

**SUPPORTING STATEMENT  
DEEPWATER HORIZON PHYSICAL SAMPLE REQUESTS  
OMB CONTROL NO. 0648-XXXX**

**A. JUSTIFICATION**

**1. Explain the circumstances that make the collection of information necessary.**

The purpose of this emergency request is for collection of information to make available to the scientific community remainders of physical samples that are being stored pending termination (expected in early June 2016) of court preservation orders and related requirements associated with recently settled legal claims for natural resource damages involving the Deepwater Horizon (DWH) oil spill. Samples include approximately 36,000 tissue samples from Gulf of Mexico biota, including vertebrates (e.g., marine mammals, turtles, fish, birds), invertebrates (e.g., oysters, crabs), and plants, as well as water, sediment, and oil samples. The majority of the samples belong to the National Oceanic and Atmospheric Administration (NOAA).

Prior to sample disposal, NOAA and USFWS are offering these samples and/or remainders of samples to researchers and other members of the scientific community, through electronic newsletters from research organizations (e.g. Gulf of Mexico Research Institute) that are sent out to their distribution lists, emails to established listserves that connect with a known community of researchers (e.g. C-TURTLE) and notices posted on various organizations' web pages including NOAA's [www.gulfspillrestoration.noaa.gov](http://www.gulfspillrestoration.noaa.gov). The information collected will allow NOAA and USFWS to process the sample requests to researchers. Such research is authorized by the [Marine Mammal Protection Act](#), 16 U.S.C. 31.

The emergency Paperwork Reduction Act (PRA) review and authorization of the information request will facilitate an expeditious sample distribution and disposal process, more quickly eliminating sample storage costs which currently total approximately \$350,000 per month. These charges will be paid in part using funds that may otherwise be available for assessing and restoring natural resources and services.

We request that the PRA review be completed within 2 days from receipt of this submission. The information to be collected is very similar to the information collection request approved by OMB in connection with requests for tissue samples from the National Marine Mammal Tissue Bank (OMB Control No. 0648-0468).

**2. 1Explain how, by whom, how frequently, and for what purpose the information will be used. 1If the information collected will be disseminated to the public or used to support information that will be disseminated to the public, then explain how the collection complies with all applicable Information Quality Guidelines.**

Information collected by NOAA through this effort will be used to: (i) identify the types and numbers of samples of interest to requesters; (ii) determine the availability of these samples for distribution to requesters; and (iii) complete shipping arrangements. Information will also be used to determine the requester's eligibility to receive samples (e.g., whether the individual is associated with a research facility, whether the individual has obtained all required permits or authorizations for sample possession), to determine whether the sample will be used for purposes consistent with any permits/authorization, and to prioritize requests in instances where available

samples are insufficient to fulfill requests. This information will not be disseminated to the public in any form, nor will it be used to support information that will be disseminated to the public.

**3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological techniques or other forms of information technology.**

NOAA proposes to collect information via email, as well as through the use of fillable PDF forms. Information may also be collected via telephone if the requestor prefers.

**4. Describe efforts to identify duplication.**

To avoid duplication, NOAA will ask all respondents to submit only one request for all sample types of interest for their work. This will ensure that information for the same individual is not submitted and processed more than once. NOAA and USFWS have coordinated efforts to collect this information, and the agencies will only require one form for samples in the possession of either NOAA or USFWS.

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

Each individual submitting a request for samples must be associated with a research facility, some of which may be small businesses. However, the burden is not considered to be significant because the estimated time to answer the questions is 45 minutes, and for requests not involving “special status” samples (e.g., marine mammals, endangered sea turtles, and migratory birds, possession of which is restricted) the time burden may be significantly less. The burden is being minimized by keeping the information request as simple as possible and limiting areas of inquiry to only those essential to fulfilling the request and meeting any legal obligation the agencies have to ensure that samples are not improperly obtained or used.

**6. Describe the consequences to the Federal program or policy activities if the collection is not conducted or is conducted less frequently.**

The samples being made available through this information request were collected in connection with the DWH oil spill. The samples being offered to researchers are slated for disposal. If NOAA and USFWS do not collect the requested information, NOAA and USFWS will be unable to provide samples to interested researchers, despite the public’s interest in obtaining these samples. The samples will be disposed of and opportunities for potentially valuable research will be lost.

**7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.**

Collection of information will be made in a manner consistent with OMB guidelines.

**8. Provide information on the PRA Federal Register Notice that solicited public comments on the information collection prior to this submission. Summarize the public comments**

**received in response to that notice and describe the actions taken by the agency in response to those comments. Describe the 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.**

An emergency Federal Register Notice was published on May 25, 2016 (81 FR 33242).

**9. Explain any decisions to provide payments or gifts to respondents, other than remuneration of contractors or grantees.**

No payments or gifts are made.

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

No confidentiality is promised.

**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.**

No questions of a sensitive nature are included in this information collection.

**12. Provide an estimate in hours of the burden of the collection of information.**

The total expected number of respondents is 200 or fewer, with each responding once. NOAA estimates an average burden of 45 minutes per response, including time to research and consider which samples might be of interest, fill out the required fields, and e-mail the form to the prescribed email address. 200 requests x 0.75 hour = 150 hours total burden.

**13. Provide an estimate of the total annual cost burden to the respondents or record-keepers resulting from the collection (excluding the value of the burden hours in Question 12 above).**

The estimated annual cost burden to respondents is \$0. No investment in technology or software should be necessary for respondents. If respondents do not have access to free PDF software, they can respond by email or request a telephone response.

**14. Provide estimates of annualized cost to the Federal government.**

The cost to research and provide information in response to each request is estimated to be approximately one hour of government employee or contractor time, with a total cost of approximately \$20,000 (200 x \$100). These costs are already budgeted from the DWH settlement.

**15. Explain the reasons for any program changes or adjustments.**

This is a new information collection.

**16. For collections whose results will be published, outline the plans for tabulation and publication.**

Not Applicable.

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

Not Applicable.

**18. Explain each exception to the certification statement.**

Not Applicable.

**B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS**

This collection does not employ statistical methods.