

Supporting Statement
Wildfires and Hurricanes Indemnity Program + (WHIP+)
OMB control number-0560-NEW

The Farm Service Agency (FSA) is requesting **EMERGENCY CLEARANCE** because the secretary directed the FSA to provide disaster assistance through the WHIP+ to eligible producers who suffered crop, tree, bush, and vine losses related to hurricanes, floods, tornadoes, typhoons, volcanic activity, snowstorms, and wildfires occurring in the 2018 and 2019 calendar years. The clearance is necessary because the WHIP+ sign-up begins upon the publication of final rule. All WHIP+ payments are expected to be completed by December 31, 2020, due to the funds no longer being available.

1. Circumstances that make the collection of information necessary.

The Additional Supplemental Appropriations for Disaster Relief Act, 2019 (Disaster Relief Act; Pub. L 116-20) authorized \$3 billion in assistance for losses to crops, trees, bushes, and vines due to 2018 and 2019 hurricanes, floods, tornadoes, typhoons, volcanic activity, snowstorms, and wildfires. The Disaster Relief Act requires all participants who receive WHIP+ payments to purchase crop insurance or NAP coverage for the next 2 available years, regardless of whether they had crop insurance or NAP coverage for the applicable crop years for which they are requesting assistance.

In order to determine whether a producer is eligible for WHIP+ and to calculate a payment, a producer is required to submit FSA-894, WHIP+ application; FSA-895, Crop Insurance and/or NAP Coverage Agreement (will also be used for 2017 WHIP); FSA-896, Request for an Exception to the WHIP+ Payment Limitation (if applicable); FSA-897, Actual Production History and Approved Yield Record (WHIP+ Select Crops Only);

The On-Farm Storage Loss Certification, FSA-272, is for the producers who suffered losses of harvested commodities, including hays, stored in on-farm structures as a result from hurricanes, floods, tornadoes, typhoons, volcanic activity, snowstorms, and wildfires that occurred in the 2018 and 2019 calendar years to get payments.

The Wildfire and Hurricane Indemnity Program (WHIP) Milk Loss Application, FSA-375, is used by the producers who is eligible as dairy operations for milk that was dumped or removed without compensation from commercial milk market.

The agreement (non-form) will be between RMA and an AIP – the AIP will voluntarily sign the form to provide an additional (top up) payment to participants with crop insurance that received a qualifying prevented planting payment.

Also, the producers must have submitted the following forms to FSA to be eligible for payment: CCC-902, Farm Operating Plan for Payment Eligibility; FSA-578, Report of Acreage; and AD-1026, Highly Erodible Land Conservation (HELC) and Wetland Conservation Certification Most Applicants will already have FSA-578, CCC-902 and

AD-1026 on file at the time of application; however, a percentage of producers who have not previously participated in FSA may need to file those forms to become eligible but those forms are exempted from PRA and reported in the FSA-85-1.

The Tree Assistance Program (TAP) provides assistance to eligible orchardists or nursery tree growers of pecan trees with a tree mortality rate that exceeds 7.5 percent and is less than 15 percent for losses incurred in calendar year 2018 but the administration of TAP is exempted from PRA as specified in 2014 Farm Bill. The form of FSA-899, Tree Assistance Program Application for Trees, Bushes, and Vines, is used for this collection.

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

This is a new information collection request. The information submitted by respondents will be used by FSA to determine eligibility and distribute payments to eligible producers under WHIP+. The FSA-85-1 Reporting and Recordkeeping Requirements (in excel) included the estimated numbers for each following form.

Applications (FSA-894 and FSA-894 continuation) for WHIP+ must be taken through the FSA county office and entered in an automated system. The system will allow all data fields to be manually entered or will pull data from other systems to automatically populate. The system will print out the completed WHIP+ application that the applicant will sign.

FSA-895, Crop Insurance and/or NAP Coverage Agreement is required for producers to complete for one insurable crop or at on crop for which NAP coverage is available.;

FSA-896, Request for an Exception to the WHIP+ Payment Limitation (if applicable) is for the producers to request an exception to the \$125,000 payment limitation.

FSA-897, Actual Production History and Approved Yield Record (WHIP+ Select Crops Only) is required for producers to complete to calculate an approved yield for those selected crops.

WHIP+ applicants must also submit the following forms to FSA to be eligible for payment: CCC-902, Farm Operating Plan for Individual or Legal Entity; AD-1026, Highly Erodible Land Conservation (HELIC) and Wetland Conservation Certification; and FSA-578, Report of Acreage. Most applicants will already have FSA-578, CCC-902, CCC-926, and AD-1026 on file at the time of application; however, a percentage of applicants who have not previously participated in FSA programs may need to file these forms to become eligible.

FSA-578- Report of Acreage is used for the producers to provide FSA the acreage data to determine program eligibility.

CCC-902- Farm Operating Plans for an Individual is used to collect information about individuals that is used by FSA to determine eligibility for payments. Also, this form is

designed for individuals using a social security number and requesting program payments as an individual on their own farming operation.

AD-1026- Highly Erodible Land Conservation (HELC) and Wetland Conservation Certification for producers to use this form to certify compliance with the highly erodible land and wetland conservation provisions as a condition of eligibility for certain USDA programs. It is not necessary to complete this form if a previously filed AD-1026 is on file in the FSA serving office and there have not been any changes in your farming operation or changes to the previously listed affiliates. This form is exempted from PRA for any FSA programs but included the burden hours for information.

FSA-272-On-Farm Storage Loss Certification is used by producer who experienced losses of commodities, stored on farm, directly as a result of weather-related events.

FSA-375-WHIP Milk Loss Application is used to provide payments to eligible dairy operations for milk that was dumped or removed without compensation from commercial milk market.

The agreement will be between RMA and an AIP – the AIP will voluntarily sign the form to provide an additional (top up) payment to participants with crop insurance that received a qualifying prevented planting payment. It is estimated about 5 minutes to sign the agreement.

3. Describe 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, e.g. permitting electronic submission of responses, and the basis for the decisions for adopting this means of collection. Also describe any consideration of information technology to reduce burden.

Applications (FSA-894 & continuation, FSA-578, CCC-902) for WHIP+ must be taken through the FSA county office and entered in an automated system. The system will allow all data fields to be manually entered or will pull data from other systems to automatically populate. The system will print out the completed WHIP+ application that the applicant will sign.

All the forms listed in the FSA-85-1 will be available electronically at <http://forms.sc.egov.usda.gov/eForms/welcomeAction.do?Home>. FSA also plans to allow producers with Level 2 eAuthentication accounts to apply online through www.farmers.gov/MFP.

4. Describe efforts to identify duplication. Show specifically why similar information already available cannot be used or modified for use for the purposes described in Item 2 above.

The WHIP+ application is a new information collection; therefore, no similar form exists. This data is a one-time request and will be used for a short period of time.

5. Methods to minimize burden on small businesses or other small entities (Item 5 of OMB Form 83-1), describe any methods to minimize burden.

The information collected does not adversely impact small businesses or other small entities. The number of small entities is 5,250.

6. Describe the consequences to Federal program or policy activities if the collection is not conducted or conducted less frequently, as well as any technical or legal obstacles to reducing burden.

Failure to solicit applications will result in failure to provide payments to eligible producers as intended by the Disaster Relief Act. This is a one-time collection of information. Because of the short time period to receive applications and distribute payments and the need for county offices to complete portions of the application form, applications must be taken at county offices and entered in automated system.

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

- **Requiring respondents to report information to the agency more often than quarterly;**

None.

- **Requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**

None.

- **Requiring respondents to submit more than an original and two copies of any document;**

None.

- **Requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;**

None.

- **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;**

None.

- **Requiring the use of a statistical data classification that has not been reviewed and approved by OMB;**

None.

- **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**

None.

- **Requiring respondents to submit proprietary trade secret, 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.**

None.

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

This is a new information collection request. The final rule for WHIP+ will be published in the Federal Register and will include the 60-day comment period required by the PRA.

We are also requesting **EMERGENCY CLEARANCE** because of the early August sign-up date to begin accepting applications and distributing payments.

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

There is no payment or gift given to respondents.

10. Describe any assurance of confidentiality provided to the respondents and the basis for the assurance in statute, regulation, or Agency policy.

All information collected is treated as confidential. Agency policy prohibits the giving out of individual information. This information is handled according to the Privacy Act and Freedom of Information Act.

11. Provide additional justification for any question of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.

No questions of a sensitive or personal nature are included in the application.

12. Provide estimates of the hour burden of the collection of information.

FSA estimates that up to 21,592 producers may apply for WHIP+ payments.

The annual burden for this information collection package is 18,406 hours. This was calculated by adding the annual burden hours determined for the WHIP+ application and other required forms and recordkeeping.

Respondent cost per hour was derived by using U.S. Bureau of Labor Statistics Occupational Employment and Wages, May 2017, 11-9013 Farmers, Ranchers, and Other Agricultural Managers. The U.S. mean household income, as measured by the Bureau of Labor, is \$38.62 hourly. Also, a total employer compensation costs (fringe benefits) for all workers averaged \$11.25 per hour worked from Bureau of Labor Statistics website, specifically in the document of the employer costs for employee compensation, September 2018.

The estimated cost is \$917,907 ($\$38.62 + \$11.25 \times 18,406$ hours).

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

There are no capital, startup, or ongoing operation or maintenance costs associated with this information collection to respondents or record-keepers.

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

The cost of form development, printing and distribution is minimal because the form is computer generated. County employee cost per response is equal to 0.5 hours for completion of the application form multiplied by \$ 22.84 (estimated county employee average hourly wage; based 2019 General Schedule, Grade 7, Step 5). A total employer compensation costs (fringe benefits) for all government workers averaged \$7.20, 37%, per hour worked from Bureau of Labor Statistics website, specifically in the document of the employer costs for employee compensation, September 2018.

The total annualized cost to the Federal Government is \$324,311 ($\$22.84 + \7.20×0.5 hours \times 21,592 respondents).

15. Explain the reason for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I.

This is a new information request.

16. For collection of information whose results will be published, outline plans for the tabulation and publication.

There are no plans to publish the results of collection.

17. If seeking approval to not display the expiration date for the OMB approval of information collection, explain the reasons that display would be inappropriate.

FSA is requesting that the OMB expiration date will be displayed.

18. Explain each exception statement to the certification statement identified in Item 19 on OMB Form 83-I.

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