

USDA/FSA
OMB 0560-0253
FSA-179, Transfer of Farm Records Between Counties

Purpose:

The purpose of this request is to obtain an extension with a revision of a currently approved information collection. The expiration date is July 31, 2011.

Background:

Most Farm Service Agency (FSA) programs are administered on the basis of “farm”. For program purposes, a farm is a collection of tracts of land that have the same owner and the same operator. Land with different owners may be considered to be a farm if all the land is operated by one person and additional criteria are met. A farm is typically administered in the FSA county office where the farm is physically located. A farm can be transferred from the physical location county office if the principle dwelling of the farm operator has changed, a change has occurred in the operation of the land, or there has been a change that would cause the receiving administrative county office to be more accessible. Without obtaining the information from producers for the FSA-179, the FSA county office will not be aware of the producers desire to transfer a farm.

Justification:

1. Circumstances making collection of information necessary.

Form FSA-179, Transfer of Farm Records between Counties, is used as the request for a farm transfer from one county to another initiated by the producer. A farm transfer is a change in the administrative location of a farm.

A farm transfer can be initiated if the farm is being transferred back to the county where the farm is physically located, the principle dwelling of the farm operator has changed, a change has occurred in the operation of the land, or there has been a change that would cause the receiving administrative county office to be more accessible.

Producers who are requesting a farm transfer for one of the reasons described above are responsible for notifying the County FSA Office of the desire to transfer the farm records. The request is documented on FSA-179 which is completed, signed by the producer, and filed with the County FSA Office. The County FSA Committee must act on all farm transfer requests and issue their approval or disapproval on the FSA-179. It is necessary to collect the information recorded on the FSA-179 in order to determine the farm that is being transferred and to ensure that all owners and the operator of the farm agree to the transfer.

2. How, by whom, and for what purpose is information used.

Producers (owners and/or operators) initiate the FSA-179 with their local FSA office. Producers are to inform their local Office any time a change is made to their farming operation. Working together, the producer and the FSA employee determine whether a transfer of farm records is appropriate. The producer may request that the land being transferred be combined with land already located in the receiving county office. Some of the information requested on FSA-179 is available in the records maintained at the FSA office and can be obtained from the office. This information includes current data such as name and address of operator and owner, name of transferring county, farm number, and location of farm.

The information collected on the FSA-179 is collected only if a farm transfer is being requested and is collected in a face-to-face setting with county office personnel. If a farm transfer request is not being initiated, this information is not collected.

The information is used by county office employees to document which farm is being transferred, what county it is being transferred to, and why it is being transferred.

The FSA-179 assists county committees in determining why the farm transfer is being requested and that it is not being requested for the purpose of increased program benefits, avoiding payment reductions, establishing eligibility to transfer base acres, or for circumventing any other program provision. Whether or not the review of FSA-179's revealed any scheme or device for circumventing program requirements, the collection of information is necessary in order to establish new farm records based on the transfer request.

3. Use of information technology.

The FSA-179 is available to producers in an electronic format only at <http://forms.sc.egov.usda.gov/eForms/welcomeAction.do?Home>. The transferring FSA County Office is required to submit all current year records with the completed FSA-179 to the receiving office. All owners and the operator of the farm being transferred are required to sign the FSA-179.

4. Efforts to identify duplication.

Forms are continually analyzed to determine whether information is duplicated on another form. The following information is not available from another source: (a) name of receiving county, (b) reason for transfer, (c) signature of owner(s), (d) signature of operator.

The farm transfer process uses available information from farm and producer records, however, the receiving county and the farm involved is the choice of the producer.

5. Methods to minimize burden on small business or other small entities.

This collection of information does not place an additional burden on small businesses or other small entities.

6. Consequence if information collection were less frequent.

The information is collected only when a producer requests a farm transfer or the county committee determines that a farm transfer is required. If FSA-179 is not filed, county offices will be unable to determine whether the producer desires to transfer a farm.

7. Special circumstances.

There are no special circumstances that require the information collection to be conducted in a manner inconsistent with general information collection guidelines in 5 CFR 1320.5.

8. Federal Register notice, summarization of comments and consultation with persons outside the agency.

A Federal Register notice requesting comments on this information collection was published on March 16, 2011 at 76 FR 14371. No public comments have been received.

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

Payments and gifts are not provided to respondent.

10. Confidentiality provided to respondents.

Data collected is handled according to established FSA procedures implementing the Privacy Act and the Freedom of Information Act. Collection of this information also complies with the Privacy Act of 1974 and OMB Circular A-130, "Responsibilities for the Maintenance of Records About Individuals by Federal Agencies."

11. Questions of a sensitive nature.

Data collected is not considered sensitive in nature.

12. Estimates of Burden.

Nationwide, there are approximately 10 farm transfer requests completed per FSA county office per year. This was multiplied by the number of FSA county offices, approximately 2,300, to determine that there were 23,000 farm transfer requests made per year.

The total estimated annual burden in this request is 26,833 hours, which includes 3,833 hours for completing the form and 23,000 hours for travel to and from the FSA office. These figures represent 23,000 respondents completing on FSA-179 at approximately 10 minutes each and 1 hour travel time.

Cost to the producer is \$519,755. This figure represents the burden hours (26,833) times \$19.37 per hour. The average hourly wage of \$19.37 was obtained from a publication by the Bureau of Labor Statistics, U. S. Department of Labor (USDL-11-0682) released May 13, 2011. This is the average hourly earnings on private nonfarm payrolls but was used because figures for current farm wages are not available.

There are no record keeping requirements for farm transfers for the producer.

13. Total annual cost burden to respondents or record keepers.

No special equipment or services must be purchased by the respondent to collect the information. Therefore, there are no capital/startup costs.

14. Provide estimates of annualized cost to the Federal Government.

The estimated cost to the Federal Government is \$264,869

The estimated cost of forms maintenance is \$1,840, based on \$.08 cost per form, including development and printing, distribution, storage, retrieval, and dissemination of 23,000 forms.

At the National Level, one program specialist (GS-13) is assigned responsibility of managing the farm records program. This specialist spends 15% of their time on program administration for farm transfers totaling \$12,444 annually.

Program administration at the County Office is estimated at \$250,585 which is computed based on 30 minutes per response (11,500 hours) times the average FSA employee wage of \$21.79. The average FSA field employee wage was obtained from the office of FSA's Deputy Administrator for Field Operations and is Grade 7 Step 5.

No cost data is being provided for appeal cases.

15. Reasons for changes in burden.

There is an adjustment decrease in the number of respondents and responses from 25,000 to 23,000, the number of number of burden hours decreased from 29,175 to 26,833. The changes are due to a reduction in FSA County Offices number of requests for Farm Record Transfer.

16. Tabulation, analysis, and publication plans.

The FSA-179 is not intended as an information collection document for statistical purposes.

17. Reasons display of expiration date of OMB approval is inappropriate.

The agency would have to expend resources to change the expiration date even if not other changes were needed on the form.

18. Exceptions to 83-I certification statement.

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

**19. How is the information collection related to the Customer Service Center?
Will this information be part of their one stop shopping?**

The information collected on the FSA-179 is collected by FSA only at the Customer Service Center. Although FSA is the only agency that collects the information, after the farm is transferred, the resulting data will be shared with NRCS. Other USDA agencies that may share the information include NASS, RD, and RMA.