

by the Department's National Agricultural Statistics Service, there are approximately 87,350 operations with sheep in the United States that may be eligible to vote in the referendum. To obtain the estimated number of importers of sheep and sheep products who would be subject to an assessment and who may be eligible to vote in the referendum, the Department consulted with major importer organizations whose members import sheep and sheep products into the United States. Based on its consultations with these organizations, the Department estimates that the number of importers of sheep and sheep products in the United States who would be subject to these rules and regulations is approximately 9,000. Nearly all of the sheep operations in the United States and nearly all of the importers of sheep and sheep products would be classified as small entities by the Small Business Administration (13 CFR 121.601).

This action has also been reviewed under RFA (5 U.S.C. 601 *et seq.*). This final rule would establish procedures for the conduct of a referendum to determine whether an Order promulgated under the Act becomes operational. Such procedures would permit all eligible sheep producers, sheep feeders, and importers of sheep and sheep products, excluding importers who import only raw wool, who have been engaged in sheep production, sheep feeding, or the importation of sheep and sheep products to vote in the referendum. Participation in the referendum is voluntary. Votes may be cast either by mail ballots or in person at polling places. Casting votes by mail or in person would not impose a significant economic burden on participants. Accordingly, the Administrator of AMS has determined that this rule will not have a significant economic impact on a substantial number of small business entities.

#### *Paperwork Reduction Act*

In accordance with the Paperwork Reduction Act of 1980 (44 U.S.C. Chapter 35), OMB has approved the information collection requirements contained in this final rule. The control number assigned to the information collection requirements in Part 1280 by OMB pursuant to the Paperwork Reduction Act is OMB 0581-0093. The information collection required by this action and necessary to conduct a referendum includes the following:

(a) For in-person voting:

(1) Each sheep producer, sheep feeder, or importer of sheep and sheep products, except an importer who

imports only raw wool, who votes in person in the referendum must sign the In-Person Voter Registration List (Form LS-61-3) and complete a Ballot (Form LS-61) at the county Cooperative Extension Service (CES) office of the Department. The voter must complete the ballot and insert it into the SHEEP BALLOT envelope (Form LS-61-1).

(2) Each producer, feeder, and importer must complete the Registration and Certification Form that is printed on the SHEEP REFERENDUM envelope (Form LS-61-2) and insert the SHEEP BALLOT envelope with the enclosed ballot in the SHEEP REFERENDUM envelope (Form LS-61-2). The estimated average time burden for completing the forms for in-person voting is 6 minutes per voter.

(b) For absentee voting: Each sheep producer, sheep feeder, and importer of sheep and sheep products, except an importer who imports only raw wool, who wants to cast an absentee vote instead of an in-person vote, must complete, in a legible manner, a combined registration/certification and absentee ballot form (Form LS-62). The voting producer, feeder, or importer must complete the registration/certification and absentee ballot form (Form LS-62), remove the ballot portion of the form, insert the ballot in a SHEEP BALLOT envelope (Form LS-61-1) (same as for in-person voting) and then insert the sealed SHEEP BALLOT envelope and the registration/certification form in the SHEEP REFERENDUM envelope (Form LS-62-1). The estimated average time burden for completing this procedure is 6 minutes per voter.

(c) The final rule requires each sheep producer, sheep feeder, or importer of sheep and sheep products who votes in person to record his or her name on the In-Person Voter Registration List (Form LS-61-3) and, if applicable, the name of the entity he or she represents. The estimated average time burden for registering to vote in person is 0.5 minutes per voter. For absentee voters, the county CES agent shall enter on the Absentee Voter Request List (Form LS-62-2) the date the ballot was requested, the voter's name and address, the name of the represented entity, if any, and the date the ballot was mailed from the county CES office. This information may be used to validate ballots and to challenge potentially-ineligible voters. Each county CES agent will fill out one or more of the Absentee Voter Request Lists (Form LS-62-2) per referendum. Because only county CES agents will complete the Absentee Voter Request List, the estimated average reporting burden would not apply to the

producer, feeder, or importer voting in the referendum.

Based on previous referendums conducted under the National Wool Act of 1954, the estimated number of producers, feeders, and importers who will vote in the referendum is 25,000, with each voting once.

#### *Background*

The Act (7 U.S.C. 7101-7111) provides for the establishment of a coordinated program of promotion, research, education, consumer information, industry information, and producer information designed to strengthen the sheep industry's position in the marketplace, maintain and expand existing markets, and develop new markets and uses for sheep and sheep products.

The program will be funded by a mandatory assessment on domestic producers, feeders, and exporters of live sheep and greasy wool of 1-cent-per-pound on live sheep sold and 2-cents-per-pound on greasy wool sold. Importers will be assessed 1-cent-per-pound on live sheep, the equivalent of 1-cent-per-pound of live sheep for sheep products as well as 2-cents-per-pound of degreased wool or the equivalent of degreased wool for wool and wool products. Imported raw wool would be exempt from assessments. Each person who processes or causes to be processed sheep and sheep products of that person's own production, and who markets the processed products, would be assessed the equivalent of 1-cent-per-pound of live sheep sold or 2-cents-per-pound of greasy wool sold. All assessments may be adjusted in accordance with the applicable provisions of the Act.

The Act requires that a referendum be conducted after the issuance of the final Order to determine whether the Order will go into effect. The referendum would be conducted among persons who were sheep producers, sheep feeders, or importers of sheep and sheep products, during a representative period specified by the Secretary. Importers who import only raw wool are not eligible to participate in the referendum because raw wool is exempt from assessments under the Act. The Order would become operational only if it is approved by a majority of the producers, feeders, and importers voting in the referendum or by producers, feeders, and importers voting in the referendum who account for at least two-thirds of the production represented by persons voting in the referendum. If the Order is not approved by persons voting in the referendum, the program will not become operational. An Order was