

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

**Electronic Federal Duck Stamp Program
OMB Control Number 1018-0135**

Terms of Clearance. None

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

On March 16, 1934, President Roosevelt signed the Migratory Bird Hunting Stamp Act (16 U.S.C. 718a *et seq.*), popularly known as the “Duck Stamp Act,” requiring all migratory waterfowl hunters 16 years of age or older to buy a Federal migratory bird hunting and conservation stamp (Duck Stamp) annually. Federal Duck Stamps are pictorial stamps produced by the U.S. Postal Service for the U.S. Fish and Wildlife Service. They are not valid for postage. The Federal Duck Stamp program has become one of the most popular and successful conservation programs ever initiated. Ninety-eight cents out of every dollar generated by the sales of Federal Duck Stamps go directly to purchase or lease wetland habitat for protection in the National Wildlife Refuge System. Proceeds from Duck Stamp sales have been used to acquire over 6.5 million acres of migratory waterfowl habitat on more than 550 national wildlife refuges.

The Electronic Duck Stamp Act of 2005 (Pub. L. 109-266), passed in August 2006, required that the Secretary of the Interior conduct a 3-year pilot program under which up to 15 States could be authorized to issue electronic Federal Duck Stamps, or E-stamps. In August 2007, eight States began issuing the E-stamps. More than 59,000 E-stamps were sold the first year of the pilot program. At that time, the E-stamp was valid for 45 days from the date of purchase and could be used immediately while customers wait to receive the actual stamp in the mail. After 45 days, customers were required to carry the actual Federal Duck Stamp while hunting or to gain free access to national wildlife refuges. As expected, the electronic program increased the availability of Federal Duck Stamps, making it easier for the public to obtain the stamps and enhancing public participation. Under our authorities in 16 U.S.C. 718b(a)(2), we have continued the Electronic Duck Stamp Program in the eight States that participated in the pilot, and, in 2012, more than 350,000 stamps were sold.

From 2013-2023, we expanded the program by inviting all State fish and wildlife agencies to participate. We received applications and interest from another 30 States. Thirty-two of these States were accepted and 23 new States entered the program in this ten-year period. As of the end of 2016, we had a total of 30 States participating in the program.

The Duck Stamp Modernization Act of 2023 (Pub. L. 118-25), signed into law on December 19, 2023, removed the 45-day limit on the E-stamp’s validity; the E-stamp is now valid from the date of purchase through June 30. To protect the tradition of the conservation “stamp”, a pictorial stamp will still be sent to each E-stamp customer each year after March 10 (end of the migratory bird hunting season). These will be slightly different in appearance from Federal Duck Stamps purchased through the U.S. Postal Service or consignees.

To implement the Modernization Act beginning with the 2024-2025 stamp, the Service received an opinion from the DOI Solicitor’s Office that the changes were self-executing and the MOUs between the Service and each State did not need to be immediately amended. However, when MOUs are renewed, they will need to reflect the changes. No new States would be accepted

until after the template for the new MOUs were approved. Changes in the MOUs were deemed to be significant and it was determined that a new application would need to be developed to reflect these MOU changes.

Between 2025-2026, MOUs of the 30 currently enrolled States will expire and need to be renewed under the new MOU template. We also plan to expand the program by inviting the remaining 20 State fish and wildlife agencies to apply to participate. Anyone, regardless of State residence, may purchase an E-stamp through any State that participates in the program. We will follow the same requirements as the pilot program. Interested States must apply using FWS Form 3-2341. We will use the information provided in the application to determine a State's eligibility to participate in the program. Eligible applicants are State fish and wildlife agencies that have an automated licensing system authorized under State law. Currently, most States offer Internet, point of sale, or telephonic sales for their hunting and fishing licenses and could qualify to sell E-stamps. The application process will likely lead to the selection of additional States to participate in the program. A State may not participate in the program unless it applies using FWS Form 3-2341 and the Secretary approves it. Participating States must report sales and submit fulfillment information weekly.

2. Indicate how, by whom, and for what purpose the information is to be used.

We will individually contact each of the States currently enrolled in the program and advise them to review the new MOU requirements and to reapply using the updated application. We will use the Flyway Representatives and Service Regulations Committee to announce the E-stamp program expansion and solicit applications for new participation. We will publish the application package on the Internet at <https://www.fws.gov/birds/get-involved/duck-stamp/e-stamp.php>. The application package will consist of:

- Background of the program.
- Instructions (application submission terms and conditions, sample transmittal letter, and draft Memorandum of Understanding).
- Evaluation methodology (minimum requirements, selection of the best applicant, and selection criteria).
- Application (FWS Form 3-2341).
- Contact and application submission information.
- Exhibits (data transmittal requirements, handling rates, electronic funds transfer requirements, and a copy of 16 U.S.C. § 718b : US Code - Section 718B: Issuance and sale of stamps; deposit of funds in migratory bird conservation fund; fees; validity; expiration; redemption; "retail dealers" and "hunting year" defined

To participate in the program, eligible State fish and wildlife agencies must submit a one-time application. We will not consider any application that fails to meet the minimum qualifications. We will use the information provided in the application to select up to 20 new participants for the program over the next 3 years. Following that time period, we will evaluate the need to increase the program again.

APPLICATION (FWS Form 3-2341): Proposed Revisions Highlighted in Yellow

Selection Factor 1 – Responsiveness to eligibility requirements

- Whether or not the State agrees with the terms and conditions in the application package including compliance with all applicable laws under the terms and conditions specified in the draft Memorandum of Understanding.

- Information verifying the current systems the State uses to sell State hunting, fishing, and other associated licenses electronically.
- Copies of applicable State laws, regulations and policies authorizing the use of these electronic systems.
- Transmittal letter attesting to the State's unconditional concurrence with the terms and conditions of the General Agreement.
- Example and explanation of the codes the State proposes to use to create and endorse the unique identifier for the individual to whom the E-stamp is issued.
- Copy of the printed **and digital** versions, **as applicable**, of the State's proposed E-stamp.
- Whether or not the electronic stamp is compatible with the hunting licensing system of the State.

Selection Factor 2 – Responsiveness to program requirements

- Description of the format of the E-stamp, including identifying features to be specified on the stamp.
- **Transparency in describing any State fees the State will charge customers for an E-stamp.**
- Process the State will use to account for and transfer the funds collected through stamp sales to the Service's fulfillment center.
- How and when the State will transmit electronic stamp customer data to the fulfillment center.
- **The length of time E-stamps will be available each year through the participating State's automated licensing system.**
- **If there is a process in place for customers interested in purchasing multiple E-stamps.**
- How the **E-stamp and copies of the E-stamp will be made available to the customer.**
- Copy of the policies and procedures the State will use to issue replacement stamps.
- Copy of all other policies, procedures, and information that relate to the program.

Selection Factor 3 – Stamp requirements

- Documentation that the E-stamp issued by the State will have the same format as any other license, validation, or privilege issued under the State's automated licensing system.
- Physical copies and examples of specific identifying features that will appear on the point of sale, telephone or Internet receipt that are adequate to enable Federal, State, and other law enforcement officers to identify the purchaser.
- Demonstrate how State will communicate to the purchaser and law enforcement officials that any E-stamp issued by any State under the program will, during the effective period of the E-stamp:
 - bestow upon the purchaser the same privileges as a **physical pictorial Duck Stamp**;
 - be nationally recognized as a valid **Migratory Bird Hunting and Conservation Stamp**; and
 - authorize the purchaser to hunt migratory **birds** in any other State, in accordance with the laws of said State governing that hunting.

Selection Factor 4 – Guaranteed delivery of the physical stamp to the customer

- Actions that State will take to guarantee that the **Service's fulfillment center is provided weekly information on all E-stamp sales.**
- Plan to resolve customer complaints regarding **lost E-stamps**, incorrect orders, **timeline for** stamp deliveries, **and non-delivered E-stamps.**

Selection Factor 5 – Agreement to the terms and conditions outlined in the general agreement governing the program (yes or no answers).

- Whether or not State agrees to comply with all of the terms and conditions specified in the Memorandum of Understanding, including its exhibits.
- Whether or not State agrees to operate at the current Service approved handling rates during the term of the MOU. (A selected State may request a handling rate increase any time after being selected.)
- Whether or not State agrees to accept the operating terms of stamp fulfillment.
- Whether or not State agrees to implement an equal opportunity program and comply with the terms of the equal opportunity and handicapped access requirements of the MOU.
- Whether or not State agrees to meet the public liability and property insurance requirements of the MOU.
- Whether or not State agrees to the use of Electronic Funds Transfer to the Service's fulfillment center.

Selection Factor 6 – Experience and financial capability

- Confirmation that State understands and concurs that no funding will be provided by the Service or its appointed fulfillment center to either initiate or manage this program.
- Example(s) of State's experience in the operation and management of electronic licensing systems, including any available information on customer satisfaction and the number of transactions for each individual system (Internet, telephone, or point-of-sale)
- Contact information (name, mailing and FedEx address, phone, fax, cell, and e-mail) for information technology, financial, project management, and stamp/licensing program contacts.
- Documentation of history of meeting financial obligations.
- Estimate of the start-up costs of this program, including the purchase of additional equipment and technology; methodology and the assumptions used to develop the estimate; and, if State intends to assess a handling fee to cover costs or other forms of overhead, a description of what this fee will be used for (salaries, human resources, accounting, marketing, etc.) and how it will be made transparent to their customers.

FULFILLMENT: In order to issue an actual stamp to each purchaser within the required time period, participating States must provide the following information to the fulfillment center on a weekly basis:

- First name, last name, and complete mailing address of each individual that purchases an electronic stamp from the State.
- Face value amount of each electronic stamp sold by the State.
- Amount of the Federal portion of any fee required by the agreement for each stamp sold.

We will use this information to issue an actual stamp to each purchaser after March 10.

ADDITIONAL PROPOSED REVISIONS

Changes to Form 3-2341, "Application and Instructions to Participate in the Electronic Federal Duck Stamp Program," include:

- change in effective date from September 1, 20##, to July 1, 20## (field is customizable each year), to coincide with State fiscal years and Duck Stamp validity dates;
- removal of application deadline, as completed applications will be accepted at any point in time;
- update the background details for the Electronic Federal Duck Stamp Program;
- update website contact information;
- request for transparent description of all charges assessed to each customer for the purchase of an E-stamp and how they will be relayed to the customer;
- removal of language reflecting the past temporary nature of the Electronic Federal Duck Stamp; and
- request for information allowing the Service to measure any challenges to the distribution and number of interested E-stamp purchasers.

Changes to the example Memorandum of Understanding (MOU) referenced in Form 3-2341 include:

- *Section I – Authority:* Update to authorities to add the Modernization Act.
- *Section II – Background:* Update details to include dollar and acreage figures, as well as details regarding changes required by the Modernization Act,
- *Section IV – Responsibilities of the Parties:* Update the requirements of the Service to include:
 - mailing of physical stamps on or after March 10 of each year;
 - reinforcing monthly invoicing and full payment requirements for E-stamp purchases;
 - clarification of the review of handling charges to include monitoring for cost efficiencies, consistencies, accuracies, and transparency.

Update the requirements for the States to:

- assist the Service in promoting the art, tradition, and history of the printed pictorial stamp;
- provide an online E-stamp option for at least 9 months covering the period of August 1 through April 30;
- issue an electronic certificate and a proof of purchase that can be carried digitally or on paper which is readily available for inspection with supporting identification by all authorized individuals (i.e., fee collection or law enforcement officers);
- clarify that both the certificate and the receipt of purchase will contain and display a secure, unique identifier for the individual to whom it is issued, specify that the E-stamp is valid until June 30 of the year printed on the physical stamp, state that the E-stamp is both non-refundable and non-transferable, information that a physical stamp will be mailed after March 10, and contact information for the Service's stamp fulfillment center in the event of questions;
- clarify that the State will not provide or replicate a digital image of the Federal Duck Stamp itself as proof of purchase;
- require the State provide the customer with a breakdown of all fees the State is charging related to their purchased E-stamp;
- inform and provide the customer with assistance in the event they need to reprint or otherwise retrieve the State issued proof of purchase in digital or physical form;
- inform customers that all sales of the E-stamp are final and non-refundable;
- Promptly send the required information for all customers who have purchased an E-stamp to the Service's designated stamp fulfillment center within a maximum of 7 days of purchase by customer (preferably on a daily basis);

- State will be invoiced at the end of the month for all sales of E-stamps sold through the State's licensing system during the month, and partial payments or payments on a quarterly or annual basis will not be allowed; and
- Provide the Service and their Distributor with any updates to laws, regulations, or policies related to the State's electronic licensing system.
- *Section V – General Provisions:* We added distributors to the list of required acknowledgements in program publicity material and clarified that in-person or virtual meetings apply to both individually scheduled or regularly scheduled meetings.
- *Section VII – Period of MOU:* We updated the dates from 2022-2025 to 2025-2028 and included a caveat that the MOU may be extended; added a clarification that either party may ask for a meeting to discuss issues; and a clause stating that in the event that the agreement is terminated for cause, the Service may require the State to reapply to be enrolled in the 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].

We continually strive to enhance the ability of individuals and entities to conduct business with us electronically. Therefore, we are taking steps to adopt the Internet as our chief means of conducting Duck Stamp transactions in order to improve service to our customers and to simplify and expedite our business processes. The application package will be available on the Internet, and we are requesting that States submit their applications via email. Information gathered will be used for determining eligibility of a State to participate in the program.

Fulfillment information will be sent from the State to the fulfillment center via FTP with 128-bit SSL encryption, with certificate. The information is scrubbed to eliminate incomplete or incorrect information then queries are sent to correct those errors. The actual fulfillment of the stamps is completed by devices that pack and sort the product electronically prior to mailing.

4. Describe efforts to identify duplication.

The information collection is necessary for the fulfillment of each individual order. No other collection covers the requirements of this program.

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

The collection does not impact small entities. Only States will apply and participate in the program.

NOTE: Amplex (our fulfillment company) is a small business. The impact to them is more from the Act being changed to mailing out after March 10th.

6. Describe the consequence to Federal program or policy activities if the collection were not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

The application information is collected only once to enroll a State in the E-stamp program

under the agreed upon MOU template. If it were not collected, we could not implement the Modernization Act or expand the program to include additional States.

Fulfillment information must be collected no less than weekly so that we can issue the actual stamp to the purchaser. This information is also needed to track sales of stamps and insure the fulfillment center is collecting funds for the Service.

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.

The fulfillment deadline requires that the States send sales information on a regularly scheduled basis to the stamp fulfillment center. The schedule is determined by sales volume, efficient fulfillment, and accountability of Federal funds. No other special circumstances exist that would cause us to collect this information in a manner inconsistent with OMB guidelines.

8. If applicable, provide 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 (or in response to a PRA statement) and describe actions taken by the agency in response to these comments.

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.

On June 3, 2024, we published in the *Federal Register* ([89 FR 47587](#)) a notice of our intent to request that OMB approve this information collection. In that notice, we solicited comments for 60 days, ending on August 2, 2024. In an effort to increase public awareness of, and participation in, our public commenting processes associated with information collection requests, the Service also published the *Federal Register* notice on Regulations.gov (Docket No. [FWS-HQ-MB-2024-0075](#)) to provide the public with an additional method to submit

comments (in addition to the typical U.S. mail submission methods). We received the following comments in response to that notice:

Comment 1: Anonymous comment received 07/22/2024 via Regulations.gov (FWS-HQ-MB-2024-0075-0004):

The commenter urged the Service to not allow hunting of migratory birds and to protect them from destruction.

Agency Response to Comment 1: No response required. The commenter did not address the information collection requirements.

Comment 2: Anonymous comment received 07/22/2024 via Regulations.gov (FWS-HQ-MB-2024-0075-0004):

The commenter urged the Service to not allow hunting of migratory birds and to protect them from destruction.

Agency Response to Comment 2: No response required. The commenter did not address the information collection requirements.

In addition to the *Federal Register* notice, the Service conducted outreach with members of the Association of Fish and Wildlife Agencies (AFWA) regarding necessary updates to the E-stamp Program prior to and during the 2024 AFWA annual meeting. The feedback resulted in the updates to the information collection (Application Form 3-2341 and MOU) described in question 2 of this document.

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

We do not provide 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.

We do not provide any assurance of confidentiality. We do not release any personal information from agencies or the public.

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.

We do not ask questions of a sensitive nature.

12. Provide estimates of the hour burden of the collection of information.

We estimate **1,961 annual responses** totaling **3,011 burden hours**. We estimate the annual dollar value of the burden hours is **\$191,078** (rounded).

We used Table 1 in the of Bureau of Labor Statistics (BLS) [News Release](#) USDL- 25-0335, March 14, 2025, Employer Costs for Employee Compensation—December 2024, to calculate the cost of the total annual burden hours. Table 1 lists the hourly rate for all State and local

government workers as \$63.46, 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
<i>New Electronic Duck Stamp Program Applications (Form 3-2341)</i>							
Government	20	1	20	40	800	\$ 63.46	\$ 50,768.00
<i>Renewal/Amended Application (Form 3-2341)</i>							
Government	30	1	30	10	300	63.46	19,038.00
<i>Electronic Duck Stamp Fulfillment Reports</i>							
Government	49	39	1,911	1	1,911	63.46	121,272.06
Totals:	99		1,961		3,011		\$ 191,078.06

Currently most States offer Internet, point of sale, or telephone sales for their hunting and fishing licenses, which makes them eligible to participate in our E-stamp program. Thirty (30) States are currently enrolled in the program and we expect no more than 20 States to apply over the next 3 years. We estimate the average time to complete an application is 40 hours. However, this time could vary substantially depending on the complexity of an agency's licensing program.

We require States enrolled in the E-stamp program to submit fulfillment reports to the stamp distributor in a regular and timely manner. Currently, most States provide a weekly report to the distributor. During the peak period of their hunting license sales, they may send in daily reports. Volume averages one report each 7-calendar days for an estimated minimum of 39 fulfillment reports being submitted by each state each year. If we accept all eligible States who apply into the electronic sales program over the next three-year period, the average number of annual State respondents would be 33. (The current number of States participating is 30, plus 10 additional states in the 2nd year for a total of 40; plus the remaining 9 currently eligible states for the 3rd year totaling 49 states.)

13. Provide an estimate of the total annual [nonhour] cost burden to respondents or recordkeepers resulting from the collection of information.

We have not identified any nonhour cost burden as the program is conducted 100% electronically (see question 3). State agencies would have the same costs for their own programs, even if we did not expand the program.

NOTE: Participating States collect State fees for selling duck stamps electronically, passing their burden along to the customer in the forms of "State handling and convenience fees." These fees are not mandated by, nor do they come back to, the Service.

14. Provide estimates of annualized costs to the Federal Government.

We estimate the total annual cost to the Federal Government to be **\$12,536**. We estimate it will take approximately 100 hours to review applications and prepare necessary documents for participants.

We used the Office of Personnel Management Salary Table [2025-DCB](#) (Washington-Baltimore-Arlington, DC-MD-VA-WV-PA) to determine the average hourly rate. In accordance with BLS [News Release](#) USDL- 25-0335, we multiplied individual hourly wages for the Federal employees by 1.62 to calculate the fully burdened hourly rates as shown below in Table 14.1:

Table 14.1 – Federal Salary Costs

Position and Grade	Hourly Rate	Hourly Rate including Benefits	Total Annual Hours	Annual Cost
Program Manager GS 14/05	\$ 77.38	\$ 125.36	100	\$ 12,536.00

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

With this submission, we are reporting discretionary changes of 30 annual responses and 300 annual hours associated with the addition of the new IC for renewed/amended applications. We are also reporting a change in estimate of 572 annual responses and 1,118 annual hours.

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

We will not publish any information.

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 form and other appropriate materials.

18. Explain each exception to the certification statement.

There are no exceptions to the certification statement.