

SECURE RURAL SCHOOLS ACT

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 USDA Forest Service (FS) is requesting the extension of OMB approval to collect information from counties receiving funds under Title III of Secure Rural Schools (SRS) and Community Self-Determination Act (Act). The information will certify and describe the amounts expended and the uses of the funds during the applicable year. The FS is also requesting to collect information from the counties that will certify the amount of Title III funds received since October 2008 that has not been obligated as of September 30 of the previous year. The Department of the Interior (DOI), Bureau of Land Management (BLM), will coordinate on this information collection from counties in which the BLM administers Federal lands covered by the Act.

Section 303(a) of the Secure Rural Schools and Community Self-Determination Act of 2000 (the Act), reauthorized in Public Law 115-141, Public Law 110-343, Public Law 112-141, Public Law 113-40, and Public Law 114-10 requires the appropriate official of a county that receives funds under Title III of the Act to submit to the Secretary concerned (the Secretary of Agriculture or the Secretary of the Interior, as appropriate) an annual certification that the funds expended have been used for the uses authorized under section 302(a) of the Act. The entire provision reads as follows:

SEC. 303. CERTIFICATION.

(a) IN GENERAL.-Not later than February 1 of the year after the year in which any county funds were expended by a participating county, the appropriate official of the participating county shall submit to the Secretary concerned a certification that the county funds expended in the applicable year have been used for the uses authorized under section 302(a), including a description of the amounts expended and the uses for which the amounts were expended.

Section 303(a) authorizes the Secretary concerned to require the appropriate official to report the amount of Title III funds received since October 2008 that have not been obligated as of September 30 of the previous year. This collection is necessary in the final certification due on February 1, of the following year. Collection of this information prior to the final certification is consistent with an audit of county uses of Title III funds by the Government Accountability Office (GAO) (<http://www.gao.gov/products/GAO-12-775>). The FS has posted on its website (<http://www.fs.usda.gov/main/pts/countyfunds>) its recommendation that a county's procedure for and documentation of its obligation of Title III funds be consistent with its procedures to obligate funds from other Federal sources.

- 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.)

The information will include the amount of Secure Rural Schools Act Title III funds expended in the applicable year and the uses for which the amounts were expended, referencing the authorized categories, and terminology used in section 302(a) of the Act. Specifically, the appropriate official will report the amount of Title III funds expended in the applicable year in these categories:

- (1) To carry out activities under the Firewise Communities program as specified in the Act;
- (2) To reimburse the participating county for emergency services performed on Federal land and paid for by the participating county; and
- (3) To develop community wildfire protection plans in coordination with the appropriate Secretary or designee.

The information collection will identify the participating county, the year in which the expenditures were made, the name, title, and signature of the official certifying that the expenditures were for uses authorized under section 302(a) of the Act; and the date of the certification.

The certification will include a statement that all expenditures were for proposals that had a publication and comment period and were submitted to any resource advisory committee for the county, as described in section 302(b) of the Act.

The certification will report the amount of Title III funds received by the participating county that are not obligated by September 30 of the previous year.

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 information will be collected from the appropriate official in each county participating in Secure Rural Schools Act Title III payments. Since Fiscal Year (FY) 2008, as many as 344 counties have annually received Title III funds associated with the Forest Service; 16 counties annually received Title III funds from the Bureau of Land Management (BLM). The determination of who is the appropriate certifying official is at the discretion of the county and borough and will vary depending on county or borough organization. For unorganized boroughs in Alaska and for eligible counties in Vermont, the appropriate state official may provide the information.

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

The information will be used to verify that participating counties have certified that funds were expended as authorized in the Act. The verification will not rely on statistical analysis. The information in the certification documents may be summarized to inform reports to Congress or others with oversight authority. The information collected may be shared with the Department of the Interior (DOI) in relation to its Payments in Lieu of Taxes (PILT) Program, and with the BLM which administers Federal lands in the State of Oregon covered by the Act. See additional discussion under item 4.

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 in the form of conventional correspondence such as a letter and, at the respondent's option, attached tables or similar graphic display. At the respondent's discretion, the information may be submitted by hard copy and/or electronically scanned and included as an attachment to electronic mail. An optional form is provided for use at the respondent's discretion.

e. How frequently will the information be collected?

The information has been collected annually since February 1, 2010 and the collection will continue at least through February 2020 or until the legislation is no longer valid.. The Act requires the reporting by February 1st of the year after the calendar year in which any Title III county funds were expended by the participating county. Funds properly obligated by the end of each fiscal year and may be expended in the following calendar year or later.

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

The information may be shared with the DOI, the BLM, Congress, and other interested parties who request it.

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

This collection of information began in 2010. In response to the GAO report (GAO-12-775), participating counties will not only continue to report the amounts expended during the previous calendar year, they also will now report amounts not obligated by September 30 of the previous year. The February 1, 2019 collection included the certifications for Title III funds expended in calendar year 2017 and report the amount of Title III funds not obligated as of September 30, 2018. The February 1, 2020 collection will include the certifications for Title III funds obligated in calendar year 2019 and report the amount of Title III funds not obligated as of September 30, 2019.

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 information will be collected in the form of conventional hard copy correspondence and/or as an attachment to electronic mail.

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 Department of Agriculture (FS) and the DOI are coordinating to ensure this information collection for implementation of the Secure Rural Schools Act would not be duplicative of information already collected by the DOI relative to

its PILT program (OMB 1093-0005).

The FS and the BLM are coordinating on this information collection because the BLM administers Federal lands in the State of Oregon covered by the Act. Sixteen Oregon counties received Title III funds associated with lands administered by the BLM. The BLM will collect similar but separate information from the 16 counties concerning expenditures related to the separate BLM payment. To facilitate the information collection from these counties, the Forest Service has authorized DOI/BLM to participate in this information collection.

The DOI and BLM points of contact are listed below:

Niall O'Connor
DOI PILT coordinator
202-513-785
Niall_O'connor@ios.doi.gov
www.doi.gov/pilt/
Lindsey Babcock
BLM OR/WA State Office
503 808-6451
lbabcock@blm.gov

Mike Bechdolt
BLM, Washington, DC
202 912-7234
mbechdol@blm.gov
Sally Cresci
BLM, Denver, CO
303 236-0144
scresci@blm.gov

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

The information is not being collected from small businesses. Some of the counties and boroughs required by the Act to supply this information have populations of less than 50,000 people. In an effort to minimize the burden on counties, the Department of Agriculture has carefully requested the collection of only the information required or authorized by the Act.

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.

The Act requires the information to be collected for each year in which a county expends title III funds. The collection of information and frequency of collection is consistent with an audit of county uses of title III funds by the Government Accountability Office (GAO) (<http://www.gao.gov/products/GAO-12-775>).

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;

Respondents are expected to retain records throughout the life of the program, 2010 until SRS legislation is no longer valid.

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 will be 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.**

The 60-day Request for Comment Notice was published in the Federal Register on May 31, 2019. No comments were received.

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.

The Forest Service published the federal register notice. The Forest Service is available to answer questions that may arise from states and counties. They reserved the opportunity to comment in response to the Federal Register Notice of Intent to Seek Approval to Renew and Revise an Information Collection: Secure Rural Schools Act. In addition to the Federal Register notice, the FS contacted the following individuals whom compile records, and from the potential respondent pool, and asked them to comment on this information collection.

- Jonathan Shuffield, Associate Legislative Director for Public Lands and

the Western Interstate Region, National Association of Counties,
jshuffield@naco.org

- Judy Haymaker, Grants Administrator II, DCCED/DCRA,
judy.haymaker@alaska.gov
- Michael Morton, Supervisory Accountant, CFO-WO, Financial Mgmt,
michael.morton@usda.gov

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

Neither the Department of Agriculture nor the Department of the Interior anticipates payments or gifts to respondents.

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

No information covered by a Privacy Act System of Records, Personally Identifiable Information, or other confidential information covered by a statute, regulation, or agency policy will be collected.

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.

This information collection does not include any questions of a sensitive nature, such as sexual behavior or attitudes, religious beliefs, or other matters commonly considered private.

12. Provide estimates of the hour burden of the collection of information. Indicate the number of respondents, frequency of response, annual hour burden, any associated recordkeeping, 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.

This renewal submission is for 360 respondents with 720 responses and 8,640 burden hours. The estimated number of respondents is based upon the number of counties that have received funds under title III. The per response time estimate is based on the reported amount of time it takes to complete the information.

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

Estimated average wage per hour is from Bureau of Labor Statistics, EMPLOYER COSTS FOR EMPLOYEE COMPENSATION - MARCH 2019 for state

and local government workers, <http://www.bls.gov/news.release/pdf/ecec.pdf>

See separate spreadsheet for breakout.

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 identifiable capital, start-up, operation, or 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.

Table 1a

| Action item associated with Forest Service (FS) payments | Personnel | GS grade | Hourly rate* | Estimated hours | Estimated annual cost to government |
|--|--------------------------------------|----------|--------------|-----------------|-------------------------------------|
| Employee labor for developing information collection instructions including coordinating with other agencies | Program manager and payments manager | 13/5 | \$63 | 45 | \$2,835 |
| Employee labor for reviewing and approving information collection instructions | Program manager and payments manager | 13/5 | \$63 | 25 | \$1,575 |
| Employee labor for collecting the information annually for four years | Payments manager | 13/5 | \$63 | 8 | \$ 504 |
| Employee labor for analyzing, evaluating, summarizing, and/or reporting on the collected information annually for four years | Payments manager and program manager | 13/5 | \$63 | 40 | \$2,520 |
| Totals associated with FS payments | -- | -- | -- | 108 | \$7,434 |

* Estimated average hourly rate is approximated from Federal Salary Table 2019-RUS <https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2019/RUS.pdf>, multiplied by 31% for cost of total benefits in accordance with OCIO guidance.

Table 1b

| Action item associated with Bureau of Land Management (BLM) payments | Personnel | GS grade | Hourly rate* | Estimated hours | Estimated annual cost to government |
|--|-----------------------------|----------|--------------|-----------------|-------------------------------------|
| Employee labor for coordinating with other agencies | Program manager and others | 12-15/5 | \$69 | 10 | \$ 690 |
| Employee labor for reviewing and approving information collection instructions | Program managers and others | 14-15/5 | \$80 | 3 | \$ 240 |
| Employee labor for collecting the information annually for four years | Program managers | 14/5 | \$74 | 2 | \$ 148 |
| Employee labor for analyzing, evaluating, summarizing, and/or reporting on the collected information annually for four years | Program managers | 14/5 | \$74 | 10 | \$ 740 |
| Totals associated with BLM payments | | | | 25 | \$1,818 |

* Estimated average hourly rate is approximated from Federal Salary Table 2019-RUS. http://www.opm.gov/oca/12tables/pdf/rus_h.pdf, multiplied by 36.25% for cost of total benefits in accordance with OMB Memorandum M-08-13.

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

With this renewal submission the FS will be collecting new information from the counties that will certify the amount of title III funds received that have not been obligated as of September 30 of the previous year. This program change has not resulted in an increase in the estimate of burden hours, but the cost burden has increased due to the increase in hourly wages from 2012 to 2019.

This submission is also correcting the number of responses. Responses by record keepers are also being included in this submission. This correction has no effect on the burden hour total.

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

There are no plans for formal printed or electronic publication of the information collected.

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.

All instruments associated with this collection will display the valid OMB control number and expiration date.

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

The agency is able to certify that the collection of information encompassed by this request complies with 5 CFR 1320.