

**United States Department of Agriculture
Farm Service Agency (FSA)
Supporting Statement
OMB Number-0560-0155**

The purpose of this document is to request an extension with a revision of a currently approved information collection package used in support of FSA's Guaranteed Farm Loan Program (FLP). The differences between the estimates in the published 60-day notice and the current estimates came from combined forms and a policy change issued this year reducing the frequency with which the agency conducts lender reviews for SEL lenders.

Justification

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

The Consolidated Farm and Rural Development Act (CONACT), as amended, authorizes the Secretary of Agriculture to make and service loans guaranteed by FSA to eligible farmers and ranchers. The statutory authority for the guaranteed loan program is set out in the Code of Federal Regulations (CFR), Title 7, Chapter VII, Part 762. The loans made and serviced under 7 CFR 762 include farm operating and farm ownership loans. Also serviced under this Subpart are emergency loans, soil and water loans, and recreation loans, which exist from past authority, but are no longer granted new guarantees by FSA.

FSA also may provide guarantees of loans made by private sellers of a farm or ranch on a land contract sales basis; although this program is rarely used. 7 CFR part 763 provides the regulations necessary for FSA to administer this Land Contract Guarantee program in accordance with the CONACT.

Collection of information after loans are made is necessary to protect the Government's financial interest and to assure the guaranteed programs are being carried out in accordance with the applicable laws, authorities, and policy objectives.

The law requires that certain policies be verified by FSA to assure that farmers and ranchers, joint operators, farm cooperatives, private domestic corporations and partnerships that are controlled by farmers and ranchers engaged primarily and directly in farming or ranching in the United States comply with such policies in order to obtain the requested assistance.

In general, a loan applicant for FLP type loan assistance must meet the following conditions: They must be a citizen of the United States; own and operate or become the owner and operator of not larger than a family size farm; and be unable to obtain sufficient credit elsewhere at reasonable rates and terms.

The reporting and record keeping requirements imposed on the public by regulations set out in 7 CFR part 762 and 7 CFR part 763 are necessary to administer the FLP guaranteed loan

program in accordance with the statutory requirements listed above and are consistent with commonly performed lending practices. Periodic collection of information after loans are made is necessary to protect the Government's financial interest.

Authority to establish the regulatory requirements obtained in 7 CFR 762 is provided under 5 U.S.C. 301, 7 U.S.C. 1989, which provides that "The head of an Executive department or military department may prescribe regulations for the government of his department, the distribution and performance of its business." Furthermore, section 339 of the CONACT (7 U.S.C. 1989) provides that "the Secretary is authorized to make such rules and regulations, prescribe the terms and conditions for making loans, security instruments and agreements, except as otherwise specified herein, and to make such delegations of authority as he deems necessary to carry out this title." The Secretary delegated authority to administer the provisions of the CONACT applicable to FLP to the Under Secretary for Farm Production and Conservation (FPAC) in section 2.16 of 7 CFR Part 2. FPAC further delegated this authority to the FSA Administrator in section 2.42 of 7 CFR Part 2.

2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the Agency has made of the information received from the current collection.

FSA uses the forms and written evidence to collect needed information. The information collected is used to determine lender and loan applicant eligibility for farm loan guarantees, and to ensure the lender protects the government's financial interests. The information is stored in FSA Service Center loan files, State Office Lender files, or in the Agency's computer systems. FSA requires lender signatures on the documents submitted. Signatures from loan applicants are required on the applications for loan guarantees. The regulations require submission of information essential to protect the Government's interest.

The information collection requirements established in 7 CFR part 762 and 7 CFR part 763 are described below and on the attached spreadsheet of Reporting and Recordkeeping Requirements FSA's Farm Loan Programs has elected to request burden approval of all forms, regardless of the number of respondents, to ensure that all forms reflect an OMB Control Number thereby eliminating possible confusion or questions from the public. Most, if not all forms that would not be considered a "collection of information" is required under the provisions of the CONACT and therefore cannot be eliminated.

FORMS:

Form FSA-2201 "Lenders Agreement"

7 CFR 762.105(d)(3), 7 CFR 762.106(f)(2), 7 CFR 762.130 (d)(3)

This form is used to establish the Lender as an approved participant in the Guaranteed Loan Program of FSA and the status approved for participation. This agreement sets forth the lenders and agency's responsibilities regarding loans made under the guaranteed program. The agreement does not need to be completed for each loan, rather the lender completes the agreement and it covers all loans made. Agreements with Certified Loan Program (CLP)

lenders and Preferred Lender Program (PLP) are valid for 5 years. Agreements with Standard Eligible Lenders (SEL) are valid indefinitely, however; (SEL) are required to execute new form each time a revision is made, or for certain lender ownership changes. No changes to the form are anticipated.

As of September 30, 2019, approximately 1671 SEL, 185 CLP and 188 PLP Lenders participated in FSA's guaranteed loan program. We estimate all CLP and PLP lenders will renew their status and execute a new agreement over the next 5 years, and approximately 25 percent of SEL lenders will need to execute a new agreement – resulting in approximately 500 lenders executing a new agreement annually. The time to review and execute this document is 60 minutes (1 hour) per response.

1671	SEL Lenders x 25% =	417
185	CLP Lenders / 5 =	37
188	PLP Lenders / 5 =	38
Total		500 (Rounded)

**Form FSA-2205 “Guaranteed Micro Lender Application”
7 CFR 762.107**

FSA-2205 is a form created for the MLP. This form is used by the Lender to apply for MLP status. The lender submits this form to the appropriate FSA servicing office. Information collected on FSA-2205 includes, lenders name, address, loan portfolio characteristics (delinquency and default rates), source(s) of loan funding, and various certifications by the lender.

The information is used to:

- evaluate the MLP application against the criteria in 7 CFR 762 107(b)(2);
- ensure nontraditional lenders are subject to credit examination and supervision by an acceptable regulatory agency; and
- determine if the nontraditional lender qualifies under the proposed Guaranteed MLP provisions

Lenders who are already participating in FSA's Guaranteed Farm Loan Program will continue under their current Form FSA-2201 “Lenders Agreement” and not be required to execute Form FSA-2205.

As of September 30, 2019, FSA had 1 MLP lender. FSA estimates 2 new nontraditional lenders will participate and execute FSA-2205 annually. The time to complete and execute this document is 60 minutes (1 hour) per response.

Form FSA-2211 “Application for Guarantee”

7 CFR 762.110(a), 762.110(b), 762.142(b)(iv)(A), 762.150(a) This form, used by lenders to apply to the FSA Guaranteed Loan Program, was modified to incorporate all guaranteed application types under a single form. Previously, the agency used multiple application forms which were nearly identical; therefore, the agency is combining the three forms to

reduce lender's confusion over which application form was the appropriate one to submit. All lender types will use this form to apply for a regular loan guarantee or EZ loan guarantee. This combination did not affect the burden hours required to complete the form.

In the past 3 Fiscal Years, the Agency received on average 109 EZ Applications for Guarantee from 110 lenders, 3641 loan applications from 818 SEL lenders and 151 CLP lenders, and 3927 loan applications from 188 PLP lenders annually. The estimated time to furnish the information required is 20 minutes per response from each farmer applicant.

EZ applications, and applications from PLP lenders typically require very little additional information from the lender and the estimated response time is approximately 60 minutes per response from these lenders. Application packages from Standard Eligible Lenders (SEL) and Certified Loan Program (CLP) lenders vary depending on the size of the loan, the status of the lender, and the material already available to FSA. Many items are customary business price for any loan transition between a farm business and a lender, for example, a balance sheet, cash flow, financial and production history, and verification of debt and income. Other items are additional requirements for the Agency to determine program eligibility or to comply with laws and executive orders. We estimate the time for an SEL or CLP lender to complete each application averages 210 minutes per response.

We estimate the total average responses for this form to 7760 responses – 1 per farmer applicant and 5.75 from 1350 lenders. The burden is estimated to average 20 minutes per response from each farmer for a total of 2587 hours and 130 minutes per response from lenders for a total of 16,813 hours.

Form FSA-2221 “Interest Assistance Agreement”
7 CFR 762.150((d)(3), 7 CFR 762.150(h), 7 CFR 762.150(h)(i)(6)

This form is used by FSA to reduce the interest rate on a Guaranteed Operating Loan. Since FY-2011 Interest Assistance or subsidized guaranteed loans have not been funded by Congress. There have been no new FSA-2221's executed since 2011, FSA does not anticipate funding for the program in the next 3 years. FSA does not plan to make the form obsolete at this time. The estimated number of responses will be 0. The time required by the lender and loan applicant to read and complete this form is estimated to be 15 minutes (.25 hours) each.

Form FSA-2222 “Request for Interest Assistance Payment”
7 CFR 762.150(a)(1)(i)

This form is used by an FSA Guaranteed Lender to request periodic interest assistance payments for Guaranteed Farm Loans that have an Interest Assistance Agreement in effect. As of January 2020, only 2 borrowers had Interest Assistance Agreements in effect, and both expire this year. Therefore, we estimate 0 lenders will continue to submit FSA-2222. The time required by the lender to read and complete this form is estimated to be 20 minutes (0.33 hour) per request.

Form FSA-2232 “Conditional Commitment”
7 CFR 762.130 (c)(2)

This form is used by the lender to certify that the requirements listed on this form have been or will be met. All loans guaranteed require the lender to review and accept the conditions set forth in the Conditional Commitment. In the past 3 Fiscal Years, FSA has approved on average 8250 loans annually. We estimate the same number of applications will be received annually from approximately 1350 active lenders. The estimated time to review and execute this document is 15 minutes (0.25 hour) per response.

Form FSA-2236 “Loan Closing Report and Lender Certification”
7 CFR 762.130 (d)(3)

This is a new form created by merging Forms FSA-2236, “Guaranteed Loan Closing Report” and FSA-2233 “Lender Certification”. Before the combination, lenders were required to complete and submit both forms along with other closing documents before FSA could issue Form FSA-2235, “Loan Guarantee” to the lender. Merging these forms will simplify the process to issue a guarantee by reducing the number of separate documents a lender must complete and submit.

In addition, we are incorporating the certifications required by form AD 3030, “Representations Regarding Felony Conviction and Tax Delinquent Status for Corporate Applicants”. This form is used by lender corporations to certify compliance with statutes relating to Federal tax delinquency and Federal criminal convictions. Only lenders who are chartered as corporations must complete this form. By incorporating the certifications from this form, the agency is reducing the number of separate forms that lenders must submit, which reduces the possibility of omitting a form and delaying receipt of the guarantee.

This form must be completed prior to FSA issuing all Loan Guarantees. The lender delivers this form along with applicable fee and other closing documents to the Agency representative. All loans guaranteed require the lender to complete a “Guaranteed Loan Closing and Lender Certification” form; therefore, we estimate 1350 active lenders will complete 8250 loan closing forms annually. The estimated time to review and execute the Lender Certification form is 15 minutes, and the estimated time to review and execute the Closing Report is 60 minutes (1 hour) per response. Therefore, we estimate a total of 75 minutes per response.

Form FSA-2241 “Guaranteed Loan Status Report”
7 CFR 762.141(b)

This form is used by FSA Guaranteed Lenders. It is used to update the status of each borrower’s loan(s) and to keep data for all guaranteed loans up to date in FSA accounting records. All lenders will submit the appropriate guaranteed loan status reports as of March 31 and September 30 of each year. As of September 30, 2019 (FY-19), the Agency’s total number of outstanding guaranteed loans are approximately 57,382. Therefore, this form will

be required to be submitted by 2045 lenders twice annually with each requiring approximately 20 minutes (0.33 hours) preparing and submitting.

Form FSA-2242 “Assignment of Guarantee”
7 CFR 762.160(a)(6)

This form is used to assign an existing FSA guarantee to a holder. Once the lender accepts a specific buyer’s offer, the lender notifies FSA that the loan is being assigned. FSA has approximately 5,500 loans outstanding that have been sold to secondary market investors. FSA projects 350 lenders will sell approximately 2,000 loans annually. FSA estimates that this form requires approximately 30 minutes (0.50 hours) completing.

Form FSA-2248 “Guaranteed Farm Loan Default Status”
7 CFR 762.141(a)

This form is used to inform FSA of the status of borrowers in default. This form is completed when the guaranteed loan becomes 30 days past due and resubmitted every 60 days until the default is cured either through restructuring or liquidation. The overall guaranteed loan average delinquency rate measured in loans delinquent is 3.24 percent. Thus, approximately 1,850 of these forms are submitted every 60 days or roughly 11,100 a year. Each form requires approximately 20 minutes (0.33 hours) completing and submitting.

Form FSA-2251 “Lender’s Guaranteed Loan Payment to USDA”
7 CFR 762.144(c)

This form is used to transmit any funds due USDA when USDA has purchased a part or the entire guaranteed portion of the loan. FSA estimates that 9 lenders are required to execute FSA-2251 annually, and it takes approximately 30 minutes (.50 hours) to complete.

Form FSA-2252 “Farm Loan Programs Guaranteed Writedown Worksheet”
7 CFR 762.145(4)(e)

Lenders use this form to document the decision to write down the guaranteed loan(s) and pay the required loss claim(s). FSA estimates 10 lenders will submit one report requesting writedown. The time required to complete the form is estimated to average 120 minutes (2 hours).

Form FSA-2253 “Shared Appreciation Agreement”
7 CFR 762.147

This form is used to define the agreement between the lender and borrower upon the write down of debt for future recapture of a percentage of the real estate value appreciation. This agreement requires the lender to collect from the borrower a percentage of the value increase in the property if the 5-year period of the agreement expires or another specified action occurs prior to the expiration. FSA estimates that 5 write downs involving real estate will occur

annually. It is estimated that the form will require 60 minutes (1 hour) for a lender and 60 minutes for the borrower to complete and execute the form.

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Form FSA-2254 “Guaranteed Loan Report of Loss”

This form is used by FSA Guaranteed Lenders to report a loss on a FSA Guaranteed loan. In FY 2019, 480 lenders submitted FSA 2254 forms. FSA expects the same number of lenders to report losses to the agency and will complete an average of two reports each for a total of 960. responses annually. The time required to complete this information collection is estimated to average 25 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

Form FSA-2254A “Guaranteed Loan Report of Loss – Report Types 1, 2, 5, 6, and 7” (Supplemental Form to FSA-2254)

This form will be used to assist FSA Guaranteed Lenders in gathering and organizing the necessary information needed for the Loss Claim Report Types 1, 2, 5, 6, and 7 on the FSA 2254. It is optional for lenders to use this form. The FSA 2254A average burden hours is estimated at 75 minutes (1.25 hours). It is estimated 480 Lenders will execute the FSA 2254A annually.

Form FSA-2261 “Report on Collection Activities on Liquidated Accounts” 7 CFR 762.141(f)

This form is used to update FSA of collection activities made by the Lender on liquidated accounts. The number of annual reports on collection activities estimated to be submitted is 1,914 by approximately 957 lenders. The time burden required to complete the form is estimated to be 10 minutes (0.17 hours).

Non-form collections

7 CFR 762.105(c)(2), 762.105(c)(3) Substitution of Lenders – New & Original Lenders

A new eligible lender may be substituted for the original lender, upon the original lender’s concurrence. The new lender agrees in writing to assume all servicing and other responsibilities of the original lender. FSA estimates 20 new lender substitutions will require a new agreement and estimates 1 hour to execute a lender’s agreement if one is not in effect.

The original lender will assign their promissory note, lien instruments, loan agreements, and other documents to the new lender. FSA averages 10 lender substitutions annually. The time the original lender spends submitting this information is estimated at 30 minutes (0.50 hours) in each case.

7 CFR 762.105(d)(3) Lender Name or Ownership Changes

When a lender begins doing business under a new name or undergoes an ownership change, the lender must notify FSA. FSA estimates that 20 lenders per year change the name under which they are doing business or undergo ownership changes. The notification required by this section would require about 0.33 hours for each lender.

7 CFR 762.105(b) Standard Eligible Lender Eligibility Criteria (New Lenders)

To participate in FSA Guaranteed Farm Loan Programs, the standard eligible lender (SEL) must provide evidence when requested that they have experience making and servicing agricultural loans and have the capability to make and service the loan for which a guarantee is requested. Lender will provide additional information if requested by the agency with the execution of FSA Form 2201-Lenders Agreement. Additional information may include; names of loan officers, experience in making and servicing agriculture loans, service area, number of agriculture loans, and example of loan narrative.

FSA estimates that 10 new lenders apply for SEL status annually and is spending about 5 hours to furnish additional information

7 CFR 762.106(a) Preferred and Certified Lender Programs (New Lenders)

Lenders who desire PLP or CLP status must prepare a written request addressing their desire to receive PLP or CLP status and their branch office(s) which they desire to be considered by the Agency for approval. The lender may include any additional supporting evidence or other information the lender believes would be helpful to the Agency in making its determination. FSA estimates 10 new lenders apply for PLP status, and 10 new lenders will apply for CLP status annually. The estimated time to furnish the required information from lenders is 5 hours per response.

7 CFR 762.106(f)(2) CLP or PLP Status-Renewal

PLP or CLP status will expire within a period not to exceed 5 years from the date the lender's agreement is executed, unless a new lender's agreement is executed. Renewal of PLP or CLP status is not automatic. A lender must submit a written request for renewal of a lender's agreement with PLP or CLP status. FSA estimates approximately 37 CLP & 38 PLP lenders will continue in the guaranteed loan program and will need to reapply for status annually. The estimated time to furnish this information is 5 hours per response.

7 CFR 762.106(b)(6)(i) and 762.106(c)(1) CLP and PLP Criteria – Training

A representative of each CLP and PLP Lender must agree to attend Agency sponsored training once every 12 months. FSA estimates 185 CLP lenders and 188 PLP lenders will attend these training sessions. We estimate each lender will have two representatives present. FSA estimates time to travel to trainings and attend will require around 8 hours per representative each year.

7 CFR 762.106(e) Monitoring SEL, CLP and PLP Lenders

SEL, CLP and PLP lenders will provide information and access to records upon the request to permit FSA to audit the lender for compliance with regulations. FSA reviews a maximum of 20 percent of each SEL's loans, 20 percent each of CLP and 20 percent of PLP lender's loans every other year. We estimate a maximum of 836 SEL lenders, 185 CLP lenders and 94 PLP lenders will be required to provide the necessary information to the agency each year. On average, the time to provide the information is 6 hours per response.

7 CFR 762.110(f)(1) Conflict of Interest

When a lender submits the application for a guaranteed loan, the lender will inform FSA in writing of any relationship which may cause an actual or potential conflict of interest. FSA estimates 800 lenders must provide additional information regarding conflict of interest on approximately 800 loan applicants. The estimated time to furnish this information is 15 minutes (0.25 hour) per request.

7 CFR 762.123(a)(1) & 762.123(b) Insurance and Farm Inspection Requirements

Lenders must require borrowers to maintain adequate property, public liability, and crop insurance to protect the lender and the Government's interests. Loan applicants must obtain flood insurance if buildings are or will be located in a special flood hazard area. Other insurance, including crop insurance, must be obtained as required by the lender or FSA based on the strengths and weaknesses of the loan. If a lender was making a loan without a guarantee, they would as a general risk management practice, require insurance. Thus, requiring an applicant to obtain insurance is a standard industry practice and no burden is included.

Before submitting an application, lenders must make an inspection of the farm to assess the suitability of the farm and to determine any development that is needed to make it a suitable farm. FSA estimates 1350 lenders must make an inspection for 7600 loan applications annually. The estimated time to travel is 75 minutes (1.25 hours) for each inspection

7 CFR 762.130(xi)(2) Inspections

The lender must notify FSA of any scheduled inspections during construction and after the guarantee has been issued. Approximately 5 percent of loans are for capital improvements. Between FY 2017 and FY 2019 FSA made approximately 7600 guaranteed farm ownership loans. FSA estimates 500 lenders will need to make inspections for 500 loan applicants that will involve capital improvements. The time required for each notification is 30 minutes (0.5 hour).

7 CFR 762.124(a)(1) Interest Rates, Terms, Charges, and Fees

At the request of FSA, the lender must provide evidence that the rate charged is not higher than the maximum rate allowed by the CFR. This evidence may consist of documented administrative differential rate schedule formulas used by the lender or a risk rate matrix.

FSA estimates 100 lenders will be required to justify the interest rate charged on 100 loan applications annually. The estimate time to furnish this information is 15 minutes (0.25 hour) per response.

7 CFR 762.127 Appraiser Requirements

FSA may require a lender to obtain an appraisal based on the type of security, loan size, and whether it is primary or additional security. The lender must demonstrate to the FSA's satisfaction that the appraiser possesses sufficient experience or training to estimate the market value of agricultural property. FSA estimates 1,000 lenders will submit justification of the appraiser's qualifications on an average of 3 reports per lender. The estimate time to furnish this documentation is 60 minutes (1 hour) per response.

7 CFR 762. 127(c) Appraisal-Real Estate

In the past 3 fiscal years, FSA obligated on average 4347 guaranteed farm ownership loan applications annually. Appraisals are not required for all loans and FSA may require a lender to obtain an appraisal based on the type of security, loan size, and whether it is primary or additional security. Therefore, FSA estimates 4250 guaranteed FO loans will need to have appraisal reports completed by qualified appraiser. The estimated time to complete is 5 hours.

7 CFR 762.127(b)(3) Appraisal-Chattels

Loans made for operating purposes requires an appraisal to be completed to adequately justify the value of security being pledged to secure the loan. FSA estimates appraisal will be completed for nearly all OL loans. Some OL loans made at the same time may be covered by a single appraisal. In the past 3 fiscal years, FSA obligated 4183 guaranteed operating loans; therefore, FSA estimates 4000 guaranteed OL loans will need to have an appraisal completed. Lenders have qualified persons who possess sufficient experience and training to establish market values of chattels (equipment, livestock, etc). Chattel appraisals require less time to complete than real estate appraisals. FSA estimates on average the time to complete a chattel appraisal report is approximately 1 hour.

7 CFR 762.128(d)(2) Equal Opportunity and Non-Discrimination

When the guaranteed loan involves construction, the contract or subcontractor must file all compliance reports, equal opportunity and non-discrimination forms, and otherwise comply with all regulations prescribed by the Secretary of Labor pursuant to Executive Orders 11246 and 11375. There are a few farm construction companies with over 50 employees; however FSA estimates that this will only affect no more than 25 lenders. The estimated time to furnish this information is 75 minutes (1.25 hours) per response.

7 CFR 762.130(f) Replacement of Loan Guarantee or Assignment Guarantee Agreement

If the guarantee or assignment guarantee agreements are lost, stolen, destroyed, mutilated, or defaced, FSA will issue a replacement to the lender or holder. FSA estimates that 75 lenders will provide the necessary documentation to the agency annually. The time required to make the request to FSA is estimated to take 30 minutes (0.50 hour) per response.

7 CFR 762.141(d) Reporting Requirements – SEL Lenders

SEL lenders must also provide a written summary of the lender's annual analysis of the borrower's operation. SEL lenders must also provide the borrower's balance sheet and income and expense statement for the previous year, in addition to an annual farm visit report or collateral inspection. FSA estimates that 1671 lenders require 2 hours to submit this documentation.

7 CFR 762.141(c) Reporting Requirements – CLP Lenders

CLP lenders must also provide a written summary of the lender's annual analysis of the borrower's operation. CLP lenders must also provide the borrower's balance sheet and income and expense statement for the previous year, in addition to an annual farm visit report or collateral inspection. FSA estimates that 185 lenders require 60 minutes (1 Hour) to submit this documentation. This annual analysis may be waived if the borrower is financially strong, however most lenders provide the information anyway.

7 CFR 762.141(3)(e) Reporting Requirements – PLP Lenders

PLP lenders will submit additional reports as required in the lender's agreement. A majority of PLP lenders are not required to provide FSA with any analysis information. FSA estimates that 20 PLP lenders will submit additional information according to their lender's agreement. FSA estimates 30 minutes (.5 hours) to provide this information.

7 CFR 762.142(b)(2) Partial Releases

This section allows lenders to release a portion of guaranteed loan security without consideration when certain conditions are met. Based on discussions with lenders and State Specialists, the burden estimate for this provision is 100 lenders will submit an average of 3 requests for concurrence requiring 6 hours to compile and submit the information.

7 CFR 762.142(c) Subordinations

FSA may subordinate its security interest on a direct loan when a guaranteed loan is being made if the requirements of the regulations government Agency direct loan subordinations are met. FSA estimates that approximately 25 lenders will submit an average of 4 subordination requests annually. The time required to complete and submit the required documentation is estimated to be 6 hours.

7 CFR 762.142(d)(9) Transfer and Assumption

Transfers and assumptions servicing action must be approved by FSA in writing for SEL and CLP lenders. FSA estimates that each year 50 lenders will request transfer and assumption servicing actions. The loans that were sold on the secondary market will be assumed by someone else. The estimated time it will take to notify the holder in writing of the assumption is estimated at 20 minutes (.33 hours).

7 CFR 762.144(b)(1) Repurchase by the Lender

When a lender is requested to repurchase a loan from the holder, the lender must consider the request according to the servicing actions that are necessary on the loan. It is estimated that 100 lenders will make 2 requests annually, and it will take 30 minutes (0.50 hours) per response to make the demand on the lender and provide evidence of ownership.

7 CFR 762.144(c)(1) Repurchase by the Agency – Holders

If the lender does not repurchase the loan, the holder must inform FSA in writing that demand was made on the lender and the lender refused. FSA purchases an average of 1 loan per year from the holders under this section. FSA estimates that each request will require approximately 15 minutes (0.25 hours) for the holders and 15 minutes (0.25) hours for the lenders to provide evidence of ownership and to provide loan balance information.

7 CFR 762.144(d) Repurchase for Servicing

If, due to loan default or imminent loan restructuring, the lender determines that repurchase is necessary to adequately service the loan, the lender may repurchase the guaranteed portion of the loan from the holder, with the written approval of FSA. FSA estimates 50 lenders will make 5 requests annually. The time required for the lender to request SED concurrence with the repurchase is estimated to average 20 minutes (0.33 hours) per response.

7 CFR 762.145(a)(3)(iii); 762.145(b)(e); 762.145(a)(4) Restructuring Guaranteed Loans – SEL, CLP, & PLP Lenders

To restructure guaranteed loans, SEL and CLP lenders must obtain prior written approval of FSA for all restructuring actions. All lenders will submit copies of any restructured notes or lines of credit to FSA. Assuming that future restructuring actions are consistent with previous years, FSA estimates that 209 SEL lenders will make 3 requests annually. The burden to compile and provides the information, which is a normal business practice, is projected at 3 hours per request. Approximately 70 CLP lenders is making 1 request annually and FSA estimates 2 hours per request. PLP lenders restructures loans in accordance with their lender's agreement. FSA estimates 71 PLP lenders will submit copies of restructured notes or lines of credit. FSA estimates that PLP lenders will take 20 minutes (.33 hours) to submit this information and will average 1 request per year each.

7 CFR 762.145(e) Debt Writedown

The lender may only write down a delinquent guaranteed loan or line of credit in an amount sufficient to permit the borrower to develop a feasible plan. FSA estimates 10 lenders will submit necessary information on 1 borrower annually. The time to furnish all of the required documentation will require an average of 10 hours per borrower.

7 CFR 762.146(a)(2) Other Servicing Procedures – Additional Loans and Advances – SEL and CLP Lenders

SEL and CLP lenders must not make additional loans or advances without prior written approval of the Agency, except as provided in the borrower's loan or line of credit agreement. The burden to the lender is estimated at 2 hours. This type of analysis is a standard business practice for SEL and CLP lenders. FSA estimates that there will be an average of 400 loan applicant requests annually for additional loans or advances.

7 CFR 762.146(c) Release of Liability after Liquidation

After a final loss claim has been paid on the borrower's account, the lender may release the borrower or guarantor from liability if certain requirements are met. FSA processes approximately 480 lender loss claims annually, and the estimated time is 5 hours per request, however not all loss claims include a release of liability and as such 150 is the agency's estimate.

7 CFR 762.146(d) Interest Rate Changes

The lender may change the interest rate on a performing (non-delinquent) loan with the borrower's consent. To do so, the lender must repurchase the loan or obtain the holder's written consent, obtain a legally effective or amendment to the existing notes, and informs FSA of the rate change. FSA estimates 250 lenders on average will process 2 interest rate changes annually. FSA estimates about 1 hour for the lender to comply.

7 CFR 762.147 Servicing Shared Appreciation Agreements

This section governs collection of Shared Appreciation Agreements (SAA) required for consideration to receive a guaranteed loan writedown. FSA estimates that 5 SAA's will be completed by lenders annually. The time required to monitor agreements and to provide FSA with the Recapture Reimbursement is 4 hours per response.

7 CFR 762.149(a) Mediation

This section requires lenders to participate in borrower and creditor mediation when the loan is made in a State with a law that mandates mediation. FSA estimates that lenders will attend 100 mediation meetings per year as a result of this requirement. The time required to prepare for and attend each meeting is estimated to be 4 hours.

7 CFR 762.149(b) Liquidation Plan

If a default cannot be cured after considering servicing options and mediation, the lender will proceed with liquidation of collateral. Within 30 days of the decision to liquidate, SEL and CLP lenders will submit a written liquidation plan to FSA. FSA estimates lenders will process 435 liquidation plans per year. The estimated time required for a lender to provide the requested information is 6 hours.

7 CFR 762.149(e)(1) Protective Advances

Prior written authorization from SA is required for all protective advances in excess of \$5,000 for CLP lenders and \$3,000 for SEL lenders. The dollar amount of protective advances allowed for PLP lenders will be specified when PLP status is awarded by FSA or contained in the lender's agreement. FSA estimates 67 lenders will request on average 5 protective advances annually. The time to provide documents to support the request for concurrence is 1 hour.

7 CFR 762.149(g)(3) Acceleration

If the borrower is not in bankruptcy, the lender will submit a copy of the acceleration notice or other document to FSA. FSA estimates 300 lenders will process 1 delinquent borrower account (loans) annually. The estimated time to provide a copy of the notice to FSA is 10 minutes (.17 hours).

7 CFR 762.160 Assignment of Guarantee

Subject to FSA concurrence, the lender may assign all or part of the guaranteed portion of the loan to one or more holders at or after loan closing. The lender will provide copies of all appropriate forms used in the assignment. FSA estimates 250 lenders will complete on average 6 reports to complete the process for assignment of guarantee. The total estimated responses are 1,500 annually. FSA estimates lenders will spend 15 minutes (0.25 hours) to complete.

7 CFR 1940.4(c) Market Placement Program

In the Market Placement Program, direct loan applications are processed under the standard direct loan procedures. If the loan applicant is eligible and may qualify to receive a guaranteed loan, the Authorized Agency Official will present the completed guaranteed loan application to 1 or more lenders, selected by the loan applicant, who have expressed an interest in the Market Placement Program. FSA estimates 2000 lenders will submit 1 loan application annually through the Market Placement Program. The time to comply with this provision is 60 minutes (1 hour) to complete.

Information Collections Approved Under Other Control Numbers

7 CFR 762.128(a) Environmental and Special Laws

This is covered under 7 CFR part 12 or 7 CFR part 799, therefore no additional burden is required of the lender.

Land Contract

FSA have five forms that are unique to the Land Contract Guarantee Program. The information collection requirements established in 7 CFR Part 763 are described below.

Form FSA-2680 “Land Contract Letter of Interest” 7 CFR 763.7 (a) (formerly of 0560-0279)

FSA-2680 is required by FSA to document the seller’s interest in guarantee. The form provides information regarding each type of guarantee the seller may request. The two types of guarantees are “Prompt Payment” and “Standard” guarantee, with a box for the seller to check and indicate the type of FSA guarantee request. The form includes additional information, notifications, self-certifications and acknowledgements, environmental questions, and conditions of guarantee. The seller selects the type of guarantee, signs and dates it to document that they understand the program’s benefits and wish to pursue the guarantee.

Each seller will provide one FSA-2680. This form will be provided to sellers when they express an interest in the Land Contract Guarantee Program. FSA estimates a total of 2 hours for the collection is anticipated and estimates a total of 0 requests will be submitted annually. Of these, FSA estimates that 0 sellers will request the “Prompt Payment” guarantee and 0 sellers will request the “Standard Guarantee”.

FSA estimates 0 requests for the “Prompt Payment” guarantee will be completed annually, and the time required to complete the time to furnish this information is 60 minutes. (1 hours)

FSA estimates 0 requests for the “Standard” guarantee will be completed annually and the time required to complete the time to furnish this information is 60 minutes. (1 hours)

Form FSA-2681 “Land Contract Agreement for Prompt Payment Guarantee” 7 CFR 763.17 (c)

FSA-2681 outlines the agreements between seller, buyer and escrow agent. At contract closing, the Agency, seller, buyer, and escrow agent will sign and date this form taking approximately 2 hours each. FSA estimates the form will be executed by a maximum of 0 buyers and 0 sellers, since it is only completed after the guarantee has been approved. FSA-2681 will also be executed a maximum of 0 times by various escrow agents who participate in the Land Contract Guarantee Program. Because this form will be executed by several different parties (buyer, seller, FSA and escrow or servicing agent), it is not expected that it will be made available electronically. Buyers and sellers will execute FSA-2681 in person at their local escrow agent’s office. Note: Buyers and sellers may include individuals, married and entities.

**Form FSA-2682 “Land Contract Agreement for Standard Guarantee”
7 CFR 763.17 (c)**

FSA-2682 outlines the agreements between seller, buyer and servicing agent. At contract closing, the Agency, seller, buyer, and escrow agent will sign and date this form taking approximately 2 hours each. FSA estimates the form will be executed by a maximum of 0 buyers and 0 sellers, since it is only completed after the guarantee has been approved. FSA-2682 is also executed a maximum of 0 times by the various escrow or servicing agents who participate in the program. Because this form will be executed by several different parties (buyer, seller, FSA and escrow or servicing agent), it is not expected that it will be made available electronically. Buyers and sellers will execute FSA-2682 in person at the agent’s office. Note: Buyers and sellers may include individuals, married and entities.

**Form FSA-2683 “Request for Land Contract Guarantee Assistance”
7 CFR 763.7 (b) (1)**

FSA-2683 is a form for the Land Contract Guarantee Program. This form is used by the buyer/applicant to apply for assistance for the Land Contract Guarantee Program. Information collected on FSA-2683 includes name, address, type and description of operation, marital status, race and ethnicity, citizenship, name and address of employer, as well as certifications pertaining to delinquent Federal debt, prior convictions for controlled substances, disqualification due to Federal crop insurance fraud, restrictions and disclosure of lobbying activities, and previous debt forgiveness by the agency. The information is used to:

- Ensure applicants requesting loan assistance meet statutory eligibility requirements.
- Determine if the applicant qualifies for funds targeted to socially disadvantaged applicants according to the CONACT’s provisions.

The application form requires all entity members to provide information about percent of ownership in the entity, citizenship, marital status, ethnicity, race, gender, as well as read the certifications provided above and sign the form.

FSA estimates the buyer/applicant spends approximately 40 minutes (0.60) hours on average completing and signing this form and estimates 0 new applications will be submitted each year. FSA estimates total burden to be 0 hours.

**Form FSA-2684 “Land Contract Recapture Agreement”
7 CFR 763.20(b)(2)(ii)(B)**

FSA-2684 is used to provide for the agreement between FSA and the seller upon the payment of a loss claim under the “Standard” guarantee for future recapture of the real estate value appreciation. This agreement requires FSA to collect from the seller the value increase in the property if the land is sold before the expiration of the 5-year period of this agreement. FSA estimates the seller spends approximately 15 minutes (0.25) hours on average completing and

signing this form and estimates 0 agreements will be submitted each year. FSA estimates total burden to be 0 hours.

The following information summarizes the information collections included in 7 CFR, for which approval has been obtained or requested under the OMB Control Numbers for other CFR parts/OMB Control Numbers.

CFR Citation	Description	Approved Under
763.7(b)(2)(iv)	Copy Business Entity Organizational Information (Charter)	0560-0237
763.7 (b)(6)	FSA-2302, Description of Farm Training and Experience	0560-0237
763.7 (b)(7) 763.18 (b)(6)	FSA-2002 Three Year Financial History	0560-0237
763.6 (b)(8) 763.18 (b)(6)	FSA-2003 Three Year Production History	0560-0237
763.7	FSA-2004, Authorization to Release Information	0560-0237
763.7	FSA-2005, Creditor List	0560-0237
763.7 (b)(9)	FSA-2014, Verification of Income	0560-0237
763.7 (b)(10)	FSA-2015, Verification of Debts and Assets	0560-0237
763.7(b)(2) 763.7(b)(3)(ii) 763.7(b)(93)(iii)	FSA-2037 Farm Business Plan (Financial Statement)	0560-0238
763.7(b)(5)	FSA-2037 Farm Business Plan (Income and Expense) Farm Operating Plan	0560-0238
763.7 (b)(7)	Copies of tax returns	0560-0238
763.18 (a)(10) 763.18 (b)(7)	FSA-2241 Guaranteed Loan Status Report	0560-0155
763.20	FSA-2029D Deed of Trust and FSA-2029M – Mortgage	0560-0237
763.21	FSA-2026 Promissory Note	0560-0237
763.21	FSA-2028 Security Agreement	0560-0237

Non-Forms

Copy of Insurance-Seller

7 CFR 763.15 (a), 763.18 (a)(4), 763.17 (b)(4)

Prior to loan closing, the seller must provide copies of property insurance, as appropriate, covering loan security, as loss or damage to the security property would jeopardize repayment of the loan and adversely impact FSA’s financial interest. FSA needs the information to properly complete FSA-2681 or FSA-2682. It is estimated that 0 buyer/applicants will submit a copy of property insurance policy. Further, the agency estimates it will take 15 minutes to provide the appropriate copy.

Each year, the seller is required to provide proof to the Servicing Agent or FSA of hazard insurance coverage on the property being purchased by the buyer. It is estimated that 0 sellers will submit proof of insurance coverage, and FSA estimates it will take 15 minutes to provide a copy of the appropriate documentation.

Copy of Real Estate Taxes (Seller and Agent)
7 CFR 763.15(a), 763.18 (a)(4), 763.18 (b)(4)

Prior to loan closing, the seller must provide copies of real estate taxes, as appropriate, covering loan security. Copy of the applicable real estate taxes is necessary to ensure the properly complete FSA-2681 or FSA-2682. It is estimated that 0 buyer/applicants will submit a copy of property insurance policy and the agency estimates it will take 15 minutes to provide the appropriate copy.

Each year, the seller is required to provide proof to the Servicing Agent or FSA of hazard insurance coverage on the property being purchased by the buyer. It is estimated that 0 sellers will submit proof of insurance coverage and FSA estimates it will take 15 minutes to provide a copy of the appropriate documentation

Copy of the Land Contract
7 CFR 763.7 (b)(13)

Buyers/applicant must provide FSA with a copy of the proposed land contract. As part of a complete application, the buyer/applicant must submit a copy of the legal description of the property to be purchased. The legal description of the property to be purchased is needed for the agency to obtain the appraisal if needed and the agency expects the legal description will be part of the land contract. FSA estimates that 0 applications will be completed annually and one report for the buyer and seller and it will take an average of 15 minutes to respond.

Additional Information:
7 CFR 763.7 (b)(2)(v), 763.7(b)(14)

The proposed rule includes requirement for a complete loan application that permits the agency to request any additional information needed to effectively evaluate the land contract application. The requirement is needed as it is impossible to list all potential information that would be needed from each and every buyer/applicant. In most cases, this will be limited to providing the agency with a copy of documents, such as a divorce decree, information pertaining to child support or alimony paid, or received, or copy of driver's license or other documents if required under State law. Collection of information under this requirement will be limited to only those items that potentially impact the buyers/applicants cash flow projections or are needed to ensure the agency obtains a legally enforceable lien on the proposed loan security. It is estimated that 0 applicants will spend 15 minutes each providing copies of the appropriate documentation to the agency.

Copy of Agents Bonding Information
7 CFR 763.11(c)(1), 763.11(c)(2),

Escrow or servicing agents for land contract guarantee program loans have to be bonded in the state where the loan will be closed; must not be debarred or suspended from participation in Federal programs; must maintain liability insurance as well as fidelity bond to cover employees with access to loan funds; have knowledge of the requirements of state law to close the loan; provide title clearance; and CONTACT promptly to provide the required services. FSA requires agents to provide evidence of being a bonded title insurance company, attorney, financial institution or fiscally responsible institution and must be approved by the agency. FSA estimates that 0 agents will be provide copies of the required documentation annually, and it takes 15 minutes per response.

Annual Inspection and Report **7 CFR 763.18 (b)(5)**

The Servicing Agent must notify FSA of annual inspections performed on the property and buildings once the guarantee has been issued. FSA estimates 0 Standard Land Contract Guarantees will be made annually, therefore the agent will inspect the real estate, complete a written report and provide to FSA. It take 15 minutes to complete and send notification to FSA.

Notice of Payment Due **7 CFR 763.18 (a)(5), 763.18 (b)(8)**

Under both the Prompt Payment Guarantee and the Standard Land Contract Guarantee, the escrow and servicing agents will send a notice of payment due to the buyer at least 30 days prior to the installment due date if an annual payment. It is estimated that 0 notices will be sent each year, and it takes the agent 20 minutes to prepare and send to the buyer.

Copy of Demand for Defaulted Payment Notice **7 CFR 763.20 (a)(1), 763.20 (b)(1)**

If the buyer fails to pay a scheduled installment timely, the Escrow or Servicing Agent provides a copy to FSA of the notice sent to the buyer demanding the defaulted payment within 30 days. FSA estimates that 0 defaulted payment will occur each year. The estimated time required for an agent to provide written evidence of the requested information is 15 minutes (0.25 hours).

Demand for Agency Payment **7 CFR 763.20 (a)(2); 763.20 (b)(2) (1)(D).**

This can be a short-written request in letter form. Under the Prompt Payment Land Contract Guarantee, the Escrow Agent is required to request payment from FSA for a delinquent Prompt Payment Land Contract installment, past due real estate taxes, or a past due Hazard Insurance Premium. FSA estimates that 0 request for payment will be submitted annually. The estimated time to submit this request is 15 minutes per request.

Inform Agency of Liquidation-Agent

7 CFR 763.20 (b)(2)(i)(D)

If the default is not cured under the Standard Land Contract Guarantee the Servicing Agent will notify FSA within 60 days of the option chosen by the seller to establish the loss; either by sale or appraised value method. It is estimated this will occur 0 time, and the estimated time required for an agent to provide written evidence of the requested information is 15 minutes.

Liquidation Plan – Standard Land Contract Guarantee

7 CFR 763.20 (b)(2)(i)(A)

If the default cannot be cured within 60 days and the seller has chosen the liquidation method to resolve the default under the Standard Land Contract Guarantee, the servicing agent must submit a written liquidation plan to FSA and proceed with liquidation of collateral. FSA estimates that 0 liquidation will occur on one case per year. The estimated time required for a lender to provide the requested information is 6 hours. This includes advertising, showing, and maintaining the property through local sales agents and/or auctioneers and completing all documents involved in the marketing, sale, and transfer process.

Inform Agency of Final Loss Claim – Standard Land Contract Guarantee

7 CFR 763.20(b)(2)(i)(D) & 763.20 (b)(2)(ii)

After an incurable default by the buyer and final loss amount will be calculated once the servicing agent and FSA complete processing and return the appraisal or liquidation option. The Servicing Agent will notify FSA immediately after final calculation of the appraisal method or final liquidation activities occur and must submit a complete loan ledger with a formal request for approval of the final loss claim. No form is required. FSA estimates that a Final Loss Claim will occur on 0 cases per year and the estimated time required for an agent to calculate loss and provide written evidence of the requested information is 1 hour.

Form FSA-2241 Guaranteed Loan Status Report

7 CFR 763.18 (a)(10) and 763.18 (b)(7)

This form is used by Escrow Agents and Servicing Agents. It is used to update the status of each buyer's land contract status and to keep data for all guaranteed land contracts up to date in FSA accounting records. The Agent submits the appropriate guaranteed loan status reports as of March 31 and September 30 of each year. Therefore, this form will be required approximately 0 times annually with each requiring approximately 20 minutes 0.33 hours preparing and submitting.

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.

Information collections obtained using agency forms may be submitted electronically provided the applicant has obtained and activated a USDA account with Level 2 access that allows for electronic submissions. All forms that the lender and applicant must complete in their entirety, or review and execute, are posted on the e-Gov website at <http://www.sc.egov.usda.gov>. For forms the applicant is required to complete in their entirety, the fillable version of the form, as well as detailed instructions on completing the form, are included on the e-Gov website. Forms prepared by FSA, that the public simply reviews and signs, are also provided on the e-Gov website. However, in lieu of detailed instructions for completing those forms, the instructions simply state that the forms are provided on the website for information purposes only.

Non-form information collections require providing copies of documents in the applicant's possession or providing written replies to agency requests or offers. Non-form collections, as well as all agency forms, may be submitted in person at the local agency office, by mail, email, or by facsimile. Further, applicants with established Level 2 accounts may provide non-form information collections as any kind of non-executable attachments, such as PDF, doc, xls, or text formats.

Lastly, even though USDA and the agency have publicized and provided information in outreach materials, during stakeholder meetings, as well as agriculture-related meetings and symposiums, on the option to provide information electronically, applicants and lenders still prefer going to the agency office to obtain forms and information on how to apply for loans and servicing than obtaining forms and information from the internet. Therefore, FSA estimates that less than one percent of responses will be provided through the internet.

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.

Information collected through this regulation duplicates some of that required of other Agency procedures. The information contained in this collection is made part of the case file and, when reasonably current, may be used in lieu of re-submission by the applicant or borrower; however, financial information that is collected at another time may be dated and not useful for the specific action being considered. Also, lenders are permitted to use their own forms to the maximum extent possible. The information collections pertain primarily to the securing and documenting decisions regarding FSA guaranteed farm loans. Various program areas within FSA share data; however, information collections established in this regulation would typically not be available from another agency. Therefore, the potential to share data is limited.

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

FSA has made every effort to minimize burden on small businesses and other small entities. FSA only requires the information collections when necessary to contact on an applicant's or borrower's request for guaranteed loan assistance; therefore, it is unable to further reduce the

frequency of the collections. Collections are limited to those that are essential in determining that loan applicants meet statutory requirements and have adequate repayment ability and security for the requested loan. The information required by this regulation is financial in nature and similar to that required to complete Federal tax returns, make business decisions or to obtain a loan from any commercial lender. Thus, it places no additional burden on small businesses above that required in the normal course of business. There are 10,210 small businesses or entities.

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.

FSA relies on current information to carry out the business of the program as intended and to protect the government's interest. If the information were not collected, or collected less frequently, the Agency would be unable to meet the congressionally mandated mission of the guaranteed loan program.

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

- a. Requiring respondents to report information more frequently than quarterly. There are no information collection requirements that require reporting more frequently than quarterly.
- b. Requiring written responses in less than 30 days. There are no information requirements that require written responses in less than 30 days.
- c. Requiring more than an original and two copies. There are no information collection requirements that require more than an original or single copy of a document.
- d. Requiring respondents to retain records for more than 3 years. Lenders are expected to retain records of loan transactions for at least the life of the loan. This is necessary to provide documentation in the event of a loss claim. It is standard business practice for a financial institution to keep loan records for the life of the loan in a customer file.
- e. Not utilizing statistical sampling. There are no such requirements.
- f. Requiring the use of statistical sampling which has not been reviewed and approved by OMB. There are no such requirements.
- g. Requiring a pledge of confidentiality. There are no such requirements.
- h. Requiring submission of propriety trade secrets. There are no such requirements.

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.

FSA published a 60-day notice requesting comments on the collection on February 20, 2020 (85 FR 9722). FSA did not receive any comments.

FSA contacted the following individuals to obtain their views on the collection. They reviewed the forms, and they believed the forms were being used correctly to obtain the loans.

1. Catus Covello
Branch President
Points West Community Bank
2234 Main St, P.O. Box 730
Torrington, WY 82240
Telephone: (307) 532-2173
2. Rich Ritter
Senior Vice President of Agricultural Lending
Flanagan State Bank
208 E Gridley Road
Gridley, IL 61744
Telephone: 309-747-3600
3. Dale Sayler
Vice President
Dakota Community Bank & Trust
609 Main St, PO Box 431
Hebron, ND 58638
Telephone: 701-878-4416

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

There are no payments or gifts provided to respondents.

10. Confidentiality provided to respondents.

No assurance of confidentiality is provided. Requests for information received by FSA will be handled in accordance with the provisions of the Freedom of Information contact and the Privacy contact.

11. Questions of sensitive nature.

The information collected is of a financial nature. As a condition of the receipt of program assistance, respondents must provide total disclosure of income data, debts and assets, and

history of business dealings that may be considered sensitive. Regardless, the information is required to properly evaluate the request for guarantee.

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

The estimate of hour burden of the information collections is as follows:

Estimated Number of Respondents:
14,357.0
 Estimated Average Number of Responses Per Respondent:
13.5.
 Estimated Total Annual Responses:
193,648.0
 Estimated Average Time per Response:
0.86 hours.
 Estimated Total Annual Burden on Respondents:
165,724 hours.

The estimate of annual cost for the information collection is as follows:

Respondent’s Cost Per Hour	Applicants (Farmers).....	\$38.43	
	Lenders.....	\$36.67	
Total Annual Respondent Cost	Applicants (Farmers) (2792 Hours)		\$
107,297	Lenders (162,932 Hours)		
	5,974,716		
	Total		\$
	6,082013		

The respondents are commercial banks, the Farm Credit System, farmers and ranchers. FSA estimates the number of respondents to be 7,760 loan applicants and 2,045 lenders annually.

Respondent cost per hour was derived by using U.S. Bureau of Labor Statistics Occupational Employment and Wages, May 2020,-Farmers and Ranchers, and Other Agriculture Managers. The U.S. mean hourly wage/benefit for this group is \$38.43 hourly and \$79,940 annually, as measured by the Bureau of Labor.

Respondent cost per hour was derived by using U.S. Bureau of Labor Statistics Occupational Employment and Wages, May 2020-Loan Officers. The U.S. mean for loan officer’s income and benefits included, as measured by the Bureau of Labor is \$76,270 annually or \$36.67 hourly.

13. Provide an estimate of the total annual cost burden to respondents or record keepers resulting from the collection of information.

There are no burden costs on respondents for capital, start-up, total operation, maintenance or purchase of services other than what is usual and customary for normal business operations.

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

FSA employees review information provided by applicants, borrowers, and lenders and make eligibility and feasibility determinations. FSA estimates employees spend 206,000 hours reviewing and processing the collections included in this docket

Averaging the GS-9, GS-11, GS-12 Step-5 (2020 RUS-Salary Table) salaries indicates an average employee salary of \$73,152 per year. Standard adjustments recommended by FSA's Budget Division of 33.3% are added for benefits and miscellaneous expenses (\$24,360), for a total average cost for an FLP employee salary of \$97,512 per year, which divided by 2,080 hours equals an hourly salary of \$46.88.

The estimated annualized cost to the Federal Government is: \$9,657,280.

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

The adjustments were -4,619 responses and -23,883 burden hours due to less applicants applying for Guaranteed Loans.

Overall, the number of respondents decreased by 36 (14,393-14,357 (new)). The annual responses decreased by 27,500 (221,148-193,648(new)) while the burden hours decreased by 55,114 (220838-165724(new)).

The program changes for the decrease of 22,881 responses and 32,341 hours are due to a drop in Guaranteed loans originated between the years preceding FY 2017 and FY 2020. Between FY 2016 and FY 2019, the number of Guaranteed loans originated fell by 24 percent from 10,047 to 7,611. In addition, the number of loss claims and status reports received is much lower than FY 2017. The travel times was also removed from this request. The program changes for the decrease is due to a drop in Guaranteed loans originated between the years preceding FY 2017 and FY 2020. Between FY 2016 and FY 2019, the number of Guaranteed loans originated fell by 24 percent from 10,047 to 7,611. In addition, the number of loss claims and status reports received is much lower than FY 2017. The travel times was also removed from this request.

The annual responses decreased since Form FSA-2233 is no longer a separate response and the hours have been included in the revised Form FSA-2236. Also, reducing the lender reviews cut 835 annual responses from the SEL lender reviews.

The burden hours decreased due to the policy change reducing SEL lender reviews and some minor rounding when we estimated the average hours for Form FSA-2211 prorated between the different lender types and applicants. The form FSA-2211 have incorporated Forms FSA-2210, "Application for EZ Guarantee" and FSA-2212, "Preferred Lender Application for Guarantee" so those forms have been removed from this collection.

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

The information collections required under this regulation will not be tabulated or published.

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 displayed the OMB expiration date.

18. Explain each exception statement to the certification statement identified in items 19 and 20 on OMB 83-I.

There are no items in the certification statement to which FSA cannot certify.