

# Supporting Statement A

## Indian Highway Safety Grants

### OMB Control Number 1076-NEW

**Terms of Clearance:** None.

#### Justification

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

The Highway Safety Act of 1966, 23 U.S.C. § 402, provides the Bureau of Indian Affairs (BIA), Office of Justice Services (OJS), Indian Highway Safety Program (IHSP) through the U.S. Department of Transportation (DOT), funding to assist federally recognized tribes in implementing traffic safety projects. These projects are designed to reduce the high number of traffic crashes and their resulting fatalities, injuries and property damage within Indian communities. The funding is intended to supplement an existing traffic safety program on the reservations. These grants are funded in the form of reimbursements and each tribe applying for funding must demonstrate a need with traffic statistics and data. This process is documented by the regulations set at 23 CFR 1300. All funding is disbursed from the DOT finance system for reimbursement to the tribes and BIA.

- 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 IHSP solicits the information using the Federal Register notices as its information collection instrument. The grant applications were developed, in MS Word and converted to PDF, to assist the tribes in applying for police traffic services grant and/or occupant protection grants. The information contained in the grant applications are used to determine if the tribes are eligible for an Indian Highway Safety Grant award. The information contained in the grant application is used to assist in determining a grant budget based off the statistics as well as creating and developing the grant agreements for each tribe and Indian Highway Safety Plan for approval of the funding agency National Highway Traffic Safety (NHTSA).

A complete application must contain the following elements:

- A formal signed resolution from the appropriate tribal governing body supporting the Law Enforcement, Occupant Protection (Child Protection Seat Grants), and Impaired

Driving Court grant applications – the resolution is necessary to ensure that the tribe has authorized the request.

- A grant application containing traffic problem identification, traffic statistics, detailed budget, traffic goals/targets and strategies – BIA IHSP will use this information to ensure that the proposed project falls within the scope of what the funds are to be used for and funds will be used for the authorized purposes.

Tribes receiving grant awards are required to submit a monthly progress report, including a Request for Reimbursement (RFR) with supporting documentation. The monthly reports are collected using an excel spreadsheet which includes monthly tabs for tribes to enter monthly statistics (e.g. motor vehicle crashes and fatalities, DUI arrests, speed and seat belt citations, etc.). The excel spreadsheet also contains tabs for three mandatory mobilizations that the police departments conduct throughout the year. The mobilization reports requests the following information: total number of law enforcement agencies and officers participating and statistics for the total number of checkpoints, hours worked, motor vehicle crashes, injuries and fatalities, DUI/DWI arrests, drug arrests, felony arrests, citations issued for seat belt, child passenger safety, suspended revoked licenses, uninsured motorists, speeding, reckless driving, other traffic citations issued, fugitives apprehended, and stolen vehicles recovered during the mobilization time frame outlined in the grant agreement. The report also includes the total number of public services announcements broadcasted during the mobilization period.

The Monthly Reports and Mobilization report data are compiled into the Annual Report. The spreadsheet tabulates the data from one month to the next as statistics are entered, and eventually carried into the Annual Report. The spreadsheet was designed to assist the tribes in compiling the data reported on a monthly basis to reduce the tribe's burden in completing the report at the end of the grant year.

In addition, the information from the tribe's Annual Reports are used create BIA's Annual Report submitted to the National Highway Traffic Safety Administration (NHTSA) to accounting for grant funding and activities.

- 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.**

IHSP accepts application by regular mail and electronically (e-mail), and will also accept documents sent by delivery services such as FedEx and UPS.

- 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 information IHSP is requesting is not available from any other source. The information collected is unique to each tribe's plan and subjective to the traffic statistics of the particular tribe.

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

The information collection does not impact 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.**

If IHSP is unable to conduct this information collection, the applicants would be deprived of funding that will provide them the opportunity to enhance their child passenger occupant protection and traffic safety/enforcement efforts within their reservation boundaries. As a consequence, the tribes that would otherwise be recipients of this funding would not be able to exercise their sovereignty as a tribal nation in the area of occupant protection and traffic safety/enforcement on their tribal lands and roadways.

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

- \* **requiring respondents to report information to the agency more often than quarterly;**
- \* **requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**
- \* **requiring respondents to submit more than an original and two copies of any document;**
- \* **requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records, for more than three years;**
- \* **in connection with a statistical survey that is not designed to produce valid and reliable results that can be generalized to the universe of study;**
- \* **requiring the use of a statistical data classification that has not been reviewed and approved by OMB;**
- \* **that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or**
- \* **requiring respondents to submit proprietary trade secrets, or other confidential information, unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.**

There are no circumstances that require IHSP to collect the information in a manner inconsistent with OMB guidelines.

- 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.**

A 60-day notice for public comments was published in the Federal Register on March 21, 2018 (83 FR 12404). No comments received in response to this notice.

**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.**

IHSP reached out to the Tribal Program Coordinators who have submitted this information collection and received a response from seven of them (three for Occupant Protection Grants also known as Child Protection Seat (CPS Grants) and four for Law Enforcement (LE Grants). There were not response received from any Impaired Driving Court grants because tribes have not applied for funding since FY 2016.

**CPS Grants:**

Pyramid Lake Paiute Tribe stated the grant application process was not burdensome or difficult but self-explanatory. They submitted their grant application by e-mail. Laguna Pueblo said the grant process is not difficult to understand and the instructions for filling out the application are easy to understand. The process is not burdensome. They also submitted their grant application by e-mail. Hopi Tribe submitted their grant application by e-mail and stated the grant application was easy to use.

**LE Grants:**

Three Affiliated Tribes say the grant application is not difficult or burdensome. They submitted their application by e-mail. Pueblo of Laguna states the grant process is not difficult to understand or burdensome. They submitted their application by e-mail. Fort McDowell Yavapai Nation submitted their grant application by e-mail. They say the grant

application was not difficult compared to other grants. Santa Clara Pueblo states the grant application was simple and not burdensome because of the training the Indian Highway Safety Program provided. They hand deliver their grant application.

Based on the responses received from the Tribal Program Coordinators, IHSP has not made any changes or adjustments to the information collection.

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

We do not provide gifts or payments to respondents.

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

We do not provide any assurance of confidentiality. The information that we collect is subject to the requirements of Freedom of Information Act.

**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.**

We do not ask questions of a sensitive nature.

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

- \* Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.**
- \* If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens.**
- \* Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included under**

**“Annual Cost to Federal Government.”**

Annual reporting and record keeping for this collection of information is estimated to average from 3 hours to 9 ½ hours for approximately 483 respondents, annually. This estimate includes the time for completing the application, monthly reports, and gathering any supporting documentation. Therefore, the total annual estimated burden is 15,312 hours or the amount equivalent to \$549,241.

--	No. Respondents	No. of Responses per Year	Total Responses	Burden Hours per Response	Annual Burden Hours	Cost to Respondents*
Law Enforcement Grant Application	80	1	80	On average 4 hours	320	\$ 11,478.40
LE Monthly RFR & Report	80	12	960	11 hours	10,560	\$ 378,787.20
LE Annual Report	80	1	80	9.5 hours	760	\$ 27,261.20
Child Protection Seat Grant Application	80	1	80	4 hours	320	\$ 11,478.40
CPS Monthly RFR & Report	80	12	960	3 hours	2,880	\$ 103,305.60
CPS Annual Report	80	1	80	5 hours	400	\$ 14,348.00
Impaired Driving Court (IDC) Grant Application	1	1	1	8 hours	8	\$ 286.96
IDC Monthly RFR & Report	1	12	12	5 hours	60	\$ 2,152.20
IDC Annual Report	1	1	1	4 hours	4	\$ 143.48
<b>Totals</b>	<b>483</b>		<b>2,254</b>		<b>15,312</b>	<b>\$ 549,241.44</b>

\* To obtain the hourly rate, the BIA used \$35.87, the wages and salaries figure for civilian workers from BLS Release USDL-18-0451, Employer Costs for Employee Compensation – December 2017, Table 1, Employer costs per hour worked for employee compensation and costs as a percent of total compensation: Civilians works, by major occupational and industry group, at <https://www.bls.gov/news.release/pdf/ecec.pdf>. This wage includes a multiplier for benefits. See <https://www.bls.gov/news.release/pdf/ecec.pdf>.

**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.

We have not identified any non-hour 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 not have been incurred without this collection of information.**

The estimated annualized cost to the government for this information collection is \$ 133,250.

	No. Respondents	No. of Responses per Year	Total Annual Responses	Federal Burden Hours per Response	Annual Burden Hours	Cost to Federal Government*
Law Enforcement Application Processing	80	1	80	4 hours	320	\$ 14,713.60
LE Monthly Reports	80	12	960	1 hour	960	\$ 44,140.80
LE Annual Report	80	1	80	2 hours	160	\$ 7,356.80
Child Protection Seat (CPS) Grant	80	1	80	4 hours	320	\$ 14,713.60

Application						
CPS Monthly Reports	80	12	960	1 hour	960	\$ 44,140.80
CPS Annual Report	80	1	80	2 hours	160	\$ 7,356.80
Impaired Driving Court Grant Application	1	1	1	4 hours	4	\$ 183.92
IDC Monthly Reports	1	12	12	1 hour	12	\$ 551.76
IDC Annual Report	1	1	1	2 hours	2	\$ 91.96
<b>Totals</b>	<b>483</b>		<b>2,254</b>		<b>2,898</b>	<b>\$ 133,250</b>

\*The salaries of the Federal government reviewing applications and monthly reports range from the equivalent of GS-5/5 to GS-14/3. For this reason, we will use GS 9/3 as the average salary. The current estimated annual cost to the government has been calculated by using the hourly rate provided by the 2018 General Schedule Annual Rates by Grade and Step: GS 9, Step 3 (\$ 28.74), and a multiplier of 1.6 for benefits for a total of \$45.98.

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

This is a new request for an existing collection in use without an OMB Control Number so there are no changes or adjustments to be made.

**16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.**

We will not publish the results of this 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.**

We will display the OMB control number and expiration date on the solicitation for proposals as well as on other appropriate materials.

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

There are no exceptions to the certification statement.