

**SUPPORTING STATEMENT JUSTIFICATION FOR  
VOLUNTARY BISON/BUFFALO INSPECTION AT ESTABLISHMENTS  
OWNED BY NATIVE AMERICANS OR OPERATING ON TRIBAL LANDS**

**1. Circumstances Making Collection Of Information Necessary:**

This is a request for a new information collection for voluntary bison/buffalo inspection at establishments owned by Native Americans or operating on tribal lands. The request is being submitted for emergency approval so that the Food Safety and Inspection Service (FSIS) can immediately begin distributing funds to qualified applicants.

In the Consolidated Appropriations Act, 2024, Congress provided FSIS with \$700,000 in appropriations to cover the costs of voluntary inspection for the slaughtering or processing of bison/buffalo at establishments owned by Native Americans or operating on tribal lands. FSIS will provide free voluntary bison/buffalo inspection to qualified establishments for as long as funds are available during fiscal year (FY) 2024. FSIS will also credit establishments for any qualified voluntary bison/buffalo inspection fees billed for services provided during FY 2024.

FSIS needs to collect information from establishments to determine eligibility for the additional appropriated funding.

FSIS has been delegated the authority to exercise the functions of the Secretary (7 CFR 2.18, 2.53), as specified in the Federal Meat Inspection Act (FMIA) (21 U.S.C. 601, *et seq.*). This statute mandates that FSIS protect the public by verifying that meat products are safe, wholesome, and properly labeled.

**2. How, By Whom and Purpose Information Is To Be Used:**

The following is a discussion of the required information collection and recordkeeping activities.

FSIS has developed form 5200-17, *Application for Fee Waiver: Voluntary Bison/Buffalo Inspection at Establishments Owned by Native Americans or Operating on Tribal Lands*, that establishments will need to submit to qualify for free voluntary bison/ buffalo inspection and a credit for any voluntary bison or buffalo inspection fees for services during FY 2024.

Using this form, FSIS intends to cover voluntary inspection fees for the slaughtering or processing of bison/buffalo on tribal lands and voluntary inspection fees for the slaughtering or processing of bison/buffalo at establishments owned by Native Americans (which could be located anywhere, not just on tribal lands).

### **3. Use Of Improved Information Technology:**

Under the E-Government Act, 2002, FSIS permits the use of electronic recordkeeping. The Agency estimates that 50% of the information collection will be completed electronically. The FSIS form may be completed electronically or on hard copy before it is submitted to FSIS.

### **4. Efforts To Identify Duplication:**

FSIS has determined that these information collections will not duplicate any other information collections. The required records and reports are not available from other sources, either within government or from non-government sources. There is no similar information that can be used or modified.

### **5. Methods To Minimize Burden On Small Business Entities:**

The establishments that participate in the fee waiver program will be small businesses.

### **6. Consequences If Information Were Collected Less Frequently:**

To conduct the information collections less frequently would prevent FSIS from distributing the appropriated funding.

**7. Circumstances That Would Cause The 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 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.

There are no special circumstances that require the collection of information to be inconsistent with 5 CFR 1320.6.

**8. Consultation With Persons Outside The Agency:**

FSIS is submitting this as an emergency approval request. A 60-day notice for public comment will be published if additional funding is received and FSIS wants to extend the collection beyond Fiscal Year 2024.

**9. Payment Or Gifts To Respondents:**

Respondents do not receive gifts or payments.

**10. Confidentiality Provided To Respondents:**

No assurances other than routine protection provided under the Freedom of Information Act have been provided to respondents.

**11. Questions Of A Sensitive Nature:**

The applicants are not asked to furnish any information of a sensitive nature.

**12. Estimate Of Burden:**

The total estimated burden for this information collection is 16 burden hours. The burden estimate is described in the pages that follow.

To estimate the burden, FSIS considered bison/buffalo slaughter or processing establishments located on tribal lands. FSIS does not have additional data on the number of establishments owned by Native Americans that are not on tribal lands.

*Requests for fee waivers:*

FSIS estimates that 16 establishments owned by Native Americans or operating on tribal lands would take an average of 60 minutes to complete the FSIS Form 5200-17, *Application for Fee Waiver: Voluntary*

*Bison/Buffalo Inspection at Establishments Owned by Native Americans or Operating on Tribal Lands* annually for a total of 16 annual responses and 60 hours.

FSIS Form 5200-17, *Application for Fee Waiver: Voluntary Bison/Buffalo Inspection at Establishments Owned by Native Americans or Operating on Tribal Lands*

Type of Respondent	No. of Respondents	No. of Responses per Respondent	Total Annual Responses	Time for Response in Mins.	Total Annual Time in Hours
Ests.	16	1	16	60	16

The cost to the respondents is estimated at \$854 annually. The Agency estimates that it will cost respondents \$56.36 an hour, including fringe benefits, in fulfilling these information collection requirements. Respondents will spend an annual total of 16 hours and \$854. The hourly rate for the respondents was attained from the Department of Labor Bureau of Labor and Statistics wage data, May, 2023.

**13. Capital, Start-up Cost, And Subsequent Maintenance**

There are no capital or start-up costs related to this information collection activity.

**14. Annual Cost To The Federal Government:**

The cost to the Federal Government for these information collection requirements is \$312 annually. FSIS estimates that it will cost the Federal Government \$50.12 an hour, including fringe benefits for Agency personnel time.

**15. Reasons For Changes In Burden:**

This is a new information collection with 16 respondents, 16 responses and 60 total burden hours.

**16. Tabulation, Analyses And Publication Plans:**

There are no plans to publish the data for statistical use.

**17. OMB Approval Number Display:**

The OMB approval number will appear on required FSIS forms.

**18. Exceptions To The Certification:**

There are no exceptions to the certification. This information collection accords with the certification in item 19 of the OMB 83-I.

