

SUPPORTING STATEMENT - 0579-XXXX
TEMPORARY IMPORTATION OF COMPETITIVE AND NONCOMPETITIVE
ENTERTAINMENT HORSES FROM COUNTRIES AFFECTED WITH CONTAGIOUS
EQUINE METRITIS

July 31, 2007

A. Justification

1. Explain the circumstances that make 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.

Title 21, U.S.C. 117, Animal Industry Act of 1884, authorizes the Secretary to take action to prevent and to manage exotic diseases such as contagious equine metritis (CEM).

Disease prevention is the most effective method for maintaining a healthy animal population and enhancing APHIS' ability to compete in exporting animals and animal products. The Animal and Plant Health Inspection Service (APHIS) of the U.S. Department of Agriculture (USDA) is responsible for, among other things, preventing the introduction of exotic animal diseases into the United States and for rapidly identifying, containing, and eradicating such diseases when feasible. In connection with this mission, APHIS collects pertinent information from those individuals who import animals, among other commodities, into the United States.

This information includes data such as the application for import permit and requests to change the horses' itinerary or method of transportation. As a result of this collection, APHIS will be able to more effectively monitor, track, and identify the movements of horses temporarily imported into the United States. APHIS needs this information to help ensure that these imports do not introduce animal diseases into the United States.

The Animal and Plant Health Inspection Service (APHIS) has used the provisions in 93.301(f), relating to the temporary importation of horses for competition, to allow the temporary importation of noncompetitive entertainment horses into the United States. Several performance horse groups have asked APHIS to extend the 90-day limit provided for in 93.301(f) so that they may exhibit and show their horses in the United States for longer periods of time. In addition, the United States Animal Health Association has recommended that APHIS amend the regulations to establish a category for noncompetitive entertainment horses.

Consequently, APHIS is proposing to amend the regulations to allow noncompetitive entertainment horses from countries affected with contagious equine metritis to be temporarily imported into the United States under certain conditions. The regulations currently provide for the temporary importation of horses from countries affected with contagious equine metritis to compete in specified events. In recent years it has become evident that similar provisions are needed for noncompetitive entertainment horses. This action would allow the temporary importation of horses into the United States solely for public exhibition and entertainment

purposes while continuing to protect against the introduction and dissemination of contagious equine metritis.

APHIS is asking OMB to approve, for 3 years, APHIS' use of these information collection activities.

2. Indicate how, by whom, how frequently, 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.

Application for Permit; Additional Information

Importers must compile the following information for inclusion in the application permit for the temporary import of noncompetitive horses. The information can be sent to APHIS by fax, email, or mail.

Permanent Electronic Identification Compatible Reader

In the event that a horse has permanent electronic identification, the horse must be accompanied by a compatible reader. This information needs to be collected because APHIS must be able to track and follow these horses throughout their stay in the US, and make sure that they don't join the domestic US horse population without first undergoing CEM quarantine and testing for permanent entry. In addition, horses without white markings or other identifying physical features are easier to identify via a unique electronic identification.

Photographs for Identification

APHIS requires the use of photographs (head and lateral views) that are sufficient to identify each horse on an electronic medium approved by APHIS. Horses that do not have permanent electronic identification will need additional forms of identification, such as photographs. Photographs are especially helpful because it can still be difficult to identify horses based on only written descriptions of horses and their markings.

Written Plan for Medical Treatment of Horses

APHIS requires a written plan for handling sick or injured horses that includes:

- (a) The name, address, and phone number of each accredited veterinarian who will provide veterinary services in the United States;
- (b) The name, address, and phone number of medical facilities to be used to diagnose or treat sick or injured horses while in the United States; and
- (c) A plan to return sick or injured horses to performance condition.

This information is needed in order to adequately monitor the movement of horses importing under this rule. APHIS will need to inspect the facilities where horses will be hospitalized to

ensure that adequate quarantine is available. Collection of this information will also help APHIS to ensure the safety of the horses importing under this rule, by making certain that emergency health care is available to them.

Request for Change in Horses' (Competitive and NonCompetitive) Itinerary or Method of Transportation

This information is needed to adequately monitor the movement of competitive and noncompetitive horses while in the United States. Importers must make this request to APHIS in writing. For medical emergencies, importers may contact APHIS via phone regarding a horse's change in itinerary or method of transportation; however, a written notification must follow.

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 data acquired through the information collection activities associated with this collection can be provided to APHIS via mail, email, or fax.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purpose described in item 2 above.

The information that APHIS collects is not available from any other source. APHIS is the only Agency responsible for approving and preventing the introduction of exotic animal diseases from entering the United States.

5. If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-1), describe any methods used to minimize burden.

The information APHIS collects in connection with its programs is the minimum needed to ensure that horses imported into the United States pose a negligible risk of introducing CEM into the United States equine population.

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.

If this information is collected less frequently or not collected at all, APHIS' ability to protect the United States from CEM would be compromised.

7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with the general information collection guidelines in 5 CFR 1320.5

The information collection is conducted in a manner consistent with the guidelines established in 5 CFR 1320.5.

8. 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 form (if any), and on the data elements to be recorded, disclosed, or reported. 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.

In 2007, APHIS engaged in productive consultations with the following individuals in connection with the information collection activities associated with APHIS' programs:

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APHIS' proposed rule (APHIS 2006-0164) notice of an information collection will describe information gathering requirements, and also provide a 60-day comment period. During this time, interested members of the public will have the opportunity to provide APHIS with their

input concerning the usefulness, legitimacy, and merit of the information collection activities APHIS is proposing.

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

This information collection activity involves no payments or gifts to respondents.

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

No additional assurance of confidentiality is provided with this information collection. However the confidentiality of information is protected under 5 U.S.C. 552a.

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 activity asks no questions of a personal or 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. 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 APHIS Form 71. Burden estimates were developed from discussions with U.S. importers of horses, owner/operators of temporary, privately-owned horse quarantine facilities; and prospective owners of permanent, privately owned horse quarantine facilities.

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

Respondents include importers of noncompetitive and competitive horses into the United States. APHIS estimates the total annualized cost to these respondents at \$626.64. APHIS arrived at this figure by multiplying the total burden hours (28 hours) by the estimated average hourly wage of the above respondents (\$22.38.) The hourly rate of \$22.38 is from the United States Department of Labor, Bureau of Labor Statistic June 2003 report – National Compensation

Survey: Occupational Wages in the United States, July 2002. See <http://www.bls.gov/ncs/ocs/sp/ncb10539.pdf>.

13. Provide an estimate 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 estimate should split into two components: (a) a total capital and startup cost component (annualized over its expected useful life); and (b) a total operation and maintenance and purchase of services component.

There is zero annual cost burden associated with capital and start-up costs, operation and maintenance expenditures, and purchase of services.

14. Provide estimates of annualized cost to the Federal government. Also, 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 annualized cost to the Federal government is estimated at \$1,579 (see APHIS Form 79).

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-L

This is a new collection resulting in a program change of 28 hours.

16. For collection 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 reports, publication dates and other actions.

APHIS has no plans to publish information it collects in connection with this program.

17. If seeking approval to not display the expiration date for the OMB approval of the information collection, explain the reasons that display would be inappropriate.

There are no forms associated with this information collection.

18. Explain each exception to the certification statement identified under “Certification for Paperwork Reduction Act.

APHIS is able to certify compliance with all the provisions in the Act.

B. Collections of Information Employing Statistical Methods

There are no statistical methods associated with the information collection activities used in this program.