

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

The Farm Service Agency (FSA) is requesting **EMERGENCY CLEARANCE** because FSA needs quickly to provide assistance to producers who suffered eligible crop quality losses due to hurricanes, excessive moisture, floods, drought, tornadoes, typhoons, volcanic activity, snowstorms, and wildfires occurring in calendar years 2018 and 2019. The clearance is necessary because the QLA Program sign-up period begins late December and end beginning of February. All QLA Program payments will be issued after the application period has ended.

**1. Circumstances that make the collection of information necessary.**

The Additional Supplemental Appropriations for Disaster Relief At, 2019 (Disaster Relief Act; Pub. L 116-20) provided disaster assistance for necessary expenses related to losses of crops (including milk, on-farm stored commodities, crops prevented from planting in 2019, and harvested adulterated wine grapes), trees, bushes, and vines, as a consequence of hurricanes, floods, tornadoes, typhoons, volcanic activity, snowstorms, and wildfires occurring in calendar years 2018 and 2019. The Further Consolidated Appropriations Act, 2020 (Pub. L. 116-94), makes several changes to the provisions of the Disaster Relief Act, including specifying that assistance will be provided for crop quality losses. Assistance for those quality losses will be provided by the QLA Program.

In order to determine whether a producer is eligible for the QLA Program and to calculate a payment, a producer is required to submit FSA-898, QLA Program application; FSA-899, Historical Nutritional Value Weighted Average Worksheet (Continuation); FSA-895, Crop Insurance and/or NAP Coverage Agreement; FSA-578, Report of Acreage; required documentation of the producer's loss (but this form is exempted from PRA and reported in the spreadsheet for references.) CCC-902I, Farm Operating Plan for Individuals; CCC-901, Member's Information ; CCC-941, Average Adjusted Gross Income (AGI) Certification and Consent to Disclosure Tax Information; CCC-942, Certification of Income from Farming, Ranching and Forestry Operations, if applicable, and AD-1026, Highly Erodible Land Conservation (HELC) and Wetland Conservation Certification.

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

The information submitted by respondents will be used by FSA to determine eligibility and distribute payments to eligible producers under the QLA Program.

The QLA Application (FSA-898) form will be used for applicants to apply for QLA Program Benefits.

This FSA-895 Crop Insurance and/or NAP Coverage Agreement will be used to determine eligibility for WHIP+ and/or QLA Program benefits on an insurable crop and/or on a noninsurable crop. Producers are required to purchase insurance, or NAP Coverage, as applicable, on that crop(s), trees, bushes, or vines for the next two consecutive crop years following the crop year for which the benefits are requested, according to the producer's certification on this form.

The FSA-899 Historical Nutritional Value Weighted Average Worksheet (Continuation) will be used for applicants applying for QLA Program Benefits who suffered an eligible forage crop quality losses who need additional space for their FSA-899 Application.

FSA-578- Report of Acreage is used for the producers to provide FSA the acreage data to determine program eligibility. This form is exempted from PRA and reported in the spreadsheet for references.

CCC-901, Member's Information is used for producers to report information about their farming operation. This information is used by FSA to determine the ownership interest of entities for payment limitation purposes.

CCC-902I, Farm Operating Plan for Individuals is used to collect information about individuals that is used by FSA to determine eligibility for payments.

CCC-902E- Farm Operating Plans for an Entity (Part A and B) is used to collect information about entities to report their farm operations to determine eligibility for payments. Also, this form is designed for general partnerships, joint ventures, Indian Tribes, corporations, limited partnerships, limited liability companies, trusts, estates, charitable/tax-exempt organizations, public schools, city/county/state-owned entities, or other similar entities that is used by FSA to determine eligibility for payments using an employer identification number and requesting program payments as an entity.

CCC-941, Average Adjusted Gross Income (AGI) Certification and Consent to Disclosure Tax Information is the certification and consent to disclosure statement is to be used for the certification of compliance with the \$900,000 AGI limitation applicable to 2011 through 2023 crop, program, and fiscal year benefits.

CCC-942, Certification of Income from Farming, Ranching and Forestry Operations, if applicable is used to determine if individuals or legal entities whom exceed the \$900,000 AGI Limitation are eligible for program benefits. When the program authorizes that the individuals and legal entities qualify based on if at least 75 percent of the AGI for the taxable years preceding the most immediately complete taxable year was derived from farming, ranching or forestry operations.

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 exempted from PRA for any FSA programs but included the burden hours for information.

**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 for the QLA Program 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 QLA Program application that the applicant will sign.

Also, QLA Program applicants must have submitted 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 (HELC) and Wetland Conservation Certification; and FSA-578, Report of Acreage. Most applicants will already have FSA-578, CCC-902 (I or E), 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.

**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 QLA Program 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-I), describe any methods to minimize burden.**

The information collected does not adversely impact small businesses or other small entities. There are 4,500 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.**

Failure to solicit applications will result in failure to provide payments to eligible producers as intended by the Disaster Relief Act and the Further Consolidated Appropriations Act, 2020. 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 the QLA Program will be published in the Federal Register, and this collection request may be merged with 0560-0291.

We are also requesting **EMERGENCY CLEARANCE** because of the application sign-up period will begin in late December and end beginning of February and distributing payments after application period.

**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.**

USDA estimates that up to 180,000 producers may apply for QLA Program payments.

Completing the QLA Program application is estimated to take an average of 0.75 hours per response. The annual burden for completing the application is 135,000 hours (180,000 responses x 0.75 hours).

The annual burden for this information collection package is 153,900 hours. This was calculated by adding the annual burden hours determined for the QLA Program application, 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. The estimated cost is \$8,330,421 ( $\$53.71 \times 153,900$  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 0.75 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). The total annualized cost to the Federal Government is \$244,137 ( $\$22.84 \times 0.75$  hours  $\times 180,000$  responses).

**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 the QLA Program.

**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.