

**2013 SUPPORTING STATEMENT
LIVESTOCK MANDATORY REPORTING ACT OF 1999
OMB NO. 0581-0186**

NOTE TO REVIEWER:

With this submission we are merging the burden and responses of 0581-0279, Livestock Mandatory Reporting Program, Establishment of the Reporting Regulation for Wholesale Pork. This request was published in the Federal Register Notice of the Proposed and Final Rules, (August 22, 2012, Vol. 77, Page 50561-50575) and in the Information Collection approved by OMB on October 15, 2012. Upon approval of this collection, AMS will submit to OMB a Discontinuation Request for 0581-0279 to prevent duplication of burden and responses. The Wholesale Pork reporting forms have been changed to reflect the change of number to read 0581-0186 in accordance with the previous approval by OMB which has been stated above.

A. JUSTIFICATION

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

The Livestock Mandatory Reporting Act of 1999 (Act), which was enacted into law on October 22, 1999, (Pub. L. 106-78; 113 Stat. 1188; 7 U.S.C. 1635-1636h) as an amendment to the Agriculture Marketing Act of 1946 (7 U.S.C. 1621 et seq.), mandates the reporting of information on the prices and quantities of livestock and livestock products. Livestock packing plants that are mandated to report information on the prices and quantities of livestock and livestock products are as follows:

Livestock packing plants that annually slaughter an average of 125,000 cattle, 100,000 barrows and gilts, or slaughter or processes an average of 75,000 lambs are required to report information as directed by the Secretary. In addition, importers who annually import an average of 2,500 metric tons of lamb meat and any swine company that slaughters over 200,000 sows and boars are also required to report market information to the Agricultural Marketing Service (AMS).

The regulatory authority for the Act reauthorized September 28, 2010 this information collection for 5 more years. The collection of information is necessary for the proper performance of the functions of AMS concerning the mandatory reporting of livestock prices, supply and demand.

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 collection and recordkeeping requirements in this regulation are essential to operating a mandatory program of livestock and livestock products reporting. Using the information submitted by packers, AMS publishes over 100 daily, weekly, and monthly reports covering market transactions for fed cattle, swine, lamb, beef, lamb, and pork meat. Based on the information available, AMS estimates that reports issued under the Act cover approximately 95% of the hog market, 77% of the cattle market, 60% of the sheep market, 67% of the boxed lamb market, 27% of the carcass lamb market, 93% of the boxed beef market 69% of the wholesale pork cuts. AMS market reports are utilized by producers and others in the marketing chain to formulate contracts and make marketing decisions, and by other Government Agencies to make policy decisions, settle trade disputes, and in a variety of other functions.

The required information is to be reported up to three times daily and once weekly. Collection will be accomplished through electronic means. The collected information will form the basis for published market reports utilized by the livestock industry when making marketing decisions. The required information is only available directly from those entities required to report under the Act and by these final regulations and exists nowhere else.

Listing of Forms:

Live Cattle Daily Report – Current Established Prices (LS-113): provides description of each lot of purchased cattle.

Live Cattle Daily Report – Committed and Delivered Cattle (LS-114): provides description of each lot of cattle committed or delivered to the packer.

Live Cattle Weekly Report (LS-115): provides breakdown of cattle purchased during prior week by different types of purchase.

Cattle Premiums and Discounts Weekly Report (LS-117): provides information on packer's intended carcass merit buying program for the upcoming week.

Cow/Bull Plant Delivered Bids (Dressed Basis)(LS-131): provides information on packer's intended offering prices for that day.

Live Cow/Bull Daily Purchase Report (LS-132): provides description of each lot of cows/bulls purchased during the previous day.

Boxed Beef Daily Report (LS-126): provides information on each boxed beef transaction for current day.

Swine Prior Day Report (LS-118): provides description of each lot of hogs purchased during previous day.

Swine Daily Report (LS-119): provides information on current purchases of swine as of a set reporting time.

Swine Noncarcass Merit Premium Weekly Report (LS-120): provides listing of packer carcass merit buying program for the previous week.

Wholesale Pork Daily Report – (LS-89): provides information on each wholesale pork transaction for current day by barrow and gilt, and sow and boar processors.

Live Lamb Daily Report – Current Established Prices (LS-121): provides description of each lot of lamb purchased.

Live Lamb Weekly Report – (LS-123): provides breakdown of lambs purchased during prior week by different types of purchase.

Live Lamb Weekly Report – Formula Purchases (LS-124): provides information on slaughtered lambs purchased through formula marketing arrangements.

Lamb Premiums and Discounts Weekly Report (LS-125): provides information on packer's intended carcass merit buying program for the upcoming week.

Boxed Lamb Daily Report (LS-128): provides information on each boxed lamb transaction for current day. (Same form used for domestic and importers.)

Lamb Carcass Report (LS-129): provides information on each lamb carcass transaction for current day.

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 Act stipulates that electronic data collection means must be used to the extent practicable as determined by the Secretary in order to meet the regulatory objectives. To meet this requirement, the Livestock Mandatory Price Reporting System (LMPRS) is a database management system that was developed to automate the processes for AMS to implement the Act. This system electronically accepts data from the livestock industry,

mainly meat packing plants, archives, translates and analyzes the data, as well as produces and stores aggregated data and creates aggregated reports for distribution to the public via the Internet. The system also includes replication of the data to a backup site for continuity of operations.

The LMPRS is designed to accept proprietary trade data from authorized plants on a daily basis. This data arrives in the system in a comma delimited value (CSV) format and is transmitted from the plant site via a secure web transmission process. This data is then loaded into the LMPRS database by AMS reporters through a web utility used to import and review plant data prior to generating any market news aggregated reports.

As an alternative, AMS will allow respondents to access an AMS maintained website whereby the information can be entered on web-based input screens. Once the information has been entered, the form will be submitted to AMS where the data will be uploaded to the AMS database system.

The required information is kept and maintained as a matter of normal business practice by the respondents, normally in electronic recordkeeping systems. Allowing electronic submission minimizes the cost burden to them.

AMS is committed to complying with the e-Government Act, which requires Government agencies in general to provide the public the option of submitting information or transacting business electronically to the maximum extent possible.

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.

The data collected under this program is not available from any other source.

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.

The Act requires cattle and swine packing plants of a certain size to report information to the Secretary at prescribed times throughout the day and week. Further, lamb slaughter and processing plants and lamb importers of a certain size are required by these regulations to report information to the Secretary at prescribed times throughout the day and week. These regulations already exempt many small businesses by the establishment of daily slaughter, processing, and import capacity thresholds. Based on figures published by the National Agricultural Statistics Service, there were 633 cattle, 611 swine, and 507 lamb Federally-inspected slaughter plants operating in the U.S. at the end of 2012. AMS estimates that approximately 48 cattle plants would be required to report information (7.5% of all Federally inspected cattle plants), 56 swine plants would be required to report information (9.2% of all Federally inspected swine plants), 16 lamb

packers and importers, (10 carcass lamb plants and 6 importers) would be required to report information (2.5% of all Federally inspected lamb plants and 1.3% of all lamb importers). Therefore, fully 92.5% of all cattle plants, 90.8% of all swine plants, and 97.5% of all lamb packers and 98.7% of lamb importers would not be required to report.

In developing these regulations, AMS did consider other means by which the objectives of this rule could be accomplished, including reporting the required information by telephone, facsimile and regular mail. AMS believes these alternatives are not capable of meeting the program objectives, especially timely reporting. The Act prescribes specific times that reporting entities must report to AMS. Similarly, the Act prescribes specific times for publication of a report by AMS. AMS believes electronic submission to be the only method capable of allowing for AMS to collect, aggregate and publish reports while complying with the specific time-frames set forth in the Act. AMS believes it would not be possible for the Agency to receive information over the telephone, facsimile or regular mail and then transcribe the information into electronic format before aggregating and publishing the information while still complying with the publication time-frames set forth in the Act. However, AMS may provide for an exception to electronic reporting in emergency cases such as power failures or loss of Internet accessibility or in cases when an alternative is agreeable to AMS and the reporting entity. AMS will also provide web-based input screens as an alternative option for entities to use when submitting information.

AMS cannot envision an alternative to the method of data transmission that would be less burdensome to small businesses. To assist the industry in achieving compliance with this rule, AMS will provide assistance and training to covered entities as needed to ensure that they have been given the technical information necessary to comply with the electronic data transmission requirements.

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 collection is required by the Act. Furthermore, the Act specifically mandates the amount and frequency of the information collection. While the options to not collect or to collect less frequently are specifically ruled out by the Act, AMS has sought ways to reduce the burden on respondents by addressing the manner in which information collection is carried out (item 5, above).

**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 Act requires the collection of information on prices and quantities of livestock and livestock products on a daily and weekly basis. Therefore, information collection is being carried out as mandated.

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 3 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.

The Act requires packers to submit information on the prices and quantities of livestock and livestock products on a daily and weekly basis. The Act contains express provisions mandating that confidentiality be preserved regarding the identity of persons and proprietary business information. The information collected under this program is exempt from disclosure under the Freedom of Information Act. All AMS employees that have access to this information receive regular training on the importance of keeping this information confidential and sign confidentiality statements in which they agree to keep this information confidential.

There are no other 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.**

The 60 day notice for comments on the information collection was published in the *Federal Register* on April 22, 2013 (Vol. 78, No. 77). The solicitation for comments on the information collection and recordkeeping requirements can be found on pages 23737 and 23738 of that notice. AMS received no comments on the notice.

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.

AMS has met with numerous industry groups whose membership includes packers that are required to report information under this program. These groups included the National Pork Producer's Council, the American Sheep Industry Association, National Cattlemen's and Beef Association, and the National Meat Association. AMS and the industry members discussed possible changes that could be made to improve the program's efficiency and operation, including ways to improve the information reported by AMS and to minimize the reporting burden on covered packers.

National Pork Producer's Council
Contact: Kirk Ferrell
202-347-3600

American Sheep Industry Association
Contact: Paul Rodgers
304-647-9981

National Meat Association
Contact: Barry Carpenter
barry@meatassociation.com

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.

There are no special circumstances.

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

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.

Chapter 5, Section 251, paragraph (a) of Act directs the Secretary to, "...make available to the public, information, statistics, and documents obtained from, or submitted by, packers, retail entities, and other persons under this subtitle in a manner that ensures that confidentiality is preserved regarding (1) the identity of persons, including parties to a contract, and (2) proprietary business 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.

Questions of a sensitive nature are not included on these forms.

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.

PROVIDE ESTIMATES OF ANNUALIZED COST TO RESPONDENTS FOR THE HOUR BURDENS FOR COLLECTIONS OF INFORMATION, IDENTIFYING AND USING APPROPRIATE WAGE RATE CATEGORIES. THE COST OF CONTRACTING OUT OR PAYING OUTSIDE PARTIES FOR INFORMATION COLLECTION ACTIVITIES SHOULD NOT BE INCLUDED HERE. INSTEAD, THIS COST SHOULD BE INCLUDED IN ITEM 14.

The differences in the estimated annual costs associated with each form are attributable to a change in the order of calculation and subsequent differences in numerical rounding along with the increase or decrease of the number of respondents required to participate under the mandated act. Two additional forms were added recently to adhere to the mandated act. Those forms are the LS-89 for barrow and gilt processors and the LS-89 for sow and boar processors.

(1) LIVE CATTLE DAILY REPORT – Current Established Prices – Form LS-113

Number of Respondents	=	33
Frequency of Response	=	2 times daily for 260 days.
Per Response Burden	=	.17 hour per electronic submission.
Annual Hour Burden	=	2,917 hours.
Estimated Annual Cost	=	\$66,045.41

(2) LIVE CATTLE DAILY REPORT – Committed and Delivered Cattle – Form LS-114

Number of Respondents	=	33
Frequency of Response	=	2 times daily for 260 days.
Per Response Burden	=	.17 hours per electronic submission.
Annual Hour Burden	=	2,917 hours.
Estimated Annual Cost	=	\$66,045.41

(3) LIVE CATTLE WEEKLY REPORT –Form LS-115

Number of Respondents	=	33
Frequency of Response	=	1 per week for 52 weeks
Per Response Burden	=	.25 hour per electronic submission.
Annual Hour Burden	=	429 hours.
Estimated Annual Cost	=	\$9,712.56

(4) CATTLE PREMIUMS AND DISCOUNTS WEEKLY REPORT – Form LS-117

Number of Respondents = 30
 Frequency of Response = 1 per week for 52 weeks.
 Per Response Burden = .08 hours per electronic submission.
 Annual Hour Burden = 125 hours.
 Estimated Annual Cost = \$2,825.47

(5) COW/BULL PLANT DELIVERED BIDS (DRESSED BASIS) – Form LS-131

Number of Respondents = 22
 Frequency of Response = 1 per day for 260 days.
 Per Response Burden = .08 hours per electronic submission.
 Annual Hour Burden = 458 hours.
 Estimated Annual Cost = \$10,360.06

(6) LIVE COW/BULL DAILY PURCHASE REPORT – Form LS-132

Number of Respondents = 22
 Frequency of Response = 1 per day for 260 days.
 Per Response Burden = .17 hours per electronic submission.
 Annual Hour Burden = 972 hours.
 Estimated Annual Cost = \$22,015.14

(7) BOXED BEEF DAILY REPORT – Form LS-126

Number of Respondents = 47
 Frequency of Response = 2 per day for 260 days.
 Per Response Burden = .125 hours per electronic submission.
 Annual Hour Burden = 3,055 hours.
 Estimated Annual Cost = \$69,165.20

(8) SWINE PRIOR DAY REPORT – Form LS-118

Number of Respondents = 47
 Frequency of Response = 1 per day for 260 days.
 Per Response Burden = .25 hours per electronic submission.
 Annual Hour Burden = 3,055 hours.
 Estimated Annual Cost = \$69,165.20

(9) SWINE DAILY REPORT – Form-LS-119

Number of Respondents = 36
 Frequency of Response = 2 per day for 260 days.
 Per Response Burden = .17 hours per electronic submission.
 Annual Hour Burden = 3,182 hours.
 Estimated Annual Cost = \$72,049.54

(10) SWINE NONCARCASS MERIT PREMIUM WEEKLY REPORT – Form LS-120

Number of Respondents	=	20
Frequency of Response	=	1 per week for 52 weeks.
Per Response Burden	=	.25 hour per electronic submission.
Annual Hour Burden	=	260 hours.
Estimated Annual Cost	=	\$58,86.40

(11) WHOLESALE PORK CUTS DAILY REPORT – Form LS-89

Number of Respondents	=	56 (Sow/Boar Plants (12)) will submit electronically.
Frequency of Response	=	2 per day for 260 days for barrow and gilt packing plants; and 1 per day for sow and boar packing plants.
Per Response Burden	=	.125 hours per electronic submission both barrow/gilt and sow/boar packing plants.
Annual Hour Burden	=	3,250 hours (2,860 hours for 44 barrow/gilt packing plants and 390 hours for 12 sow/boar packing plants).
Estimated Annual Cost	=	\$73,580.00

(12) LIVE LAMB DAILY REPORT– Current Established Prices – Form LS-121

Number of Respondents	=	5
Frequency of Response	=	1 time per day for 260 days.
Per Response Burden	=	.34 hours per electronic submission.
Annual Hour Burden	=	442 hours.
Estimated Annual Cost	=	\$10,006.88

(13) LIVE LAMB WEEKLY REPORT – Form LS-123

Number of Respondents	=	5
Frequency of Response	=	1 per week for 52 weeks.
Per Response Burden	=	.25 hours per electronic submission.
Annual Hour Burden	=	65 hours.
Estimated Annual Cost	=	\$1,471.60

(14) LIVE LAMB WEEKLY REPORT – Formula Purchases – Form LS-124

Number of Respondents	=	3
Frequency of Response	=	1 per week for 52 weeks.
Per Response Burden	=	.25 hours per electronic submission.
Annual Hour Burden	=	39 hours.

Estimated Annual Cost = \$882.96

(15) LAMB PREMIUMS AND DISCOUNTS WEEKLY REPORT – Form LS-125

Number of Respondents = 2
 Frequency of Response = 1 per week for 52 weeks.
 Per Response Burden = .08 hours per electronic submission.
 Annual Hour Burden = 8 hours.
 Estimated Annual Cost = \$188.36

(16) BOXED LAMB REPORT – Form LS-128

Number of Respondents = 15 (Importers (6)) will submit electronically.
 Frequency of Response = 1 per day for 260 days for domestic packing plants;
 and 1 per week for 52 weeks for importers.
 Per Response Burden = .084 hours per electronic submission for importers
 and .167 hours per electronic submission for
 domestic packing plants.
 Annual Hour Burden = 417 hours (391 hours for 9 domestic packing
 plants and 26 hours for 6 importers*).
 Estimated Annual Cost = \$9,440.88

**One importer is also a packer.*

(17) LAMB CARCASS REPORT – Form LS-129

Number of Respondents = 10
 Frequency of Response = 1 per day for 260 days
 Per Response Burden = .167 hours.
 Annual Hour Burden = 434 hours.
 Estimated Annual Cost = \$9,830.29

Methodology Used for Calculating Estimates

To calculate total annual hour burden for collection, we estimated the total number of hours required to report either daily or weekly. This hour figure was multiplied by the number of respondents to obtain the total collection time required each day or week. This figure was multiplied either by 260 (reporting days per year) or 52 (reporting weeks per year), as applicable, to obtain the total yearly burden. The total hour burden per year was multiplied by \$22.64 (average total compensation per hour for all civilian office, administrative service managers and administrative support occupations for second quarter of 2011 according to Bureau of Labor statistics) to obtain the estimated total yearly dollar burden. See AMS-71 for details.

Total estimated hours for forms =	22,026
Hours for developing and maintaining electronic interface:	<u>1,740</u>
	23,766

Subtotal cost for burden hours (\\$22.64 per hour rate used) =	\$498,668.64
Subtotal cost interface (\\$32.64 per hour rate used) =	\$56,793.60
TOTAL BURDEN (\$22.64 X 22,026 Hours)	\$498,668.64
TOTAL COST	\$555,462.24

Note: \$32.64 is the average total compensation per hour for all civilian purchasing/buying agents professional and related occupations for the second quarter of 2011 according to the Bureau of Labor statistics.

AMS believes the collection of information will be accomplished through electronic means using existing electronic information systems. Therefore, the cost burden to the industry with regards to purchases of additional technology equipment and services will be negligible. Moreover, there are no additional recordkeeping requirements, as all required records are currently maintained by industry through normal business practice.

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).

(a) Capitol and Start-up Costs

There are no capital/start-up or ongoing costs to the respondents associated with this information collection.

(b) Total Operation and Maintenance Costs

Storage and maintenance of electronic files	
Cattle and Beef (48)	\$ 92,304
Swine and Pork (52)	99,996
Lamb (16)	30,068
TOTAL	\$223,068

Based on the following:

Labor = 70 hours per year x \$22.64 =	\$1,584.80
Electronic storage cost*	430
TOTAL	\$2,014.80

*includes cost of hard electronic storage, backup media, backup drive, and backup software.

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.

Based on historical expenditures, AMS estimates the cost of maintaining a mandatory program of livestock reporting to be \$5.7 million per year itemized as follows:

Salaries and Benefits (avg. salary for GS-6 clerks to GS-15 Director)		\$4,000,000
Travel Expenses	=	\$ 150,000
Space rental	=	\$ 300,000
Printing	=	\$ 10,000
Contractual services	=	\$1,200,000
Computer hardware/software	=	\$ 50,000
Total	=	\$5,710,000 per year

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

There is an overall increase of 2254 burden hours, due to the mandated addition of wholesale pork mandatory reporting. The following form was added LS-89 for barrow and gilt processors and LS-89 for sow and boar processors. The forms OMB number was changed from OMB-0581-0279 to 0581-0186 to reflect the merge of Wholesale Pork reporting after the approval of the final rule in which AMS requested the form be merged into the existing information collection titled "Livestock Mandatory Reporting Act of 199" OMB Control number 0581-086.

There is a decrease in respondents for LS-113, LS-114, LS-115, LS-117, LS-126 beef forms. Some swine and lamb reports, LS-124, LS-125 and LS-128 had a decrease in respondents. The reason for the plus or minus in the number of respondents is because there is a reporting threshold in which the packers either meet or do not meet, depending on how many animals are harvested on a yearly basis. In some cases, the Agency has deleted individual data fields from reporting forms; however, because this information is submitted electronically, there is no measurable reduction to the burden per response.

The Cattle Premiums and Discounts Weekly Report Form LS-117 was modified to increase the weight measurements in the following fields: 31, 32 and 33. These changes do not increase the response time for the respondents but provides for a more current weight measurement classification.

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 mandatory information collection augments existing publications and market reports of the Livestock, Poultry and Seed Program's Livestock, Poultry, and Grain Market News Division (LPGMN). The collected information will be gathered into an electronic database where it will be processed and aggregated for publication. This process will occur daily and weekly as required.

Once prepared, the market reports are published through an electronic communication system and are posted on the LPGMN website.

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.

Since the forms are electronic, there is no need to have an expiration date.

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

No exceptions are requested to the certification statement identified in item 19 of OMB Form 83-I.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This information collection does not employ statistical methods.