

U.S. Department of Agriculture

Farm Service Agency

Supporting Statement

OMB Number 0560-0183

Assignments of Payments and Joint Payment Authorizations, 7 CFR part 1404

Purpose:

The purpose of this document is a revision with an extension of a currently approved collection that relates to Assignment of Payment and to Joint Payment Authorizations.

1. Explain the circumstances that make the information collection necessary.

CCC-36, CCC-251, and CCC-252. The Soil Conservation and Domestic Allotment Act (16 USC 590h(g)) authorizes producers to assign, in writing, FSA conservation program payments. The statute requires that any such assignment be signed and witnessed. The Agricultural Act of 1949, as amended, extends that authority to CCC programs, including rice, feed grains, cotton, and wheat.

The regulations at 7 CFR Part 1404 implement this authority by providing for the assignment of cash payments made by FSA or CCC by execution of Form CCC-36 or Forms CCC-251 and CCC-252. These regulations allow any person who is the recipient of a cash payment from FSA or CCC to assign that payment to a third party.

If a recipient of an FSA or CCC payment chooses to assign a payment to another party, a CCC-36 or CCC-251 and CCC-252 must be completed in order to identify the assignee and be signed by the assignee to ensure that the assignee is willing to accept the assignment.

CCC-37. There are no regulations governing joint payments, but this service is offered as a result of public request for this type of payment option. In order to make program payments payable to a producer and a third party, CCC requires CCC-37 to be signed by the producer entitled to payment to identify the third party, and by the third party to ensure that the third party is willing to accept the joint payment.

2. Indicate how, by whom, and for what purpose the information is to be used.

The information on the CCC-36, CCC-251, and CCC-252 is used by FSA employees in order to record the payment or contract being assigned, the amount of the assignment, the date of the assignment, and the name and address of the assignee and the assignor. This will enable FSA employees to pay the proper party when payment becomes due.

Form CCC-36 is used to assign payments made under programs administered by a county FSA committee. Forms CCC-251 and CCC-252 are used to assign payments under all other CCC or FSA programs and contracts.

Form CCC-37 is used by the county FSA office to document authorization to issue program payments jointly at the request of the producer. It is also used to terminate joint payments at the request of both the producer and joint payee. This payment option is strictly for the convenience of the producer and is not contained in regulations.

3. Use of information technology.

Information collection by electronic filing is available if the producer has registered with the USDA for a user ID and password, and the producer has been authenticated to the ID. The producer entered data is validated and updated in the system to be used when payments are made. For producers that do not have a registered user ID and password, the CCC-36 and CCC-37 are available on the FSA website as fillable forms, with instructions also provided. Forms are available in the county FSA office for producers that do not have internet access, or prefer that the forms be provided to them. The data collected on CCC-36 and CCC-37 is entered in the computer and automatically applied when payments are generated. This reduces the government's burden because it is not necessary to maintain the data manually.

The CCC-251 and CCC-252 processes are manual.

4. Describe efforts to identify duplication.

There is no duplication of data requested on the information collections contained in this clearance.

5. Describe efforts to minimize burden on small businesses or other small entities.

This information collection request does not have an impact on small businesses or other small entities. There are about 100 small entities in this request.

6. Consequence if collection were less frequent.

Forms CCC-36, CCC-251, CCC-252, and CCC-37 are only completed when a recipient requests that payment be directed to someone other than the recipient. If the forms were collected less frequently, payment would be disbursed directly to the recipient. This strictly provides an added benefit to the recipient.

7. Special circumstances.

The information collections are consistent with the guidelines in 5 CFR Part 1320.6.

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

The "Information Collection: Assignments of Payment and Joint Payment Authorization" notice was published in the Federal Register on February 8, 2012 (77 CFR 6533-6534). Comments were to be received on or before April 9, 2012. No comments were received.

There was no additional effort to consult with persons outside the agency because the information is collected only upon request of a payment recipient, and the data is not disclosed or reported.

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

No payment or gifts are provided for any respondent.

10. Confidentiality provided to respondents.

Information collected is handled according to established FSA procedures implementing the Privacy Act, Freedom of Information Act, and OMB Circular 130, "Responsibilities for the Maintenance of Records About Individuals by Federal Agencies".

11. Questions of a sensitive nature.

No information of a sensitive nature is requested.

12. Estimates of burden.

It is estimated that, on average, it will require a respondent approximately 10 minutes to gather and record the information collected on CCC-36 or CCC-37 because the data is readily available. We used an estimate of \$16.50 per hour.

CCC-36 (170,430 respondents @ 10 min. each) = \$16.50 X 28,405 hours = \$468,682.50

CCC-37 (40,496 respondents @ 10 min. each) = \$16.50 X 6,749 hours = \$111,358.50

CCC-251 (450 respondents @ 10 min. each) = \$16.50 X 75 hours = \$1237.50

CCC-252 (450 respondents @ 5 min. each) = \$16.50 X 37 hours = \$610.50

Total annual cost to respondents = \$581,889.00

Total annual burden hours = 35,266 hours

The number of respondents is based on an estimated count of the number of flags set in the county office name and address file.

13. Total annual cost burden to respondents or recordkeepers.

There are no capital and start-up costs and total operation and maintenance and purchase of services component associated with this information collection.

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

Forms development, printing and distribution = \$8,580 (average cost per form is 9 cents times 95,325 forms – assuming another 116,560 are retrieved from the web site at no additional cost to the Government).

Workhours from County Employees: 10 minutes per response times 211,826 responses = 35,266 work hours times \$16.50 (average wage) = \$581,889

Total annual cost to the Federal government = \$590,469

15. Reasons for changes in burden.

The number of participants increased by 140,926 (70,900 to 211,826) and the number of responses increased by 140,926 (70,900 to 211,826) and the total burden hours increased by 23,488 hours (11,778 to 35,266) in this request. The adjusted changes are due to more producers participating in new disaster programs in the past few years.

16. Tabulation, analysis and publication plans.

No publication of these individual collections is intended.

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

We request approval to not display the expiration date of OMB approval. The forms are reproduced locally and often times financial institutions, as assignee, reproduce their own stock with items prefilled. It would be an extra burden on the public to reproduce the stock in three years because of the OMB approval date expiration when nothing else on the form is being changed.

18. Exceptions to 83-1 certification statement.

There are no exceptions to OMB 83-I certification statement.

19. How is this information collection related to the Customer Service Center?

This information collection is available at the Customer Service Center for the respondents to complete and submit to the FSA employees to confirm the agreements.