

Supporting Statement
Seafood Trade Relief Program (STRP) 2020
OMB control number-0560-NEW

FSA is requesting an emergency approval on the information collection of Seafood Trade Relief Program (STRP). The information collection request is needed to provide assistance through STRP for seafood that has been significantly impacted by actions of foreign governments resulting in the loss of traditional exports resulting in the need for assistance, for example, for the purpose of expanding or aiding in the expansion of domestic markets for U.S. caught and sold seafood.

FSA is administering STRP on behalf of the Commodity Credit Corporation (CCC). CCC is funding the program payments. The notice of funding availability (NOFA) will be published to announce STRP. The 60-day notice requesting for comments is in the NOFA.

The new assistance was announced by the Presidential Memoranda dated June 24, 2020, for seafood, to issue payments to U.S. fishermen.

1. Circumstances that make the collection of information necessary.

This information collection is required for FSA to make STRFP payments to domestic commercial fishermen. Specifically, the CCC Charter Act (15 U.S.C. 714c) authorizes CCC to assist in the disposition of surplus commodities and to increase the domestic consumption of commodities by expanding or aiding in the expansion of domestic markets or by developing or aiding in the development of new and additional markets, marketing facilities, and uses for such commodities.

The purpose of STRP is to aid in the expansion of domestic markets or aid in the development of new and additional markets and uses for the specific crops or commodities that are negatively impacted by actions of foreign governments.

The funding will be provided under the authority in 15 U.S.C. 714c.

2. How, by whom, and for what purpose is information used.

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The information collection requirements are described below and on the attached Reporting and Recordkeeping Requirements sheet.

To calculate the STRP payment amount for an approved applicant, FSA must identify the commercial fisherman and determine the actual number of pounds of seafood caught and reported to state officials for commercial sale, the producer's share of the commodity, and know how to disburse the payment based upon having the applicant's option of having a paper check mailed to the applicant, or having the payment deposited directly to an account of the applicant.

Lack of adequate information to make the determination could result in the improper administration and appropriation of CCC funds.

The following forms are for the fishermen to complete, where applicable, to a STRP payment:

CCC-916 2020 Seafood Trade Relief Program (STRP) – Fishermen are required to submit this form in order to be eligible for STRP and to calculate a payment. Fishermen will provide STRP information to the FSA County office either in person, by mail, email, fax, or electronically using Box and OneSpan available through www.farmers.gov/Seafood. FSA staff will manually enter the information into the STRP automated system in order to print out the completed STRP application.

Failure of an individual, entity, or a member of an entity to timely submit all information required may result in no payment or a reduced payment. Approved applicants must submit within 60-days of the date they signed the CCC-916 the following forms, if applicable:

CCC-901 Member Information for Legal Entities, if applicable – entities are required to complete this form to report information about members of their fishing operation, including the member's share of ownership, and the member's tax identification number.

CCC-902 Farm Operating Plans for an Individual (Part A and B) is used to collect information about individuals to report their fishing operation to determine eligibility for payments. Also, this form is designed for individuals using a social security number and requesting program payments as an individual for their own fishing operation.

CCC-941- Average Adjusted Gross Income (AGI) Certification and Consent to Disclosure of Tax Information is to be used for fishermen to do the certification of compliance with the \$900,000 AGI limitation applicable to 2020 program year benefits. The estimated burden hours for the form is 21,500 (43,000 x 0.50).

CCC-942 Request for an Exception to Average AGI limitation is only required if at least 75 percent of the person or legal entity's average AGI is derived from farming, ranching, forestry, seafood production, or related activities provided required certification and documentation, the person or legal entity, other than a joint venture or general partnership, is eligible to receive STRP payments, directly or indirectly up to the payment limit. The estimated burden hours for the production evidence is 8 (100 x 5 minutes).

Production evidence will not be required at the time of signup. The estimated burden hours for the production evidence is 300 (1,000 x 15 minutes). The only other possible reason for submitting production evidence is if the certified pounds of seafood is determined to be questionable.

2020 STRP Application. The form is the STRP application for use by applicants requesting an STRP payment. The estimated burden hours for this agreement is 10,750 (43,000 x 0.25 (15 minutes)).

Applicants for this payment will submit the CCC-916 - STRP application (agreement) in person at a local FSA Service Center, by mail, fax, or as an e-mail attachment. This form identifies the applicant identified in Part B of form CCC-916 STRP application (agreement), the production of the commodities for the 2020 market year as certified by the applicant in Parts C of form CCC-916 STRP application (agreement). The information collected is used by FSA to calculate the STRP payment amount based upon the certified production amount(s), and to determine if the production amount(s) is for the 2020 market year.

Currently FSA CCC-916 form is in English only but will be done in the Spanish and Vietnamese languages. Once those forms are translated, FSA will submit a change request to add the two new languages.

SF-3881-ACH Vendor/Miscellaneous Payment (OMB control number 1530-0069). FSA is using 1 collection approved under OMB Control Numbers of 1530-0069 for the producers to sign up to get direct payment electronically from FSA. The estimated number of producers to complete this form is 43,000 and burden hours 10,750 (43,000 X 15 minutes), and the burden hours are not included in this collection.

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 decisions for adopting this means of collection. Also describe any consideration of information technology to reduce burden.

The application form CCC-916, CCC-901, CCC-902, CCC-941, and CCC-942 are available electronically at <http://forms.sc.egov.usda.gov/eForms/welcomeAction.do?Home> and Box and OneSpan can be used to electronically submit and sign the forms.

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

There is no duplication of information.

5. Methods to minimize burden on small businesses or other small entities (Item 5 of OMB Form 83-I), describe any methods to minimize burden.

The information collected does not adversely impact small businesses or other small entities. The small businesses or entities number is 42,500.

6. Describe the consequences to Federal program or policy activities if the collection is not conducted or conducted less frequently, as well as any technical or legal obstacles to reducing burden.

The NOFA requires the minimum information needed to determine the dollar amount the applicant is eligible to receive under STRP. This minimum reporting of information is necessary for FSA to administer STRP in an equitable and cost-effective manner, and to ensure the applicant is not overpaid or underpaid.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner:

- a) Requiring respondents to report information more frequently than quarterly. None.
- b) Requiring written responses in less than 30 days. None.
- c) Requiring more than an original and two copies. None.
- d) Requiring respondents to retain records for more than 3 years. None.
- e) No utilizing statistical sampling. None.
- f) Requiring the use of statistical sampling which has not been reviewed and approved by OMB. None.
- g) Requiring the pledge of confidentiality. None.
- h) Requiring submission of propriety trade secrets. None.

8. Describe efforts to consult with persons outside the Agency to obtain their view on the availability of data, frequency of collection, the clarity of instructions and record keeping, disclosure, or reporting format (if any), and on data elements to be recorded, disclosed, or reported.

The 60-day notice will be included in the NOFA requesting for comments on the new information collection activities.

The following individual was consulted regarding this information collection and thought the process was clear, and, had no suggestions for modification of the forms or information required.

Kelly Denit, NOAA
Kelly.denit@noaa.gov

Martha Guyas, Gulf of Mexico Fishery Management Council
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Patrice McCarron, Maine Lobstermen's Association
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John McGovern, NOAA
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Brian McManus, Florida Fish and Wildlife Commission
Brian.McManus@MyFWC.com

9. Explain any decision to provide any payment or gift to respondents.

There is no payment or gift given to respondents.

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

FSA policy prohibits revealing individual privacy information. Information collected is handled according to established FSA procedures implementing the Privacy Act, Freedom of Information Act, and OMB Circular 130, "Responsibilities for the Maintenance of Records about Individuals by Federal Agencies".

11. Provide additional justification for any question of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.

No questions of a sensitive or personal nature are included in the application.

12. Provide estimates of the hour burden of the collection of information.

FSA estimates that up to **43,000** fishermen may apply for STRP payments. The burden and the costs reflect the average of the one-time information collection activities. These estimates were prepared based on the variety of forms used by the field offices.

The annual burden for this information collection package is 86,308. This was calculated by adding the annual burden hours determined for the STRP agreement, other required forms (CCC-902, CCC-941, and CCC-942) and production evidence (recordkeeping).

Respondent cost per hour was derived by using U.S. Bureau of Labor Statistics Occupational Employment and Wages, May 2017, 11-9013 Farmers, Ranchers, and Other Agricultural Managers. The U.S. mean household income, as measured by the Bureau of Labor, is \$38.62 hourly. Also, a total employer compensation costs (fringe benefits) for all workers averaged \$11.25 per hour worked from Bureau of Labor Statistics website, specifically in the document of the employer costs for employee compensation, September 2018. Resulting in \$49.87. The estimated cost is **\$ 4,304,197** (\$49.87 x 86,308).

13. Provide an estimate of the total annual cost burden to the respondents or recordkeepers resulting from the collection of information.

There are no capital and start-up, or ongoing operation or maintenance costs associated with this information collection.

14. Provide estimates of annualized cost to the Federal Government.

The cost of form development, printing and distribution is minimal because the form is computer generated. County employee cost per response is equal to 0.5 hours for completion of the application form multiplied by \$19.74 (estimated county employee average hourly wage; based 2020 General Schedule, Grade 7, Step 5). A total employer compensation costs (fringe benefits) for all government workers averaged \$7.20, 37%, per hour worked from Bureau of Labor Statistics website, specifically in the document of the employer costs for employee compensation, September 2018. The total annualized cost to the Federal Government is **\$579,210** ($\$19.74 + \$7.20 \times 0.5 \text{ hours} \times 43,000 \text{ responses}$).

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 information collection.

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

There are no plans to publish the results of STRP.

17. If seeking approval to not display the expiration date for the OMB approval of information collection, explain the reasons that display would be inappropriate.

FSA will display OMB expiration date in CCC-916.

18. Explain each exception statement to the certification statement identified in Item 19 on OMB Form 83-I.

FSA is able to certify compliance with all provisions under Item 19 of OMB Form 83-I.