

1 Supporting Statement

AGRICULTURAL LABOR SURVEY

OMB No. 0535-NEW

A. JUSTIFICATION

This is an emergency request to suspend the collection of data for the October 2020 Agricultural Labor Survey, which is currently approved by the OMB docket 0535-0109 and the subsequent publication of survey results in November 2020.

- 1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.**

The primary objective of the National Agricultural Statistics Service is to prepare and issue State and national estimates of crop and livestock production, disposition, and prices. The Agricultural Labor Survey provides quarterly statistics on the number of agricultural workers; hours worked, and wage rates. Number of workers and hours worked have been used to estimate agricultural productivity; wage rates have been used in the administration of the H-2A Program and for setting Adverse Effect Wage Rates. Survey data have also been used to carry out provisions of the Agricultural Adjustment Act.

USDA has determined the public can access other data sources for the data collected in the Agricultural Labor Survey. These sources include, but are not limited to, the Agricultural Resources Management Survey (ARMS), Census of Agriculture (COA), American Community Survey (ACS), Quarterly Census of Employment and Wages (QCEW), National Economic Accounts, and the National Agricultural Workers Survey (NAWS). Therefore, NASS will not be collecting data in October 2020, as originally planned. NASS will not publish the biannual Farm Labor report this November.

Authority: These data were collected under authority of 7 U.S.C. 2204(a). Individually identifiable data collected under this authority are governed by Section 1770 of the Food Security Act of 1985, 7 U.S.C. 2276, which requires USDA to afford strict confidentiality to non-aggregated data provided by respondents.

- 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.**

This emergency request is to suspend the October 2020 Agricultural Labor Survey and subsequent publication. The alternate sources of labor data listed in item 1 above will be available.

- 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.**

This document suspends the October 2020 Labor Survey. There are no electronic forms associated with this docket.

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

The alternative sources of agricultural labor data listed in item 1 will be available to data users in place of the data collected by the October 2020 Agricultural Labor Survey. Hence, the emergency request to suspend this data collection.

- 5. If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I), describe any methods used to minimize burden.**

The suspension of the October Agricultural Labor Survey will remove all respondent burden on respondents for that time-period.

- 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 alternate sources of data listed in item 1 above provide agricultural labor data, to data users.

- 7. Explain any special circumstances that would cause an information collection to be conducted in a manner inconsistent with the general information guidelines in 5 CFR 1320.5.**

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

- 8. 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.**

This is an emergency request, there will not be a 60 day notice published for this docket. However, a 30-day notice notifying the public of NASS' intent to suspend data collection for the Agricultural Labor Survey for the October 2020 quarter will be published.

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 record-keeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

NASS stays in close contact with Department-level personnel involved with agricultural labor policy. In addition, each year NASS conducts a series of meetings at various sites across the United States to maintain a dialogue with farmers and industry leaders to discuss issues relevant to NASS programs. Agricultural labor is one of the areas highlighted in these meetings. Consultations between the Department of Labor and the USDA have prompted this request to suspend the October 2020 Agricultural Labor Survey and subsequent publication in November.

- 9. Explain any decision to provide any payment or gift to respondents.**

There are no payments or gifts to respondents.

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

- 11. Provide additional justification for any questions of a sensitive nature.**

There are no questions of a sensitive nature.

- 12. Provide estimates of the hour burden of the collection of information. The statement should indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB Form 83-I. Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories.**

There is no burden associated with this emergency request.

The proposed suspension of the October 2020 Agricultural Labor Survey will reduce burden for OMB 0535-0109 for year 2020 only.

There are no costs to the public for this docket.

13. Provide an estimate of the total annual cost burden to respondents or record-keepers resulting from the collection of information.

There are no capital/start-up or ongoing operation/maintenance costs associated with this information collection.

14. Provide estimates of annualized cost to the Federal government; provide a description of the method used to estimate cost which should include quantification of hours, operational expenses, and any other expense that would not have been incurred without this collection of information.

There are no costs to the Federal Government associated with this suspension request.

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

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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.

This suspension of data collection will eliminate the publication of labor data by NASS in November 2020.

Previously published labor data from NASS can be found at:

<https://usda.library.cornell.edu/concern/publications/x920fw89s>.

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

There is no request for approval of non-display of the 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.**

There are no exceptions to the certification statement.

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