

August 2020

Supporting Statement
APHIS Credit Account and User Fee Programs
0579-0055

NOTE: This information collection request was previously titled Request for Credit Account Approval for Reimbursable Services. It is retitled APHIS Credit Account and User Fee Programs.

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.

The Food, Agriculture, Conservation and Trade Act of 1990, as amended, authorizes the Secretary of Agriculture to prescribe and collect fees to reimburse the Agency for the cost of carrying out the provisions of the Federal laws that relate to the importation, entry, and exportation of animals and plants, and their products, articles, or means of conveyance. In addition, the Secretary is authorized to prescribe and collect fees to recover the cost of carrying out provisions of 31 U.S.C. 136a which relate to veterinary diagnostics.

This information collection is also needed to support requests for credit accounts for charges for certain import and export services in order to provide information to the Agency. The Debt Collection Improvement Act of 1996 (codified at USC §3332) provides certain requirements that agencies collect information from person(s) doing business with the government for the purpose of collecting delinquent debts. APHIS requires certain information in order to extend credit to customers.

The Animal and Plant Health Inspection Service (APHIS) is asking OMB to approve for 3 years its use of information collection activities related to user fee collections.

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.

APHIS uses the following information activity to establish credit accounts.

Application for Credit Account and Request for Services (APHIS Form 192); (9 CFR §97, §130, 7 CFR §354); (Business, Individual)

This form is submitted by customers who import and export certain animals and plants under 9 CFR §97.1, 130.6(b), 130.7(b), 130.8(b), 130.14(b), 130.15(b), 130.20(d), 130.30, and 7 CFR §354(a)(1) and who wish to establish credit accounts with APHIS. These are usually repeat customers who request that APHIS bill them monthly for the service APHIS provides them. The

information is used by the APHIS Financial Operations Branch to conduct credit checks on applicants to ensure credit-worthiness prior to APHIS extending credit to those customers, and to deny credit to financially unstable applicants.

The following information collection activities are used to document user fees. APHIS uses information related to the activity and provided by the respondent to ensure fees collected are correct and that they are remitted in full and in a timely manner. Requesters of APHIS services are usually repeat customers, and, in many cases, request that APHIS bill them for its services. The reportable burden consists of verifying and paying the assessed fees.

User Fees Veterinary Diagnostics and User Fees VS Import/Export (APHIS Form 81 or similar); (9 CFR §130); (Business and Individual)

This form is initiated by APHIS VS officials to record the VS user fee charges made to customers in accordance with the regulations at 9 CFR §130, User Fees, and 9 CFR §97. It is an accountable document; each form is assigned a unique control number. If a customer pays by check, or credit card at the time APHIS provides the services, the form serves as a receipt for payment of services rendered. If the customer has an established APHIS credit account, the APHIS Form 81 serves an invoice which is included on the monthly consolidated account statement bills to customers.

Report of Reimbursable Overtime (ROT) for Inspection and Quarantine Service (APHIS Form 89 or similar); (7 CFR §354.3); (Business, Individual)

This form is initiated by APHIS PPQ officials and is used to record reimbursable services performed by APHIS, PPQ employees relating to the inspection, clearance, or quarantine of plants and plant products, and other import or export commodities or articles subject to inspection under APHIS regulations at 7 CFR §354. It is used as part of the billing and collection process for these services. The form serves as an itemized invoice, and in some cases, the charges on the form accumulate on customer accounts with an approved credit account.

Importation of Solid Wood Packing Materials, Statement of Services/Invoices/Receipt (PPQ Form 950 or similar); (7 CFR §354.3j); (Business)

This form is initiated by APHIS PPQ officials and used under 7 CFR §354.3(j) to record overtime related to inspections the government conducts on vessels or in storage areas of solid wood packing material or cargo in accordance with the program regulations at 9 CFR §319.40-5(g) and 9 CFR §319.40-5(h). It may also be used related to the supervision of the separation of cargo from solid wood packing material that has been denied entry and the destruction or exportation of the solid wood packing material.

Aircraft Clearance or Safeguard Order Aircraft Clearance (PPQ Form 250 or similar); (7 CFR §354.3); Business

This form is initiated by APHIS officials and is used in cases where an arriving international aircraft moves between multiple airports in the U.S. Specifically, it is used to inform the first airport (the airport of arrival) of the remaining destination airports and information on departure times. This form must accompany aircraft to its final destination and after final disposition action, the form must be returned to the originating office.

The regulations established user fees for various services APHIS provides related to importation and exportation of live animals, animal products, animal byproducts, organisms and vectors, and germplasm (semen, embryos, and ova). These fees cover import-related inspections and services provided at ports along the U.S. borders and at other air, ocean, and rail ports of entry; and the inspection and approval of facilities handling imported animals or certain animal products, organisms, or vectors. These fees also cover miscellaneous services related to the import or export of live animals, animal products, animal byproducts, organisms and vectors, and endorsing export health certificates are provided. The following information collection activities serve as source documents for assessing the appropriate user fees and billing the respondents for payment accordingly. The reportable burden consists of verifying and paying the assessed fees.

Phytosanitary Certificates and State Issuance of Certificates (PPQ Forms 577, 578, 579); (7 CFR §354.3); (Individual)

Phytosanitary Certificate (PPQ Form 577)

Exporters of plants, plant products, soil, lumber, and other agricultural products require phytosanitary export certificates to facilitate movement of those items from the U.S. to destination countries. The exporter completes the “Description of Consignment” section of this form before submitting it to appropriate APHIS Plant Protection Quarantine (PPQ) personnel for further processing. This form certifies that the domestic plants or plant products described by the exporter have been inspected according to appropriate procedures, are considered to be free from certain plant diseases and insect pests, and are considered to conform to the requirements of the receiving country.

Export Certificate for Processed Plant Products (PPQ Form 578)

In order to facilitate movement of manufactured and processed plant products not otherwise eligible for certification under PPQ Form 577, Phytosanitary Certificate, exporters use this form to affirm that processed or manufactured products described by the exporter are believed to be free from injurious plant pests based upon inspection or based upon the processing to which the products have been subjected.

Phytosanitary Certificate for Re-export (PPQ Form 579)

This form is used when certain plants or plant products have been removed from their original container and packed in new ones. The exporter completes the “Description of Consignment” section of this form before submitting it to appropriate PPQ personnel for further processing. This form is used to certify that the foreign plants or plant products described on the form were imported into the U.S. from a specified country of origin, were packed in the original containers, or were replaced in new ones. This form also certifies that, based on the country of origin’s phytosanitary certificate and/or an additional inspection, the plants or plant products are considered to conform to the current phytosanitary regulations of the receiving country and have not been subjected to the risk of infection or infestation during storage in the United States.

Application for Permit to Import or Transport Controlled Material or Organisms or Vectors (VS Form 16-3); (9 CFR §130.4); (Business)

This form used by a customer to apply for a permit to import certain controlled materials, organisms, or vectors into the U.S. APHIS employees use the information on this form to

determine whether or not to issue a permit. In the cases where APHIS issues a permit, the information the Agency collects on this form also indicates the type of requirements and paperwork that the agency needs to communicate to the applicant.

Additional Information for Cell Cultures and Their Products (VS Form 16-7); (9 CFR §130.4); (Business)

This form is completed by commercial and research importers for the importation of certain pharmaceutical and diagnostic products and organisms. This application is for cell cultures only and is completed in addition to the VS Form 16-3, Application for Permit to Import. It is used as part of a decision matrix for the Agency to decide whether or not to issue import permits. The additional information is necessary for the importation of cell cultures, such as: cell line designation and passage; type and source of culture media; nutritive factors of animal origin in the culture media, if animal serum is used; source of animal enzymes; and if the cell line is hybridoma.

User Fees, Application for Import or In-Transit Permit (VS Form 17-129); (9 CFR §130.3); (Business, Individual)

This form is used by customers who intend to exhibit horses, elephants, hippopotami, rhinoceroses, poultry, cattle, sheep or goats at zoos. Before APHIS can quarantine animals at a USDA operated quarantine facility, the importer must reserve space there, and this form is used as part of this process. This form also tells APHIS from which country or region the animals originate, which lets APHIS inform the importer about required import requirements and paperwork.

Compliance Recordkeeping; (9 CFR 354.3); (Business)

Carriers, travel agents, United States-based tour wholesalers, and similar entities must allow APHIS personnel to verify the accuracy of the AQI user fees collected and remitted and to otherwise determine compliance with this section. They must advise APHIS or its agent of the name, address, and telephone number of a responsible officer who is authorized to verify AQI user fee calculations, collections, and remittances, as well as any changes in the identifying information submitted.

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.

APHIS has reviewed paperwork requirements of the user fee program and has made every effort to streamline processes and minimize the impact on the public. Wherever possible, APHIS uses existing billing and collection methods to minimize the cost to the Agency and the public. In the cases where APHIS issues bill to customers, APHIS establishes accounts for repeat customers to consolidate all monthly activity into a single bill which can be paid with one check or an online payment. APHIS also uses credit card machines to help simplify paperwork, where feasible, and making payment easier for certain customers.

APHIS Form 192 is available in fillable PDF on the APHIS forms website and may be transmitted electronically to APHIS for processing.

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 that APHIS collects in connection with this information collection request is not available from any other source and is unique to the transaction.

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

APHIS estimates that 1% of the respondents are small entities. The request for information has been kept to a minimum. Since all parties must submit the same information, regardless of the size of the entity, no specific consideration has been given to small businesses or small entities.

6. Describe the consequences 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.

Collected fees fund the APHIS services processing and providing certificates and permits. Reducing or failing to collect them would limit the Agency's ability to provide clearance certificates and permits in a timely manner, hindering trade. In the case of credit accounts, not checking the customer credit-worthiness before extending credit would increase the number of bad debts the Agency would incur. Since these programs are full cost recovery, nonpaying customers would reduce the funds available to run the programs.

7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with the general information collection guidelines in 5 CFR 1320.5 listed here as follows:

- 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;
- 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 special circumstances exist that would require this collection to be conducted in a manner inconsistent with the general information collection 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 forms, 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 with the following individuals concerning the activities and burden in this information collection, discussing with them how the necessary data was collected and how frequently; and the convenience and clarity of reporting formats and other collection instruments. The respondents stated that once process nuances were understood, reporting requirements were efficient. They had no advice for improving the activities and processes and had no further recommendations.

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On Monday, June 1, 2020, APHIS published in the Federal Register on pages 33079-33080 a 60-day notice seeking public comments on its plans to request a renewal of this collection of information. No comments from the public were received.

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

This information collection activity does not involve any 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. Any and all information obtained in this collection shall not be disclosed except in accordance with 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.

This information collection request does not ask any 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 burdens in Item 13 of OMB Form 83-I.**

See APHIS Form 71 for hour burden estimates.

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

The total annualized cost to respondents is \$4,114,500. This was computed by multiplying the estimated average hourly wage (\$32.71) by the total number of burden hours (88,025) needed to complete the work, and then multiplying the result by 1.429 to capture benefit costs.

The average hourly rates used to calculate the estimate are for accountants (SOCC 13-2011, \$38.23), sales representatives (SOCC 41-4012, \$34.19), and the general all occupations (SOCC 00-0000, \$25.72), using information found at the U.S. Bureau of Labor Statistics employment statistics website http://www.bls.gov/current/oes_stru.htm. According to DOL BLS news release USDL-20-0451 released March 19, 2020, employee benefits account for 30 percent of employee costs, and wages account for the remaining 70 percent. Mathematically, total costs can be calculated as a function of wages using a multiplier of 1.429.

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. 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 79. The estimated annualized cost to the Federal Government is \$605,829.

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

	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	1,396,239		1,395,978			261
Annual Time Burden (Hr)	93,465		93,400			65

This request for renewal of an information collection request contains 1,396,239 responses and 93,465 hours of burden, an increase of 1,395,978 responses and 93,400 hours from the previous submission.

The responses and burden for the activity, Application for Credit Account and Request for Services (APHIS Form 192), were unchanged but reallocated across two respondent types.

The other nine activities are being reinstated from previously discontinued 0579-0094 and include User Fees Veterinary Diagnostics and User Fees VS Import/Export (both APHIS Form

81 or similar); Report of Reimbursable Overtime (ROT) for Inspection and Quarantine Service (APHIS Form 89 or similar); Agricultural Clearance or Safeguard Order Aircraft Clearance (PPQ Form 250); Phytosanitary Certificates and State Issuance of Certificates (PPQ Forms 577, 578, and 579); Importation of Solid Wood Packing Materials (PPQ Form 950 or similar) (new); Application for Permit to Import or Transport Controlled Material or Organisms or Vectors (VS Form 16-3); Additional Information for Cell Cultures and their Products (VS Form 16-7); User Fees, Application for Import or In-Transit Permit (VS Form 17-129); and compliance recordkeeping. The number of estimated respondents changed from 261 to 8,374, an increase of 8,113.

95%, or 88,372 hours, of the burden hours are attributed to three activities: User Fees Veterinary Diagnostics and User Fees VS Import/Export, 63,849 hours; Phytosanitary Certificates and State Issuance of Certificates (PPQ Forms 577, 578, and 579), 19,083 hours; and Recordkeeping, 5,440 hours.

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

There are no plans to publish or tabulate data in connection with this information collection request.

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

APHIS requests not to display the OMB approval expiration date on the forms because they are used in multiple collections with varying expiration dates, or will be available in different media such as PDF-F and/or an internal reporting system.

18. Explain each exception to the certification Statement in the "Certification for Paperwork Reduction Act."

APHIS can certify compliance with all provisions under the Act.

B. Collections of Information Employing Statistical Methods

There are no statistical methods associated with the information collection activities used in this program.