

**Supporting Statement for Paperwork Reduction Act Submission
USDA APHIS Peer Reviewer's Certification Regarding Conflict of Interest**

11-06-2009

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.

The Information or Data Quality Act [Pub. L. No. 106-554, § 515 Appendix C, 114 Stat. 2763A-153--154 (2000)] and OMB's Peer Review Bulletin (70 FR 2664 – 2677) require federal agencies to select peer reviewers of influential and highly influential information and to examine their financial ties to regulated entities, other stakeholders, and the agency.

As a result of the implementation of the OMB's Peer Review Bulletin published in 2004, USDA and APHIS follows these approved processes of peer review. Peer reviewers are recruited, screened, and retained for agency scientific documents. APHIS is asking OMB to extend approval of its use of this information collection for 3 years.

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.

APHIS FORM 6004

This form consists of an instruction sheet and form that will be used by an APHIS program Peer Review Administrator (PRA) or an agent acting on behalf of an APHIS PRA. APHIS has used the form to ensure that all nonfederal peer reviewers who are recruited by the Agency have no significant potential conflict of interest with respect to peer review of a specific scientific document that will be used for purposes of making policy or dissemination to the public.

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.

This form requires an original signature on the form to establish proof that the peer reviewer actually certified him/herself. If a contractor is used, the contractor retains the original copy and submits a scanned copy to APHIS.

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

No other Federal agency can make this request because it is about an offer to work on a specific scientific document at the specific point in time. Therefore, there is no duplication.

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.

The collection of this information will not impact small businesses.

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.

By not collecting this information the public may be inclined to think that the Government's scientific information is not true, complete, and consistent with the best possible standards of quality.

7. Explain any special circumstances that would cause an information 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.

On April 6, 2009, pages 15431 -- 15432, 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 were received from the public.

During 2009, the following individuals were contacted:

- Dr. Donald A. Cooksey, Professor, University of California, 18288 Berry Rd. Riverside, CA 92508, Ph.: 951-827-3101, Email: donald.cooksey@ucr.edu

- Dr. Anne M. Vidaver, Professor, University of Nebraska-Lincoln, 2416 Sewell, Lincoln, NE 68502, Ph. 402-472-2812, Email: avidaver1@unl.edu
- Dr. Charles Yoe, Professor, College of Notre Dame, 605 Bathurst Rd., Baltimore, MD 21228-4010, Ph. 410-744-0940, Email: cyoe1@verizon.net

9. Explain any decision to provide any payment or gift to respondents, other than remuneration 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. The form is to be used by APHIS as a tool for determining if there is any significant potential for conflict of interest. The form and any materials are maintained in an administrative record for the peer review.

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. 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.

The information collection activity will ask no questions of a sensitive nature.

12. Provide estimates of the hour burden of the collection of information. The statement should:

1 * 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. APHIS estimates that there will be 50 respondents per year. Each respondent will need to respond only once, which they are asked to peer review a document and will devote approximately 15 minutes, or .25 hours to do it.

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

The total cost to respondents is computed by multiplying their average wage by the total number of hours needed to complete the work. This equates to \$2848.00.

\$56.96 is the hourly rate derived from the U.S. Department of Labor; Bureau of Labor Statistics May 2008 Report - Occupational Employment and Wages in the United States. See <http://www.bls.gov/news.release/ocwage.t03.htm>

13. Provide an estimate for 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 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 costs to the Federal government. Provide a description of the method used to estimate cost and other expense that would not have been incurred without this collection of information.

The annualized cost to the Federal Government is estimated at \$2291.00. (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-I.

After carefully reviewing the information collection requirements associated with the Peer Reviewer Certification Program, APHIS determined that the previous "hours per response" estimates were unrealistic. Specifically, APHIS determined that the Peer Reviewer Information Form does not take as long as previously estimated (15 minutes as opposed to 30 minutes). The total annual burden hours have decreased from 25 hours to 13 hours. APHIS thinks that it is important to adjust these hours-per-response figures to provide the most realistic picture of how long it actually takes the public to complete this important information requirement.

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

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

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.

Not applicable. APHIS will display the expiration date.

18. Explain each exception to the certification statement identified in “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.