

**Supporting Statement**  
**Commodity Container Assistance Program (CCAP)**  
**OMB control number-0560-NEW**

The Farm Service Agency (FSA) is requesting **EMERGENCY CLEARANCE** to begin distributing payments for the Commodity Container Assistance Program (CCAP). USDA directed FSA to implement payments under CCAP in response to ongoing market disruptions that have created logistical challenges associated with all aspects of the availability and flow of containers to transport agricultural commodities and are preventing or delaying American-grown agricultural products from reaching their markets. FSA will be focused on increasing intermodal container capacity through partnerships with the Port of Oakland, in Oakland, California, and the Northwest Seaport Alliance (NWSA), a marine cargo operating partnership between the Port of Seattle and the Port of Tacoma in Washington State. Both the Port of Oakland and the NWSA have been identified as key gateways for American-grown agricultural products, and each have also experienced significant challenges with the flow of containerized agricultural commodities and products. To ensure owners of American-grown agricultural products are able to ship their products from U.S. ports to global markets, CCAP will support improved use of empty shipping containers, along with the prepositioning and temporary storage of filled shipping containers near export terminals, to ensure agricultural shippers can deliver products to their customers.

Additionally, CCAP is another program as a part of USDA's mission to assist the owners of U.S. agricultural products or designated marketing agents for picking up the empty containers provided by ocean carrier or for the temporary storage of filled shipping containers at certain ports.

OMB will be expected to review the CCAP Notice of Funds Availability (NOFA) that will have a 60-day notice requesting public comments on an extension of a currently approved collection to continue the collection beyond 3-year approval.

FSA is using an estimated \$50 million in funds provided by section 5(e) of the Commodity Credit Corporation (CCC) Charter Act (15 U.S.C. 714c(e)) to assist applicants under CCAP. The CCAP payments will be issued after an applicant certifies, as applicable, the number of containers picked up or stored each month or group of months at the designated port. The applicant must certify to the total number of containers picked up or stored by January 31, 2023. If any supporting documentation is requested, the documentation must be submitted to FSA within 30 days from the request.

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

Applicants will receive payments under section 5(e) of the CCC Charter Act (15 U.S.C. 714c(e)) to assist owners of U.S. agricultural products with ongoing market disruptions and facilitate the recovery of shipping and other logistical services required to bring domestically produced agricultural products to their markets.

To determine whether an applicant is eligible for a CAWA payment, an applicant is required to submit:

- FSA-862, Commodity Container Assistance Program Application that includes applicant information, SAM UEI, and number of containers by port, type, and month.
- If requested by FSA, the applicant must provide supporting documentation to verify the accuracy of information provided on the application, including to substantiate the number and type of shipping containers, ownership of the commodities, or authority to act as a designated marketing agent.

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

The following forms if applicable must be on file to receive a CCAP payment:

Form FSA-862 – Commodity Container Assistance Program Application – Applicants must submit this form in order to be eligible for a CCAP payment. Applicants will be providing CCAP information by email to [SM.FPAC.FSA.CCAP@usda.gov](mailto:SM.FPAC.FSA.CCAP@usda.gov). The National Office staff will manually enter the information into the master spreadsheet for the program.

## **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, for examples, 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.**

Applicants must submit the CCAP application to the National Office by email: [SM.FPAC.FSA.CCAP@usda.gov](mailto:SM.FPAC.FSA.CCAP@usda.gov). Then, the National Office staff will enter the application into the master spreadsheet.

The electronic form versions are available in the USDA 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 CCAP 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.

**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.**

If the eligible participants fail to apply, FSA will result in failure to provide payments to eligible applicants as intended.

**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 Notification of Funds Availability (NOFA) notice for CCAP will be published in the Federal Register. The NOFA includes the 60-day notice requesting for public comments on the collection.

**9. Explain any decision to provide any payment or gift to respondents.**

There is no payment or gift given to applicants.

**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.**

FSA estimates that up to 200 applicants may apply for CCAP payments. See the Reporting and Recordkeeping Requirements spreadsheet which contains data for each form.

The annual burden for this information collection package is 528 hours.

FSA-862 Commodity Container Assistance Program (CCAP) - applicants are required to submit this form to be eligible for CCAP payment. The estimated burden hours are 528 (200 responses x 8 responses per respondent x 0.33).

Respondent cost per hour for the applicant that derived by Bureau of Labor Statistics is \$38.07 while the benefit costs were \$11.22 and accounted for 29.5 percent, resulting in a total of \$49.29 per hour. The estimated cost is \$26,025 (\$49.29 per hour x 528 total 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/maintenance costs associated with this information collection to respondents or recordkeepers.

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

The cost of form development, printing, and distribution is minimal because the forms are computer-generated. The estimated National Office employee's average hourly wage based on 2022 General Schedule, Grade 12, Step 5 is \$48.78 with the benefits cost of \$12.52. The total annualized cost to the Federal Government is \$99,680 ( $\$62.30 \times 1,600$  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 CCAP.

**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 the OMB expiration date.

**18. Explain each exception statement to the certification statement.**

FSA is able to certify compliance with all provisions.