

**SUPPORTING STATEMENT**  
**Pima Agriculture Cotton Trust Fund**

- 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.**

This is an extension of a currently approved information collection. Section 12314 of the Agricultural Act of 2014 (P.L. 113-79) (The Act) authorizes distributions out of the Pima Agriculture Cotton Trust Fund (“Pima Cotton Trust Fund”) in each of calendar years 2014 through 2018, 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 Pima Cotton 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. 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 Pima Cotton 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. This information being collected is proprietary and not being 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. All that is required to submit a claim and obtain a benefit is a notarized affidavit with the required information. No additional information is requested other than that stipulated in the statute. Of the 7 respondents, none 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 12314 of the Agricultural Act of 2014 (P.L. 113-79) states that affidavits must be submitted one time annually in order to apply for a distribution from the Pima Cotton Trust Fund. If eligible claimants do not submit an affidavit with the required information they will not be entitled to a distribution from the Pima Cotton 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 Pima Cotton Trust Fund will have 30 days from the publishing of the Federal Register Notice in 2014. From 2015-2018 affidavits are statutorily due by April 15 of each year giving claimants several months to prepare their affidavit.
- **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.**

This is a request for an extension of a previously approved collection. The 60-day notice and request for comments was published in the Federal Register on August 9, 2017 (82 FR 37189). FAS did not receive any comments.

**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 counsel for the claimants and has obtained their views on collecting information, to include:

David Starr  
Williams & Jensen PLLC  
202-973-5995  
[dastarr@wms-jen.com](mailto:dastarr@wms-jen.com)

David Trumbull  
Agathon Associates  
617-237-6008  
[david@agathonassociates.com](mailto:david@agathonassociates.com)

Augustine Tantillo

National Council of Textile Organizations  
202-822-8025  
[atantillo@ncto.org](mailto:atantillo@ncto.org)

**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 re-numeration 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. See Form and Table attached.**

**Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. See Form and Table attached.**

- 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 is no, capital, start-up cost, total operation, maintenance or purchase of services 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.**

See affidavit forms (three) and the table attached.

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

This is an extension of a currently approved information collection request. (OMB #0551- 0044). We do not expect to see an increase in respondents due to the restrictive nature of this payment program. There are no changes for the last approval.

**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.**

There are no forms in this collection.

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

There are no exceptions.

## **B. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS**

The collection of data does not employ statistical methods.