

SUPPORTING STATEMENT

Agriculture Wool Apparel Manufacturers Trust Fund OMB No. 0551-New

- 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.**

Section 12315 of the Agricultural Act of 2014 (P.L. 113-79) (The Act) authorizes distributions out of the Agriculture Wool Apparel Manufacturers Trust Fund (“Agriculture Wool Trust Fund”) in each of calendar years 2014 through 2019, payable to qualifying claimants. Eligible claimants are directed to submit a notarized affidavit, following the statutory procedures specified Section 12314(c) or (d) of the Act. FAS must collect the information provided in the affidavits in order to assess the eligibility of the claimants.

- 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.**

Eligible claimants for a distribution from the Agriculture Wool Trust Fund are directed to submit a notarized affidavit, following the statutory procedures specified in section 12314(c) of the Act for yarn spinners, and Section 12314 (d) of the Act for shirting manufacturers, to claim a distribution from the Pima Cotton Trust Fund.

USDA does not begin administering the Monetized Wool Fabric TRQ program (a new program that will supersede the existing Wool Fabric TRQ program that is currently administered by Commerce Department) and the Wool Grant program (currently administered by Commerce Department) until calendar year 2015 and will not begin administering the Wool Duty Refund program (currently administered by Department of Homeland Security) until calendar year 2016.

Claimants are advised to note that sections 12314(c) of the Act require each affidavit submitted by yarn spinners to provide definitive statements and supporting documentation verifying their eligibility. Section 12314(d) of the Act require each affidavit submitted by shirting manufacturers to provide definitive statements and supporting documentation verifying their eligibility. Trade associations filing a claim for a distribution must electronically provide a notarized statement whether they are a domestic nationally recognized association established for the promotion of pima cotton for domestic use in textile and apparel goods. FAS will use the information provided in the affidavits to certify the claimants’ eligibility and to authorize payment from the Agriculture Wool Trust Fund.

- 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 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.**

Claimants are instructed to submit the required affidavits to a designated government email address. This method for submitting information is considered the least burdensome.

- 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.**

The information being collected is mandated by law and must be collected in order to provide a benefit to the eligible claimants. The information collected is proprietary and not collected elsewhere.

- 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 method used to obtain information has been minimized to ensure all respondents, including small businesses, will not be burdened. Of the 55 respondents, the agency estimates 6 percent are small businesses.

- 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.**

Section 12315 of the Agricultural Act of 2014 (P.L. 113-79) states that affidavits shall be submitted in each calendar year in order to apply for a distribution from the Agriculture Wool Trust Fund. If eligible claimants do not submit an affidavit with the required information by the filing deadline (March 1 of each year) they will not be entitled to a distribution from the Agriculture Wool Trust Fund.

- 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;**

- **requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**

Parties wishing to submit an affidavit to apply for a distribution from the Agriculture Wool Trust Fund will have until March 1 of each calendar year from 2015 through 2019. FAS intends to have a final rule published in the Code of

- Federal Regulations concerning the Agricultural Wool Trust Fund by February 1, 2015.
- **requiring respondents to submit more than an original and two copies of any document;**
 - **requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three 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;**
 - **requiring the use of a statistical data classification that has not been reviewed and approved by OMB;**
 - **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**
 - **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.**

There are no other special circumstances that would require this collection to be conducted in a manner inconsistent with the general information collection guidelines in 5 CFR 1320.5.

- 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.**

Currently, there are published entries in the CFR for CBP's Wool Duty Refund program and in the FR for OTEXA's Wool Grant program. Updated regulatory language needs to be developed and published (based largely off of the existing CBP and OTEXA regulations) for the Wool Duty Refund and Wool Grant programs to reflect USDA's administration of the programs, deadlines for filing affidavits and receiving payments, and other changes per Section 12315 of the Agricultural Act of 2014. The regulations that will describe the USDA-administered Wool Duty Refund program and Wool Grant program are not expected to be substantively different than the current CBP and OTEXA regulations.

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.

The Pima Cotton Trust Fund was previously administered by Customs. FAS has reached out to them to obtain their views and learn from their experiences. FAS has also consulted with the legal counsels representing the majority of beneficiaries of the Wool Duty Refund program, the Wool Grant program, and Wool TRQ program; and has obtained their views on collecting information.

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.

- 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.**

FAS 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.**

- **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 burden in Item 13 of OMB Form 83-I. 55 respondents total, 55 responses, 157 total burden hours

Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. Total respondent cost is \$2,750 as calculated using 2013 Bureau of Labor Salary Estimates for occupation code 43-0000, with mean hourly wage of \$50.

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

There are no capital/start-up costs or operation/maintenance costs associated with this collection.

- 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.**

Total cost to the Federal Government is \$7,650 for GS-9 Office and Administrative Support Occupation.

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

This is a request for new collection of information. However, FAS notes that the Wool Duty Refund program and Wool Grant program are existing programs under Department of Homeland Security and Department of Commerce respectively and each would have recently approved collection of information requests. USDA will run these programs without any significant changes once administration is handed to USDA (calendar year 2016 for Wool Duty Refund and 2015 for Wool Grant).

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

FAS has no plans to tabulate or publish the information that is being collected.

- 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.**

**18. Explain each exception to the certification statement identified in Item 19
“Certification for Paperwork Reduction Act.”**

FAS is able to certify compliance with all the provision of the Act.

B. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS

The collection of data does not employ statistical methods.