

**Advisory Committee and Research and Promotion and Marketing Boards
Membership Background Information
OMB No. 0505-0001**

A. Justification

Terms of Clearance: The White House Liaison Office (WHLO) is working on the second phase of a digitized collection system for the Advisory Committees and Commodity (Research and Promotion and Marketing Order) Boards Membership Background AD-755 Form. The WHLO works with sub-agencies under USDA and supports the funding to automate the receipt of applications for the AD-755 through interagency agreements. Until the system is operational, USDA will need to amend the AD-755 Form questions of the following:

1. Name of the form; Advisory Committee or Commodity Board Background Information
2. Question #7 include to meet the race and ethnicity definitions are in accordance with the Office of Management and Budget (OMB) revisions to the Statistical Policy Directive No. 15: Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity (SPD 15).
3. #10 language for the supplemental information includes the R&P supplemental form and marketing order supplemental form link to append with the AD-755 Form.
4. #14 to - List other affiliations and/or service as a community leader that would benefit you in your role as a member of the advisory committee or commodity board.
5. #15 to - If currently serving on a USDA federal advisory committee or commodity board, identify the name and include the original membership term start date and term end date (XX/XX/XXXX – XX/XX/XXXX).
6. Continuation page title to [INSERT ADVISORY COMMITTEE/COMMODITY BOARD NAME]
7. Definition of Categories to race and ethnicity definitions are in accordance with the Office of Management and Budget (OMB) revisions to Statistical Policy Directive No. 15: Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity (SPD 15).
8. **Additional Justifications:**

WHLO comments: USDA uses census data to compare race and ethnicity data with the solicitation/ outreach and recruitment of approximately 4000+ candidates annually. The race and ethnicity collections are optional, self-administered, and not mandatory by the applicants seeking to serve on USDAs advisory committees and commodity boards. Currently, the WHLO has our Office of Assistant Secretary for Civil Rights reviewing the SPD 15 requirements with plans to discuss and collaborate with colleagues across the USDA affected by these new requirements. Once USDA develops an action plan to implement the updated standards by the deadline stated in the federal register notice guidance, the AD-755 will be re-reviewed, updated and a request will be submitted to the Office of the Chief Information Officer (OCIO) to seek an amendment to OMB. Furthermore, WHLO has urgency to update the AD-755 and add its revised and new supplemental forms so the Secretary of Agriculture's advisory committees and commodity boards may start and/or continue use of the forms to appoint members to its 150+ advisories.

Lastly, WHLO updated the digitized version (system) of the form to use the required figure version in figure 1. Race and Ethnicity Question with Minimum Categories, Multiple Detailed Checkboxes, and Write-In Response Areas with Example Groups. . WHLO has provided additional definitions on the last page of the form to meet the SPD-15 requirements as outlined in the OMB guidance.

- 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.**

Section 1804 of the Food and Agriculture Act of 1977 (7 U.S.C. 2281, et seq.) requires the Department to provide information concerning advisory committee members' principal place of residence, persons or companies by whom employed, and other major sources of income. The Agriculture and Food Act of 1981 (Pub. L. 97-98) reiterates this requirement for several advisory committees.

Additionally, the Agricultural Marketing Service (AMS) has an oversight of various commodity research and promotion boards established by statute. These include:

- Potato Research and Promotion Act (7 U.S.C. 2611 et seq.)
- Cotton Research and Promotion Act (7 U.S.C. 2101 et seq.)
- Egg Research and Consumer Information Act (7 U.S.C. 2701 et seq.)
- Dairy Production Stabilization Act of 1983 (7 U.S.C. 4501 et seq.)
- Farm Security and Rural Investment Act of 2002; P.L. 107-171 (2002 Farm Bill)
- Food, Conservation, and Energy Act of 2008; P.L. 110-246 (2008 Farm Bill)
- Beef Research and Information Act (7 U.S.C. 2901 et seq.)
- Pork Promotion, Research, and Consumer Information Act of 1985 (7 U.S.C. 4801 et seq.)
- Soybean Promotion, Research, and Consumer Information Act (7 U.S.C. 6301 et seq.)
- Fluid Milk Promotion Act of 1990 (7 U.S.C. 6401 et seq.)
- Watermelon Research and Promotion Act (7 U.S.C. 4901 et seq.)
- Mushroom Research, Promotion, and Consumer Information Act (7 U.S.C. 6101 et seq.)
- Popcorn Research, Promotion, and Consumer Information Act (7 U.S.C. 7481-7491)
- Hass Avocado Promotion, Research and Information Act (7 U.S.C. 7801-7813)
- Commodity, Promotion, Research, and Information Act of 1996 (7 U.S.C. 7411-7425)

NOTE:

- Christmas Trees, Blueberries, Honey, Paper and Packaging, Peanuts, Pecan, Mangos, Softwood Lumber, Lamb, Sorghum, and Raspberry do not have Acts, but fall under the Commodity, Promotion, Research, and Information Act.
- Dairy Importers and National Sheep Industry Improvement Center are authorized under the Farm Bill Food, Conservation, and Energy Act of 2008 (2008 Farm Bill, signed into law June 18, 2008)

USDA plans to now use the AD-755 form to collect information to appoint members to these MOA Boards. Marketing orders and agreements (MOA) are initiated by industry to help provide stable markets for dairy products, fruits, vegetables and specialty crops. Each order and agreement are tailored to the individual industry's needs. Marketing Orders are a binding regulation for the entire industry in the specified geographical area, once it is approved by the producers and the Secretary of Agriculture. Marketing

Agreements are only binding for those handlers that sign the agreement.

R&P Board members under each program are appointed by the Secretary and the Secretary has delegated his appointment authority for the MOA Boards to the mission area Administrator/Under Secretary. Some of the information contained on Form AD-755 is used by the Department to conduct the background clearances of prospective board members required by departmental regulation. The clearance is required for all candidates who are applying to be appointed to a USDA advisory committee or board by the Secretary of Agriculture.

The White House Liaison Office (WHLO) uses the AD-755 to collect information for the purpose of checking on the background of the nominees to make sure there are no delinquencies to the United States Department of Agriculture, USDA, as well as making sure they have no negative record that could be a negative reflection to the USDA or the Secretary including House and Senate Lobbyist checks.

Additionally, White House Liaison Office includes the AD-755 section for Race, Ethnicity and Gender (REG), veterans, and disability data collection. This data collection is optional but essential to ensure that the Department of Agriculture receives a demographic range of applicants for seats on agriculture related board and committees. Most boards require a specific number of seats for certain constituencies thus the collection of information such as race, ethnicity, and gender (REG), is imperative in the board and committee building process. Under the Federal Advisory Committee Act (FACA) advisory committees must be fairly balanced in membership in terms of points of view represented and the functions to be performed. Therefore, this information will be utilized by the White House Liaison Office and the Office of Assistant Secretary for Civil Rights to determine the approach to outreach for all constituents while constructing each board or committee. If outreach is lower than desired, this information will help the WHLO increase the demographics of applicants and may require additional solicitations for additional outreach for boards and committees across the nation to have a greater pool of applicants.

2. Indicate how, by whom, how frequently, 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 obtained from the form is used in the compilation of an annual report to Congress. Failure of the Department to provide this information would require the Secretary to terminate the pertinent advisory committee. Forms will be returned to and maintained by the USDA Agency providing support services to the advisory committees. Pertinent information from the forms will be referred to the Office of the Secretary for the necessary background clearances.

Additionally, the form is completed by nominees to commodity (marketing orders and research and promotion) boards and is returned to and maintained by AMS. Certain information on the form is used by AMS to determine nominees' eligibility to serve. Access/copies of the forms with personal identifiable information (PII) redactions are made available to the Office of the Secretary. The digitized system will be housed on a secure USDA server with the Office of the Chief Information Officer (OCIO) visible and accessible via the internet. Information from these forms and documents, such as business experience, background and education, is used by the Secretary to make appointments, while other pertinent information is utilized in the necessary background clearances.

Next, the WHLO uses the AD-755 form specifically to have background checks performed on the nominees to confirm that the nominees are not delinquent on any loans issued by the USDA, as well as to confirm that they do not have a negative history with the USDA that could cause any controversy.

Race, ethnicity and gender data will continue to be collected on a voluntary basis from constituents at the application stage. The WHLO will store the information on file. Various boards and committees retain seats allotted to specific demographics. Without official REG data, it will be very difficult to determine whether these seats will be filled by applicants of the appropriate race or ethnicity. For example, many of the Secure Rural Schools Resource Advisory Committees and the Tribal Advisory Committee reserve seats for Tribal/Native Americans. This collection is to ensure that the seats are categorized and filled appropriately.

Because this is not a random sampling, the data is intended to be used as one indicator in targeting and designing outreach activities and is in no way considered to be statistically significant analysis. For example, it may indicate a need to focus resources on a particular county or region where low participation is indicated by the data. It could also be used as an indicator of whether outreach efforts are working effectively or not, and whether underserved communities are responding to our efforts.

Again, USDA intends to use the data as an indicator in assessing participation of constituencies; however, USDA will exercise caution in use of the data and will not use the data as a sole factor for decisions regarding appointments to boards and committees. Those assessments will be based on other factors, such as records and vetting results. The data may also be used as an indicator in directing compliance reviews to geographic areas where there are indications of low participation in USDA programs by constituencies, thus serving as an “early warning system” that warrants further investigation. Further, the WHLO plans to continue providing training to employees at all organizational levels to educate them on the need for and appropriate uses of the data. This will increase their understanding of the value of the data to help manage outreach efforts.

Because data previously collected by WHLO, Marketing Regulatory Programs (MRP) and the Farm Service Agency (FSA) have been based only on employee visual identification, the current data may be unreliable for useful analysis in indicating specific areas and locations of problems—which need to be addressed-- or successes, which may serve as models in future outreach efforts.

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.

The White House Liaison has permission to post the AD-755 Advisory Committee membership Background Information on the internet. The applicants are able to complete the AD-755 and submit securely online. The WHLO has partnered with USDA’s Office of Chief Information Officer (OCIO)-- Departmental

Administration Information Technology Office (DAITO) and contractors to develop this user interface to automate and digitized the receipt of AD-755 applications and nomination process (see screenshots.pdf). Due to the Covid pandemic, a high percentage of these applications were submitted electronically through a secured email box. The WHLO has with OCIO and DAITO for the Office of the Secretary to digitize the receipt of applications for its federal advisory committees and commodity boards. In recent efforts and updates, WHLO and DAITO are in the second phase of a new collection system. Upon the approval of this request, USDA will be able to use the digitized system of the form. The WHLO continues to receive inter-agency agreement funding from its sub-agencies under USDA to support the budget to automate and digitize the AD-755 and its supplemental forms.

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

The Department of Agriculture is the only agency required to submit this annual report to Congress, there is no duplication with the requirements of other Federal agencies which might be using the same individuals as committee members.

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

This information collection activity has no impact on small businesses. Information will be collected only from each individual candidate and if applicable, when current committee members are considered for reappointment.

6. **Describe the consequence to Federal program or policy activities if the collection is Conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.**

Failure of the Department to provide this information in the report to the Congress would require the termination of the pertinent advisory committee by the Secretary. Also, the failure of commodity board nominees to submit this information would hinder the Secretary's ability to make judicious appointments to those boards.

If race, ethnicity, and gender data are not collected on applicants for USDA federal advisory committees and boards, the Department will be unable to determine the demographics of its applicants and create a balance of committees/board as required by FACA and other statutes. Without demographic statistics, the USDA will be unable to determine the current level of outreach or the support FACA provisions for fair and balanced committees. Consequently, the Agency will lack the ability to fill demographic specific seats during the building of nominations for the committees/boards. Not only does this effect, specific demographics negatively, it increases the amount of time needed to find applicants to fill those specific seats. Thus, without REG data, the time needed to build a board or committee will increase substantially.

Failure to collect this information and REG data will also have a negative impact on USDA's outreach and could result in an inability of the agencies to deliver services to certain constituencies based on statutory requirements.

7. **Explain any special circumstances that would cause an information collection to be**

conducted in a manner inconsistent with the general information collection guidelines in 5 CFR 1320.5.

This information collection is conducted in a manner consistent with the guidelines established in 5 CFR 1320.5.

8. **If applicable, provide a copy and identify the data 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 and the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting form, and on the data elements to be recorded, disclosed, or reported.

The 60-day Federal Register notice was published on June 2, 2025, FR Doc. 90 FR 23309. No comments have been received.

In consultation efforts with persons outside of USDA, the Committee Management Officer for USDA contacted, two individuals at the Department of Veteran Affairs (Jeffrey Moragne and LaTonya Small), , one person at the National Institutes of Health (Sonya Freeman), and one person at the General Service Administration (Tara Dunlap Jackson) to be User Acceptances Testers (UAT) for their views on the data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting form, and on the data elements to be recorded, disclosed, or reported were conclusive. Based on the respondents, the average time to complete the form was 15-20 minutes and found the instructions and digitized form to be concise and intuitive to the readers/individuals. An additional 10 minutes was added to allocate the time an applicant would upload a cover letter, resume/curriculum vitae, any additional information, and submit the form in the system. Therefore, the total amount of time (burden) to complete the application form would be approximately 30 minutes.

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

There are no payments or gifts.

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

The form itself identifies those items of information, which will be made a part of the public record, i.e., the report of Congress. Other information is used in connection with the Department's background clearance process and is maintained confidentially pursuant to the provisions of the Privacy Act and Systems of Records Federal Register notice published May 21, 1991, Vol. 56, No. 98, pages 23263-23270.

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.

All of the information provided is sensitive in nature. Justification for its collection and use is provided above in question 10.

12. Provide estimates of the hour burden of the collection of information. The statement should:

- **Indicate the number of respondents, frequency of responses, 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 burden for collections of information, identifying and using appropriate wage rate categories.**

The average number of respondents is 6500 a year of which 1850 are research and promotion and marketing orders will have 1000 respondents. Each respondent fills out the AD-755 form 1 time, which takes about 30 minutes to complete. Of the 3250 total burden hours for this collection 1425 burden hours are for research and promotion and marketing orders. If an applicant wishes to be reappointed or is recommended for reappointment, the application must be updated and resubmitted for consideration.

The total Agricultural worker hourly private industry professional and related occupations under the U.S. Bureau of Labor Statistics Occupational Employment and Wage Statistics for Agricultural workers, the respondent total cost including total compensation of wage and benefits is \$49,500¹ per year ($\$23.81 \times 6500 = \$154,765$).

In consideration, the occupational employment and wage estimates statistics for agriculture workers/professionals (farming, state and local government, colleges and universities), the median annual wage for agricultural workers was \$35,980 in May 2024. The median wage is the wage at which half the workers in an occupation earned more than that amount, and half earned less. The lowest 10 percent earned less than \$30,830, and the highest 10 percent earned more than \$48,970.

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 capital or start-up cost with this collection of information.

14. Provide estimates annualized cost to the Federal Government. Also, provide a description of the method used to estimate cost and any other expenses that would not have been incurred without this collection of information.

¹ Reference [Agricultural Workers : Occupational Outlook Handbook: : U.S. Bureau of Labor Statistics \(bls.gov\)](https://www.bls.gov/publications/occupational-outlook-handbook/)

Summary of Cost to the Government:

The AD-755 is distributed online at a centralized location on USDA Office of the Chief Information Office (OCIO) website and will be accessible under the electronic forms page. Subject-matter specialists evaluate applicants and recommend candidates for the Secretary or Agency head to consider. The WHLO conducts vets (background check) of the candidates. The AD-755 electronic form is self-disclosed information about applicants and serves as the primary communication tool between the applicant, subject-matter specialists, and the ultimate decision-making official. Without the AD-755 (as proposed), communication about applicants tends to be based on subjective judgments. Such subjective judgments can ultimately lead to costly mistakes in judgment and use of human resources to correct those mistakes.

Total cost to the Federal government is $\$168,447.50 + \$96,866.00 = \$265,313.50$

Calculation of Federal Employee Handling and Evaluation of the AD-755

The hourly rate for a GS 12 step 3 to review the form is $\$51.83 \times .5$ (30 minutes) x average of 6500 submissions for vetting = $\$168,447.50$

Calculation of Federal Employee Vetting Candidates

The number of candidates actually vetted is lower than the number of applicants. Only qualified applicants are vetted unless its statutes state otherwise. About 68% of applications submitted actually make it to the candidate nomination pool ($5500 \times .68 = 3740$). The hourly rate of a GS 12 step 3 for vetting is $\$51.80 \times .5$ (30 minutes per vet) x 3740 applicants = $\$96,866.00$

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

The burden has increased due to a change is the agriculture workers reported in the reference calculation in the previous submission and new federal advisory committees, Commodity (research and promotion and marketing orders) Board with more advisory committee member positions. Several Secure Rural Schools Research Advisory Committees merged to consolidate the # of members. Therefore, the # of respondents and responses will remain the same from the previous collection. The federal advisory committee and board member positions are filled intermittently over a 2–4-year period. We receive an average of 3 applications per committee membership vacancy.

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

We have no plans to tabulate or publish.

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

No approval is being sought.

18. Explain each exception to the certification statement identified in Item 19 “Certification for Paperwork Reduction Act.”

The agency will be able to certify compliance with all provisions under Item 19 of OMB form 83-I.