

**1SUPPORTING STATEMENT A FOR  
PAPERWORK REDUCTION ACT SUBMISSION**

**Annual Certification of Hunting and Sport Fishing Licenses Issued  
50 CFR 80, Subpart D**

**OMB Control Number 1018-0007**

**Terms of Clearance. None**

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

The Federal Aid in Wildlife Restoration Act ([16 U.S.C. 669 et seq.](#)) and the Federal Aid in Sport Fish Restoration Act ([16 U.S.C. 777 et seq.](#) except 777e-1 and g-1) provide Federal assistance to the States for management and restoration of fish and wildlife. These Acts and our regulations at [50 CFR 80, Subpart D](#)--Certification of License Holders, require that States and territories annually certify hunting and sport fishing license sales and provide supporting information, as requested, in order for the Fish and Wildlife Service (we, Service) to apportion funds under formulas provided in the Acts.

**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.**

With this renewal request, we are combining data collection from two forms previously approved by OMB (FWS Form 3-154a (Part I--Certification) and Form 3-154b (Part II--Summary of Hunting and Sport Fishing Licenses Issued)) into a single FWS Form 3-154 (State Fish and Wildlife Agency Hunting and Sport Fishing License Certification). We made minor updates to Form 3-154 to improve functionality. These changes do not increase the reporting burden. We do not change the burden from the prior collection, but expect the efficiencies gained by changes in the form and improved reporting through electronic alternatives will potentially, over time, reduce the public reporting burden for this collection.

Respondents are the states, the Commonwealths of Puerto Rico and the Northern Mariana Islands, the District of Columbia, and the territories of Guam, the U.S. Virgin Islands, and American Samoa (states). Annually states complete FWS Form 3-154 per 50 CFR. 80, in the format that the Director specifies for certifying the number of hunting and fishing license holders and supporting data on total licenses sold and costs to license holders. The Service uses the reported data to support the certification and run the formulas in the Federal Aid in Wildlife Restoration Act (16 U.S.C. 669 et seq.) and the Federal Aid in Sport Fish Restoration Act (16 U.S.C. 777 et seq. except 777e-1 and g-1) for apportioning Wildlife Restoration and Sport Fish Restoration program funds among the states. The Service also consolidates and publishes this data for the public on the Wildlife and Sport Fish Restoration Program Internet site at <http://wsfrprograms.fws.gov/>. During Fiscal Year 2018, we apportioned \$797,160,652 under the Wildlife Restoration Program and \$351,917,483 under the Sport Fish Restoration Program.

**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.**

FWS Form 3-154 will be available online at <http://www.fws.gov/forms/> in a fillable, fileable, and digitally signable format compliant with the requirements of Section 508 of the Rehabilitation Act. Respondents can download and complete the form electronically or manually and then must either mail or email the completed and signed form to both the Service's Headquarters point of contact and the state's Service regional office point of contact. We anticipate being able to collect this information electronically beginning with the FY 2020 apportionment year certifications.

Prior to FY 2013, we received approximately 50% of the responses electronically through the Federal Aid Information Management System (iFAIMS) web interface. The Service decommissioned iFAIMS after the collection for the FY 2013 apportionment. We anticipate being able to restart collecting this information electronically via web interface beginning with the FY 2020 apportionment year certifications. Starting in FY 2020, we anticipate collecting this information online through the new Tracking and Reporting Accomplishments for the Conservation of Species (TRACS) system web interface. The TRACS system will give a similar functionality to iFAIMS for collecting annual license certifications.

In addition, states use electronic data systems to collect this information. We expect that over time these systems will improve the functionality of reporting data and reduce burden. Operation, maintenance, and development of state electronic data systems are paid for, in part, through Federal financial assistance funds.

**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.**

There are no other collections providing similar information.

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

We collect the data from states only. There is no impact on 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.**

Failure to collect the certifications may result in inaccurate apportionments to states. Failure to respond may result in grant funds being partially or totally withheld pending receipt of the required certification.

**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 special circumstances that require us to collect this 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.**

**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.**

On August 22, 2018, we published in the *Federal Register* (83 FR 42524) a notice of our intent to request that OMB approve this information collection. In that notice, we solicited comments for 60 days, ending on October 22, 2018. We received the following comment in response to that Notice:

**Comment 1:** Email comment from Holly Huchko, Endangered Species Act Program Specialist/Sport Fish Restoration Coordinator, Oregon Department of Fish and Wildlife, received October 22, 2019.

The respondent believed that the collection is necessary and the information is processed and used in a timely manner. The respondent's estimate of burden to complete the forms is 16 to 24 hours. The respondent suggested that the Service provide guidance and training to ensure accurate reporting of license sales data and that we accept submissions electronically by website or email.

**Response to Comment 1:** We are combining the information collection for certification and summary information into a single FWS Form 3–154. We understand that some states may have systems in place that allow them to respond more quickly than others. We do allow respondents to submit complete and signed forms by email. We also anticipate being able to allow states to submit annual license certifications online through the new TRACS web interface beginning with the FY 2020 certifications.

In addition to the Federal Register Notice, we consulted with the nine (9) individuals identified in Table 8.1 who are familiar with this collection of information in order to validate our time burden estimate. We have summarized the comments we received below Table 8.1.

**Table 8.1**

<b>Organization</b>	<b>Title</b>
Texas Parks & Wildlife Department	Grants & Federal Funds Manager
Missouri Department of Conservation	Federal Aid Coordinator
Wisconsin Department of Natural Resources	Federal Aid coordinator
Oklahoma Department of Wildlife Conservation	Assistant Director
Arkansas Game and Fish Commission	Chief Financial Officer
Massachusetts Division of Fisheries & Wildlife	Federal Aid Coordinator
New York Department of Environmental Conservation	Assistant Director, Division of Fish and Wildlife
Montana Fish, Wildlife & Parks	Federal Assistance & Compliance Bureau Chief
Utah Division of Wildlife Resources	Financial Analyst

***“Whether or not the collection of information is necessary, including whether or not the information will have practical utility; whether there are any questions they felt were unnecessary.”***

**Comments:** The respondents reported that the collection of information on Form 3-154a is necessary and the information has practical utility. Several respondents reported not knowing why the Service requires the Form 3-154b data. Several respondents reported that the 3-154b instructions were confusing or that it took significant resources to prepare the response. Several reported that the 3-154b data requested is not specific or detailed enough to support meaningful national trends analysis and that the data as presented for the public is misleading. Several respondents reported that the exercise of responding to the 3-154b collection does have some value for them at the state level, and one respondent indicated that they would continue to develop the figures for themselves if the Service stopped collecting it. One respondent suggested the Service should either rescind the collection of 3-154b data or make the rationale for collection more clear, with supporting citations from statute and/or regulation.

**Response:** We are combining the certification and summary information into a single FWS Form 3–154. The Wildlife Restoration Act (16 U.S.C. 669c(b)) and the Sport Fish Restoration Act (16 U.S.C. 777c(c)) describe how the Service uses data for paid hunting and fishing license holders as part of the mandatory formula for apportioning annual funds to states. These same statutory provisions direct the State fish and wildlife agencies to annually certify to the Secretary (delegated to the Service) the number of hunting and fishing license holders. Both statutes (16 U.S.C. 669i and 16 U.S.C. 777i) authorize the Service to

make regulations for carrying out the Acts. The regulations for certifying license holders are at 50 CFR part 80, subpart D. The regulation directs states to provide information in the format that the Service specifies and to provide supporting information. The information on licenses sold and costs paid by license holders supports the numbers certified. The Service, in collaboration with State Directors, is publishing an updated rule that at 50 CFR part 80, subpart D changes the requirements for licenses/license holders from a net revenue approach to a flat \$2/per year for each privilege to hunt and to fish. This makes the data on license sales and costs even more useful for the Service to support license data.

We agree that the information collected has not been assessed for many years and that we should consider changes to our information collection in the future to identify data that could be more useful to both the Service and states. However, we do not make those changes to this information collection renewal.

***“The accuracy of our estimate of the burden for this collection of information.”***

**Comments:** The respondents’ estimates range from 4.5 to 40 hours to complete the current forms, with the majority of the respondents reporting that their response time is equal to or less than our estimates.

**Response:** We are combining the collection into Form 3-154, which we expect will improve reporting efficiency. The ability to use electronic means of completing the form, saving the form, and sending the form will further increase efficiency and potentially reduce burden. The average burden we consider is 32 hours per respondent, which is the same as the prior approved collection. We understand some states may have systems in place that allow them to respond more quickly and expect that improvements in data collection systems will continue to increase efficiency and reduce burden.

***“Ways to enhance the quality, utility, and clarity of the information to be collected”***

**Comments:** Several respondents reported that they were not sure they were calculating the requested data correctly and requested clarification in the form of guidance, examples of properly completed forms, additional training, or adoption of standardized software. Most of these comments were specific to the Form 3-154b data collection.

**Response:** The 50 CFR 80 regulations provide guidance to states on how to calculate the data to be reported on the first part of the Form 3-154. We will consult with states to determine what additional resources we might consider to improve clarity and reduce burden.

***“Ways to minimize the burden of the collection of information on respondents”***

**Comments:** One respondent commented that the requirement to report unique license holders for license certification (e.g., remove duplicate licenses from the count) is burdensome and unnecessary for minimum apportionment states. The respondent recommended that we make an exception to the requirement to report unique license holders for minimum apportionment states. Several respondents recommended that the Service eliminate the requirement to submit hard copies and instead provide a mechanism to submit license certifications electronically by email or online.

**Response:** The regulations at 50 CFR 80 require all states to certify the number of unique paid license holders each year. This process supports the requirements in the Act and regulations and gives the Service accountability when apportioning funds to all states. We

do allow respondents to submit their complete and signed annual license certifications by email. We also anticipate being able to allow states to submit annual license certifications online through the new TRACS web interface beginning with the FY 2020 certifications.

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

We do not provide any 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.**

There is no assurance of confidentiality. Once submitted the form data is public information and not protected under the Privacy 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 sensitive questions.

**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.**

We estimate that we will receive **56 responses** totaling **1792 burden hours**. We estimate the annual dollar value of the burden hours is **\$89,654** (rounded).

Respondents include all 50 States, the Commonwealths of Puerto Rico and the Northern Mariana Islands, the District of Columbia, and the territories of Guam, the U.S. Virgin Islands, and American Samoa (56 total respondents). The hour burden associated with the information collection varies with each respondent and depends significantly on whether or not the State has an automated process for issuing hunting and fishing licenses. We believe our estimates are reasonable and represent an average time to complete the forms.

We used the professional and related category from Table 4 of Bureau of Labor Statistics (BLS) News Release [USDL-18-1941](#), December 14, 2018, Employer Costs for Employee Compensation—September 2018, to calculate the cost of the total annual burden hours. Table 4 lists the hourly rate for State and local government workers as \$50.03, including benefits.

Requirement	Average Number of Annual Respondents	Average Number of Responses Each	Average Number of Annual Responses	Average Completion Time per Response	Estimated Annual Burden Hours	Hourly Rate	\$ Value of Annual Burden Hours
FWS Form 3-154	56	1	56	32 hours	1,792	\$ 50.03	\$89,653.76

**13. Provide an estimate of the total annual non-hour cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden already reflected in item 12.)**

- \* The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life) and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information (including filing fees paid for form processing). Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.
- \* If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.
- \* Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.

There is no nonhour cost burden to respondents.

**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.**

We estimate that the total annual cost to Federal Government for processing these forms is **\$2,344 (rounded)** (\$83.73 x 28 annual hours).

We used the Office of Personnel Management Salary Table [2019-DCB](#) to determine the hourly wage rate for a GS-13, step 5. To calculate benefits, we multiplied the hourly rate (\$52.66) by 1.59 to account for benefits in accordance with News Release [USDL-18-0944](#), June 8, 2018, Employer Costs for Employee Compensation—March 2018, resulting in an hourly cost factor of

\$83.73. We will receive 56 responses annually, each of which takes approximately 15 minutes to process, totaling 14 annual hours.

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

We are reporting decrease of 56 responses, but no reduction in burden hours, due to combining both forms into a single form.

**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.**

The information collected is for grant administration purposes, and we do not formally publish the results. However, we do make the license data available on the Wildlife and Sport Fish Restoration Program Web site for use by the States and others.

**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 FWS Form 3-154.

**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.