projects with a non-Federal share will be eligible for review. To seek arbitration, applicants must submit a Request for Arbitration form, which may be accompanied by a recommendation from the Grantee.

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**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.**

The information collected is utilized by FEMA to make determinations for Public Assistance grants based on the information supplied by the respondents. The following listing provides the instances of information sharing and how the individual collection instruments provide necessary information for Public Assistance considerations.

**FF-009-0-49 Request for Public Assistance** – The *Request* asks for general information from the Grantee that identifies the applicant and starts the grant process.

**FF 009-0-91 Project Worksheet (PW)** – Form used to document the scope of work and cost estimate for a project. FEMA, or the sub-grantee, assisted by the Grantee as appropriate, will prepare a *PW* for each project, including alternate and improved projects. Federal funds are obligated to the Grantee based on the approved *PW*. *Request for time extension beyond the Grantee's authority* is when an applicant requests a time extension beyond the limit of the Grantee's authority. The Grantee must submit a follow up written request to the FEMA Regional Administrator for approval. The request should include identification of the project by *PW* number, the dates and provisions of any previous extensions granted for the particular project, a detailed justification of the need for the extension, and a projected completion date. The FEMA Regional Administrator will make a determination as to whether some or all of the requested extension should be granted and will inform the Grantee in writing.

**FF 009-0-91A Project Worksheet (PW) - Damage Description and Scope of Work Continuation Sheet** –The damage description includes a description of the predisaster facility; cause of the damage; and dimensions and description of the damage. The scope of work is developed on the *PW* describing in detail the work necessary to repair the damage or replace the facility. The Project Worksheet - Damage Description and Scope of Work Continuation Sheet provides additional space for this purpose.

**FF 009-0-91B Project Worksheet (PW) - Cost Estimate Continuation Sheet** - The Project Cost is developed on the *PW* estimating the cost for repair of the damages described in the scope of work in the *PW*. The Project Worksheet - Cost Estimate Continuation Sheet provides additional space to estimate the cost to restore the facility to its pre-disaster condition. *Requests for additional funding for cost overruns* are requested for large projects, when a need for additional funding is discovered, the applicant may request additional funding through the Grantee to the FEMA Regional Administrator. The follow up written request for additional funding should contain sufficient documentation to support the eligibility of the additional work and costs. The Grantee forwards the request to FEMA, via email or letter, with a written recommendation. FEMA renders a decision and notifies the Grantee in writing, either with an amended *PW* for additional funding or a written denial of the request.

**FF 009-0-91C Project Worksheet (PW) - Maps and Sketches Sheet** - The Project Worksheet – Maps and Sketches Sheet identifies the damaged facility location, illustrates disaster-related damages, completed work, and proposed repairs. If a project is combined of multiple sites, and possibly a combination of emergency and permanent work, detailed maps and sketches may be necessary to identify each location.

**FF 009-0-91D Project Worksheet (PW)- Photo Sheet** - The Project Worksheet – Photo Sheet illustrates and describes general project site conditions, disaster related damages, site irregularities, conditions relating to damaged elements, facility identification (e.g., front gate or building signs), and completed work, or to demonstrate the presence of an immediate threat.

**FF 009-0-120 Special Considerations Questions** - The Special Considerations Questions record factors that could affect the scope of work and funding for a project. These include insurance; hazard mitigation; and environmental/historic preservation compliance with Federal laws, regulations, and Executive Orders, such as those that address the environment, floodplains, wetlands, historic preservation, endangered species, and environmental justice. The subgrantee should provide FEMA with supporting documentation.

**FF 009-0-121 PNP Facility Questionnaire** – The PNP Facility Questionnaire is used by FEMA and the Grantee to help determine a private non-profit (PNP) applicant’s eligibility.

**FF 009-0-123 Force Account Labor Summary Record** –The Force Account Labor Summary Record may be used to record costs associated with conducting eligible work by an applicant’s own employees.

**FF 009-0-124 Materials Summary Record** –The Materials Summary Record may be used to record the costs associated with supplies and materials that were purchased or taken from an applicant’s stock and used during the performance of eligible work.

**FF 009-0-125 Rented Equipment Summary Record** - The Rented Equipment Summary Record may be used to record the costs of rented or leased equipment.

**FF 009-0-126 Contract Work Summary Record** – The Contract Work Summary Record may be used to record the costs or work that an applicant has done by contract.

**FF 009-0-127 Force Account Equipment Summary Record** – The Force Account Equipment Summary Record may be used to record applicant equipment costs.

**FF 009-0-128 Applicant’s Benefits Calculation Worksheet** The Applicant’s Benefits Calculation Worksheet may be used to record the percentage of the actual wages that pays for employee benefits, known as fringe benefits.

**State Administrative Plan**– Each State/territory must submit a revised plan annually to FEMA. The plan must designate the State agency or agencies which will have responsibility for program administration. The plan must also identify staffing functions, the sources of staff to fill these functions, and the management and oversight responsibilities of each. The plan should describe the procedures to notify potential applicants of the availability of the program; conduct applicants briefings; assist FEMA in determining applicant eligibility; participate in the damage assessment and project application process; process appeals; participate with FEMA in the establishment of hazard mitigation and insurance requirements; comply with administrative requirements in 44 CFR Parts 13 and 206 and the audit requirements in 44 CFR Part 14; process advances of funds and reimbursement; and determine staffing and budget requirements.

**FEMA Form 009-0-111, Quarterly Progress Reports** describes the status of ongoing projects on which a final payment of the Federal share has not been made to the Grantee. The FEMA Form 009-0-111 instructs the Grantee to input the following data into an accompanying Excel Spreadsheet with corresponding tabbed columns: Total amount paid by the Grantee for work accomplished in *PW*, Federal funds drawn down by Grantee on per project basis, date of last drawdown of Federal funds, amount disbursed to the subgrantees by the Grantee, final payment made if applicable and status as to whether it is ready for closeout, latest approved period of performance and project completion status including any time extensions, whether time extension has been granted, description of status of project with % estimate, date of project completed if applicable.

**Appeal**– After receiving a determination from FEMA, the applicant may file a first appeal with the State, for eventual submission to FEMA. The request must indicate that the applicant wishes to appeal the determination made by FEMA, and must contain documented justification supporting the applicant’s position, specify the monetary figure in dispute and the provisions of Federal law, regulation, or policy with which the applicant believes the initial determination was inconsistent. Once the State receives the applicant’s request for appeal, the grantee reviews it and prepares a recommendation for FEMA Regional Administrator. The letter from the grantee

includes a written recommendation on the merits of the applicant's appeal. The grantee also forwards to FEMA the applicant's Request for First Appeal. If the applicant is dissatisfied with the result of the first appeal, it may seek a second appeal. To do so, the applicant again files a request through the grantee which explains the request and provides any documentation that the applicant feels is necessary to support its contention that FEMA's determination was incorrect. Once the State receives the applicant's request for second appeal, the grantee forwards it to FEMA and may also add its letter recommendation on the merits of the applicant's appeal.

**Arbitration**– For determinations made after February 17, 2009 regarding projects over \$500,000.00 resulting from Hurricanes Katrina or Rita (DR-1603, DR-1604, DR-1605, DR-1606, and DR-1607), as an alternative to the appeal process, applicants may request arbitration of the disputed determination. To do so, the applicant must submit a Request for Arbitration in the form of a letter submitted to the Grantee, the arbitration administrator and FEMA. The Request for Arbitration must contain a written statement and all documentation supporting the position of the applicant, as well as the name and address of the applicant's authorized representative or counsel. For determinations made before February 17, 2009, which have become final agency actions, arbitration is not an option.

**FEMA Form 055-0-0-1 Request for Arbitration** – The Dispute Resolution Pilot Program is alternative to the appeal process that will allow applicants to request arbitration of a disputed determination. To do so, the applicant must submit FEMA Form 055-0-0-1, Request for Arbitration form. The Applicant will simultaneously submit the Request for Arbitration form to the Grantee, the arbitration sponsor, and FEMA. Within 15 calendar days of receipt of the Request for Arbitration form, the Grantee must forward the name and address of the Grantee's authorized representative or counsel and may submit a written recommendation in support or opposition of the applicant's claim via electronic submission simultaneously to the applicant, the arbitration sponsor, and FEMA. Arbitration is available for any Public Assistance provided under disasters declared on or after October 30, 2012. The Dispute Resolution Pilot Program sunsets on December 31, 2015; so, no requests for review under section 1105 of SRIA may be made after December 31, 2015.

**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.**

The Public Assistance (PA) Division, in conjunction with the Information Technology division, developed the Emergency Management Mission Integrated Environment (EMMIE) a web-based application used for the PA grant process <https://portal.fema.gov/famsVuWeb/home>. EMMIE enables PA applicants to apply for Federal disaster grant assistance via the Internet and a majority of applicants submit their project worksheets using EMMIE.

**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 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.**

FEMA has statutory responsibility to administer Federal disaster assistance response, including coordination with State and local governments and the accurate estimation of the amount and extent of damage in affected areas. Failure to collect all necessary information would prevent FEMA from providing funds for recovery from disasters.

The Progress Report, Request for Assistance, and Project Worksheet provide the Regional Administrator with the necessary information to help eliminate causes of delays or to grant extensions of time as required, identify the applicant and start the grant process, and obligate Federal funds to the State based on Project Worksheets. The subgrantee's (local government or eligible private non-profit organization) failure to submit the Progress Report, *Request* for Public Assistance or Project Worksheets could jeopardize its eligibility for grant assistance. If this information were collected less frequently, Grantees could not obtain initial or final payment of the Federal cost share of a project.

The State Administrative Plan is necessary to ensure that a State/territory is ready to administer Public Assistance when disaster strikes. Without a Plan in place, FEMA would not be able to work with the State/territory in the administration of the Public Assistance program.

Applicants who seek a reevaluation of a FEMA determination on their project or eligibility would be unable to do so should FEMA not collect requests for appeal or arbitration. FEMA's failure to offer an appeal or arbitration would violate section 423 of the Stafford Act and section 601 of the American Recovery and Reinvestment Act of 2009 and section 1105 of SRIA.

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

The special circumstances contained in item 7(a),(c),(d), (e),(f),(g) and (h) of the supporting statement are not applicable to this information collection.

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

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

FEMA requires States/territories to report information more than quarterly when unexpected events or disasters require a State Administrative Plan to be submitted for each disaster, for which Public Assistance is included, if such occur within a 3-month period of each other.

**Request for Arbitration resulting from Hurricanes Katrina or Rita** require that Grantee must submit its written recommendation in support or opposition of the applicant's request for arbitration, if desired, within 15 calendar days of receipt of the applicant's request for arbitration. In selecting 15 calendar days, FEMA is implementing the intent of the American Recovery and Reinvestment Act of 2009. The Act specifically requires the arbitration process to "expedite" recovery efforts from Hurricanes Katrina and Rita. A 15-calendar day time limit is intended to expedite the resolution of the applicant's or subgrantee's dispute. However, this 15-day time period should allow sufficient time for the Grantee to review the request and prepare a recommendation without delaying the arbitration process.

**Dispute Resolution Pilot Program** require that Grantee must submit its written recommendation in support or opposition of the applicant's FEMA Form 055-0-0-1, Request for Arbitration form, if desired, within 15 calendar days of receipt of the applicant's Request for Arbitration form. In selecting 15 calendar days, FEMA is implementing the intent of SRIA. The Act specifically requires the Dispute Resolution Pilot Program to facilitate an efficient recovery from major disasters. A 15-calendar day time limit is intended to expedite the resolution of the applicant's or subgrantee's dispute; thereby, facilitating their recovery from major disasters. However, this 15-day period should allow sufficient time for the Grantee to review the Request for Arbitration and prepare a recommendation without delaying the arbitration process.

**(c) Requiring respondents 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.**

**(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.**

**(f) Requiring the use of a statistical data classification that has not been reviewed and approved by OMB.**

**(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.**

**(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.**



## **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 XXXXXXXXXX, volume XX, number XX, Page XXXX. There were no comments received for this collection of information.

A 30-day Federal Register Notice inviting public comments was published on XXXXXXXXXX, volume XX, number XX, Page XXXXX. There were no comments received for this collection of information.

**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.**

State, Tribal, and local officials gather annually to discuss grant process as well as the PA program. Topics covered include the streamlining of the PA grant process as well as the related issues and program requirements. FEMA considers the comments of individual stakeholders and appropriate changes are implemented.

**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.**

A FEMA/State Public Assistance Conference is held annually. State and local officials are invited to attend and share their individual views on the above collection of information. Also, each FEMA Region conducts regular State Partnerships meetings to discuss the Public Assistance Program with States local continuants.

**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.**

On February 28, 2013, DHS approved a Privacy Threshold Analysis (PTA) for this collection. A Privacy Impact Assessment (PIA), DH/FEMA/PIA-013-Grant Management Programs approved for this collection on July 14, 2009. A System of Records Notice (SORN), DHS/FEMA-004-Grant Management Information Files Systems of Records, 74 FR 39705 was approved for this collection August 7, 2009.

On April 25, 2013, DHS approved a PTA for the Dispute Resolution Pilot Program for Public Assistance Appeals (1660-AA79). The DHS Privacy Office agreed with the FEMA Privacy Office's recommendation for coverage under DHS/FEMA/PIA-013 and DHS/FEMA-004 SORN.

**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 a 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. 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.**

This collection of information requires the submittal of information from Grantees/State who is the grant administrator for all funds provided under the Public Assistance Grant Program. The applicant's authorized local representative is responsible for representing the applicant and for ensuring that the applicants have identified all eligible work and submitted all cost for disaster related damages for funding. FEMA has estimated that approximately 56 States and territories will review, consider and then submit a various number of projects that they have received from sub-grantees for funding, therefore the number of responses may vary.

**FEMA Form 009-0-111, Quarterly Progress Reports** - During the event of a disaster FEMA has required that State submit Quarterly Progress Reports. These reports describe the status of disaster related projects. It is estimated that 56 States x 4 reports annually = 224 total responses. Each report is estimated to take 100 hours. The burden hours per response is estimated to be 224 reports x 100 hours = 22,400 total annual burden hours.

**FEMA Form 009-0-49, Request for Public Assistance** - FEMA has estimated that 56 Grantees will complete **FEMA Form 009-0-49**. There will be approximately 129 responses from locals/applicants for a total of 7,224. Each form is estimated to take 15 minutes to complete. It is estimated that 15 minutes x 7,224 responses = 1,806 total annual burden hours.

**FEMA Form 009-0-91, Project Worksheet** - FEMA has estimated that approximately 56 Grantees (States and territories) will receive **FEMA Form 009-0-91**. There will be approximately 840 project worksheets during disaster from applicants for a total 47,040 responses. The burden hours is estimated to be 47,040 responses x 1.30 hours per response = 61,152 hours. Request for Time Extension can be annotated on the original Project Worksheet or Quarterly Progress Report.

**FEMA Form 009-0-91A, Project Worksheet (PW) continuation sheet** - FEMA has estimated that approximately 56 Grantees (States and territories) will receive **FEMA Form 009-0-91A**. There will be approximately 784 project worksheet continuation sheets during disaster from applicants for a total 43,904 responses. The burden hours is estimated to be 43,904 responses x 1.30 hours per response = 57,075 hours

**FEMA Form 009-0-91B, Project Worksheet (PW) cost estimates continuation** - FEMA has estimated that approximately 56 Grantees (States and territories) will receive **FEMA Form 009-0-91B**. There will be approximately 784 project worksheet cost estimates continuations during disaster from applicants for a total 43,904 responses. The burden hours is estimated to be 43,904 responses x 1.20 hours per response = 52,685 hours. *A request for additional funding for Cost Overruns* for large projects can be requested on the same form.

**FEMA Form 009-0-91C, Project Worksheet (PW) Maps and sketches sheet** - FEMA has estimated that approximately 56 Grantees (States and territories) will receive **FEMA Form 009-0-91C**. There will be approximately 728 project worksheet maps and sketches sheets during disaster from applicants for a total 40,768 responses. The burden hours is estimated to be 40,768 responses x 1.30 hours per response = 52,998 hours

**FEMA Form 009-0-91D, Project Worksheet (PW) Photo Sheet** - FEMA has estimated that approximately 56 Grantees (States and territories) will receive **FEMA Form 009-0-91D**. There will be approximately 728 project worksheet photo sheets during disaster from applicants for a total 40,768 responses. The burden hours is estimated to be 40,768 responses x 1.30 hours per response = 52,998 hours

FEMA has estimated that approximately 56 Grantees (States and territories) will submit **FEMA Form 009-0-120**. There will be approximately 840 responses from States and territories for special consideration questions, used for factors that could affect the scope of work and funding for a project during a disaster, from locals/applicants. It is estimated there will be a total of 47,040 responses. The total annual burden is estimated to be 47,040 responses x 30 minutes per response = 23,520 hours.

FEMA has estimated that approximately 56 Grantees (States and territories) will submit **FEMA Form 009-0-128**. There will be approximately 784 responses from States and territories for

applicant's benefits calculation worksheets during a disaster from locals/applicants, for a total of 43,904 responses. The total annual burden is estimated to be 43,904 responses x 30 minutes per response = 21,952 hours.

FEMA has estimated that approximately 56 Grantees (States and territories) will submit optional **FEMA Form 009-0-121**. There will be approximately 94 responses for a total of 5,264. Each form is estimated to take 30 minutes to complete. The total annual burden is estimated to be 5,264 responses x 30 minutes per response = 2,632 burden hours.

FEMA has estimated that approximately 56 Grantees (States and territories) will submit the optional **FEMA Form 009-0-123**. There will be approximately 94 responses for a total of 5,264. Each form is estimated to take 30 minutes to complete. The total annual burden is estimated to be 5,264 responses x 30 minutes per response = 2,632 burden hours.

FEMA has estimated that approximately 56 Grantees (States and territories) will submit the optional **FEMA Form 009-0-124**. There will be approximately 94 responses for a total of 5,264. Each form is estimated to take 15 minutes to complete. The total annual burden is estimated to be 5,264 responses x 15 minutes per response = 1,316 burden hours.

FEMA has estimated that approximately 56 Grantees (States and territories) will submit the optional **FEMA Form 009-0-125**. There will be approximately 94 responses for a total of 5,264. Each form is estimated to take 30 minutes to complete. The total annual burden is estimated to be 5,264 responses x 30 minutes per response = 2,632 burden hours.

FEMA has estimated that approximately 56 Grantees (States and territories) will submit the optional **FEMA Form 009-0-126**. There will be approximately 94 responses for a total of 5,264. Each form is estimated to take 30 minutes to complete. The total annual burden is estimated to be 5,264 responses x 30 minutes per response = 2,632 burden hours.

FEMA has estimated that approximately 56 Grantees (States and territories) will submit the optional **FEMA Form 009-0-127**. There will be approximately 94 responses for a total of 5,264. Each form is estimated to take 15 minutes to complete. The total annual burden is estimated to be 5,264 responses x 15 minutes per response = 1,316 burden hours.

FEMA has estimated that approximately 56 Grantees (States and territories) will submit a **State Administrative Plan**. There will be approximately 1 response for a total of 56 States. Each plan is estimated to take 8 hours to complete. This includes **State Plan Amendments**. The total annual burden is estimated to be 56 responses x 8 hour per response = 448 burden hours.

**Request for Appeals** - FEMA has estimated that 56 States will submit 9 appeals after receiving a determination from FEMA (7 first appeals and 2 second appeals). Therefore, FEMA has estimated it will receive 504 requests from States, on the behalf of applicants concerning applications for Public Assistance. FEMA estimated it will take approximately 2 hours to prepare a letter for appeal. This estimate is based on the assumption that most of the information necessary for preparing the appeal request is found in the existing project worksheet. The resulting hour burden is estimated to be 56 States x 9 appeals x 2 hours = 1008 burden hours.

States, serving as grantees, will also provide a recommendation per each applicant request. FEMA estimates it will take approximately 1 hour to prepare a recommendation. The resulting hour burden is estimated to be 56 States x 9 appeals x 1 hour – 504 hours. The total annual burden is estimated to be 56 States x 9 appeals x 3 hours = 1512 burden hours.

**Request for Arbitration resulting from Hurricanes Katrina or Rita** (DR1603, DR-1604, DR-1605, DR-1606, and DR-1607). FEMA has estimated that 4 States will ask for Arbitration without appeals for projects over \$500,000.00 in alternative to appeals. It is estimated that FEMA will receive 5 responses per State. FEMA assumes that a similar effort is necessary to draft an arbitration request as a request for appeal, specifically 2 hours to submit a written statement/request with supporting documentation. Therefore; the resulting hour burden is estimated to be 4 States x 5 responses x 2 hours – 40 burden hours. States, serving as grantees, will also provide a recommendation per each applicant request. FEMA estimates it will take approximately 1 hour to prepare a recommendation. The resulting hour burden is estimated to be 4 States x 5 appeals x 1 hour – 20 hours. The total annual burden is estimated be 4 States x 5 responses x 3 hours = 60 burden hours.

**FEMA Form 055-0-0-1, Request for Arbitration resulting from Dispute Resolution Pilot Program.** All 56 States may participate in the Dispute Resolution Pilot Program. However, FEMA has estimated that an annual average of 20 States, local, or Tribal governments will participate in the Dispute Resolution Pilot Program. FEMA estimated it will receive one response per respondent for an annual total of 20 responses (20 respondents x 1 response per respondent = 20 responses). FEMA estimated it will only take 1 hour to review and complete FEMA Form 055-0-0-1. Therefore, the resulting hour burden is estimated to be 20 responses x 1 hour = 20 hours. States, serving as grantees, will also provide a recommendation per each applicant FEMA Form 055-0-0-1, Request for Arbitration form. FEMA estimates it will take approximately 2 hours to prepare a recommendation. FEMA increased the recommendation effort from 1 to 2 hours to account for unfamiliarity with arbitration requests and for any additional effort associated with the new pilot program process. The resulting hour burden is estimated to be 20 responses x 2 hours = 40 hours. The total annual burden is estimated to be 20 responses x 3 hours = 60 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

Type of Respondent	Form Name / Form Number	No. of Respondents	No. of Responses per Respondent	Total No. of Responses	Avg. Burden per Response	Total Annual Burden (in hours)	Avg. Hourly Wage	Total Annual Respondent Cost
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			-dent		e (in hours)		Rate*	
State, Local or Tribal Government	FEMA Form 009-0-49, Request for Public Assistance /	56	129	7,224	0.25	1,806	\$54.25	\$97,976
State, Local or Tribal Government	FEMA Form 009-0-91, Project Worksheet (PW) and a <i>Request for Time Extension</i>	56	840	47,040	1.30	61,152	\$54.25	\$3,317,496
State, Local or Tribal Government	FEMA Form 009-0-91A Project Work Sheet (PW) Damage Description and Scope of Work	56	784	43,904	1.30	57,075	\$54.25	\$3,096,319
State, Local or Tribal Government	FEMA Form 009-0-91B, Project Worksheet (PW) Cost Estimate Continuation Sheet and <i>Request for additional funding for Cost Overruns</i>	56	784	43,904	1.20	52,685	\$54.25	\$2,858,161
State, Local or Tribal Government	FEMA Form 009-0-91C Project Worksheet (PW) Maps and Sketches Sheet	56	728	40,768	1.30	52,998	\$54.25	\$2,875,142
State Local or Tribal Government	FEMA Form 009-0-91D Project Worksheet (PW) Photo Sheet	56	728	40,768	1.30	52,998	\$54.25	\$2,875,142
State, Local or Tribal Government	FEMA Form 009-0-120, Special Considerations Questions /	56	840	47,040	0.5	23,520	\$54.25	\$1,275,960

State, Local or Tribal Government	FEMA Form 009-0-128, Applicant's Benefits Calculation Worksheet /	56	784	43,904	0.5	21,952	\$54.25	\$1,190,896
State, Local or Tribal Government	FEMA Form 009-0-121, PNP Facility Questionnaire	56	94	5,264	0.5	2,632	\$54.25	\$142,786
State, Local or Tribal Government	FEMA Form 009-0-123, Force Account Labor Summary Record	56	94	5,264	0.5	2,632	\$54.25	\$142,786
State, Local or Tribal Government	FEMA Form 009-0-124, Materials Summary Record /	56	94	5,264	0.25	1,316	\$54.25	\$71,393
State, Local or Tribal Government	FEMA Form 009-0-125, Rented Equipment Summary Record	56	94	5,264	0.5	2,632	\$54.25	\$142,786
State, Local or Tribal Government	FEMA Form 009-0-126, Contract Work Summary Record /	56	94	5,264	0.5	2,632	\$54.25	\$142,786
State, Local or Tribal Government	FEMA Form 009-0-127, Force Account Equipment Summary Record /	56	94	5,264	0.25	1,316	\$54.25	\$71,393
State, Local or Tribal Government	State Administrative Plan and State Plan Amendments/ No Form	56	1	56	8	448	\$54.25	\$24,304
State, Local or Tribal Government	FEMA Form 009-0-111, Quarterly Progress Report	56	4	224	100	22,400	\$54.25	\$1,215,200
State, Local or Tribal Government	Request for Appeals & Recommendation /No Forms	56	9	504	3	1,512	\$54.25	\$82,026

State, Local or Tribal Government	Request for Arbitration & Recommendation resulting from Hurricanes Katrina or Rita/ No Form	4	5	20	3	60	\$54.25	\$3,255
State, Local or Tribal Government	FEMA Form 055-0-0-1, Request for Arbitration and Recommendation resulting from Dispute Resolution Pilot Program	20	1	20	3	60	\$54.25	\$3,255
<b>Total</b>		<b>56</b>		<b>346,960</b>		<b>361,826</b>		<b>\$19,625,805</b>

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

FEMA assumes the equivalent of a managerial position in State government would prepare the aforementioned collections. According to the U.S. Department of Labor, Bureau of Labor Statistics website ([www.bls.gov](http://www.bls.gov)), May 2011 National Industry-Specific Occupational Employment and Wage Estimates, the average hourly wage rate for a State Government (excluding schools and hospitals) Management Occupation (standard occupational classification (SOC) code 11-0000) is \$38.75 per hour. Applying a 1.4 multiplier, to account for benefits, results in a fully loaded wage rate of \$54.25. Fifty-six States, with a total of **361,826** total annual burden hours x \$54.25 wage rate is estimated to be **\$19,625,805** annual burden hour cost.

**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.)**

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.**

Annual Cost to the Federal Government

Item	Cost (\$)
Contract Costs [Describe]	\$0
Staff Salaries 12 GS 12 step 5 employees in Washington, DC spending approximately 50% of	\$714,458



time annually reviewing information for this data collection. The annual salary for GS-12, step 5 in 2012 (\$84,855) is multiplied by the factor of 1.4 to arrive at the full employment cost(\$118,797). Associated staff salaries equal \$118,797 x 12 x 50% = \$712,782.	
Plus 1 GS 11 Step 1 employee in Washington, DC spending approximately 1.9166% (((2 hours x 20 Requests for Arbitration form) /2087 hours) x 100 = 1.91662) of time annually reviewing and processing Dispute Resolution Pilot Program Request for Arbitration forms and recommendations. The annual salary for a GS 11 step 1 employee in Washington, DC in 2012 (\$62,467) is multiplied by the factor of 1.4 to arrive at a full employment cost (\$87,454). Associated staff salaries equal \$87,454 x 1 x 1.9166% = \$1,676. Total staff salaries equals \$712,782 + \$1,676 = \$714,458.	
Facilities [cost for renting, overhead, ect. for data collection activity]	\$0
Computer Hardware and Software [cost of equipment annual lifecycle]	\$0
Equipment Maintenance [cost of annual maintenance/service agreements for equipment]	\$0
Travel hotel and transportation 12 x \$3,000 per employee	\$36,000
Printing [number of data collection instruments annually]	\$0
Postage [annual number of data collection instruments x postage]	\$0
Other	\$0
<b>Total</b>	<b>\$750,458</b>

**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 an 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).

"**Adjustment**" denotes a change in burden hours due to factors over which the government has no control, such as population growth, or in factors which do not affect what information the government collects or changes in the methods used to estimate burden or correction of errors in burden estimates.

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
Request for Public Assistance / FEMA Form 009-0-49				1,983	1,806	-177

FEMA Form 009-0-91, Project Worksheet (PW) and a Request for Time Extension				75,852	61,152	-14,700
FEMA Form 009-0-91A Project Work Sheet (PW) Damage Description and Scope of Work				0	57,075	+57,075
FEMA Form 009-0-91B, Project Worksheet (PW) Cost Estimate Continuation Sheet and Request for additional funding for Cost Overruns				0	52,685	+52,685
FEMA Form 009-0-91C Project Worksheet (PW) Maps and Sketches Sheet				0	52,998	+52,998
FEMA Form 009-0-91D Project Worksheet (PW) Photo Sheet				0	52,998	+52,998
Special Considerations Questions / FEMA Form 009-0-120				25,284	23,520	-1,764
Applicant's Benefits Calculation Worksheet / FEMA Form 009-0-128				25,284	21,952	-3,332
PNP Facility Questionnaire / FEMA Form 009-0-121				2,632	2,632	0
Force Account Labor Summary Record / FEMA Form 009-0-123				2,632	2,632	0
Materials Summary Record / FEMA Form 009-0-124				1,316	1,316	0
Rented Equipment Summary Record / FEMA Form 009-0-125				2,632	2,632	0
Contract Work Summary Record / FEMA Form 009-0-126				2,632	2,632	0
Force Account Equipment Summary Record / FEMA Form 009-0-127				1,316	1,316	0
State Administrative Plan and State Plan Amendments/ No Form				448	448	0
Quarterly Progress Report FEMA Form 009-0-111				22,400	22,400	0

Request for Appeals and Recommendation / No Form				392	1,512	+1120
Request for Arbitration and Recommendation resulting from Hurricanes Katrina or Rita/ No Form				171	60	-111
FEMA Form 055-0-0-1, Request for Arbitration and Recommendation resulting from Dispute Resolution Pilot Program	0	60	60			
Request for Second Appeal and Recommendation				112	-112	-112
Recommendation for Arbitration				172	-172	-172
State Administrative Plan – Submission of Amendments After a Declaration				448	-448	-448
Request for Time Extension				1316	-1316	-1316
Request for Additional Funding Cost Overruns for Large Projects				532	-532	-532
<b>Total(s)</b>	0	60	60	<b>167,554</b>	<b>359,186</b>	<b>194,212</b>

***Explain:***

All FEMA Forms for this collection have changed from a 90 series to 009 series form number in compliance with government-wide Federal Enterprise Architecture (FEA) business line mapping for form numbers. Although there are no changes to the information being collected, the program office did an analytical review for the forms used in this collection. The program office has determined that some of the forms burden estimates can be reduced for collecting data. This reduction is not a change in the method used for collecting the data, but the amount of time required to collect the data. A correction was also required to properly align data collection activities that did not impose any significant amount of burden. The following changes have been made and justified for data collection instruments and activities in this collection.

**FEMA Form 009-0-49**, Request for Public Assistance decreased in the number of responses per respondent from 212 to 129 and increased in hour burden estimate from 10 minutes to 15 minutes.

**FEMA Form 009-0-91**, Project Worksheet (PW); **FEMA Form 009-0-01A**, PW Damage Description and Scope of Work; **FEMA Form 009-0-91B**, PW Cost Continuation Sheet; **FEMA Form 009-0-91C**, PW Maps and Sketches Sheet; and **FEMA Form 009-0-91D**, PW Photo Sheet have been separated out and have modified number of responses and burden estimates. Previous hour estimate (75,852) has been evenly distributed ( $75,852/5=15170.4$ ), with 2 hours included in PW to account for the rounding from separation ( $0.4*5=2$  hours). This

accounts for the majority of the increase. In addition, a **Request for Time Extension** (previous hour estimate of 1,316 hours) has been added to FEMA Form 009-0-91, Project Worksheets and **Request for Additional Funding for Cost Overruns** (previous hour estimate of 532 hours) has been added to FEMA Form 009-0-91B, PW Cost Estimate Continuation Sheet.

**FEMA Form 009-0-120**, Special Consideration Questions the number of responses for this form has decreased from 50,568 to 47,040. The burden hours has also decreased from 25, 284 to 23,520 hours.

**FEMA Form 009-0-128**, Applicant’s Benefits Calculation Worksheet have decreased from 50,568 to 43,904. The burden hours has also decreased from 25, 284 to 21,952 hours.

**State Administrative Plans and State Plan Amendments** is combined with State Administrative Plan Amendments The State Administrative Plan was 448 hours and Amendments was previously estimate to be 448. There was a decreased in time burden from 8 hours each for each to 8 hours for both.

**Request for Appeals and Recommendations** is combined with Request for first Appeals and Recommendation (previous estimate of 112 hours) and Request for second Appeals and Recommendation (previous estimate 112). There was an increase in burden hours from 1 hour to 3 hours to include all Appeals and Recommendations data collection activities.

**Request for Arbitration and Recommendations resulting from Hurricanes Katrina or Rita** The request for Arbitration was previously estimated to be 171 hours and the Request for Arbitration was previously estimated to be 172 hours. Both collections activities have been combine to include 2 hours for Arbitration and 1 hour for Recommendations. The total number of response has also decreased from a total of 343 to 20. Therefore the burden hours have decreased from 343 to 60.

**FEMA Form 055-0-0-1**, Request for Arbitration, and associated recommendations were added to the Information Collection Request. This new Dispute Resolution Pilot Program increased the number of responses by 20 and the associated burden hours by 60 hours.

**Itemized Changes in Annual Cost Burden**

<b>Data collection Activity/Instrument</b>	<b>Program Change (cost currently on OMB Inventory)</b>	<b>Program Change (New)</b>	<b>Difference</b>	<b>Adjustment (costs currently on OMB Inventory)</b>	<b>Adjustment (New)</b>	<b>Difference</b>
Request for Public Assistance / FEMA Form 90-49				\$101,331	\$97,976	-\$3,355

FEMA Form 90-91, Project Worksheet (PW) and a Request for Time Extension				\$842,537	\$3,317,496	+	\$2,474,959
FEMA Form 90-91A Project Work Sheet (PW) Damage Description and Scope of Work				\$775,187	\$3,096,319	+	\$2,321,132
FEMA Form 90-91B, Project Worksheet (PW) Cost Estimate Continuation Sheet and Request for additional funding for Cost Overruns				\$802,372	\$2,858,161	+	\$2,055,789
FEMA Form 90-91C Project Worksheet (PW) Maps and Sketches Sheet				\$775,187	\$2,875,142	+	\$2,099,955
FEMA Form 90-91D Project Worksheet (PW) Photo Sheet				\$775,187	\$2,875,142	+	\$2,099,955
Special Considerations Questions / FEMA Form 90-120				\$1,292,012	\$1,275,960		-\$16,052
Applicant's Benefits Calculation Worksheet / FEMA Form 90-128				\$1,292,012	\$1,190,896		-\$101,116
PNP Facility Questionnaire / FEMA Form 90-121				\$134,495	\$142,786		+\$8,291
Force Account Labor Summary Record / FEMA Form 90-123				\$134,495	\$142,786		+\$8,291
Materials Summary Record / FEMA Form 90-124				\$67,248	\$71,393		+\$4,145
Rented Equipment Summary Record / FEMA Form 90-125				\$134,495	\$142,786		+\$8,291
Contract Work Summary Record / FEMA Form 90-126				\$134,495	\$142,786		+\$8,291

Force Account Equipment Summary Record / FEMA Form 90-127				\$67,248	\$71,393	+\$4,145
State Administrative Plan and State Plan Amendments/ No Form				\$45,786	\$24,304	-\$21,482
Quarterly Progress Report FEMA Form 009-0-111				\$1,144,640	\$1,215,200	+\$70,560
Request for Appeals and Recommendation/ No Form				\$25,754	\$82,026	+\$56,272
Request for Arbitration and Recommendation resulting from Hurricanes Katrina or Rita/ No Form				\$17,527	\$3,255	-\$14,272
FEMA Form 055-0-0-1, Request for Arbitration and Recommendation resulting from Dispute Resolution Pilot Program	0	\$3,255	\$3,255			
<b>Total(s)</b>	0	\$3,255	\$3,255	<b>\$8,562,008</b>	<b>\$19,625,807</b>	<b>11,063,799</b>

**Explain:**

The increase in cost results from the changes in hour burden and an increase in the fully loaded average hourly rate from \$51.10 to \$54.25.

In addition, an increase in cost results from the addition of the Dispute Resolution Pilot Program Request for Arbitration and recommendation.

**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.**

This collection does not seek approval to not display the expiration date for OMB approval.

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

This collection does not seek exception to “Certification for Paperwork Reduction Act Submissions”.

**B. Collections of Information Employing Statistical Methods.**

There is no statistical methodology involved in this collection.

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<sup>1</sup> Sandy Recovery Improvement Act of 2013, Public Law 113-2, 127 Stat. 43 (Jan. 29, 2013), 42 U.S.C. 5189a note.