

**U.S. Department of Agriculture  
Farm Service Agency  
OMB No.: 0560-0026**

**Form FSA-325, Application for Payment of Amounts Due Persons Who Have Died,  
Disappeared, or Have Been Declared Incompetent**

**Purpose:**

The purpose of this request for OMB review is to obtain approval for an extension with a revision on a currently approved information collection request for Application for Payment of Amounts Due Persons Who Have Died, Disappeared, or Have Been Declared Incompetent (Form FSA-325).

**Background:**

Representatives or survivors of persons who die, disappear, or are declared incompetent must be afforded a method of obtaining any payment intended for the person. The regulation at 7 CFR 707 provides that Form FSA-325 be used as the form of application for persons desiring to claim such payments.

1. Circumstances making collection of information necessary

Collection of this information is authorized by 7 U.S.C. 1385 and 8186 and described in the regulation of 7 CFR 707. It is necessary to collect the information recorded on FSA-325 in order to determine whether representatives or survivors of a person are entitled to receive payments earned by a person who dies, disappears, or is declared incompetent before receiving the payments due. A large number of FSA payments are paid to persons after the payment has been earned, entitling the survivors of person who die, disappear or are declared incompetent to have possible rights to the existing payments. This form will assist FSA in determining if the survivors have rights to the unpaid portions of the person's payments.

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

Form FSA-325 can be prepared by County Office personnel, with the representative(s) or survivor(s) providing the required information or by a representative(s) or survivor(s) electronically. The form is available in electronic format through the FSA website or in hard copy at the county office. This information is maintained in paper format and used by county FSA office employees to document and determine eligibility for representatives or survivors to receive payment of amounts due persons who have died, disappeared, or have been declared incompetent. Survivors must show proof of death, disappearance, or incompetency.

3. Use of information technology

Form FSA-325, Application for Payment of Amounts Due Persons Who Have Died, Disappeared, or Have Been Declared Incompetent and instructions for completing the form are available through the USDA e-Forms web site. Though no official survey has been conducted on electronic usage of this form, it is envisioned that 10% of the total respondents will retrieve and submit this form electronically. This small percentage is based upon the need to discuss proper completion of the form with county office staff. There will be no changes to the electronic forms from the hard copy version. FSA is requesting approval to use FSA-325 in hard copy and electronic formats.

1. Efforts to identify duplication.

The information collected on FSA-325 is not currently available from any other source.

2. Method to minimize burden on small businesses or other small entities

The collection of information does not involve small businesses or other small entities.

3. Consequences if information collection were less frequent

The information is collected only when a person who is entitled to a program payment dies, disappears, or is declared incompetent before receiving such payment. There are no consequences to Federal program or policy activities if the information were collected less frequently: however, if FSA-325 is not filed, payments earned will not be paid.

4. Special Circumstances

There are no special circumstances that require the collection to be conducted in a manner inconsistent with guidelines in 5 CFR 1320.6.

5. Federal Register notice, summarization of comments and consultation with persons outside the Agency

Federal Register notice regarding this information collection was published for public comments on October 24, 2019 (84 FR 57004-57005). No comments were received.

FSA contacted the following persons for consultation on the use of the forms in the collection. They do not have any comments on those forms and the process. The names and addresses are:

1. Doug Newland, Program Specialist, 601 Business Loop 70 West, Parkade Center, Suite 225, Columbia, MO 65203, (573) 876-9428
2. Tammy Cook, County Executive Director, Adams and Arapahoe County, 57 W. Bromley Ln, Brighton, CO 80601, (303) 659-0525
3. Heather Boyd, Program specialist, Florida/Virgin Islands State Office, 4500 NW 27<sup>th</sup> Ave, Bldg. D-1, Gainesville, FL 32606, (352) 379-4522

6. Explain any decision to provide any payment or gift to respondent

No gifts or payments are provided to respondents in return for completion of Form FSA-325.

7. Confidentiality provided to respondents

The data that is collected is handled according to established FSA procedures for implementing the Privacy and Freedom of Information Acts. This information collection complies with the Privacy Act of 1974 and OMB Circular A-130, Responsibilities for the Maintenance of Records about Individuals by Federal Agencies.

8. Questions of a sensitive nature.

Data collected is not considered sensitive in nature.

12. Estimates of burden.

FSA-325 is only prepared when a representative or survivor of a person who has died, disappeared, or declared incompetent, submits a request for payments earned by the person. The U.S. mean household income, as measured by the Bureau of Labor (BLS), is \$38.62 hourly for the respondent. A total employer compensation costs (fringe benefits) for all workers averaged \$11.97, 31% per hour worked from BLS website, specifically in the document of the employer costs for employee compensation, September 2018. The total respondents' hourly rate is \$50.59.

The estimated cost incurred by the respondents is \$50,590 (1,000 burden hours x \$50.59). Though the form can be completed in as little as ten minutes, response time for a number of applicants is longer due to the need to discuss proper completion of the form.

13. Total annual cost burden to respondents or record keepers resulting from the collection of information.

No special equipment or services must be purchased by the respondent in order to collect the information. There are no additional cost burdens for recordkeeping, as this task is performed by county office personnel.

14. Annual cost to Federal Government.

The estimated annual cost to the Federal Government for forms maintenance is \$840, based on a \$0.42 cost per form for development, printing, distribution, storage, retrieval, and dissemination of an estimated 2000 forms.

County employee cost per response is \$42.73 hourly rate (estimated county employee average hourly wage; based 2020 General Schedule, Grade 13, 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 hourly rate for government county workers is \$49.03.

The estimated cost to the Federal Government is \$50,770 ( $\$840 + 1,000 \text{ burdens hours} \times \$49.03$ ).

15. Reasons for changes in burden.

The burden hours decreased by 2,000 hours since the last OMB approval. The reason for the decrease is due to the removal of travel times from the request. The respondents may submit applications by mail and many respondents go to the county offices to do regular and customary business with FSA for other FSA programs and can complete and submit the form FSA-325 during this time; this means no travel time is required specifically for the information collection and therefore, it is no longer included in the burden hour reporting.

16. Tabulation, analysis and publication plans.

There are no plans to publish, in any form, the data collected from the FSA-325.

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

The form will display the OMB approval expiration date.

18. Exceptions to 83-1 certification statement.

There are no exceptions to the 83-1 certification statement.