

**SUPPORTING STATEMENT
APPLICATION FORM FOR MEMBERSHIP ON A NATIONAL MARINE
SANCTUARY COUNCIL
OMB CONTROL NO. 0648-0397**

A. JUSTIFICATION

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

This request is for revision and extension of this information collection.

Section 315 of the [National Marine Sanctuaries Act](#) (NMSA) (16 U.S.C. § 1445a) allows the Secretary of Commerce to establish one or more advisory councils to provide advice to the Secretary regarding the designation and management of national marine sanctuaries. Executive Order 13178 similarly established a Coral Reef Ecosystem Reserve Council pursuant to the NMSA for the Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve. Councils are individually chartered for each site to meet its specific needs; fourteen councils—13 sanctuary advisory councils and one reserve advisory council—currently exist. Once a council has been chartered, a sanctuary superintendent starts a process to recruit members for that council by providing notice to the public and asking interested parties to apply for the available seats. An application form has been developed to help ease the application process for the public and facilitate the review process for the sanctuary superintendent.

Revisions: Apart from minor, non-substantive textual changes to update the application (e.g., new URL at which applicants can access the Office of National Marine Sanctuaries (ONMS) *National Marine Sanctuary Advisory Council Implementation Handbook* online), only two similar changes were made to both the adult and youth applications (i.e., two changes to each application, for four changes total). First, the instructions for each application form, for answering required questions in numerical order on a separate, attached document, were re-written to increase compliance through enhanced instructional clarity. Second, two questions for each application were combined to decrease the total number of questions asked and potential for duplicative content provided and then reviewed. While this revision may reduce the paperwork burden for applicants, it is not clear whether overall burden will be reduced accordingly; therefore, burden estimates below will not be reduced at this time, but may be in the future. The submitted form is highlighted to show the changes.

2. Explain how, by whom, how frequently, and for what purpose the information will be used. If 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.

Available seats and positions are announced by the appropriate site and ONMS Headquarters through various public outreach channels, including a site's website and local media (e.g., newspapers). Interested persons can request an application kit (containing the application form, a copy of the council's charter, the council handbook and some information about the site itself) by phone, fax or email. The applicant then completes and returns the form to the site office, by traditional mail, fax or electronically. Several sanctuaries per year will have to fill some

vacancies on existing councils; new councils may be created if new sites are proposed for designation.

The specific information requested by the applications will be used in the following ways:

- Seat applying for (applicants are asked to check a box for the seat(s) for which they are applying): This information is used to determine the seat(s) on the council in which the applicant is interested.
- Name, addresses and phone numbers: This is basic contact information that is necessary in order to notify the applicant about whether he or she will serve on the council; if the applicant becomes a member of the council, this information is used to keep them informed of meeting dates, upcoming events, etc.
- Question 1: Reasons for interest in serving on the council: This information is used to help ONMS determine the nature of the applicant's views on the protection and management of marine and/or Great Lakes resources.
- Questions 2- 8 (Questions 2-7 youth application): This information is used to determine the qualifications of the applicant for the seat(s) for which he or she is applying, relative to those of other applicants for the same seat.

ONMS will retain control over the information and safeguard it from improper access, modification and destruction, consistent with National Oceanic and Atmospheric Administration (NOAA) standards for confidentiality, privacy and electronic information. See response to Question 10 of this Supporting Statement for more information on confidentiality and privacy. The information collection is designed to yield data that meet all applicable information quality guidelines. Should NOAA decide to disseminate information other than members' names and addresses, it will be subject to the quality control measures and pre-dissemination review pursuant to [Section 515 of Public Law 106-554](#).

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.

ONMS provides a broad opportunity for the public to apply for membership on councils. Application kits are available by mail or electronically on the individual site's web site or in the Council Handbook, at <https://sanctuaries.noaa.gov/management/ac/>, and can be submitted through the mail, by fax or email.

4. Describe efforts to identify duplication.

Advisory councils are bodies unique to ONMS; no other collection of information meets the needs of ONMS for the purpose of selecting members of councils.

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

N/A.

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

Councils serve an important function in the management of sanctuaries, by providing advice to ONMS (from a variety of different perspectives and interests) and helping link the sanctuary to the community. Congress understood this importance and deliberately provided ONMS with its own authority to have councils, making the councils exempt from the [Federal Advisory Committee Act](#). Being able to collect this information allows ONMS to choose the best applicants to serve as council members. Without this information collection, council work would not be done effectively.

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

The collection is 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.

A [Federal Register](#) notice published on December 11, 2017 (82 FR 58185) and solicited public comments for 60 days. No comments were received.

Two national marine sanctuaries, Flower Garden Banks and *Monitor*, were selected and asked members of their advisory councils the following, as stated in the Federal Register Notice and in accordance with the instructions above:

- (1.) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility;
- (2.) The accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information;
- (3.) Ways to enhance the quality, utility, and clarity of the information to be collected; and
- (4.) Ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

ONMS received two responses, including one “No comment”. Overall, the respondent stated that the information requested in the application is clear and necessary to evaluate candidates for advisory council membership and the estimate of the burden hours may even be 50% less than what is provided in the [Federal Register](#) notice. The respondent suggested that the application could require personal or professional references, in order to provide a check to a submitted application’s accuracy and may even reduce the time or resources necessary to evaluate candidates. Also, the respondent suggested that ONMS may consider an online application form in the future, but did not qualify that with any urgency. ONMS will consider this respondent’s feedback at the time of the next application extension and/or revision within two to three years.

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

Applicants are not given payments or gifts. When selected to serve on a council, members are eligible for travel expenses (e.g., per diem) for costs associated with official meetings (per the National Marine Sanctuaries Act).

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

If chosen to serve on a council, members are informed that their names and business contact information (or other contact information as the member prefers) are made available so that constituents from the segment of the community the member represents can contact him or her. Applicants are also informed on the application that other parts of the application may be subject to release under a request from the [Freedom of Information Act](#), through a court order or in response to a Congressional inquiry.

Protection of applications (for both selected and non-selected applicants) is as follows:

- Council Applications for Selected Applicants: These are retained and filed in a secure location inaccessible to non-staff. When no longer needed, they are shredded. For record-keeping purposes, applications are retained for five years beyond the expiration of their seat term.
- Council Applications for Non-Selected Applicants: These applications are retained and filed in a secure location as described above. Applications are filed according to the seat applied for. It is useful to have this information to solicit qualified, non-selected applicants to apply again when council seats are vacated. When no longer needed, they are shredded. For record-keeping purposes, these applications are retained for five years beyond their application date.

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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 asked.

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

Approximately 700 applications will be sent out by request or downloaded from Internet. Of these, approximately 520 are expected to be completed and returned (500 adult and 20 youth), with an estimated time per applicant of one hour for obtaining, completing and returning the application, for a total annual response time of 520 hours.

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).

There are no capital or start-up costs. No special equipment will need to be obtained for this information collection. ONMS expects applications to cost about \$2.01 per person including the cost of a phone call or email request for the application as well as submission by mail @ 0.49 per application (\$1,045); however, only 300 of 520 applications will be mailed rather than sent electronically, reducing the total cost by \$162, to \$883.

The decrease in ROCIS of \$157, rather than \$162, is due to the previous total cost being \$1,040, now \$1,045 due to the postage increase.

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

The estimated annual costs to the federal government would include:

- Copying = \$228 (5,700 pages at \$.04 a page for copying applications, council charters, and other information for application packages)
- Mailing = \$800 (mailing 800 applications* at \$1 each)
- Labor = \$23,760 (2 hours per application requested to cover responding to request for application, mailing, copying for review, conducting the review, and responding to applicant, x 594 applications x \$20/hour).

Total = \$24,788.

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

Adjustment: There is a net decrease from the previous total cost, of \$157: an increase in postage as well as fewer respondents submitting their applications by mail. See A13 for more details.

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

Only the name and contact information for each successful applicant would be published. Such information would likely appear on the individual sanctuary's web page and in newsletters and other usual information outlets for that sanctuary. New council members are usually announced about 30-60 days after the deadline for accepting applications has passed.

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.

No exemptions are being sought.

18. Explain each exception to the certification statement.

N/A.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection does not employ statistical methods.