



Farm
Production
And Conservatio
(FPAC)

Farm Service
Agency (FSA)

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Independence
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Stop 0540
Washington, DC
20250-0540

DATE: October 12, 2021

TO: Josh Brammer
OMB Desk Officer

THROUGH: Ruth Brown
USDA Information Collection Officer

FROM: Jamie White
FSA Acting Deputy Administrator Farm Programs

SUBJECT: Request for Emergency Approval for a New Information
Collection Package—Oriental Fruit Fly (OFF) Program

This request is for OMB review and emergency approval of a collection of information necessary to implement the Oriental Fruit Fly (OFF) Program. The emergency approval is needed because we could not comply with the normal clearance under the Paperwork Reduction Act, and it is essential to the mission of FSA to provide financial assistance as quickly as possible to the affected producers. FSA establishes provisions for providing assistance as authorized by Section 778 of the Consolidated Appropriation Act of 2019 (Pub. L. 116-6), which appropriated \$9 million to the Farm Service Agency (FSA) for the purpose of making payments to producers impacted by an Oriental Fruit Fly Quarantine. Funds will remain available until expended. FSA will publish a consolidated rule that includes the implementation of a new Oriental Fruit Fly (OFF) Program under the new regulation of 7 CFR 756.

The sign-up period for OFF payments will be included in the published rule. If necessary, at the close of the OFF-sign-up period, a national payment factor may be determined and announced by FSA if the total of calculated payments exceed the authorized funding of \$9 million, less a reserve amount of 3% (\$270,000). The final rule will be published in the Federal Register to provide guidance and notify applicants of the sign-up period. Up to 700 producers are expected to apply for payments under the OFF Program.

The Farm Service Agency (FSA) needs to collect the information from applicants by completing the FSA-438 application for the eligible agricultural commodities that suffered OFF related revenue losses to ensure that calculations most accurately reflect revenue losses to ensure equitable treatment. For OFF program eligibility, producers are also required to have the following forms on file with FSA: CCC-902I, Farm Operating Plan for an Individual; CCC- 902E, Farm Operating Plan for an Entity; CCC-901, Member Information for Legal Entities,

if applicable; CCC-941, Average Adjusted Gross Income (AGI) Certification and Consent to Disclosure of Tax Information; CCC-942, Certification of Income from Farming, Ranching, and Forestry Operations, Optional; AD-1026, Highly Erodible Land Conservation (HELIC) and Wetland Conservation Certification.

We are requesting emergency approval of a new information collection package so FSA can provide assistance to eligible producers.

If there are any questions or concerns, please call Deirdre Holder at 202-205-5851 or Mary Ann Ball at 202-720-4283.

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