

2011 SUPPORTING STATEMENT
Farmers' Market Promotion Program – 2008 Farm Bill Changes
(Proposed Rule)
OMB No. 0581-NEW

NOTE TO REVIEWER: AMS is requesting the approval from the Office of Management and Budget (OMB), for a new information collection for FMPP. Once approved, AMS will request OMB to merge this new collection into the currently approved OMB collection number 0581-0235, entitled “Farmers’ Market Promotion Program.”

A. Justification.

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

The U.S. Department of Agriculture (USDA), Agricultural Marketing Service (AMS) is requesting the approval from the Office of Management and Budget (OMB), Farmers’ Market Promotion Program (FMPP). The FMPP operates pursuant to the authority of the Agricultural Marketing Act of 1946 (7 U.S.C. 1621-1627), the Farmer-to-Consumer Direct Marketing Act of 1976 (7 U.S.C. 3001-3006), and the recently authorized FMPP (7 U.S.C. 3005). Section 6 of 7 U.S.C. 3004 directs the Secretary of Agriculture to “carry out a program to make grants to eligible entities for projects to establish, expand, and promote farmers’ markets.”

The purposes of the FMPP are to: 1) increase domestic consumption of agricultural commodities by improving and expanding, or assisting in the improvement and expansion of, domestic farmers’ markets, roadside stands, community-supported agriculture programs, and other direct producer-to-consumer market opportunities; and 2) develop, or aid in the development of, new farmers’ markets, roadside stands, community-supported agriculture programs, and other direct producer-to-consumer infrastructure.

Entities eligible to apply for FMPP grant funds include: agricultural cooperatives, producer networks and producer associations (added under the 2008 Farm Bill), local governments, non-profit corporations, public benefit corporations, economic development corporations, regional farmers' market authorities, and Tribal Governments. Eligible entities in all 50 States and the District of Columbia may participate. Entities located within U.S. territories are not eligible to participate.

The 2008 Farm Bill legislature added three (3) significant program changes within the program mandate and procedures under FMPP:

1. Adds “producer networks or associations,” with agricultural cooperatives under eligible entities.
2. Inserts a requirement that “10 percent of all allocated funds be used to support the use of electronic benefit transfers (EBT) for Federal nutrition programs at farmers’ markets.”
3. Provides the following (mandatory) funds, from the Commodity Credit Corporation, to carry out the FMPP grant program through 2012:
 - \$5,000,000 for each of fiscal years 2009 through 2010, and
 - \$10,000,000 for each of fiscal years 2011 and 2012.

With these legislative changes, AMS will implement several significant program changes:

First, AMS developed a new regulation that is for public comment with an embedded 60-day Notice for a new information collection published in the *Federal Register* (Vol. XXX No. XXX) on January XX, 2011.

Second, the maximum amount to be awarded per grant under FMPP was increased from up to \$75,000 to not more than \$100,000. The agency may increase this amount (annually) subsequent to public participation and interest in the program. Matching funds are not required.

- Increases the number of awardee responses per respondent for standard forms and reports.
- Increases the number of respondents applying for FMPP grant fund from 400 to 1500, based on 10-fold increase in funding provided under the Farm Bill.

Third, the project period under FMPP has been increased from 18 months to up to 24 months (2 years) for project completion. The program is voluntary.

Fourth and lastly, AMS is requesting a new information collection that makes numerous changes and additions as follows:

- Adds a new voluntary form, “Form TM-31, FMPP Supplemental Budget Summary Form—For EBT Projects Only,” for new and existing EBT projects. The form assists applicants in completing the budget for EBT-related activities under FMPP. The 2008 Farm Bill legislature mandates that the funding go toward new EBT projects at farmers markets; the new form allows AMS to separate, review, and track EBT-related budget requests separately from non-EBT related requests.

- Adds a new mandatory form for applicants, “The FMPP Guidelines.” The guidelines are provided to applicants, annually, to assist them in completing the application package and also include the post award requirements.
- Adds a new mandatory requirement for applicants to include “Written Proof of Eligibility,” from a State or Federal source, with the application package.
- Adds a new mandatory requirement for applicants to register with the “Registration with Central Contractor Registry.” This registration is required for any applicant applying for Federal funding.
- Adds a new mandatory form for reviewers, “AMS-34, Conflict of Interest and Confidentiality For Grant Reviewers.” This form is required from reviewers to ensure confidentiality of the review process.
- Adds a new mandatory form for reviewers, “TM-32, FMPP Grant Peer Reviewers Qualifications Template.” This form is required to identify qualifications to and experience, such as producer or farmers market manager, to serve as a potential FMPP reviewer.
- Adds a new mandatory form for reviewers, “TM-33, FMPP Reviewer Declaration of Intent.” This form is required from reviewers to ensure that the reviewer has not applied for FMPP funding that year and will not benefit financially from any grant application submitted.
- Adds a new mandatory form for awardees, “TM-34, FMPP Grant Program, General Terms and Conditions.” The form must be read by awardees and outlines compliance with the terms and conditions of accepting Federal FMPP grant funds. (The burden hour for this form is already accounted for under the currently approved 0581-0235 FMPP collection as forms number AD-1047, AD-1048, AD-1049, and the Grant Agreement.)
- Adds a new mandatory form for awardees, “AMS-33, United States Department of Agriculture, Agricultural Marketing Service, Agreement Face Sheet.” The form must be signed by awardees to indicate compliance with the terms and conditions for the grant award, project work approved, and receipt of grant funding.

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.**

The following information is being collected from FMPP grant applicants:

- A) **The FMPP Guidelines**, are provided to applicants to detail information regarding how to complete a grant application package. Revised annually, the guidelines provide a list of all documents required within the application package, and also provides post award requirements if awards are issued.

The Project Proposal Narrative, completed once the applicant applies for the grant program, is already approved under the currently approved OMB collection number 0581-0235, entitled “Farmers’ Market Promotion Program.” AMS will use the information to determine eligibility of applicants and to evaluate goals, objectives, work-plans, expected results, and budget for the project. The narrative must include a Supplemental Budget Summary. If the applicant is submitting activities related to EBT, AMS requests that a separate supplemental budget be submitted. Because of the number of applicants and inquiries in 2006-2010 and the 2008 Farm Bill legislature changes, AMS developed a new voluntary form with instructions for completing the supplemental budget summary for EBT projects to assist applicants:

- B) **TM-31 FMPP Supplemental Budget Summary Form—For EBT Projects Only**, is completed once by the applicant’s with new and existing EBT budget requests. No other proposal budget requests, beyond EBT-related projects, are to be included on this form. The information can be obtained electronically from the AMS website at and submitted electronically via Grants.gov.

Voluntary form TM-31 assist FMPP applicants in preparing the proposal narrative and supplemental budget summary information, and includes instructions for completion.

FMPP applicants must also complete the following paperwork:

- C) **Written Proof of Eligibility**, from a State or Federal source, must be provided by the applicant as part of the application package. This new required documentation may include, for example for a nonprofit, a copy of the organization’s paperwork from the State or Internal Revenue Service indicating the date of incorporation as a nonprofit. The documentation ensures AMS that all applicants meet the eligibility criteria for receiving FMPP grant funding.
- D) **Registration with the Central Contractor Registry**, is a one-time registration required for any entity applying for Federal agency contracts, grants, cooperative agreements, or other forms of Federal assistance awards. Registration with the CCR does not guarantee business with the AMS/FMPP or any other Federal government agency.

Potential grant reviewers must complete the following form and paperwork for AMS:

- E) **TM-32, FMPP Grant Peer Reviewer Qualifications Template**, is a new mandatory one-time application form for potential reviewers. Reviewers utilize this form to provide qualifications that identify their employment and experience. The form includes request for potential reviewers to indicate: (a) their area of experience or expertise, such as farmers market management; and (b) whether the

person is a current or retired nonprofit, for profit, or Federal/State government employee. These reviewer qualifications assist AMS in selecting appropriate reviewers for FMPP.

Selected grant reviewers must also complete the following form and paperwork for AMS:

- F) **AMS-34, AMS Conflict of Interest and Confidentiality Statement For Grant Reviewers**, is a new one-time mandatory form that is signed by reviewers to indicate compliance with the FMPP reviewer conflict of interest and confidentiality requirements. Regarding confidentiality, reviewers agree not to copy, quote, or otherwise use or disclose to anyone, any material from any application. Reviewers also agree with the conflict of interest requirements, which include that the reviewer does not have: 1) a direct financial interest in the review outcome; or have direct and predictable financial interests in the outcome; 2) indirect interests with the organization or personnel submitting an application under FMPP; or 3) any relationship, such as a close personnel friendship, that may affect the reviewers' judgment or be seen as doing so by a reasonable person familiar with the relationship.

- G) **TM-33, FMPP Reviewer Declaration of Intent**, is a one-time mandatory form that is signed by reviewers to indicate that they have not submitted an application under FMPP for that funding year. Additionally, reviewers indicate that they are NOT: (1) employed by, volunteer for, or serve as a board member or other type of committee/team member for an organization that submitted an application that same year under FMPP; or (2) a proposed subcontractor or financial beneficiary in a budget from any organization submitting an application that same year under FMPP. The form insures AMS that the reviewer serving has no biases or conflicts with the applications being scored and rated.

Additionally, grant awardees must also complete the following form and paperwork for AMS:

- H) **TM-34, FMPP Grant Program, General Terms and Conditions**. This new mandatory form must be read by awardees and outlines compliance with the terms and conditions of accepting Federal FMPP grant funds. The document includes award requirements and all Federal grant regulations and administrative requirements including 7 CFR parts 3015, 3016, 3018, 3019; and FAR 31.2. The burden hours for this new form are accounted for under the OMB 0581-0235, Farmers' Market Promotion Program. With this approval, this form will replace forms AD-1047, AD-1048, AD-1049, and the Grant Agreement.

- I) **AMS-33, United States Department of Agriculture, Agricultural Marketing Service, Agreement Face Sheet**. AMS-33 is a one-time mandatory form that is

signed by reviewers to indicate that they will comply with all terms and conditions of the FMPP grant, project work approved, and receipt of grant funding. The form includes the grant authority; funding dollar amount; awardee and Federal contacts names, address, email addresses, and phone and fax numbers; agreement number; project title, objectives, and statement of work; project work beginning and ending dates; and awardee and AMS Associate Administrator's signatures. Three (3) copies of this agreement are required with the awardee's and the AMS Associate Administrator's signatures and dated for each grant.

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.

For FMPP applicants:

- The FMPP Guidelines can be obtained from AMS' Farmers Market Promotion Program website at: <http://www.ams.usda.gov/AMSv1.0/getfile?dDocName=STELPRDC5082926&acct=fmpp>
- The FMPP Supplemental Budget Summary—EBT Projects Only form (TM-31) is not yet available electronically. In the future it will be obtainable as a savable Microsoft Word document from AMS' Farmers Market Promotion Program website, by calling 202/694-4000, or faxing 202/694-5949. This fillable document can then be printed and submitted electronically through Grants.gov or by mail to AMS.
- The Registration with Central Contractor Registry is available via the Internet at <http://www.CCR.gov> and can be filled out and completed on-line and then printed and submitted electronically through Grants.gov or by mail to AMS.

For FMPP reviewers:

- Forms TM-32, TM-33, and AMS-34 will be made available electronically in the future so that they can be printed and submitted by fax or mail to AMS.

For FMPP awardees:

- Form TM-34 will be made available electronically so that it can be printed, read, and saved by awardees for their records.

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.

AMS certifies that this collection will not have a significant economic impact on a substantial number of small entities (businesses) as defined in the Regulatory Flexibility Act, Pub. L. 96-534, as amended (5 U.S.C. 601 et. seq.) (RFA). The proposed rule does not meet the definition of a Federal mandate because the resulting annual State expenditures would not exceed the \$100 million threshold. The program is voluntary and local or tribal governments that choose to apply and qualify through completion could receive grant funds.

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 Farmers' Market Promotion Program's purpose is to provide grants to eligible entities. Without the required information, AMS will not be able to review, award, or monitor grants to eligible applicants.

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 required to report application information once. Awardees are required to provide performance (every 6 months) and financial (every 4 months) reports in accordance with the regulations.

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

There are no plans to require applicants to prepare a written response to an collection of information in fewer than 30 days after AMS receives it. During the

application review process if an email address has been provided by the applicant, AMS will email a notification of receipt of their application. Reporting requirements for the project (performance) implementation and financial (funds usage and cash on hand) status are submitted; no follow-up is required by the awardee unless AMS requires additional clarification.

- **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 application document. Only one original and/or one electronic or faxed copy of the performance and financial reports are required.

- **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.

- **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**

AMS requires that reviewers sign the conflict of interest and confidentiality paperwork in agreement not to copy, quote, or otherwise use or disclose to anyone, any information from any application. Reviewers must also agree with the conflict of interest requirements, which include that the reviewer does not have: 1) a direct financial interest in the review outcome; or have direct and

predictable financial interests in the outcome; 2) indirect interests with the organization or personnel submitting an application under FMPP; or 3) any relationship, such as a close personnel friendship, that may affect the reviewers' judgment or be seen as doing so by a reasonable person familiar with the relationship.

- **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.**

This new collection is embedded in the Proposed Rule published in the *Federal Register*, Vol.XXX, No. XXX requesting comments. AMS will address all comments received in the Final Rule.

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.

During the development of the Farmers' Market Promotion Program, AMS conducted focus groups and interviews with farmers' market industry leaders to identify and understand challenges and concerns relating to direct marketing issues. AMS also solicits comments from awardees and reviewers under FMPP annually.

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.

Consultation with the following representatives from whom information was obtained regarding the project proposal budget and forms was developed through grant writing conferences and workshops, industry meetings, peer reviewer meetings, and other program outreach activities associated with administering the agency's farmers market program:

Don Wambles, Administrator
Farmers Market Authority, State of Alabama
RSA Plaza, Suite 330
770 Washington Avenue
Montgomery, AL 36130
(333) 242-2618

Diane Eggert, Executive Director
Farmers' Market Federation of New York
117 Highbridge Street, Suite U-3
Fayetteville, NY 13006
(315) 637-4690

Janel Leatherman, Administrator
Dallas Farmers Market
1010 South Pearl Expressway
Dallas, TX 75201
(214) 939-2713

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 ASSURNACE IN STATUTE, REGULATION, OR AGENCY POLICY.

The Farmers' Market Promotion Program requests confidentiality regarding the FMPP peer reviewer meetings for reviewers discussing grant applications. Reviewers must sign form TM-34 indicating compliance with the FMPP conflict of

interest and confidentiality requirements. Regarding confidentiality, reviewers must agree not to copy, quote, or otherwise use or disclose to anyone, any material from any application. Reviewers must also agree with the conflict of interest requirements, which include that the reviewer does not have: 1) a direct financial interest in the review outcome; or have direct and predictable financial interests in the outcome; 2) indirect interests with the organization or personnel submitting an application under FMPP; or 3) any relationship, such as a close personnel friendship, that may affect the reviewers' judgment or be seen as doing so by a reasonable person familiar with the relationship.

Additionally, reviewers sign form TM-33, indicating they have not submitted an application under FMPP that funding year. AMS stipulates that peer reviewers will not be eligible to serve as a reviewer if they are (i) employed by, volunteer for, or serve as a board member or other type of committee/team member for an organization that submitted an application that same year under FMPP; or (ii) a proposed subcontractor or financial beneficiary in a budget from any organization submitting an application that same year under FMPP.

FMPP requests proof of eligibility from applicants. AMS keeps this information as part of the application paperwork and ensures applicants and does not forward it to reviewers or others outside of FMPP.

11. **PROVIDE ADDITIONAL JUSTIFICATION FOR ANY QUESTIONS OF A SENSITIVE NATURE, SUCH AS SEXUAL BEHAVIOR AND ATTITUTDES, 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.

- **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 AMS-71, Summary of Information Collection.

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

The 1500 respondents' estimated annual cost in providing information to FMPP is \$299,077.55. This total has been estimated by multiplying 11,437 total burden hours by \$26.15, an average mean hourly earnings by private industry white collar (excluding sales) employees. Data for computation of this hourly wage were obtained from the U.S. Department of Labor Statistic's publication, "May 2009 National Occupational Employment and Wage Estimates, United States." This publication can also be found at the following website:

http://www.bls.gov/oes/current/oes_nat.htm

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 PRIVILEGED 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.**

There are no additional costs associated with this information collection. The Federal government's estimated annual cost for providing oversight and assistance for this information collection is estimated at \$292,166 the first year and for subsequent years

it is estimated to be about \$204,516. A breakdown of the oversight costs for the first year is the following:

Salaries/Benefits/FERS Contributions/Awards	\$222,525
Travel	\$7,500
Contracts/Services/Training	\$9,952
Printing/Copying/Mailing/Postage	\$6,412
Rent/Communication/Utilities/FTS	\$4,902
OGC (Legal Services)	\$37,500
Supplies/Equipment	<u>\$3,375</u>
TOTAL	\$292,166

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

This is a new collection. Upon approval, AMS will request OMB to merge this collection into the currently approved FMPP 0581-0235.

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.

1. IF SEEKING APPROVAL TO NOT DISPLAY THE EXPIRATION DATE FOR OMB APPROVAL OF THE INFORMATION COLLECTION, EXPLAIN THE REASONS THAT DISPLAY WOULD BE INAPPROPRIATE.

All forms currently contain an OMB number and an expiration date.

2. 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.

N:MSB/2009/Regulations for FMPP /22294101