

**SUPPORTING STATEMENT**

QUALITY SAMPLES PROGRAM

OMB # 0551-0047

**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 Quality Samples Program is authorized by Section 5 of the Commodity Credit Corporation Charter Act, 15 U.S.C. 714c(f), which became effective on November 15, 1999. Section 5 provides that in the fulfillment of its purposes and in carrying out its annual budget programs submitted to and approved by the Congress pursuant to Chapter 91 of Title 31, the Corporation is authorized to use its general powers to export or cause to be exported, or aid in the development of foreign markets for, agricultural commodities (other than tobacco), including fish and fish products, without regard to whether such fish are harvested in aquacultural operations. By this authority the program pays for U.S. commodity samples and shipping to foreign ports in order to demonstrate the quality of the U.S. product to industrial users who are unfamiliar with the product.

**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.**

The Foreign Agricultural Service (FAS) administers the program for the Commodity Credit Corporation (CCC). Data collected is used by FAS marketing specialists and program managers for funding allocations, program management, planning, and evaluation. Participants are required to keep documents for 5 years after completing a project.

Proposals: Through the proposal, prospective applicants submit data about their organizations so that FAS can determine the extent to which applicants satisfy the criteria upon which allocations are based. The proposal must include: organizational information, including a description of the organization's experience in technical assistance projects; project information, including a brief description of the specific market development trade constraint or opportunity to be addressed by the project; a market assessment; information on how project progress and results will be measured and demonstrated; and financial information.

Project Agreements: The project agreement is a binding instrument and creates a legal obligation on the part of CCC to make funds available to the Participant. The agreement creates a cooperative relationship between CCC and the Participant with each side

contributing resources to support achievement of mutual goals. Since the agreement binds the United States Government, it is a proper basis for obligating funds and establishing the basis for this program.

Evaluation: FAS requires Participants, in their applications, to submit performance measures in order to (1) monitor performance of technical assistance projects, (2) evaluate the benefits and effects of these projects, and (3) document the experience gained from these activities for use in the design and implementation of future projects. Based on this information, FAS program managers are also better able to determine what changes are needed to improve program performance when designing future programs.

Reimbursement Claims: The project agreement and corresponding amendments provide the authorities and limitations for Participants to make expenditures. The Participant is responsible for instituting a financial management and accounting system that ensures accurate, current, and complete disclosure of all financial transactions for each approved activity. All expenditures incurred must be proper, reasonable, and in accordance with FAS regulations. The Participant is responsible for submitting claims to FAS requesting reimbursement for incurred costs as outlined in the application. Reimbursement claims are submitted, usually on a monthly basis, throughout the agreement timeline until 90 days after the expiration of the agreement.

Office Management Records: Other reporting and recordkeeping requirements, e.g. travel reports, are required as a means of ensuring that U.S. Government resources are disbursed as judiciously as possible. FAS requires the same control of Participant spending of taxpayer funds as the U.S. Government requires of its own employees. For example, FAS asks Participants traveling on U.S. Government funds to follow provisions of the Federal Travel Regulations.

Other Reports and Record Keeping Requirements: Other reports and records are required to ensure the proper and judicious use of Government resources. Participants must submit reports of findings whenever CCC resources are used for travel or research purposes. Auditable supporting documentation is required for all expenses reimbursed with CCC resources. These might include, but are not necessarily limited to: canceled checks, invoices, samples of produced materials, etc. As a rule, such requirements conform to generally accepted Government standards.

**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.**

FAS requires only the bare minimum in data collection and submission from the industry. For example, Participants are urged to use standard accounting and auditing procedures consistent with their own needs rather than government-directed accounting systems. The few activity codes established by FAS for use by Participants are used to answer congressional inquiries in very sensitive program areas such as travel, administrative costs, and evaluation.

The Unified Export Strategy (UES) system, an electronic data transfer system using a web-based interface, allows reimbursement claims to be sent electronically from the Participant's computer systems to FAS via an information system maintained by FAS, resulting in a major reduction in one of the largest paperwork requirements in the system. The financial management functions within the UES system allow for streamlined data collection requirements, improved program accountability, and reduced administrative burden on the Participants.

**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 data required of Participants is submitted in accordance with contract specifications and cannot be obtained from any other source other than the Participants. Program Participants are commodity organizations who develop proposals specifically for each project. Most of the data developed and presented to FAS is developed by in-house technical experts.

**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.**

This program places information collection requirements on Participants, who generally include U.S. government agencies, State government agencies, non-profit trade associations, universities, agricultural cooperatives, and private companies. Thus, the information collection requirements imposed by this program do not require any significant actions on the part of small businesses.

Of the 10 respondents, the agency estimates 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.**

Proposals are only submitted when an applicant would like to receive funding for a project. No other data is collected unless the proposal is approved. Less frequent collection is not possible without complete elimination of the needed data.

**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;**
- **requiring respondents to submit more than an original and two copies of any document;**
- **requiring respondents to retain records, other than health, medical, government contracts, grants-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 which 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 secrets, 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 special circumstances that require the collection of information inconsistent with 5 CFR 1320, Section 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, 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.**

**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.**

**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.**

FAS marketing specialists regularly consult with their counterparts in the Participant organizations to discuss program status, evaluations, management issues, and direction; FAS leadership is also in contact with Participant executives to discuss problems, program direction,

and policy; and FAS administrative personnel are in contact with their counterparts in the organizations in order to assist with procedural and accounting issues. Additionally, an annual meeting is held between FAS and the industry to discuss all phases of program administration and implementation.

A request for comments on the Information Collection was published in the Federal Register on September 3, 2020, (85 FR 54978). FAS did not receive any comments. FAS consulted by phone with the following Participants on the accuracy of the burden hours estimated in the data collection for the Quality Samples Program. The comments from the Participants through the phone consultations and FAS' responses are noted as follows:

- 1) Kimberly Gordon, International Programs Manager, U.S. Livestock Genetics Export, Inc., 522 Springdale St., Suite 102, Mount Horeb, WI 53572, Phone: 618-315-3125, kgordon@uslge.org, www.uslge.org, indicated that the estimated burden hours are realistic. Ms. Gordon, on this call and on previous occasions, indicated that having total shipping costs covered by the Program would be more favorable.

FAS Response: FAS continues to monitor and take into account Participant responses and requests for changes to the guidelines of the QSP. FAS has noted this suggestion and will take it under consideration.

- 2) Jennifer Sydney, Vice President, Programs and Planning, U.S. Wheat Associates, 3103 10<sup>th</sup> St. N., #300, Arlington, VA 22201, Phone: 202-463-0999, agreed with the estimate of the hours required to create a proposal (section A), but commented that this was because of well trained and tenured staff; if new staff were hired and asked to complete a proposal for QSP, the process would likely take longer. Ms. Sydney agreed with the time for sections B (Project Agreements) and D (Reimbursement Claims). Ms. Sydney noted in section C (Evaluations) that the actual time USW takes in evaluating is definitely longer. She reported USW does receive valuable information from projects that is surprisingly helpful, even in a recent QSP activity that was wrought with difficulties. With this activity, so much was learned from the entire process that USW is planning to incorporate the changes into all future Market Development activities. Ms. Sydney noted the estimate for section E (Office Management) was low, because USW implements more oversight to their record keeping and allows for more time in records and office management. Ms. Sydney also commented on how appreciative USW is on how FAS keeps up with the guidance provided in and for the UES and the updates UES incurs.

FAS Response: FAS appreciates this feedback on the QSP burden estimates. We are aware that there is a steep learning curve associated with becoming proficient in program best practices, and FAS staff are always available to offer support in this effort and to provide any needed guidance and training materials that Participants need to be successful. We recognize that the estimated hours are a measure of the burden likely to be incurred by the average

applicant, and Participants are always welcome and encouraged to implement actual internal processes and controls that exceed the minimum suggested by these estimates.

- 3) Jessica Lucas, Sean Callanan and Jaki Brophy, Hop Growers of America, 32 N. 3<sup>rd</sup> Street, Suite 408, Yakima, WA 98901 Telephone: 509-453-4749, agreed with the hours estimate for all areas except Section C (Evaluation). Mr. Callanan and Ms. Lucas relayed it took more hours to complete their evaluations because of the time it takes collecting information from various formats and compiling that information into reports.

FAS Response: FAS appreciates this feedback on the QSP burden estimates. We recognize that the estimated hours are a measure of the burden likely to be incurred by the average applicant, and Participants are always welcome and encouraged to implement actual internal processes and controls that exceed the minimum suggested by these estimates.

Based on the feedback from the participants, FAS increased the hours per response for two items. The hours per response for project agreements were increased from 2 hours to 3 hours. FAS also increased the hours per response for evaluation from 6 hours to 7 hours. These changes reflected increased agency grants management requirements.

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

The agency does not provide any payment or gift to respondents, other than remuneration of contractors or grantees.

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

Participants will be aware that information collected relating to this program is generally open for public inspection, but the agency may withhold information which could cause substantial competitive harm to the submitter under exemption 4 of the Freedom of Information Act (FOIA), 5 U.S.C. 552(b)(4). It is also the agency's policy, prior to responding to an FOIA request, to obtain and consider the views of the submitter of the information if the information submitted is not readily identifiable as privileged or business confidential. If the agency disagrees with the views presented by the submitter, it will give the submitter sufficient time, prior to release of the information, to pursue legal action to prevent the release.

A PIA was done and FAS is not collecting any PII information.

**11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and 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 sensitive questions involved in this information collection.

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

The current annual burden estimate of 1,200 hours is based on separate estimates of five distinct areas of data collection: Proposals, project agreements with FAS, evaluations, reimbursement claims, and related administrative functions, office management records, and other reports and record keeping requirements. The estimates used to determine the burden on the public are explained as follows:

- a) Proposals. Proposals include separate assessments, projections, goals, etc., all of which make up a comprehensive proposal. The current estimate for one Participant to complete a proposal is approximately 10 hours.
- b) Project Agreements. The project agreement is a binding instrument and creates a legal obligation on the part of CCC to make funds available to the Participant. Participants will take approximately 3 hours to review the proposed contracts prepared by FAS, clear them with their lawyers, and return them to FAS.
- c) Evaluations. Participants are required to evaluate the effectiveness of their programs. FAS encourages participants to use the GPRA as a guideline for their evaluations. Participant applications include evaluation plans and performance measures in order to (1) monitor performance of technical assistance projects, (2) evaluate the benefits and effects of these projects, and (3) document the experience gained from these activities for use in the design and implementation of future projects. Establishing good performance measures enables Participants to perform meaningful evaluations. Based on these evaluations, Participants and FAS program

managers are better able to determine what changes are needed to improve program performance when designing future programs. Evaluations are expected to take 7 hours to prepare.

- d) **Reimbursement Claims.** Participants seek reimbursement from FAS whenever they feel their costs are of sufficient size to justify a claim for reimbursement. The billing cycle varies by Participant depending on the level of activities and size of program, but a typical Participant might submit monthly claims. Participants are required to maintain receipts for all costs incurred for which reimbursement from project funds will be requested. The estimate of 2 hours per billing includes all incidental office costs and procedures necessary to prepare and support each claim. Participants are required to maintain appropriate records for three calendar years after termination of the project agreement or five calendar years following the end of the year in which the transaction evidenced by the record took place, whichever is less.
- e) **Office Management Records.** Participants are required to keep good office records available for audit. These records include such things as travel reports and receipts for all disbursements. Maintaining office records is estimated to require 2 hours.

The estimated total cost to all combined respondents for reporting and recordkeeping is \$80,000 based on the following:



DESCRIPTION	NUMBER OF RESPONDENTS	FREQ	TOTAL RESPONSE	AV HOURS PER RESP	TOTAL HOURS	COST PER HOUR	COST TO PUBLIC
A) Proposals	10	5	50	10	500	\$70	\$35,000
B) Project Agreements	10	5	50	3	150	\$80	\$12,000
C) Evaluation	10	5	50	7	350	\$70	\$24,500
D) Reimbursement Claims	10	5	50	2	100	\$45	\$4,500
E) Office Management Records	10	5	50	2	100	\$40	\$4,000
TOTAL	10		250		1,200		\$80,000

**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 or ongoing operation/maintenance costs associated with this information collection.

**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.**

The estimated annual costs to the Federal Government for all submissions found in the guidelines are as follows:

ITEM	ORG	GRADE	RATE*	HOURS	COST
A) Proposals	POD	12	\$61	20	\$1,220
	CoPD	13	\$73	320	\$23,360
B) Project Agreements	POD	12	\$61	40	\$2,440
	CoPD	13	\$73	80	\$5,840
C) Evaluation	POD	12	\$61	20	\$1,220
	CoPD	13	\$73	160	\$11,680
D) Administrative Procedures	POD	12	\$61	100	\$6,100
TOTAL					\$51,860

\* The rate is based on the hourly pay rate plus 30 percent for fringe benefits.

Note: POD refers to the Programs Operations Division of FAS. This office is responsible for administrative operation of the Quality Samples Program. CoPD refers to the Cooperator Programs Division of FAS which is responsible for the review of application and evaluation content and day to day contact with program Participants.

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

Based on the feedback from the participants, FAS increased the hours per response for two items. The hours per response for project agreements were increased from 2 hours to 3 hours. FAS also increased the hours per response for evaluation from 6 hours to 7 hours. These changes reflected increased agency grants management requirements.

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

The agency has no plans to publish any information.

**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 is no request.

**18. Explain each exception to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submissions" of OMB Form 83-1.**

There are no exceptions.