

2006 SUPPORTING STATEMENT
for
Specialty Crop Block Grant Program
OMB NO. 0581-0236

A. Justification.

1. EXPLAIN THE CIRCUMSTANCES THAT MAKE THE COLLECTION OF INFORMATION NECESSARY. IDENTIFY ANY LEGAL OR ADMINISTRATIVE REQUIREMENTS THAT NECESSITATE THE COLLECTION.

The information collection requirements in this request are needed for the implementation of the Specialty Crop Block Grant Program (SCBGP), which operates pursuant to the authority of Section 101 of the Specialty Crops Competitiveness Act of 2004 (7 USC 1621 note). Section 101 directs the Secretary of Agriculture to “make grants to States for each of the fiscal years 2005 through 2009 to be used by State Departments of Agriculture solely to enhance the competitiveness of specialty crops.”

The SCBGP mission is to accomplish the goals of increasing fruit, vegetable, and nut consumption and improving the competitiveness of United States specialty crop producers. The 2006 Appropriations Bill authorized funding and directed the USDA to provide \$7 million in specialty crop block grants to states. The Program is voluntary.

Each State that applies for the Program is to receive \$100,000 to enhance the competitiveness of specialty crops. In addition, States would receive an amount representing the proportion of the value of specialty crop production in the State to the national value of specialty crop production for the previous calendar year in all States whose applications are accepted. All fifty states, the District of Columbia, and the Commonwealth of Puerto Rico are eligible to participate.

The Agricultural Marketing Service (AMS) is establishing eligibility and application requirements, the review and approval process, and grant administration procedures for the SCBGP. The SCBGP is executed in accordance with applicable parts of USDA's Uniform Federal Assistance Regulations (7 CFR 3015 et seq).

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.

Standard form 424, Application for Federal Assistance, approved under OMB#4040-004, is completed once when the State department of agriculture applies for the grant program. The information will be used by AMS to determine the State departments of agriculture eligibility for participation in the SCBGP. The information can be obtained electronically and will be collected electronically or by fax or mail.

The State plan narrative is completed once when the State department of agriculture applies for the grant program. The information will be used by AMS to determine the State departments of agriculture eligibility for participation in the SCBGP. The information can be obtained electronically and will be collected electronically or by fax or mail. The State plan shall include the following: the purpose of each project, the beneficiaries, total project cost, administration costs, goals/objectives, work plan with timelines, and expected measurable outcomes.

After approval of a grant application, AMS will enter into a grant agreement with the State department of agriculture. The grant agreement will be read and signed by the State department of agriculture. This information will be used by AMS to certify that grant participants are complying with applicable program regulations. The grant agreement will be collected by mail.

Standard form 424B, Assurances-Non-Construction Programs, approved under OMB#0348-0040, is completed once by grant participants after grant approval and before grant funds are dispersed. The information will be used by AMS to certify that grant participants are complying with applicable program regulations. The information can be obtained electronically and will be collected electronically or by fax or mail.

On average, AMS does not expect a grant period to go beyond three calendar years, so AMS is requiring a State department of agriculture to submit an annual performance report once within 90 days after the completion of the first year and once within 90 days after the second year of the grant period. A final performance report is required once 90 days after expiration of the grant period. This information will be used by AMS to certify that grant participants are complying with applicable program regulations. The performance reports will be collected electronically or by fax or mail.

If the grant period goes beyond three calendar years, AMS is requiring a State department of agriculture to submit an extension of deadline letter to AMS. We estimate that 10% of grant participants will request a grant period extension. AMS will use this letter to extend the grant period on a case by case basis.

Standard form 269A, Financial Status Report (Short form) approved under OMB#0348-0038, or Standard form 269A, Financial Status Report (Long form) (if the project had program income) approved under OMB#0348-0039, is completed

once by the State department of agriculture 90 days after the expiration date of the grant period. The information will be used by AMS to determine the final financial status of the State's grant projects. The information can be obtained electronically and collected by fax or mail.

An audit is to be conducted by the State on the expenditures of SCBGP grant funds within 60 days following the expiration date of the grant period. The audit report/executive summary is to be submitted to AMS by the State no later than 30 days after completion of the audit. This information will be used by AMS to certify that grant participants are complying with applicable program regulations. The audit report/executive summary will be collected electronically or by fax or mail.

- 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.**

Standard form (SF) 424, 424B, and the State plan can be obtained and submitted electronically on the grants.gov web site. SF 424 and 424B, as well as standard form 269 and 269A, can also be obtained on the OMB grant management forms web site electronically. The forms can be filled out on-line and then faxed or mailed in. The forms will be collected in either form depending on a grant applicants choice.

The performance reports and audit report/executive summary can be submitted electronically. The grant agreement and extension of deadline letter needs an original signature and will be collected by mail.

- 4. DESCRIBE EFFORTS TO IDENTIFY DUPLICATION. SHOW SPECIFICALLY WHY ANY SIMILAR INFORMATION ALREADY AVAILABLE CANNOT BE USED OR MODIFIED FOR USE FOR THE PURPOSE(S) DESCRIBED IN ITEM 2 ABOVE.**

This program is not maintained by any other agency, therefore, the requested information will not be available from any other existing records.

- 5. IF THE COLLECTION OF INFORMATION IMPACTS SMALL BUSINESSES OR OTHER SMALL ENTITIES (ITEMS 5 OF THE OMB FORM 83-I), DESCRIBE THE METHODS USED TO MINIMIZE BURDEN.**

The act of collection of information will not have an adverse impact on small businesses or other small entities. Providing for electronic submission of grant applications will simplify and lessen the burden on applicant's resources because they will no longer need to duplicate and submit paper applications. In addition, the information, voluntarily collected from each grant applicant may help provide grant funds to small businesses and entities within a State.

6. DESCRIBE THE CONSEQUENCE OF 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 Specialty Crop Block Grant Program's purpose is to provide grants to States. In accordance with Section 101 of the Specialty Crops Competitiveness Act of 2004, each subsequent fiscal year through 2009 that funding is appropriated to the Specialty Crop Block Grant Program, States will have to apply to be eligible to receive grant funds for that fiscal year.

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;**

Respondents are not required to report more than annually.

- **REQUIRING RESPONDENTS TO PREPARE A WRITTEN RESPONSE TO A COLLECTION OF INFORMATION IN FEWER THAN 30 DAYS AFTER RECEIPT OF IT;**

Respondents are not required to prepare a written response to a collection of information fewer than 30 days after receipt.

- **REQUIRING RESPONDENTS TO SUBMIT MORE THAN AN ORIGINAL AND TWO COPIES OF ANY DOCUMENT;**

Respondents are not required 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 3 YEARS;**

Respondents are not required to retain any records for more than 3 years. This is part of normal business practice.

- **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;**

The information collected will not be utilized in connection with a statistical survey.

- **REQUIRING THE USE OF A STATISTICAL DATA CLASSIFICATION THAT HAS NOT BEEN REVIEWED AND APPROVED BY OMB;**

There is no requirement for a statistical data classification.

- **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**

No confidential information is collected.

- **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.**

Respondents are not required to submit proprietary trade secrets or other confidential information.

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 Federal Register Notice requesting comments was embedded in the Specialty Crop Block Grant Program proposed rule [Docket No. FV06-1290-1 PR] dated April, 20, 2006 on page 20355.

AMS received five comments stating the time estimated to prepare applications and reports is understated, however no commenters provided an approximation for how long they thought it would take to complete the collection of information.

AMS recognized there would be planning involved in the preparation of the information collection and included this time into the average burden hours per response. The burden hours were calculated based on the fact that States proposing fewer projects will take less time to complete the State plan and performance reports than States proposing multiple projects. AMS believes the burden hours stated in the rule are accurate because they are based on the average time it takes all 52 State departments of agriculture to complete the information collection requirements.

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 specialty crop industry members, National Association of State Departments of Agriculture (NASDA), and the United Fresh Fruit and Vegetable Association (UFFVA) occurred to discuss the Specialty Crop Block Grant Program.

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.

Industry member: Ms. Diane Coates, U.S. Apple Association, Director of Public Affairs, 8233 Old Courthouse Road, Suite 200, Vienna, VA 22182-3816, telephone: (703) 442-8850.

UFFVA: Keira Franz, Director, Legislative Affairs, 1901 Pennsylvania Avenue NW, Suite 1100, Washington, DC 2006, telephone: (202) 303-3433.

NASDA: Richard W. Kirchhoff, Executive Vice President & CEO, National Association of State Departments of Agriculture, 1156 15th Street, NW, Suite 1020, Washington, DC 20005-1711, telephone: (202) 296-9680.

NASDA: Jennifer Yezak, Director, Legislative and Regulatory Affairs, National Association of State Departments of Agriculture, 1156 15th Street, NW, Suite 1020, Washington, DC 20005-1711, telephone: **(202) 296-9680**.

9. EXPLAIN ANY DECISION TO PROVIDE ANY PAYMENT OR GIFT TO RESPONDENTS, OTHER THAN REMUNERATION OF CONTRACTORS OR GRANTEES.

No payments or gifts are provided to respondents, other than remuneration of grantees.

10. DESCRIBE ANY ASSURANCE OF CONFIDENTIALITY PROVIDED TO RESPONDENTS AND THE BASIS FOR THE ASSURANCE IN STATUTE, REGULATION, OR AGENCY POLICY.

The Specialty Crop Block Grant Program does not request confidential information from respondents and therefore provides no assurances related to confidentiality.

11. PROVIDE ADDITIONAL JUSTIFICATION FOR ANY QUESTIONS OF A SENSITIVE NATURE, SUCH AS SEXUAL BEHAVIOR AND ATTITUDES, RELIGIOUS BELIEFS, AND OTHER MATTERS THAT 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.

Questions of a sensitive nature are not found in this information collection.

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 DIFFERENCE 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.

The public reporting burden for approximately 52 respondents (1 response per State, Puerto Rico, and District of Columbia) providing up to 52 responses is estimated that a total of 499 hours per year will be required for the 52 respondents to complete the responses, averaging approximately .94 hours per response. The complete public reporting burden is summarized on AMS-71, Summary of Information Collection (attached).

- **IF THIS REQUEST FOR APPROVAL COVERS MORE THAN ONE FORM, PROVIDE SEPARATE HOUR BURDEN ESTIMATES FOR EACH FORM AND AGGREGATE THE HOUR BURDENS IN ITEM 13 OF OMB FORM 83-I.**

See attached form AMS 71 for breakouts.

- **PROVIDE ESTIMATES OF ANNUALIZED COST TO RESPONDENTS FOR THE HOUR BURDENS FOR COLLECTIONS OF INFORMATION, IDENTIFYING AND USING APPROPRIATE WAGE RATE CATEGORIES.**

The respondents estimated annual cost in providing information to the Specialty Crop Block Grant Program is \$9,980. This total has been estimated by multiplying 499 total burden hours by \$20.00 (a sum deemed to be reasonable should the respondents be compensated for this time) and is a task to be completed by senior administrative staff.

13. PROVIDE AN ESTIMATE OF THE TOTAL ANNUAL COST BURDEN TO RESPONDENTS OR RECORDKEEPERS RESULTING FROM THE COLLECTION OF INFORMATION. (DO NOT INCLUDE THE COST OF ANY HOUR BURDEN SHOWN IN ITEMS 12 AND 14).

- **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. 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 SERVICE, 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 KEEPING RECORDS FOR THE GOVERNMENT, OR (4) AS PART OF CUSTOMARY AND USUAL BUSINESS OR PRIVATE PRACTICES.**

There are no capital/start-up or ongoing operation/maintenance costs associated with this information collection.

14. **PROVIDE ESTIMATES OF ANNUALIZED COST TO THE FEDERAL GOVERNMENT. ALSO, PROVIDE A DESCRIPTION OF THE METHOD USED TO ESTIMATE COST, WHICH SHOULD INCLUDE QUANTIFICATION OF HOURS, OPERATION EXPENSES (SUCH AS EQUIPMENT, OVERHEAD, PRINTING, AND SUPPORT STAFF), AND ANY OTHER EXPENSE THAT WOULD NOT HAVE BEEN INCURRED WITHOUT THIS COLLECTION OF INFORMATION. AGENCIES ALSO**

MAY AGGREGATE COST ESTIMATES FROM ITEMS 12, 13, AND 14 IN A SINGLE TABLE.

In accordance with the 2006 Appropriations Bill, \$7,000,000, of which not to exceed 5 percent may be available for administrative expenses, to remain available until expended, to make specialty crop block grants under Section 101 of the Specialty Crops Competitiveness Act of 2004.

15. EXPLAIN THE REASON FOR ANY PROGRAM CHANGES OR ADJUSTMENTS REPORTED IN ITEMS 13 OR 14 OF THE OMB FORM 83-I.

There are no changes, this is a new collection.

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 collected information 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.

Each form currently contains an OMB number and an expiration date.

18. EXPLAIN EACH EXCEPTION TO THE CERTIFICATION STATEMENT IDENTIFIED IN ITEM 19, "CERTIFICATION FOR PAPERWORK REDUCTION ACT SUBMISSIONS," OF OMB FORM 83-I.

The agency is able to certify compliance with all provisions under Item 19 of OMB Form 83-I.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS.

This information collection does not employ statistical methods.