

**2021 SUPPORTING STATEMENT  
for the U.S. Domestic Hemp Production Program  
OMB No. 0581-0318**

**March 2021**

**Note to Reviewer:** The original forms package was granted emergency approval on December 3, 2019. The final rule, which was published on January 19, 2021, incorporated updates to the forms. USDA has submitted this updated information collection package to incorporate the necessary changes.

**A. JUSTIFICATION.**

- 1. EXPLAIN THE CIRCUMSTANCES THAT MAKE THE COLLECTION OF INFORMATION NECESSARY. IDENTIFY ANY LEGAL OR ADMINISTRATIVE REQUIREMENTS THAT NECESSITATE THE COLLECTION.**

The Agricultural Improvement Act of 2018 (2018 Farm Bill) amended the Agricultural Marketing Agreement of 1946 and was signed into law December 20, 2018, as P.L. 115-334. Sec. 10113 of the 2018 Farm Bill amended the Agricultural Marketing Act of 1946 (7 U.S.C. 1621 et seq.) by adding Subtitle G—Hemp Production. The law required U.S. Department of Agriculture (USDA) to promulgate regulations and guidelines to develop and oversee a program for the production of hemp in the United States. The 2018 Farm Bill directs that this will include state and tribal plans, and a USDA plan for those States, including territories of Indian tribes, that choose not to submit their own plan. The 2018 Farm Bill amended the Agricultural Marketing Act of 1946 (AMA) by adding Subtitle G (sections 297A through 297D of the AMA). Section 297B of the AMA requires the Secretary of Agriculture (Secretary) to evaluate and approve or disapprove State or Tribal plans regulating the production of hemp. Section 297C of the AMA requires the Secretary to establish a Federal plan for producers in States and territories of Indian Tribes not covered by plans approved under section 297B. Lastly, section 297D of the AMA requires the Secretary to promulgate regulations and guidelines relating to the production of hemp, including sections 297B and 297C, in consultation with the U.S. Attorney General.

States or Tribes wanting primary regulatory authority over the production of hemp within their borders may submit plans to USDA for approval. These plans outline how the State or Tribe will monitor and regulate production. As instructed in the Farm Bill, this regulation provides procedures and guidance for state and tribal governments submitting plans to USDA for approval. USDA will approve plans which comply with the Domestic Hemp Production Program regulations.

The interim final rule (IFR) was published on October 31, 2019. A System of Record Notice (SORN) was published on January 16, 2020. The U.S. Domestic Hemp Program (USDA Hemp Program) is establishing a system of records under the Privacy Act ([5 U.S.C. 552a](#)) which is required by law. On January 19, 2021, USDA published a final rule (FR) for the USDA Hemp Program and will become effective on March 22, 2021. The FR incorporates modifications based on public comments and lessons learned during the 2020 growing season.

**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 information is being collected to accurately manage the USDA Hemp Program. State and Tribes with USDA approved programs, USDA producers, and laboratories all provide necessary information for the program. A description of each form and the respondents are described below.

All forms associated with this collection have the following Privacy Act Statement which was developed from the SORN:

*The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. § 552a) and the Paperwork Reduction Act of 1995. The authority for requesting this information to be supplied on this form is the 7 CFR Part 990 Domestic Hemp Program (Program). The purpose of collecting this information is for USDA to administer the Program and the information provided on this form will be used to monitor Program participants. Failure to provide the information requested on this form may result in ineligibility to participate in the Program.*

As set forth in the IFR, records must be maintained for at least three years for audit purposes. A description of each form is listed below. The reporting and record keeping burden is provided on the AMS 71.

**A. State and Tribal Hemp Producer Report (AMS-23)**

This form requires States and Tribes to provide USDA with contact information for each producer or business entity under their plan and the status of each license. This form also tracks any changes to a licensee's contact information or status in the program. This form is required to be submitted to USDA on the first business day of each month. This form has a burden of 60 minutes and a record keeping burden of 5 minutes. The information on this form is compiled from individual respondents submitting their information to the State or Tribe. The time burden for each of the 16,000 respondents is 20 minutes with a record keeping burden of 5 minutes.

**B. State and Tribal Hemp Disposal and Remediation Report (AMS-24)**

This form requires States and Tribes to provide USDA with disposal or remediation information of cannabis that tested above the acceptable THC threshold legal limit under program regulations. This form includes the producer's license and growing information, method used for disposal or remediation, the date and verification method. The States and Tribes are also required to attach the certificate of analysis (COA) or disposition certificate for each disposal or remediation that took place during the reporting period which will have additional information about the disposal or remediation. This form is required to be submitted to USDA on the first business day of each month. This form has a burden of 60 minutes and a record keeping burden of 5 minutes. The information on this form is compiled from individual respondents submitting

their information to the State or Tribe. The time burden for each respondent is 10 minutes and a record keeping burden of 5 minutes.

**C. State and Tribal Hemp Annual Report (AMS-25)**

This form is filled out by States or Tribes that operate under a USDA-approved hemp production plan. States or Tribes report the total acreage planted, harvested, disposed, and end use for all hemp under their program, and discrepancies in the data. This form is required to be submitted to USDA on December 15<sup>th</sup> of each year. USDA will use this information to compile an annual report to Congress. This form has a burden of 60 minutes and a record keeping burden of 5 minutes. The information on this form is compiled from individual respondents submitting their information to the State or Tribe. The time burden for each respondent is 10 minutes and a record keeping burden of 5 minutes.

**D. USDA Producer License Application and Renewal (AMS-26)**

This form is completed by producers that wish to grow hemp under the USDA plan because they do not live in an area that has an approved State or Tribal hemp production plan. The information collected on this form will be used by USDA to approve applications and track participation in the program. The producer fills out their name, address, telephone number, and email address (if applicable). If the producer is a business entity or research institution, they must include the full name, address, full name and title of the key participants, an email address if available, and EIN number. Each producer entity must submit an application form. A Federal Bureau of Investigation's Identity History Summary must be submitted along with the application. This form has a burden of 10 minutes and a record keeping burden of 5 minutes.

**E. USDA Producer Disposal and Remediation Report (AMS-27)**

This form collects disposal or remediation information of cannabis that tested above the 0.3 percent THC threshold legal limit under the USDA program. The form includes the producer's name and address, license number, location information, action taken, and the date the disposal or remediation was completed. This form needs to be submitted to USDA no later than 30 days after the disposal date listed on the form. This form has a burden of 20 minutes and a record keeping burden of 5 minutes.

**F. USDA Producer Annual Report (AMS-28)**

This form is filled out by each licensed producer under the USDA program. Each licensee reports the total acreage planted, harvested, disposed, and end use, and any discrepancies in data. This form is required to be submitted to USDA on December 15<sup>th</sup> of each year. USDA will use this information to compile an annual report to Congress. This form has a burden of 20 minutes and a record keeping burden of 5 minutes.

**G. Report of Acreage (FSA-578)**

This form will be filled out by every hemp producer under a State, Tribe or USDA plan. Producers shall go to the local FSA office and report name, address, license or authorizing number, location, and hemp crop acreage. USDA will use this information to compile an annual report to Congress. This form has a burden of 30 minutes, and an added 60 minute burden for traveling to and from the FSA office and a record keeping burden of 5 minutes.

## **H. Laboratory Test Results Report (AMS-22)**

This form is used by laboratory personnel to monitor all THC test results for all hemp under a state, tribal or the USDA plan. Each test result must be entered on this form. This form includes the producer's contact information, a hemp production license number, an identification number, the test results for each growing location tested, and an attestation on whether the results were passing or failing. This form has a burden of 30 minutes and a record keeping burden of 5 minutes.

- 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.**

These forms are used to submit information directly to USDA. These forms are available in hard copy or on the USDA website: <https://www.ams.usda.gov/rules-regulations/farbill-hemp>. USDA is currently working to build an electronic system. The system will allow hemp producers to obtain and maintain a USDA license, for States and Tribes to manage their hemp regulation plan and producer information, and for testing laboratories to submit test results directly to the USDA, producers, States and Tribes. USDA is building this system to decrease potential human error when processing hard copy submissions and to increase overall efficiency in compiling data. Currently, the USDA receives these forms via email, fax and postage mail.

- 4. DESCRIBE EFFORTS TO IDENTIFY DUPLICATION. SHOW SPECIFICALLY WHY ANY SIMILAR INFORMATION ALREADY AVAILABLE CANNOT BE USED OR MODIFIED FOR USE FOR THE PURPOSE(S) DESCRIBED IN ITEM 2 ABOVE.**

Since this is a new program, no other agencies currently collect this information. Information collection processes are periodically reviewed to avoid unnecessary duplication by industry and public sector agencies. At the present time, there is no duplication between Federal agencies. Personnel from USDA's Agricultural Marketing Service (AMS) and Farm Service Agency (FSA) have coordinated efforts on developing this program to ensure information collected by both programs from producers seeking licenses and reporting to FSA services is not duplicated.

- 5. IF THE COLLECTION OF INFORMATION IMPACTS SMALL BUSINESSES OR OTHER SMALL ENTITIES (ITEM 5 OF THE OMB FORM 83-1), DESCRIBE THE METHODS USED TO MINIMIZE BURDEN.**

Information collection requirements have been reduced to the minimum to oversee this program. Requesting this information from producers, States, and Tribes does not pose a significant disadvantage to any of the respondents; therefore, it does not significantly or negatively impact small businesses. It is estimated that about 99% of the producers will represent 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.**

The information is collected on an as-needed basis and is described in the 2018 Farm Bill. If the information collection herein was not collected, the Secretary could not adequately administer the USDA Hemp Program.

**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;**

The State and Tribal Hemp Producer Report (AMS 23) and the State and Tribal Hemp Disposition and Remediation Report (AMS 24) must be submitted to the USDA every month.

- **REQUIRING RESPONDENTS TO PREPARE A WRITTEN RESPONSE TO A COLLECTION OF INFORMATION IN FEWER THAN 30 DAYS AFTER RECEIPT OF IT;**

The State and Tribal Hemp Producer Report (AMS 23) and the State and Tribal Hemp Disposition and Remediation Report (AMS 24) must be submitted to the USDA every month. The USDA Hemp Plan Producer Disposal and Remediation Report (AMS-27) needs to be submitted to USDA no later than 30 days after the disposal date listed on the form.

- **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 3 YEARS;**

The regulation states that the respondents should retain records for 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 STATUE OR REGULATION, THAT IS NOT SUPPORTED BY DISCLOSURE AND DATA SECURITY POLICIES THAT ARE CONSISTENT WITH THE PLEDGE, OR WHICH UNNECESSARILY IMPEDES SHARING OF DATA WITH OTHER AGENCIES FOR COMPATIBLE CONFIDENTIAL USE; OR**
- **REQUIRING RESPONDENTS TO SUBMIT PROPRIETARY TRADE SECRET, OR OTHER CONFIDENTIAL INFORMATION UNLESS THE AGENCY CAN DEMONSTRATE THAT IT HAS INSTITUTED PROCEDURES TO PROTECT THE INFORMATION'S CONFIDENTIALITY TO THE EXTENT PERMITTED BY LAW.**

There are no special circumstances. The collection of information is conducted in a manner consistent with the guidelines in 5 CFR 1320.6.

- 8. IF APPLICABLE, PROVIDE A COPY AND IDENTIFY THE DATE AND PAGE NUMBER OF PUBLICATION IN THE FEDERAL REGISTER OF THE AGENCY'S NOTICE, REQUIRED BY 5 CFR 1320.8(d), SOLICITING COMMENTS ON THE INFORMATION COLLECTION PRIOR TO SUBMISSION TO OMB. SUMMARIZE PUBLIC COMMENTS RECEIVED IN RESPONSE TO THAT NOTICE AND DESCRIBE ACTIONS TAKEN BY THE AGENCY IN RESPONSE TO THESE COMMENTS. SPECIFICALLY ADDRESS COMMENTS RECEIVED ON COST AND HOUR BURDEN.**

On October 31, 2019, AMS published an IFR describing the reporting and information gathering requirements for the Domestic Hemp Production Program (Volume 84, No. 58522, Page 58562). On January 19, 2021 AMS published the FR (Volume 86, No. 11, Page 5596).

AMS received over 4,600 comments in the first public comment period and 1,100 during the second comment period on the overall regulation. These comments represented various stakeholders in the industry. A specific analysis of each topic area is provided in the comment analysis section of the FR. AMS did not receive public comments specifically on the PRA nor on the time burden hour calculations to complete any of the forms. One comment from the Alabama Department of Agriculture wrote that 10 minutes for a State or Tribal producer license application was too low. One comment suggested the need for a federally administered software portal to ease State and Tribal data sharing burden. USDA understands the need to have a central portal to upload reporting forms and is working to develop this type of system. All other comments focused on other provisions of the IFR, including the topics of sampling criteria, 15-day sampling window, the use of DEA-registered laboratories, THC threshold, and disposals.

There were also comments on the FSA reporting requirement of the IFR. These FSA related comments were on staffing and location of FSA offices around the country, not the cost and hour burden of the FSA form.

The USDA has increased the burden hours for the producers reporting information to the State and Tribal programs. USDA also increased the burden from 20 minutes to 60 minutes for States and Tribes to submit the two monthly reports and the one annual report. The original estimate of 20 minutes was too low in practice.

All 5,821 comments can be found on Regulations.gov:

<https://www.regulations.gov/docketBrowser?rpp=25&po=0&dct=PS&D=AMS-SC-19-0042&refD=AMS-SC-19-0042-0001>.

**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.**

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While drafting the IFR and FR, the USDA consulted with persons outside the agency to obtain their view on data collection needs. The USDA believes these forms collect all the information needed to properly carry out the hemp program while having a minimal burden on the public.

**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.**

The use of these forms is required by the FR and the 2018 Farm Bill. AMS marketing specialists assist in monitoring and maintaining the information on the forms.

**9. EXPLAIN ANY DECISION TO PROVIDE ANY PAYMENT OR GIFT TO RESPONDENTS, OTHER THAN REMUNERATION OF CONTRACTORS OR GRANTEES.**

No payments or gifts are provided to respondents.

**10. DESCRIBE ANY ASSURANCE OF CONFIDENTIALITY PROVIDED TO RESPONDENTS AND THE BASIS FOR THE ASSURANCE IN STATUTE, REGULATION, OR AGENCY POLICY.**

The information collected on these forms includes producers' names, addresses, business identification numbers, and other contact information. Section 608(d) of the Agricultural Marketing Agreement Act states that information acquired will be kept confidential, and that penalties exist for violating confidentiality requirements. Therefore, USDA requires staff to maintain confidentiality. Confidential information is withheld from public review under the Freedom of Information Act and the Privacy Act, 5 USC 552.

The SORN was published in the Federal Register on January 16, 2020. The U.S. Domestic Hemp Program is establishing a system of records under the Privacy Act ([5 U.S.C. 552a](#)) which is required by law. The U.S. Domestic Hemp Production Program is developing the system to collect and protect confidential information and data collected on these forms includes producers' names, addresses, business identification numbers, and other contact 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.**

No questions of such a sensitive nature are included 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. UNLESS DIRECTED TO DO SO, AGENCIES SHOULD NOT CONDUCT SPECIAL SURVEYS TO OBTAIN INFORMATION ON WHICH TO BASE HOUR BURDEN ESTIMATES. CONSULTATION WITH A SAMPLE (FEWER THAN 10) OF POTENTIAL RESPONDENTS IS DESIRABLE. IF THE HOUR BURDEN ON RESPONDENTS IS EXPECTED TO VARY WIDELY BECAUSE OF DIFFERENCE IN ACTIVITY, SIZE, OR COMPLEXITY, SHOW THE RANGE OF ESTIMATED HOUR BURDEN, AND EXPLAIN THE REASONS FOR THE VARIANCE. GENERALLY, ESTIMATES SHOULD NOT INCLUDE BURDEN HOURS FOR CUSTOMARY AND USUAL BUSINESS PRACTICES. 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.**

The number of respondents required to file these forms was estimated based on current economic and production data available at this time. At the beginning of 2021, 73 State and Tribal programs have been approved by the USDA. Every state except Idaho allows hemp to be produced. In addition to the States, there are over 500 Federally recognized Indian tribes that



could also each submit a plan under the Program. Using estimates from National Association of State Department of Agriculture (NASDA) Vote Hemp, a nonprofit advocacy group, and the USDA Farm Service Agency (FSA), USDA estimated that there will be approximately 20,000 hemp producers under a state, tribal or USDA plan and 100 States or Tribes will operate a domestic hemp production program for a total of 20,100 respondents. 20,000 individual producers plus 100 State and Tribal USDA- approved programs.

For the record keeping hours, USDA licensed producers, along with States and Tribes who administer their own hemp production plans and their respective producers, are required to maintain copies of all records and reports necessary to demonstrate compliance with the program. These records include, but are not limited to, the producer's completed criminal history report, any records of required disposal, notifications of THC test results, and the producer's license. Records and reports must be kept for a minimum of three years. We estimate an annual record keeping burden of five (5) minutes for each form per year.

The AMS-71 Grid (Excel spreadsheet) outlining details of respondents, responses and burden hours is under the Supplementary documents in ROCIS.

**PROVIDE ESTIMATES OF ANNUALIZED COST TO RESPONDENTS FOR THE HOUR BURDENS FOR COLLECTIONS OF INFORMATION, IDENTIFYING AND USING APPROPRIATE WAGE RATE CATEGORIES.**

The annual burden for reporting and recordkeeping for all respondents is 52,296 hours, costing a total of \$2,980,864 per year. This is the sum of the annual burden of reporting and recordkeeping to States and Indian Tribes operating their own plans, to producers participating in the State and Tribal Plans, to producers participating in the USDA Plan, and to laboratories testing samples for THC content. The mean hourly wage of a compliance officer, as reported in May 2019, was \$35 per hour. This is the same numerical value as the May 2018 report. Assuming 39 percent of total compensation accounts for benefits, the total compensation of a compliance officer is \$57 per hour. Published by the Bureau of Labor Statistics: <https://www.bls.gov/oes/current/oes451011.htm>. The Bureau of Labor Statistics cost and benefits guidance dated December 14, 2019 Press Release.

**13. PROVIDE AN ESTIMATE OF THE TOTAL ANNUAL COST BURDEN TO RESPONDENTS OR RECORDKEEPERS RESULTING FROM THE COLLECTION OF INFORMATION. (DO NOT INCLUDE THE COST OF ANY HOUR BURDEN SHOWN IN ITEMS 12 AND 14).**

- **THE COST ESTIMATE 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. THE ESTIMATES SHOULD TAKE INTO ACCOUNT COSTS ASSOCIATED WITH GENERATING, MAINTAINING, AND**

**DISCLOSING OR PROVIDING THE INFORMATION. INCLUDE DESCRIPTIONS OF METHODS USED TO ESTIMATE MAJOR COST FACTORS INCLUDING SYSTEM AND TECHNOLOGY ACQUISITION, EXPECTED USEFUL LIFE OF CAPITAL EQUIPMENT, THE DISCOUNT RATE(S), AND THE TIME PERIOD OVER WHICH COSTS WILL BE INCURRED. CAPITAL AND START-UP COSTS INCLUDE, AMONG OTHER ITEMS, PREPARATIONS FOR COLLECTING INFORMATION SUCH AS PURCHASING COMPUTERS AND SOFTWARE; MONITORING, SAMPLING, DRILLING AND TESTING EQUIPMENT; AND RECORD STORAGE FACILITIES.**

- **IF COST ESTIMATES ARE EXPECTED TO VARY WIDELY, AGENCIES SHOULD PRESENT RANGES OF COST BURDENS AND EXPLAIN THE REASONS FOR THE VARIANCE. THE COST OF PURCHASING OR CONTRACTING OUT INFORMATION COLLECTION SERVICES SHOULD BE A PART OF THIS COST BURDEN ESTIMATE. IN DEVELOPING COST BURDEN ESTIMATES, AGENCIES MAY CONSULT WITH A SAMPLE OF RESPONDENTS (FEWER THAN 10), UTILIZE THE 60-DAY PRE-OMB SUBMISSION PUBLIC COMMENT PROCESS AND USE EXISTING ECONOMIC OR REGULATORY IMPACT ANALYSIS ASSOCIATED WITH THE RULEMAKING CONTAINING THE INFORMATION COLLECTION, AS APPROPRIATE.**
  
- **GENERALLY, ESTIMATES SHOULD NOT INCLUDE PURCHASES OF EQUIPMENT OR SERVICES, OR PORTIONS THEREOF, MADE: (1) PRIOR TO OCTOBER 1, 1995, (2) TO ACHIEVE REGULATORY COMPLIANCE WITH REQUIREMENTS NOT ASSOCIATED WITH THE INFORMATION COLLECTION, (3) FOR REASONS OTHER THAN TO PROVIDE INFORMATION OR KEEPING RECORDS FOR THE GOVERNMENT, OR (4) AS PART OF CUSTOMARY AND USUAL BUSINESS OR PRIVATE PRACTICES.**

There are no capital, startup, operation, or maintenance costs associated with this program.

- 14. PROVIDE ESTIMATES OF ANNUALIZED COST TO THE FEDERAL GOVERNMENT. ALSO, PROVIDE A DESCRIPTION OF THE METHOD USED TO ESTIMATE COST, WHICH SHOULD INCLUDE QUANTIFICATION OF HOURS, OPERATION EXPENSES (SUCH AS EQUIPMENT, OVERHEAD, PRINTING, AND SUPPORT STAFF), AND ANY OTHER EXPENSE THAT WOULD NOT HAVE BEEN INCURRED WITHOUT THIS COLLECTION OF INFORMATION. AGENCIES ALSO MAY AGGREGATE COST ESTIMATES FROM ITEMS 12, 13, AND 14 IN A SINGLE TABLE.**

The estimated annual cost to the Federal government for this information collection and processing is about \$16,077. The cost was developed by estimating the number of hours that agency employees will spend in the preparation of this information collection package (120 hours) at approximately \$45.88 per hour for a total of \$5,505. This is based on the average median hourly wage rate of \$33.34 with an additional 37.6% to account for benefits and compensation, for an hourly wage total of \$45.88. Costs of benefits and compensation guidance provided by Bureau of Labor Statistics press release, dated December 14, 2019.

The Federal government’s annual cost for providing oversight and assistance for this marketing order program is estimated at \$16,077. A breakdown of the costs is as follows:

Salaries/Benefits/Awards	\$5,505
Federal Register Notices	\$3,322
OGC (Legal Services)	\$2,250
Supplies/Equipment	\$3,000
Comment analysis from IFR	\$2,000
TOTAL	\$16,077

**15. EXPLAIN THE REASON FOR ANY PROGRAM CHANGES OR ADJUSTMENTS REPORTED IN ITEMS 13 OR 14 OF THE OMB FORM 83-I.**

The original forms package was granted emergency approval on December 3, 2019. The FR incorporated updates to the forms. This is why USDA has submitted this updated information collection package.

**16. FOR COLLECTIONS OF INFORMATION WHOSE RESULTS WILL BE PUBLISHED, OUTLINE PLANS FOR TABULATION, AND PUBLICATION. ADDRESS ANY COMPLEX ANALYTICAL TECHNIQUES THAT WILL BE USED. PROVIDE THE TIME SCHEDULE FOR THE ENTIRE PROJECT, INCLUDING BEGINNING AND ENDING DATES OF THE COLLECTION OF INFORMATION, COMPLETION OF REPORT, PUBLICATION DATES, AND OTHER ACTIONS.**

The Farm Bill requires AMS to prepare and submit an annual report to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate containing updates on the implementation of the USDA Hemp Program. However, there are currently no plans to publish any information or data collected outside of this requirement.

**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.**

AMS will display an expiration date when OMB approves the collection, adding the appropriate expiration date that appears on the Notice of Action completing the approval and renewal.

**18. EXPLAIN EACH EXCEPTION TO THE CERTIFICATION STATEMENT IDENTIFIED IN ITEM 19, "CERTIFICATION FOR PAPERWORK REDUCTION ACT SUBMISSIONS," OF OMB FORM 83-I.**

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

**B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS**

This information collection does not employ statistical methods.