

Supporting Statement A for OMB 0596-NEW **Wildland Fire Mitigation and Management Commission** **Nomination Process**

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.**

The Forest Service (FS) is requesting emergency clearance and review through 5 CFR 1320.13 for a new information collection for the Wildland Fire Mitigation and Management Commission Nomination. The United States Department of Agriculture (USDA), United States Department of Interior (DOI) and Federal Emergency Management Agency (FEMA) collaboratively established the Wildland Fire Mitigation and Management Commission (“Commission”) in December 2021 as part of the Bipartisan Infrastructure Law.

Title II, H.R. 3684, Infrastructure Investment and Jobs Act outlines the commission’s purpose and membership structure. The Commission is tasked with providing a report to Congress on recommendations to improve Federal policies on prevention, mitigation, suppression, and management of wildland fires and the subsequent rehabilitation of affected lands in the United States. The Commission will terminate 180 days after the group submits the mandated report to Congress.

The Agency cannot reasonably comply with the normal clearance procedures due to the time restraints surrounding the selection and make-up of the Commission. Title II states that appointments to the Commission should be made within 60 days of enactment of the Wildland Fire Mitigation and Management Act. This gave USDA, DOI, and FEMA until January 15 to appoint members to the Commission. Upon approval of this emergency collection, a survey will be sent to public asking for their interest and credentials in being a part of this Commission. Once those are received the Secretary for USDA has 30 days to select the non-federal members of the Commission. The use of normal clearance procedures is reasonable likely to prevent or disrupt the collection of information or is reasonably likely to cause a statutory or court ordered deadline to be missed.

- 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.

a. What information will be collected - reported or recorded? (If there are pieces of information that are especially burdensome in the collection, a specific explanation should be provided.)

To apply to the Commission, applicants must fill out the Wildland Fire Mitigation and Management Commission Application Form (“WFMM application”). This form collects contact information, identifies the seat for which the applicant is applying for, and records their qualifications, experience, and interest in serving on the Commission. Applicants can email supplemental information (e.g., a brief resume or letter of recommendation) to wildlandfirecommission@usda.gov. In the subject line they must include [First Name Last Name – Wildland Fire Mitigation and Management Commission Application – Supplemental Information]. Please see the attached application form for the full list of information collected. Applicants chosen as primary, secondary, and tertiary nominees for non-federal membership will undergo a background vetting process and must complete Form AD 755. This form is already approved by OMB for use in the collection of private information and is enclosed in this package.

This information will be used by federal government staff that provide coordination oversight to the Wildland Fire Mitigation and Management nomination process (Nomination Coordinators). They will use this information to evaluate and select the Commission’s non-federal members.

The essay questions may be considered burdensome for some applicants; however, it’s necessary to help in the selection process. The goal is to acquire individuals that will fulfill the objective outlined in the Commission’s purpose and membership structure in Title II, H.R. 3684, Infrastructure Investment and Jobs Act.

b. From whom will the information be collected? If there are different respondent categories (e.g., loan applicant versus a bank versus an appraiser), each should be described along with the type of collection activity that applies.

The WFMM will be comprised of Thirty (30) members approved by the Secretary of Agriculture (or designee) where each will serve an estimated 2-year term. WFMM memberships will be balanced in terms of the points of view represented and functions to be performed. The WFMM shall include representation from the following interest areas:

- (1) Twelve (12) Federal employees;
 - (a) Three (3) Co-Chairs: Secretary of Agriculture, Secretary of Interior and the Administrator of Federal Emergency Management Agency;
 - (b) Nine (9) named members;
- (2) Eighteen (18) non-Federal individuals;
 - (a) Five (5) minimum from high-risk State, Local, or Tribal Governments;

- (i) At least one (1) State Hazard Mitigation Officer;
 - (ii) A State department of natural resources, or agriculture or similar State agency;
 - (iii) A State Department of Energy or similar State Agency;
 - (iv) County Government;
 - (v) Municipal Government;
- (3) Five (5) minimum from a specialized group (non-governmental Agency);
- (a) Public utility industry;
 - (b) Property development industry;
 - (c) Indian tribal government;
 - (d) Wildland firefighter;
 - (e) 501(c)(3) organization with expertise in forest management and environmental conservation;
- (4) Eight (8) possible non-Federal discretionary;
- (a) Two (2) Private industry included and
 - (b) Six (6) any non-Federal groups

c. What will this information be used for - provide ALL uses?

A questionnaire used to evaluate each applicant's eligibility for and interest in the commission membership.

d. How will the information be collected (e.g., forms, non-forms, electronically, face-to-face, over the phone, over the Internet)? Does the respondent have multiple options for providing the information? If so, what are they?

The information is collected via the following forms:

- Wildland Fire Mitigation and Management Commission Application Form
- AD 755

These forms are available electronically and the completed forms are maintained by U.S. Department of Agriculture.

Data collection procedures for the nominations will be varied and will most likely include an electronic application and telephone. Results will generally be limited to the Nomination Coordinators. More specific information about data collection procedures will be contained in the description provided to OMB at the time the applications are submitted.

e. How frequently will the information be collected?

This information collection will be collected once, in order to form the committee members and will not need the full 3-year term nor will it be renewed.

f. Will the information be shared with any other organizations inside or outside USDA or the government?

No.

g. If this is an ongoing collection, how have the collection requirements changed over time?

Not applicable.

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 WFMM application will be available to potential committee members at <https://forms.office.com/g/ByiC2SE1ZH>. The WFMM form must be completed electronically with supplemental information submitted via email to wildlandfirecommission@usda.gov. Form AD 755 can be completed electronically printed, signed, and submitted. Participating agencies require submittal of a copy with an original signature.

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 use of the same forms by the USDA/FS, DOI and FEMA avoids duplication in the nomination process. The WFMM is a unique program that is only operational on public lands within the FS, DOI and FEMA with specific requirements for participation. There are no other existing application forms suitable for this purpose.

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

This information collection has 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.

This information collection is necessary to carry out this legally mandated committee. Failure to collect this information would create noncompliance to Title II, H.R. 3684. If we are unable to collect this data the USDA/FS, DOI and FEMA would be unable to select candidates to participate in a legally mandated program.

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;**

The WFMM application form will be open for two weeks and nominations will only be accepted within that window of time. For each non-federal seat a primary, secondary, and tertiary choice will be selected. Those individuals will complete Form AD 755 in addition to the WFMM application form.

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;**

The respondents are not required to retain records.

- **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 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.**

There are no other special circumstances. The collection of information is conducted in a manner consistent with the guidelines in 5 CFR 1320.6.

- 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 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 record keeping, 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 3 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.

This collection package is being submitted as an emergency. Due to the urgency of the committee nomination FS did not seek outside consultation.

9. Explain any decision to provide any payment or gift to respondents, other than re-enumeration of contractors or grantees.

No payments nor gifts will be made to respondents of this information collection.

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

The information collected is stored and accessed as set forth in Privacy Act Systems of Records with USDA. A privacy statement is included on both the WFMM application and the AD 755.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior or 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.

The application will not contain questions of a sensitive nature.

12. Provide estimates of the hour burden of the collection of information. Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated.

- **Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. If this request for approval covers more than one form, provide separate hour burden estimates for each form.**
 - a) **Description of the collection activity**
 - b) **Corresponding form number (if applicable)**
 - c) **Number of respondents**
 - d) **Number of responses annually per respondent,**
 - e) **Total annual responses (columns c x d)**
 - f) **Estimated hours per response**
 - g) **Total annual burden hours (columns e x f)**

Table 2 -

(a) Description of the Collection Activity	(b) Form Number	(c) Number of Respondents	(d) Number of responses annually per Respondent	(e) Total annual responses (c x d)	(f) Estimate of Burden Hours per response	(g) Total Annual Burden Hours (e x f)
WFMM Application Form	New Form	600	1	600	.33	198
Collection of private identification information for background vetting	AD-755	54	1	54	.25	13.50
Totals	---	654	2	654	.58	211.50

*Although the estimated completion time of the AD-755 is 30 minutes applicants will only complete a portion of the questions.

- **Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories.**

Table 4

(a) Description of the Collection Activity	(b) Forms Processing Time per Applicant	(c) Estimated Average Income per Hour of Processor	(d) Total Estimated Cost per Applicant (b) x (c)	(e) Applicants per year	(f) Subtotal (d) x (e)
Preparation and submittal of WFMM Questionnaire	.33	\$27.07	\$8.93	600	\$5,359.86
Preparation and submittal of AD-755	.25	\$27.07	\$6.77	54	\$365.44
Totals		----	----	----	\$5,725.30

¹Hourly wage is from Bureau of Labor statistics for occupation code 00-0000 (all occupations). This wage code was selected because a holder of a written authorization could be from any background and occupation. https://www.bls.gov/oes/current/oes_nat.htm#00-0000 ²Rates are for the Rest of the US Area.

³Mean fringe benefit rate of 45.7% taken from Bureau of Labor Statistics – Employer Cost for Employee Compensation December 2021. <https://www.bls.gov/news.release/pdf/ecec.pdf>

13. Provide estimates of the total annual cost burden to respondents or record keepers resulting from the collection of information, (do not include the cost of any hour burden shown in items 12 and 14). The

cost estimates 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.

There are no capital operation and maintenance costs.

14. Provide estimates of annualized cost to the Federal government. Provide a description of the method used to estimate cost and any other expense that would not have been incurred without this collection of information.

The response to this question covers the actual costs the agency will incur as a result of implementing the information collection. The estimate should cover the entire life cycle of the collection and include costs, if applicable, for:

- **Employee labor and materials for developing, printing, storing forms**
- **Employee labor and materials for developing computer systems, screens, or reports to support the collection**
- **Employee travel costs**
- **Cost of contractor services or other reimbursements to individuals or organizations assisting in the collection of information**
- **Employee labor and materials for collecting the information**
- **Employee labor and materials for analyzing, evaluating, summarizing, and/or reporting on the collected information**

- Table 5

ACTION ITEM	GS LEVEL	HOURLY RATE*	HOURS	SALARY
Confidential Assistant	11	\$40.70	80	\$3,256
Forest Service Liaison for NRE	14	\$68.55	80	\$5,484
Wildfire Fellow	13	\$58.01	80	\$4,640.80
Director	SES	\$80.63	30	\$2,418.90
Deputy Under Secretary	SES	\$80.63	30	\$2,418.90
Technical Advisor (SES)	SES	\$80.63	30	\$2,418.90
Total		\$409.15	330	\$20,637.50

* Taken from: <https://www.opm.gov/policy-data-oversight/pay-leave/salaries->

[wages/salary-tables/pdf/2022/DCB_h.pdf](#), Cost to Government calculated at hourly wage multiplied by 1.3

15. Explain the reasons for any program changes or adjustments reported in items 13 or 14 of OMB form 83-I.

This is a new information collection.

16. For collections of information whose results are planned to be published, outline plans for tabulation and publication.

Results of this information collection will not be published.

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.

The valid OMB control number and expiration date will be displayed on all information collection instruments.

18. Explain each exception to the certification statement identified in item 19, "Certification Requirement for Paperwork Reduction Act."

There are no exceptions to the certification statement. The agency is able to certify that the collection of information encompassed by this request complies with 5 CFR 1320.