



United States Department of Agriculture

December 7, 2021

TO: Danielle Jones
Senior Desk Officer
Office of Management and Budget

THROUGH: Levi Harrell
USDA Information Collection Officer

FROM: Michele Brooks
Director, Regulations Management Division
Innovation Center, Rural Development, USDA

SUBJECT: Request for Emergency Approval of a New Information Collection Request for the Food Supply Chain (FSC) Guarantee Loan Program

The Rural Business-Cooperative Service of the Rural Development (RD) Mission Area (Agency) within the United States Department of Agriculture, is requesting emergency review and approval of a new information collection for the Food Supply Chain Guaranteed Loan Program (FSC) Notice of Funding Opportunity (Notice). The Agency is requesting emergency approval by December 9, 2021.

The Notice will become effective 60 days after publication in the Federal Register and allow the Agency to implement the FSC program as authorized by Section 1001(b)(4) of the American Rescue Plan Act of 2021 (Public Law 117-2). Therefore, in order to ensure that any Information Collection and Recordkeeping activities are approved on the effective date, RD is requesting emergency approval of the new information collection in coordination with OMB clearance of the associated notice. Use of the normal clearance procedures is likely to prevent or disrupt the collection of information from borrowers and proper servicing of borrowers. FSC supports a top Administration priority, creating better markets for our agriculture producers and improving competition. The program expands access to financing, in the immediate term for food systems infrastructure. The program helps address vulnerabilities in our food supply chain, which have led to higher prices for consumers. Concentration within the meat and poultry sector had a disastrous effect on worker safety, producers' livelihood, and product availability at the height of the pandemic in 2020. This concentration must be addressed in order to avoid future disruptions. This program also serves as a pilot program to inform other programs under the Build Back Better Initiative, including the Meat & Poultry Supply Chain Resiliency Initiative and other programs authorized under Section 1001 of the American Rescue Plan. In a congressional hearing, the Secretary of Agriculture stated that these other programs would be operational by March 2022. Data from the FSC Guaranteed Loan Program is critical to the programs' development and success and is needed to help the Department meet this timeline. For these reasons, the agency must publish the rule by December 9, 2021.

The 60-day notice for comments is included in the Notice and comments on the FSC information collection request is requested in order to submit the regular request to obtain a 3-year approval from OMB after receiving the 6-month OMB emergency approval. Due to the need to consider comments received and then issue another notice for the *Federal Register* for an additional thirty days of comment, the Agencies would not be able to complete the information collection process before the regulation will go into effect, which would hinder the program processing and servicing. Please note that after the 60-day comment period closes, the Agencies will submit the collection package for a 3-year approval addressing any comments received.

In compliance with OMB regulations (5 CFR Part 1320), which implements the Paperwork Reduction Act of 1995 (Pub. L. 104-13), the information collection and recordkeeping requirements that may be imposed by this section are submitted to OMB for emergency review and approval. Attached are the supporting statement and spreadsheet for the regulation.

Should you have any questions, please do not hesitate to contact Michele Brooks, Director, Regulations Management Division, Innovation Center, Rural Development by telephone at (202) 690-1078 or by email at Michele.Brooks@usda.gov or Lauren Cusick, Branch Chief, Regulations Management Division, Innovation Center, Rural Development by telephone at (202) 720-1414 or by email at Lauren.Cusick@usda.gov.

Thank you in advance for your quick review and response to us.

Attachments