

**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**

The purpose of this document is to request a revision and an extension of OMB No. 0560-0183 information collection that relates to Assignment of Payment and to Joint Payment Authorizations. The Spanish forms CCC-40 and CCC-36 will be submitted through a change worksheet.

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, NRCS, 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, NRCS, 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.

CCC-40. this form falls under the U.S. Treasury regulations 31 CRF 208 regulation was amended and it requires all federal nontax payments must be made by EFT, unless a waiver applies which requires certain criteria to be granted. Individuals receiving type of payments that is not eligible for Direct Deposit are waived from the EFT requirement. New benefit payments must receive payments by Direct Deposit in accordance DCIA Act 1996.

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 and NRCS 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. Also, NRCS participation will be using the form.

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.

Form CCC40 is be used for waiver may apply when payment by EFT would impose a hardship on the beneficiary due to the individual's inability to manage an account at a financial institution account, if 1 of the following conditions exists:

- Payment by EFT would impose a hardship because of mental disability
- The individual faces a geographic barrier to receiving payment by EFT

Customers who are 90 years of age or older, born before May 1, 1921, and receiving payment by check on March 1, 2013, may receive their payment by check if they choose to receive their payment by check.

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. The CCC-40 will be process manual and keep in the producer file for record in the county office.

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.

Information collections forms in this clearance package do not have an economic impact on small businesses or other small entities. There are 2,000 small businesses or entities.

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. Form CCC-40 are only completed when a recipient request to receive his payment benefits by paper checks.

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 Request, Assignments of Payment and Joint Payment Authorization” 60-day notice was published in the Federal Register on April 1, 2018. Comments were to be received on or before June 1, 2018. Three comments were received but not related to the information collection request.

The three names were provided in the following who gave inputs on the forms and made suggested edits to the format of the forms.

Wayne Whitmore, 405-850-3899.

Ron Wagner, 405-269-3560.

Laurie Moss -651-602-7706.

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 \$19.50 per hour.

CCC-36 (93,423 respondents @ 10 min. each) = \$19.50 X 15,570 hours = \$303,615

CCC-37 (29,359 respondents @ 10 min. each) = \$19.50 X 4,893 hours = \$95,414

CCC-251 (80 respondents @ 10 min. each) = \$19.50 X 13 hours = \$254

CCC-252 (80 respondents @ 5 min. each) = \$19.50 X 7 hours = \$37

CCC-40 (3,600 respondents @ min. each) = \$19.50 X 600 hours = \$11,700

Total annual cost to respondents = \$411,020

Total annual burden hours = 21,083 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.

Total capital and start-up costs and total operation and maintenance and purchase of services component are negligible.

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

Forms development, printing and distribution = \$5,950 (average cost per form is 20 cents times 29,750 forms – assuming another 36,360 are retrieved from the web site at no additional cost to the Government).

Workhours from County Employees: 10 minutes per response (0.16) times 126,542 responses = 20,247 work hours times \$25.33 (average wage) = \$512,849.

Total annual cost to the Federal government = \$357,192.

15. Reasons for changes in burden.

The program changes are +7,603 burden hours while adjustments are +2,478 hours.

Program changes: The new form FSA-40 is added to the collection that increases +3,600 respondents/responses and +600 burden hours. Also, the use of form CCC-36 was revised to add NRCS participants that increases +42,020 respondents/responses and +7,003 hours.

Adjustments: The decrease of -240 respondents and -30 burden hours is an adjustment due fewer respondents using the forms CCC-251 and 252. More respondents are using CCC-37 that increasing burden hours by +2,508 and +15,052 respondents/responses in this request.

16. Tabulation, analysis and publication plans.

No publication of these individuals is intended.

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

FSA will display the OMB expiration date on all forms upon OMB approval.

18. Exceptions to 83-1 certification statement.

FSA is able to certify compliance with all provision under Item 19 of OMB Form 83-1.