

Supporting Statement
Pandemic Livestock Indemnity Program
OMB control number-XXXX-NEW

The Farm Service Agency (FSA) is requesting **EMERGENCY CLEARANCE** because the USDA has directed FSA to implement the Pandemic Livestock Indemnity Program (PLIP) to make payments to producers of livestock and poultry for losses of livestock or poultry depopulated before December 27, 2020, due to insufficient processing access, based on 80 percent of the fair market value of the livestock and poultry, and for the cost of depopulation (other than costs already compensated under the Environmental Quality Incentives Program. PLIP eligibility for direct payments to eligible applicants with financial assistance to recover 80 percent of the value of livestock and poultry depopulated between March 1, 2020, through December 27, 2020, including the cost associated with depopulation, is being evaluated through a Notice of Funds Availability process. The Farm Service Agency (FSA) will implement PLIP. The program will be under the general supervision and direction of the Administrator of FSA.

1. Circumstances that make the collection of information necessary.

Applicants will receive payments under the Consolidated Appropriations Act, 2021 to implement the Pandemic Livestock Indemnity Program (PLIP). By law, FSA will provide relief to livestock and poultry producers based on 80 percent of the market value of livestock or poultry depopulated, and for the cost of such depopulation, other than the costs for which a producer has been compensated under the Environmental Quality Incentives Program. Furthermore, FSA may take into consideration whether a producer has been compensated for the costs of such depopulation by any State program.

In order to determine whether a producer is eligible for PLIP and to calculate a payment, a producer is required to submit FSA-620, PLIP application; AD-2047, Customer Data Worksheet, if applicable; CCC-902 for Individual or Entity, Farm Operating Plan for Payment Eligibility, Parts A & B; CCC-901, Member Information for Legal Entities, if applicable; CCC-941, Average Adjusted Gross Income (AGI) Certification and Consent to Disclosure of Tax Information; 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 PLIP.

FSA-620 – PLIP Application - Producers will need to complete FSA-620 to apply for PLIP's payment.

CCC-901 Member Information for Legal Entities, if applicable - Producers are required to complete this form to report information about their farming operation, if they have not previously provided it.

CCC-902I- Farm Operating Plans for an Individual (Parts A & B) is used to collect information about individuals to report their farm operations 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.

CCC-902E- Farm Operating Plans for an Entity This form is used to collect information about general partnerships, joint ventures, Indian Tribes, corporations, limited partnerships, limited liability companies, trusts, estates, charitable or tax-exempt organizations, public schools, city/county/state-owned entities, or other similar entities that is used by FSA to determine eligibility for payments.

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

CCC-942 Request for an Exception to Average AGI limitation is required to submit if at least 75 percent of the person or legal entity's average AGI is derived from farming, ranching, forestry and seafood production and related activities and the participant provided required certification and documentation, the person or legal entity, other than a joint venture or general partnership, is eligible to receive payments, directly or indirectly up to the payment limit.

AD-1026- Highly Erodible Land Conservation (HELC) and Wetland Conservation Certification for producers 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 the 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 PLIP 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. The system will print out the completed PLIP application that the applicant will sign. Also, PLIP applicants must have submitted the following forms to FSA to be eligible for

payment: AD-2047; Customer Data Worksheet, if applicable; CCC-901, Member Information for Legal Entities, if applicable; AD-1026, Highly Erodible Land Conservation (HELC) and Wetland Conservation (WC) Certification. Some applicants could already have CCC-902, CCC-901, CCC-941, and CCC-942 on file at the time of application; however, most of the applicants who have not previously participated in FSA programs may need to file these forms to become eligible.

The electronic form versions are available in the eForms website:
<https://forms.sc.egov.usda.gov/eForms/welcomeAction.do?Home>.

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 PLIP application is a new information collection; therefore, no similar form exists.

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 will be 508 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 Consolidated Appropriations 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 Notice of funding availability (NOFA) for PLIP will be published in the Federal Register.

We are also requesting **EMERGENCY CLEARANCE** because of the estimated date of July 20, 2021 as a 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.

USDA estimates that up to 1,270 applicants may apply for PLIP payments.

The annual burden for this information collection request is 1,408. This was calculated by adding the annual burden hours determined for the PLIP 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 2020, 11-9013 Farmers, Ranchers, and Other Agricultural Managers. The U.S. mean household income, as measured by the Bureau of Labor, is \$41.35. Fringe benefits for all private industry workers are an additional 29.9 percent,¹ or \$12.36, resulting in a total of \$53.71 per hour. The estimated cost is \$79,585.

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/maintenance costs associated with this information collection to respondents or record-keepers.

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

¹ U.S. Bureau of Labor Statistics. "Employer Costs for Employee Compensation." News release. March 19, 2020. <https://www.bls.gov/news.release/ecec.htm>.

PLIP Applications 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. The system will print out the completed PLIP application that the applicant will sign.

County employee cost per response is equal 0.08 hours for completion of the application form multiplied by \$ 27.21 (estimated county employee average hourly wage; based 2020 General Schedule, Grade 7, Step 6). Fringe benefits for all government workers are an additional 31 percent, or \$8.43, resulting in a total of \$35.64 per hour. The total annualized cost to the Federal Government is \$90,739 ($\$35.64 \times 2,546$ 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 PLIP.

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.

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.