

**SUPPORTING STATEMENT
HORSE PROTECTION REGULATIONS
OMB NO. 0579-0056**

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.

Abbreviations	
APHIS	Animal and Plant Health Inspection Service
DQP	Designated Qualified Person
HIO	Horse Industry Organization

The Horse Protection Act (HPA) of 1970 (P.L. 91-540), as amended July 13, 1976 (P.L. 94-360), was enacted to prevent showing, exhibiting, selling, or auctioning of “sore” horses, and certain transportation of sore horses in connection therewith, at horse shows, horse exhibitions, horse sales, and horse auctions. “Soring” is a process whereby chemical or mechanical agents, or a combination thereof, are applied to the limbs(s) of a horse in order to exaggerate its gait(s). A “sore” horse is one that has been subjected to prohibited practices and, as a result, suffers, or can reasonably be expected to suffer, physical pain or distress, inflammation, or lameness when walking, trotting or otherwise moving. A horse that is “sore” is prohibited from entering or participating in HPA-regulated events because exhibitors, owners, and trainers of such horse may obtain unfair advantage over individuals exhibiting horses that are not “sore.”

Section 1828 of the HPA authorizes the promulgation of regulations to implement the provisions of the Act. Those regulations are found in Title 9, Chapter I, Part 11, of the Code of Federal Regulations. Part 11 delineates the responsibilities of horse industry organizations (HIOs), designated qualified persons (DQPs), management of regulated horse events, and persons who have control over regulated horses [Sections 1823 and 1824 of the HPA]. An HIO wishing to certify a program to license DQPs to inspect horses for compliance under the HPA must satisfy and abide by the requirements of the HPA and regulations. After requesting and receiving USDA certification from APHIS, HIOs must maintain an acceptable DQP program and recordkeeping systems. Managers and operators of HPA-regulated events may appoint and retain the services of DQPs to inspect and detect a horse that is sore or otherwise noncompliant with the HPA, and both managers and DQPs are required to provide and/or maintain certain information. Persons who own, train, show, exhibit, sell, transport, or otherwise have custody of, or direction or control over any horse shown, exhibited, sold, or auctioned or entered for the purpose of being shown, exhibited, sold, or auctioned at any horse show, horse exhibition, or horse sale or auction must also satisfy and abide by the requirements of the HPA and regulations.

APHIS works with HIOs on an ongoing basis to oversee their performance under the HPA. Throughout the year, APHIS uses training sessions, conference calls, and open letters to HIOs, event managers, exhibitors, owners, trainers, custodians, and farriers involved in HPA-covered activities to provide communication and feedback to address issues and strengthen enforcement under the Act. Data collected throughout the year from within APHIS and from the HIOs and

event management provide an account of the HIOs' performance and progress toward eliminating the soreing of horses and promoting fair competition. HIOs, through their certified licensing programs for DQPs, provide the primary means of detecting sore horses.

Title 9, Chapter I, Part 12, of the Code of Federal Regulations provides the Rules of Practice applicable to adjudicatory, administrative proceedings under Sections 1825(a), (b) and (c) of the HPA. Subpart A incorporates the Uniform Rules of Practice for the Department of Agriculture promulgated in subpart H of part 1, subtitle A, title 7, Code of Federal Regulations. Subpart B sets forth Supplemental Rules of Practice allowing stipulations in settlement of particular matters if specified procedures are followed.

APHIS is asking OMB to approve, for an additional 3 years, the use of these information collection activities to enforce the HPA.

2. Indicate how, by whom, how frequently, 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 uses the following information collection activities to enforce the Horse Protection Act.

9 CFR 11.5(a)(1) and 11.23(a) – Access to and Inspection of Event Management Records (New)

The management of any regulated event must provide APHIS representatives with unlimited access to any records required to be kept by regulation or otherwise maintained and must permit any APHIS representative to examine and make copies of any and all records pertaining to any horse, either required in any part of the regulations, or otherwise maintained, during ordinary business hours or such other times as may be mutually agreed upon. Such access is needed to ensure required records are being kept and to access and use information relevant to enforcement of the regulations.

9 CFR 11.7(b) and 11.7(d)(7) - Request for Certification of DQP Program and Detailed Outline of Such a Program, Including Standards of Conduct and Procedures for Enforcing Such Standards (New)

DQPs can only be licensed through USDA certified programs known as HIOs that have received approval to select, train, and monitor these individuals in the performance of their duties. Any HIO or association desiring Department certification to train and license DQP's under the Act shall submit to the Administrator a formal request in writing for certification of its DQP program and a detailed outline of such program for Department approval. These detailed requests are needed to ensure that HIOs' programs will meet the requirements of the regulations. The request must include the following elements:

(1) The criteria to be used in selecting DQP candidates and the minimum qualifications and knowledge regarding horses each candidate must have in order to be admitted to the program.

(2) A copy of the formal training program, classroom and practical, required to be completed by each DQP candidate before being licensed by such horse industry organization or association,

including the minimum number of hours, classroom and practical, and the subject matter of the training program. Such training program must include the following:

(i) Two hours of classroom instruction on the anatomy and physiology of the limbs of a horse. The instructor teaching the course must be specified, and a resume of said instructor's background, experience, and qualifications to teach such course shall be provided to the Administrator.

(ii) Two hours of classroom instruction on the HPA and regulations and their interpretation. Instructors for this course must be furnished or recommended by the Department.

(iii) Four hours of classroom instruction on the history of soring, the physical examination procedures necessary to detect soring, the detection and diagnosis of soring, and related subjects. The instructor teaching the course must be specified and a summary of said instructor's background, experience, and qualifications to teach such course must be provided to the Administrator.

(iv) Four hours of practical instruction in clinics and seminars utilizing live horses with actual application of the knowledge gained in the above subjects. Methods and procedures required to perform a thorough and uniform examination of a horse shall be included. The names of the instructors and a resume of their background, academic and practical experience, and qualifications to present such instruction shall be provided to the Administrator.

(v) One hour of classroom instruction regarding the DQP standards of conduct promulgated by the licensing organization or association.

(vi) One hour of classroom instruction on recordkeeping and reporting requirements and procedures.

(3) A sample of a written examination which must be passed by DQP candidates for successful completion of the program along with sample answers and the scoring thereof, and proposed passing and failing standards.

(4) The criteria to be used to determine the qualifications and performance abilities of DQP candidates selected for the training program and the criteria used to indicate successful completion of the training program, in addition to the written examination.

(5) The criteria and schedule for a continuing education program and the criteria and methods of monitoring and appraising performance for continued licensing of DQPs. A continuing education program for DQPs shall consist of not less than 4 hours of instruction per year.

(6) Procedures for monitoring horses in the unloading, preparation, warm-up, and barn areas, or other such areas.

(7) The methods to be used to insure uniform interpretation and enforcement of the Horse Protection Act and regulations by DQPs and uniform procedures for inspecting horses for compliance with the Act and regulations.

(8) Standards of conduct for DQPs promulgated by the organization or association. Note: Requirements set forth in 9 CFR 11.7(d)(7) are that each HIO shall promulgate standards and shall provide administrative procedures for initiating, maintaining, and enforcing such standards. Minimum standards are set forth in the regulations. Such standards are needed to ensure that DQPs properly enforce the regulations.

(9) A formal request for Department certification of the DQP program.

9 CFR 11.7(c)(2) and (3) - List of DQPs and Notification to USDA of Changes to the List and Any Warnings or Revocations Issued to Any DQP

HIOs must submit a list to the APHIS Administrator of names and addresses of all DQPs that have successfully completed the certified DQP program and been licensed under the HPA and regulations. They must then notify the USDA of any additions or deletions of names of licensed DQPs from the list or of any change in the address of any licensed DQP or any warnings and license revocations issued to any DQP licensed by the HIO within 10 days of such change. This information is needed to ensure that the list of licensed DQPs contains current information, and it is used when APHIS performs visits to horse shows to review the performance of the DQPs.

9 CFR 11.7(d)(3) and 11.21(d) - HIO Report of Violations (New)

This report is received by USDA from HIOs on a monthly basis. The report provides the identity of all regulated horse events that have retained the services of DQPs licensed by the HIO during the month covered by the report and the identity of all horses at each regulated horse event that the licensed DQP recommended be disqualified or excused for any reason. Information concerning the identity of regulated horse events must include the name and location of the event, the name and address of the manager, and the date(s) of the event. Information concerning the identity of disqualified or excused horses must include the registered name of each horse and the name and address of the owner, trainer, exhibitor, or other person having custody of or responsibility for the care of the horse. This information helps APHIS verify that the HIO applied the proper penalty for the alleged violation of the Act or regulations to the responsible parties and also helps us verify if soring is continuing in a specific area or not.

9 CFR 11.7(f)(1) - Certified DQP Program Written Warning to DQP of Unsatisfactory Performance

The HIO will report unsatisfactory DQP performance to APHIS. APHIS uses this information to review DQP performance.

9 CFR 11.7(f)(1) - Certified DQP Program Cancellation of DQP License After Warning (New)

The HIO will report canceled DQP licenses to APHIS. APHIS uses the information to ensure that the list of licensed DQPs contains current information.

9 CFR 11.7(f)(1) - Request by DQP to USDA to Appeal License Cancellation

This request is submitted by DQPs within 30 days of confirmation of cancellation of a license by an HIO. A request is necessary for the USDA to be aware of the DQP's desire to appeal.

9 CFR 11.7(g) - Appeal of Revocation (New)

Any horse industry organization whose DQP program certification has been revoked may appeal such revocation to the Administrator in writing within 30 days after the date of such revocation and, if requested, shall be afforded an opportunity for a hearing. All DQP licenses issued by a horse industry organization whose DQP program certification has been revoked shall expire 30 days after the date of such revocation, or 15 days after the date the revocation becomes final after appeal, unless they are transferred to a horse industry organization having a program currently certified by the Department. A request is necessary for the Administrator to be aware of the HIO's desire to appeal, and a written request provides documentation for legal purposes.

9 CFR 11.20(b)(1) - Written Notification to USDA and Certified DQP Programs by Event Management of Unsatisfactory DQP Performance

This notification is submitted to USDA by event management when DQP performance has failed. This information is reviewed by USDA and the certified DQP program to determine whether further action is necessary to ensure adequate DQP performance.

9 CFR 11.22(a) and (d) - Records of Events Containing Tennessee Walking Horses or Racking Horses Maintained by Management

These records must be kept by event management for at least 90 days. The Administrator may, in specific cases, require that horse event records be maintained by management for a period in excess of 90 days. These records are used by APHIS to follow-up if further information is needed in the investigation of alleged violations of the Act or regulations.

9 CFR 11.22(b) and (c) - Providing Contact Information for Recordkeeper (New)

The management of any regulated horse event must designate a person to maintain the required records. Management must furnish to any APHIS representative, upon request, the name and address (including street address, or post office box, and ZIP code) of the person designated to maintain the records. This information is used by APHIS to access the records if necessary.

9 CFR 11.23(b) - Inspection of Horse Industry Organization Records (New)

Horse industry organizations with certified DQP programs must permit any APHIS representative, upon request, to examine and copy any and all records relating to the DQP program that are required by any part of the regulations. Such access is needed to ensure required records are being kept and to access and use information relevant to assessing compliance with the Act and regulations.

9 CFR 11.24(a) - Management Report to USDA of Any Regulated Horse Event Involving Tennessee Walking Horses or Racking Horses (New)

Within 5 days following the conclusion of any regulated horse event containing Tennessee Walking Horses or racking horses, the management of such event must submit to the Regional Director for the State in which the event was held, the information required by the regulations for each horse excused or disqualified and the reasons for such action. If no horses are excused or disqualified, management must submit a report so stating. This information is necessary to

determine whether management provided compliance inspections at HPA-regulated events, and, if so, the findings of such inspections. APHIS uses this information to assess HIO performance and compliance with the Act and the regulations.

9 CFR 11.24(b) - Management Report to USDA of Any Regulated Horse Event Not Involving Tennessee Walking Horses or Racking Horses (New)

Within 5 days following the conclusion of any regulated horse event that does not contain Tennessee Walking Horses or racking horses, the management of such event must inform the Regional Director for the State in which the event was held, of any case where a horse was excused or disqualified because it was found to be sore. This information is necessary to determine whether management provided compliance inspections at HPA-regulated events, and, if so, the findings of such inspections. APHIS uses this information to assess HIO performance and compliance with the Act and the regulations.

9 CFR 11.25(a) and (e) and 11.41 - Required Information in Rulebooks and Rulebook Submission (New)

In accordance with 9 CFR 11.41, HIOs having certified DQP programs and sponsoring regulated horse events must furnish their rulebooks to USDA by March 1 of each year. Section 11.25(a) requires that each HIO must include in its rulebook penalties that equal or exceed the penalties listed in Section 11.25(c) and must also require dismissal of horses that cannot be inspected [a penalty listed in Section 11.25(d)]. Section 11.25(e) requires that each HIO provide a process in its rulebook for alleged violators to appeal penalties. The process must be approved by the Department. These provisions are necessary to allow APHIS to assess compliance with the regulations by ensuring that certain provisions are incorporated into the rulebook.

9 CFR 11.25(e) - Appeals and Reports (New)

The HIO must submit to the Department all decisions on penalty appeals within 30 days of the completion of the appeal. When a penalty is overturned on appeal, the HIO must also submit evidence composing the record of the HIO's decision on the appeal. This provision is necessary to allow the Department to ensure appropriate due process is provided to alleged violators of the Act or regulations and to ensure accurate records of penalties enforced.

9 CFR 11.41 - Certified DQP Program Quarterly Reports on Disciplinary Actions

HIOs having certified DQP programs and sponsoring regulated horse events must furnish to USDA quarterly reports of all disciplinary actions taken against the management of any horse show, horse exhibition, horse sale, or horse auction, any exhibitor, or any licensed DQP, for alleged violations of the Horse Protection Act or regulations, and the results thereof. The first report is an annual report due by March 1 of each year. In order to be able to submit these reports, HIOs must therefore keep records of disciplinary actions for one quarter (until a quarterly report is submitted) and keep quarterly reports for three to nine months until an annual report is submitted. APHIS uses this information to assess the HIOs' enforcement of the HPA and compliance with the Act and the regulations.

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.

Some of the required information may be submitted via email, fax, regular mail, courier services (such as FedEx, UPS, etc.) to APHIS at the respondents' preference. The use of electronic submissions (fax and e-mail) affords a decrease in notification time, record of submission, and reduction of paperwork, costs, and mailing activities.

The following types of information may be submitted:

- 11.7(b) - Req. for Cert. of HIO – business - has not occurred in last 3 years
- 11.7(c)(2) & (3) - DQP List – business – 100% submitted by email
- 11.7(d)(3) & 11.21(d) - HIO Viol. Rpt. – business – 100% submitted by email
- 11.7(f)(1) - Warning to DQP – business - HIOs voluntarily submit this information, 100% by email
- 11.7(f)(1) - DQP License Cancellation – business - has not occurred in last 3 years - HIOs voluntarily submit, 100% by email
- 11.7(f)(1) - DQP Appeal to USDA – individual - has not occurred in last 3 years
- 11.7(g) - HIO Appeal of Revocation – business
- 11.20(b)(1) - Notif. of Unsat. DQP – business - has not occurred in last 3 years
- 11.22(b) & (c) - Rcd-kpr Contact Info. – business and nonprofit – provided verbally
- 11.23(b) - HIO Rcd. Insp. – business – conducted on-site
- 11.24(a) - Mgmt. TWH Rpt. – business and nonprofit
- 11.24(b) - Mgmt. Non-TWH Rpt. – business – none received in last 3 years
- 11.25(a) & (c) & 11.41 - HIO Rulebks – business – 90% submitted by email
- 11.25(e) - HIO Appeal Rpts. – business – none received in last 3 years
- 11.41 - HIO Quarterly Rpts. – business - Note: 30% of HIOs voluntarily submit penalty info on occurrence by email

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.

APHIS is the only Federal Agency responsible for administering the Horse Protection Act. The information it collects while administering the Act is not available from any other sources.

5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.

All business respondents are considered small businesses. The information collection and records requirements are the minimum needed to verify compliance with the HPA and Federal regulations.

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.

If the information were collected less frequently or not collected, APHIS would not be able to accurately assess compliance with the HPA.

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;**

DQPs subject to license cancellation must submit their appeals to the USDA within 30 days of notification.

Show management staff reporting unsatisfactory DQP performance must submit their reports to the USDA immediately after the event for review and potential action.

Event management reports of any horse show, exhibition, auction, or sale at which they conducted inspections of horses must be submitted to USDA within 5 days of the event.

- **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.**

No other special circumstances exist that would require this collection to be conducted in a manner inconsistent with the guidelines 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 format (if any), 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.

APHIS consulted the following individuals:

1. Representative from S.H.O.W. HIO
Curtis Pitman
cp3247@hotmail.com
Shelbyville, TN
2. Representative from KY HIO
Lisa Newsome
kyhio@windstream.net
Flemingsburg, KY
3. Representative from American Horse Services HIO
Rachel Reed
Show9506@gmail.com
Henryville, IN

On Friday, June 21, 2019, pages 29157-29158, USDA 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. During that time, USDA received eight comments from the public. All of the comments supported the collection of this information and requested that the information be made easily available to the public (e.g., online), for reasons such as monitoring the performance of both USDA and the industry and allowing owners to evaluate the people they might hire to handle their horses. USDA publishes horse protection program information on the USDA/APHIS/Animal Care website at <https://www.aphis.usda.gov/aphis/ourfocus/animalwelfare/hpa/activity-and-show-reports>. In addition, USDA publishes the HPA Federal Disqualification and Civil Penalty List at https://www.aphis.usda.gov/ies/downloads/disqualification_list.pdf.

One commenter asked for clarification as to whether the “revision” mentioned in the “Notice of Request for Revision to and Extension of Approval of an Information Collection” was limited to the optional use of automated, electronic, mechanical, and other collection technologies, noting an inability to comment on any other changes not mentioned in the Notice. The revision involved information collection data, not procedural changes with regard to the HPA.

One commenter asked for the collection of information beyond the scope of the information collection. The commenter also asked that the information be available un-redacted to the public. USDA posts records when authorized and in a manner consistent with the Freedom of Information Act (FOIA) and Privacy Act. Those seeking information from USDA regarding HPA-related regulatory correspondence and enforcement-related matters may submit FOIA requests for that information at <https://efoia-pal.usda.gov/palMain.aspx>. Some enforcement records (such as initial decision-and-orders, default decisions, and consent decisions) will continue to be available on the USDA's Office of Administrative Law Judge's website (<https://www.oaljdecisions.dm.usda.gov/>).

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

There are no payments of gifts provided to respondents.

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

No assurance of confidentiality is provided to any respondent.

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.

There are no questions of a sensitive nature asked of the respondents.

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. 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.

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

APHIS estimates the total annualized cost to the respondents to be \$83,856. APHIS arrived at this figure by multiplying the total burden hours (2,046) by the respondents' estimated average hourly wage (\$27.87), and then multiplying the result by 1.4706 to capture benefit costs.

This estimated average hourly rate was derived from the wages for Animal Trainers (Custodians), Agricultural Managers (Event managers), Supervisors of Office and Administrative Support Workers (HIO personnel), and Agricultural Inspectors (DQPs) as listed in the [U.S. Department of Labor, Bureau of Labor Statistics May 2017 Report - Occupational Employment and Wages in the United States](#). According to [DOL BLS news release USDL-18-1499, dated September 18, 2018](#), benefits account for 32% of employee costs, and wages account for the remaining 68%. Mathematically, total costs can be calculated as a function of wages using a multiplier of 1.4706.

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 additional cost burden to the respondents.

14. Provide estimates of annualized cost to the Federal government. Also, 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 APHIS Form 79. The estimated annual cost for the Federal Government is \$53,127.

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

	Requested	Program Change Due to New Statute	Program Change Due to Agency Discretion	Change Due to Adjustment in Agency Estimate	Change Due to Potential Violation of the PRA	Previously Approved
Annual Number of Responses	1,565	0	(2,241)	196	0	3,610
Annual Time Burden (Hr)	2,046	0	(908)	686	0	2,268

There are 289 respondents consisting of event managers and HIOs. Overall, there is a decrease of 2,035 responses and 222 burden hours from the previous approval. A summary of changes can be found in the table on page 14. These changes are attributed to:

Program changes resulted in a net decrease of responses and burden hours.

a. 11.2 and 11.3, APHIS Documentation of Violations, was removed because it applies only to APHIS employees.

b. We increased our estimate of time per response for 11.7(b), Request for Certification of DQP Program.

c. 11.7(d)(1), DQP Records, was previously listed as a record-keeping requirement. However, the DQPs are not required to maintain the records listed in this regulation. They simply provide information on horses disqualified or excused to their HIOs within 72 hours of the end of an event. Therefore, we removed this from the information collection.

d. 11.7(d)(4), Notification of Horse in Violation, was removed because it is not information provided to USDA.

e. The estimate of time required per response for 11.7(f)(1), Certified DQP Program Written Warning to DQP of Unsatisfactory Performance, was increased slightly.

f. 11.7(f)(1), Request by DQP to USDA to Appeal License Cancellation, involved no revised estimates after rounding. In actuality, there were no respondents for this requirement in the last several years but the requirement exists so it is included in this estimate with one response.

g. The estimate of time required per response for 11.20(b)(1), Written Notification to USDA and Certified DQP Programs by Event Management of Unsatisfactory DQP Performance, was increased slightly. Also, for the past several years, the number of respondents has been zero but the requirement exists so it is included in this estimate with one response.

h. Previously, 11.22(a) and (d), Records of Events Containing Tennessee Walking Horses or Racking Horses Maintained by Management, was listed solely as a record-keeping requirement. However, management must create as well as maintain these records so we added them as respondents as well.

i. Two reporting requirements previously combined under 11.24 were separated into 11.24(a), Management Report to USDA of Any Regulated Horse Event Involving Tennessee Walking Horses or Racking Horses; and 11.24(b), Management Report to USDA of Any Regulated Horse Event Not Involving Tennessee Walking Horses or Racking Horses, because they are provided by different respondents. There were no respondents for 11.24(b) but the requirement exists so it is included in this document with one response. Also, we slightly increased our estimate of time spent per responses.

j. Previously, the required HIO rulebook, annual report, and quarterly reports were combined under 11.41. In this submission, the rulebook requirement is reported under 11.25(a) and (c),

Required Information in Rulebooks and Rulebook Submission, and 11.41, Certified DQP Program Quarterly Reports on Disciplinary Actions, and the annual report and quarterly reports are listed under 11.41. Although 11.41 requires submission of the rulebook, 11.25(a) and (c) require certain information to be included in the rulebook, so we separated the rulebook requirements from the reporting requirements. We could not determine how to separate the data previously reported, so we are reporting (and discussing) all of those data under 11.41.

k. The current data reported for 11.41, Certified DQP Program Quarterly Reports on Disciplinary Actions, cover only the submission of reports, while the previous data also covered the submission of rulebooks. In addition, the previous data did not address record-keeping. Because reports are submitted on a quarterly basis, HIOs must keep records for at least one quarter prior to the submission of each report. Therefore, we added record-keeping data to our report. We also increased our estimate of the time spent per response.

l. 11.40, Transporter Reports, has been removed because the information is gathered when USDA is investigating a specific party. It is exempt from the PRA.

m. The following activities were inadvertently left off the previous information collection request and are being reported as violations of the PRA: 11.5(a)(1), Access to and Inspection of Event Management Records; 11.7(f)(1), Certified DQP Program Cancellation of DQP License After Warning; 11.7(g), Appeal of Revocation; 11.20(b)(1), DQP Access to Records; 11.22(b, c), Providing Contact Information for Recordkeeper; 11.23(b), Inspection of Horse Industry Organization Records; and 11.25(e), Appeals and Reports.

Program adjustments resulted in a net increase of responses and burden hours.

a. Two requirements from the previous submission -- 11.7(c)(2) and (3), List of DQPs and Notification to USDA of Changes to the List and Any Warnings or Revocations Issued to Any DQP -- were combined for this submission because no updates were being provided by the HIOs. The lack of those updates caused both the responses and the burden hours to decrease.

b. The requirement for HIOs to report alleged violations (11.21(d)) was added to the requirement for a monthly report -- 11.7(d)(3), HIO Report of Violations -- because alleged violations are included in that report.

<u>9 CFR</u>	<u>ACTIVITY</u>	<u>RESP</u>	<u>PREVIOUS RESPONSES</u>	<u>NEW RESPONSES</u>	<u>DIFFERENCE</u>	<u>PREVIOUS BURDEN</u>	<u>NEW BURDEN</u>	<u>DIFFERENCE</u>
11.2 &								
11.3	APHIS Doc. of Viols.	N/A	60	0	(60)	30	0	(30)
11.4(e)(2)	Notif. of Drugs (prev. 11.5)	I	1	0	(1)	1	0	(1)
11.5(a)(1)	Access to Mgmt. Rclds.	B	0	20	20	0	20	20
& 11.23(a)		N	0	44	44	0	44	44
11.7(b)	Req. for Cert. of HIO	B	9	15	6	27	240	213
11.7(c)(2)								
& (3)	DQP List (prev. separate)	B	27	14	(13)	18	14	(4)
11.7(d)(1)	DQP Rclds.	I	160	0	(160)	400	0	(400)
11.7(d)(3)								
& 11.21(d)	HIO Viol. Rpt. [prev. 11.7(d)]	B	108	182	74	108	672	594
11.7(d)(4)	Notif. of Horse in Viol.	B	1,080	0	(1,080)	270	0	(270)
11.7(f)(1)	Warning to DQP	B	9	4	(5)	2	2	0
11.7(f)(1)	DQP License Cancellation	B	0	1	1	0	1	1
11.7(f)(1)	DQP Appeal to USDA	I	1	1	0	1	1	0
11.7(g)	HIO Appeal of Revocation	B	0	1	1	0	4	4
11.20(b)(1)	DQP Access to Rclds.	B	0	86	86	0	86	86
11.20(b)(1)	Notif. of Unsat. DQP	B	5	1	(4)	10	1	(9)
11.22(a)	Mgmt. TWH Rclds.	B	600	172	(428)	900	129	(771)
& (d)		N	0	376	376	0	282	282
11.22(b)	Rcd-kpr Contact Info.	B	0	86	86	0	7	7
& (c)		N	0	188	188	0	15	15
11.23(b)	HIO Rcd. Insp.	B	0	14	14	0	4	4
11.24(a)	Mgmt. TWH Rpt. (prev 11.24)	B	1,500	86	(1,414)	495	43	(452)
		N	0	188	188	0	94	94
11.24(b)	Mgmt. Non-TWH Rpt.	B	0	1	1	0	1	1
11.25(a) &	HIO Rulebks (prev. incl.							
(c) & 11.41	rpts. – see 11.41 below)	B	0	14	14	0	28	28
11.25(e)	HIO Appeal Rpts.	B	0	1	1	0	1	1
11.40	Transporter Rpts.	I	5	0	(5)	3	0	(3)
11.41	HIO Quarterly Rpts.	B	45	70	25	3	357	354
			<u>3,610</u>	<u>1,565</u>	<u>(2,035)</u>	<u>2,268</u>	<u>2,046</u>	<u>(222)</u>

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

The APHIS Horse Protection Act web site is used to transmit information to the public concerning the enforcement of the Act. The web site has a listing of HIOs and DQPs, as well as the Federal Disqualification and Civil Penalty List, for the public to use at horse shows. Any information placed on the Web site has been verified by the HIOs. The Web site is located at https://www.aphis.usda.gov/aphis/ourfocus/animalwelfare/SA_HPA.

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 on all forms.

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

The agency is able to certify compliance with all provisions under Item 19 of OMB Form 83i.

B. Collection of Information Employing Statistical Methods

This information collection does not employ statistical methods.