

UNITED STATES DEPARTMENT OF AGRICULTURE
Farm Service Agency
(Commodity Credit Corporation)
OMB Number 0560-NEW
7 CFR 1437, Noninsured Crop Disaster Assistance Program

We are requesting an emergency approval by 6/17/2009 for form CCC-583 for certifying that recipients of crop disaster assistance do not exceed benefit limits. This form is needed so that we can make crop disaster payments to producers. The 2008 Farm Bill requires us to attribute payments for our programs for purposes of determining whether a person has met the limit for benefits in a different way than we have attributed such payments in the past. This form will be used temporarily until direct attribution software becomes available in August 2009.

Upon approval if this collection the burden hours will be merged into 0560-0175.

A. Justification

1. Circumstances and legal or administrative requirements that necessitate the collection of information.

7 U.S.C. Section 7333 specifies that the Secretary (of Agriculture):

operate a noninsured crop disaster assistance program to provide coverage equivalent to the catastrophic risk protection otherwise available under 7 U.S.C. 1508(b)
waive the required service fee in the case of a limited resource farmer.

Furthermore, the statute specifies producers shall:

submit an application for NAP at a local office of the Department
pay a service fee to the Secretary at the time they submit an application for coverage
provide annually to the Secretary records of crop acreage (planted and prevented from being planted), acreage yields, and production for each crop by the designated acreage reporting date for the crop and location
to be eligible for assistance under section 7333, have suffered a loss of a noninsured commodity as the result of an eligible cause of loss
elect whether to receive NAP assistance or assistance under another program when the producer is eligible to receive NAP assistance and assistance for the same loss under any other program administered by the Secretary
have their production adjusted upward by the amount of the production equal to the amount of a guaranteed payment for planted acreage, as opposed to delivery of the crop production,
provide detailed documentation of production costs, acres planted, and yield for the crop year in which assistance is requested or if the Secretary determined these records inadequate, proof that the eligible crop, had it been harvested, could have been marketed at a reasonable price when the crop acreage in the administrative county in which the unit is located increases by more than

100 percent over any year in the preceding seven crop years or significantly from the previous crop year and the producer is denied an assigned yield.

Additionally, the statute specifies that a person or legal entity who has qualifying gross revenues in excess of the amounts specified during the taxable year shall not be eligible to receive any noninsured assistance payment.

2. How, by whom, and for what purpose the information is to be used and any consequences to the NAP if the collection of information is not conducted.

Form CCC-583 - The Statement of Compliance with Program Provisions of the 2009-Crop Noninsured Crop Disaster Assistance Program (NAP) and Waiver of Finality of Payment Provisions will be used to collect the producer and personal certifications necessary for the proper administration of the NAP. General information, i.e. name, identification, address, and telephone number of the applicant is retrieved from an existing database and pre-filled in the electronically generated forms using information previously provided to the agency for this and other programs.

The information will also be used to determine eligibility for program benefits. However, failure to furnish the requested information will result in a determination of ineligibility for program benefits.

Information collected will be displayed on form CCC-583 for the producer to certify. CCC-583 does not request any new information.

3. 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 and any consideration of using information technology to reduce burden.

CCC-583 (this is for County use only) is available electronically at <http://forms.sc.egov.usda.gov>. In addition to electronic access, accommodations, such as the use of the mail or package delivery service are available for producers without Internet access or with circumstances that inhibit their visiting the applicable FSA county office.

4. Identifying duplication and using similar information already available.

The agency has identified minimal duplication of information collection within USDA. However, the agency has identified duplication of information collection outside USDA. Producer may be required to report information to multiple entities as a prerequisite to participating in local, State, regional and other Federal programs. The agency is pursuing partnerships with USDA entities and State governments to standardize the information collection and management processes. Although the agency has identified a number of

areas where duplication of information collection occurs and is actively pursuing agreements to avoid it, there are limitations to sharing this information. Barriers to sharing this information with others include the need to standardize information collection requirements; a common producer, land and crop identifier; and an electronic medium that allows each entity immediate access to the information upon producer certification.

5. Impact on small businesses or other small entities and methods used to minimize burden.

The information collection does not negatively impact small businesses or other small entities.

6. Consequences to Federal program or policy activities if the collection is not conducted or is conducted less frequently and any technical or legal obstacles to reducing burden.

The information collection is required for proper administration of the NAP on an as needed basis when damaging weather, etc. occurs resulting in loss of crop production. Annual collection of specific acreage and production data allows the agency to ensure compliance with program provisions while evidence of production and damaging weather remains available. Less frequent information collection would most likely compromise compliance efforts and result in a loss of program integrity and agency resources. Less frequent collection of acreage and production data could materially affect the agency's ability to respond timely to natural disaster situations which was a fundamental purpose for NAP and CAT.

7. Special circumstances that would cause an information collection to be conducted in a special manner.

- a. Requiring respondents to report information to the agency more often than quarterly;
The respondents are not required to report information to the Agency more often than quarterly.
- b. Requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;
The respondents are not required to do less than 30 days response to the information collection.
- c. Requiring respondents to submit more than an original and two copies of any document;
The respondents are not required to submit more than an original and two copies of any documents.
- d. Requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;
The respondents are not required to retain records for more than 3 years.

- e. 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;
This information collection does not use any statistical survey.
- f. Requiring the use of a statistical data classification that has not been reviewed and approved by OMB;
This information collection does not use any statistical survey.
- g. 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.
There is no such requirements.
- h. 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 respondents are not required to submit trade secret or other confidential information in this information collection.

8. Consultations with persons outside the agency to obtain their view on the availability of data, frequency of collection, the clarity of the instructions and record keeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

This is an emergency request and there is no time to publish the 60-day Federal Register Notice.

9. Payment or gifts to respondents.

No payments or gifts are provided to respondents.

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

The assurance of confidentiality of information collected is provided according to established FSA procedures implementing the Privacy Act, Freedom of Information Act, and OMB Circular A-130, "Responsibilities for the Maintenance of Records about Individuals by Federal Agencies."

11. Justification for any questions of a sensitive nature, such as sexual behavior and attitudes, etc. that are commonly considered private.

Information of sensitive nature is not collected.

12. Estimated hour burden of the collection of information.

Attached is FSA 85-1, Reporting and Record Keeping Requirements with the burden hour estimates for the following new form:

Statement of Compliance with Program Provisions of the 2009-Crop Noninsured Crop Disaster Assistance Program (NAP) and Waiver of Finality of Payment Provisions of CCC-583. The average time to complete the certification is 5 minutes. The estimated burden is 417 hours (471 times 5 minutes).

13. Estimated total annual cost burden to respondents or recordkeepers resulting from the collection of information.

There are no capital (including start-up, operation, and maintenance) costs or purchase of service requirements resulting from the information collection.

14. Estimated annualized costs to the Federal Government

The estimated annual cost to the Federal Government for developing and distributing the forms used in the NAP is \$292 (\$0.07 times 417 responses). Mailing forms and informational materials to producers is estimated to cost \$3,953 (417 respondents times 0.5 hours times \$9.48 (average wage per hour of county office employee). The total is \$4,246.

15. Program changes or adjustments reported in Items 13 and 14 of the OMB 83-I

This is a new collection.

16. Plans for tabulation and publication.

There are no plans to publish the information collected. It is to be used solely to administer the program.

17. Inappropriate display of the OMB approval expiration date.

Display of the OMB approval expiration on the automated forms would require personnel and time to reprogram the form each time the expiration date changes, when the forms would otherwise not need to be changed.

18. Exceptions to the certification statement in Item 19 of OMB form 83-I.

FSA is able to certify compliance with all provisions under Item 19 of OMB Form 83-I.

19. How the information collection relates to the Customer Service Center.

Services under this program will be delivered by FSA through USDA Service Centers. Information collected in support of this program is not unique to FSA and its collections and maintenance will augment the one-stop shopping principle of the USDA customer service center.

