

UNITED STATES DEPARTMENT OF AGRICULTURE
Farm Service Agency
OMB Number 0560-0262
2008 Aquaculture Grant Program – Recovery Act

- 1. Explain the circumstances making 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.**

Section 102(d) of the American Recovery and Reinvestment Act of 2009 (Recovery Act) authorizes \$50 million for a 2008 Aquaculture Grant Program (AGP). As required by the Recovery Act, Commodity Credit Corporation (CCC) funds will be used to provide block grants to State Departments of Agriculture that agree to provide AGP assistance to eligible aquaculture producers for losses associated with high feed input costs during the 2008 calendar year. The Recovery Act requires the States to complete and submit a 2008 AGP Financial Report to CCC. This 2008 AGP Financial Report is the name of the report instead of “2008 AGP Recovery Act” report as indicated in the emergency information collection request approved last April. Data submitted in the 2008 AGP Financial Report is reported in the Departments report to Congress as required by the Recovery Act and is used to ensure that an eligible aquaculture producer that receives assistance under AGP is not eligible to receive any other assistance under the supplemental agricultural disaster assistance program established under section 531 of the Federal Crop Insurance Act and section 901 of the Trade Act of 1974 for any losses in 2008 relating to the same species of aquaculture.

- 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.**

2008 AGP Financial Report – As required by the Recovery Act, not later than 30 days after the date on which the State provides assistance to eligible aquaculture producers, the State must submit to CCC, a report that describes:

- The manner in which the State provided assistance;
- The amounts of assistance provided per species of aquaculture; and
- The process by which the state determined the levels of assistance to eligible aquaculture producers.

Section 102(d)(2)(D)(iii) of the Recovery Act provides that the State will, not later than 30 days after the date on which the State provides assistance to eligible aquaculture producers, submit to the Secretary a report that describes, the manner in which the State provided assistance, the amounts of assistance provided per species of aquaculture; and the process by which the State determined the levels of assistance to eligible aquaculture producers. The purpose of this data collection is to identify producers that receive assistance under the 2008 Aquaculture Grant Program so that the Farm Service Agency (FSA) can ensure that the same producers do not receive any other assistance under the supplemental agricultural disaster assistance program established under section 531 of the Federal Crop Insurance Act and section 901 of the Trade Act of 1974 for any losses in 2008 relating to the same species of aquaculture. Furthermore, data from this collection is reported in the Department’s report to Congress as required by section 102(d)(4), Report to Congress.

- 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 State Departments of Agriculture have the option to submit the 2008 AGP Financial Report by one of the following ways:

- Email an encrypted zip file and provide the password via telephone
- Send an encrypted CD FedEx and provide the password via telephone.

The 2008 AGP Financial Report includes personally identifiable information (PII); therefore, States have been instructed to always password protect all files submitted.

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 2008 AGP Financial Report is a new collection as per the Recovery Act; therefore, no similar form exists. This data is required to be submitted on the 15th of every month and is cumulative data as of the last day of the previous month. This data will be collected from States until the earlier of:

- Submission of the State's final 2008 AGP Financial Report, or
- October 15, 2010.

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

Collection of this information does not impact any small businesses or other small entities.

6. Describe the consequences 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.

Failure to timely collect and maintain 2008 AGP Financial Reports will result in the failure to carry out Recovery Act requirements.

There are no technical or legal obstacles which would reduce the burden.

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;

The collection of information must be submitted monthly in order to ensure that an eligible aquaculture producer that receives assistance under AGP is not eligible to receive any other assistance under the supplemental agricultural disaster assistance program established under section 531 of the Federal Crop Insurance Act and section 901 of the Trade Act of 1974 for any losses in 2008 relating to the same species of aquaculture.

- requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it; No
- requiring respondents to submit more than an original and two copies of any document; No
- requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years; No
- 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; No
- requiring the use of a statistical data classification that has not been reviewed and approved by OMB; No
- 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

- 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. No

- 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.**

Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instruction 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 three 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 60-day notice published on June 2, 2009 (74 FR 26363). No comments received. There are no consultations on this information collection because the States provide financial report to FSA and do not have any form in this request.

- 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.

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

All information collected is treated as confidential. Agency policy prohibits the giving out of individual information. This information collection is being handled according to the Privacy Act and Freedom of Information Act.

- 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.**

No questions of a sensitive or personal nature are collected. All collections of information are required for compliance with Recovery Act requirements.

- 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.**

USDA estimates that approximately 37 State Departments of Agriculture will participate in the grant program. This estimate is based on aquaculture data provided by the National Agricultural Statistics Service.

Providing the 2008 AGP Financial Report is estimated to take 15 minutes per response. The majority of the States will submit a final report in December 2009; therefore, the estimated number of responses is 111 (37 States times 3 reports). The annual burden for providing the information is 28 hours. This was calculated by multiplying the estimated number of responses by the estimated response time ($111 \times 15 \div 60 = 28$ hours (27.75 hours)).

The estimated average hourly wage of Agricultural state employee from Virginia State Human Resource is \$21.79. The estimated cost is \$610.12 ($\21.79×28 hours).

- 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 of its expected useful life; and (b) a total operation and maintenance and purchase of services component.**

There is no capital, startup or ongoing operation/maintenance costs associated with this information collection to respondents or record keepers.

- 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.**

There is no annual cost to the Federal government. This collection of information occurs at the State Departments of Agriculture.

The cost is \$450.00. The cost is based on 9 hours per report and hourly wage of \$50.00 for the employee.

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

There is a decrease in the burden hours from 196 to 28 from when the collection was submitted as an emergency. The decrease is due to respondents now being required to only submit a financial report to FSA. The other information activities that were associated with this collection are no longer needed.

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

The 2008 AGP Financial Report data will be used and reported by CCC to Congress as required by the Recovery Act.

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

This information collection request does not have any forms to display the expiration date.

- 18. Explain each exception to the certification statement identified in Item 19 "Certification for Paperwork**

Reduction Act.”

USDA is able to certify compliance with all provision under Item 19 of OMB Form 83-1.

19. How is this information collection related to the Customer County Office? Will this information be part of their one-stop shopping?

This information collection does not relate to the Customer County Office.