

SUPPORTING STATEMENT - OMB NO. 0579-0189
CHRONIC WASTING DISEASE IN CERVIDS; PAYMENT OF INDEMNITY
November 21, 2007

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.

Title 7, U.S.C. 8301, Animal Health Protection Act, authorizes the Secretary of Agriculture to promulgate regulations and take measures to prevent the introduction into the United States and the interstate dissemination within the United States of communicable diseases of livestock and poultry, and to pay claims growing out of the destruction of animals.

Animal health regulations promulgated by the United States Department of Agriculture (USDA) under this authority include those specifically addressing control programs and indemnity payments for tuberculosis chronic wasting disease or CWD (Part 55), as well as regulations in Part 53 regarding payment of claims for other diseases.

Disease prevention is the most effective method for maintaining a healthy animal population and enhancing USDA's Animal and Plant Health Inspection Service's (APHIS) ability to compete in exporting animals and animal products. Veterinary Services (VS), a program within APHIS, is charged with carrying out this disease prevention mission.

CWD is a transmissible spongiform encephalopathy of elk, deer, and moose typified by chronic weight loss leading to death. The presence of CWD in cervids causes significant economic and market losses to U.S. producers. In an effort to accelerate the eradication of this disease from the United States, VS pays indemnity for the voluntary depopulation of CWD positive, exposed, or suspect animals.

Paying indemnity to cervid owners entails the use of information collection activities in the form of an Appraisal & Indemnity Claim Form and a Herd Plan Agreement.

APHIS is asking OMB to renew its approval of these information collection activities for an additional 3 years.

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.

Appraisals of cervids must be reported on the VS Form 1-23 and signed by both the appraiser and the owner of the cervids. The VS Form 1-23 is completed by either personnel from the VS area office or a Federal and State approved appraiser with input from the owner, and contains such information as the appraiser with input from the owner, and contains such information as the owner's name and address, the number of animals for which the owner is seeking payment, and the appraised value of each animal. The owner's signature on this form indicates agreement with the appraised value of each animal. On this form the owner must also certify as to whether the animals are subject to a mortgage. If the owner states that there is a mortgage, the form must be signed not only by the owner, but also by each person holding a mortgage. By signing the form, each mortgage holder is consenting to the payment of indemnity to the owner or lien holder.

Herd Plan (Signature Only)

As a condition of receiving indemnity, herd owners must sign a written agreement with APHIS in which they agree that, if they maintain cervids in the future on their farms, they will not introduce new cervids to the farm until after the date specified in the herd plan. This is to ensure that the farm has been effectively cleaned and disinfected, and that new cervids brought to the farm will not be at risk of becoming infected with CWD.

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 VS Form 1-23 has not been posted to the APHIS web site and is therefore not available electronically. This form is not a practical candidate for electronic transmission, since it must be completed on-site and also requires an original signature from both the appraiser and the herd owner to be valid. Burden is minimized by the fact that the form is completed by the appraiser, not by the herd owner.

The herd management agreement is a signature-only document.

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 Federal Agency responsible for preventing, detecting, and controlling CWD in the United States.

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

The information APHIS is collecting in connection with this program is the absolute minimum needed to effectively operate an effective indemnification program, which in turn is designed to eradicate CWD from the United States via the swift and thorough elimination of infected herds.

All of the respondents are 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.

The presence of CWD in cervids causes significant economic and market losses to U.S. producers. Collecting this information less frequently or failing to collect it would make it impossible for APHIS to effectively sustain our program to accelerate the eradication of CWD from the United States.

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.

This 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 recordkeeping, disclosure, or reporting form, 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, soliciting comments on the information collection prior to submission to OMB.

In 2007, APHIS engaged in productive consultations in 2004 with the following individuals concerning the information collection activities associated with this program:

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On Wednesday, October 10, 2007, pages 57513-57514, APHIS published in the Federal Register, a 60-day notice seeking public comments on its plans to request a 3-year renewal of this collection of information. No comments from the public were received.

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 provided to respondents and the basis for the assurance in 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 will ask 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.

•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 elk and deer herd owners who have opted to participate in APHIS' voluntary indemnity program; State animal health authorities who assist APHIS with the program, and Veterinary Services field personnel who routinely engage in cervid indemnification activities.

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

APHIS estimates the total annualized cost to the above respondents to be \$250.00. APHIS arrived at this figure by multiplying the hours of estimated response time (10 hours) by the estimated average hourly wage of the above respondents (\$25.00).

\$25.00 hourly rate is derived from the U.S. Department of Labor, Bureau of Labor Statistics 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 estimates 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 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 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. 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 \$476.67. (See APHIS Form 79.)

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-1.

After careful evaluation, APHIS projected fewer respondents because in recent years APHIS is doing fewer depopulations, therefore, fewer appraisals for indemnity and fewer people filling out and signing VS Form 1-23.

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

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 OMB approval of the information collection, explain the reasons that display would be inappropriate.

If forms were to be discarded because of an outdated OMB expiration date, but otherwise usable, higher printing costs would be incurred by the Federal Government. Therefore, APHIS is seeking approval to not display the OMB expiration date on its forms.

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

APHIS can certify compliance with all provisions under the Act.

B. Collections of Information Employing Statistical Methods

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