



United States Department of Agriculture

September 26, 2022

TO: Austin Mudd
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 Fertilizer Production Expansion Program

The Rural Business-Cooperative Service of the Rural Development (RD) Mission Area (Agency) within the United States Department of Agriculture (USDA), is requesting emergency review and approval of a new information collection for the Fertilizer Production Expansion Program (FPEP) Request for Applications (RFA). The implementation of this new program is a priority of the Secretary of Agriculture. The Agency is requesting emergency approval by September 27, 2022.

The RFA will be posted immediately to [grants.gov](https://www.grants.gov) and the Agency will begin accepting applications to implement the FPEP program as authorized by the Commodity Credit Corporation Charter Act. This program is being implemented in response to Executive Order 14036, "Promoting Competition in the American Economy."

Fertilizer plays an important and vital role in the agriculture industry. A southern cold snap in 2021 put a strain on the supply of natural gas which is a critical component used in the creation of synthetic fertilizers. In addition, supply chain disruptions, prices that have more than doubled, a limited supply of the relevant minerals, as well global demand and a reliance on fertilizer imports indicate how very important it is to invest in this crucial link in the agricultural supply chain. FPEP will support additional fertilizer production to help American farmers address rising costs and spur competition to enhance fair and competitive markets along the same lines as the independent food processing investments being made as part of the Food System Transformation Effort.

Through FPEP, USDA is supporting new and expanded supplies of fertilizer and alternatives that play the same role as fertilizer to United States farmers as a key input necessary for production of agricultural commodities. As part of a whole-of-government effort to combat

the climate crisis and conserve and protect our nation's lands, biodiversity, and natural resources including our soil, air, and water, USDA will solicit applications from qualified entities for projects that will contribute significantly to this purpose through FPEP.

The Agency was planning to utilize the new USDA Generic Solution for Solicitation for Funding Opportunity Announcements for this information collection but has been informed that the generic package will not be ready in time. Therefore, an emergency clearance approval for this information collection is formally requested due to the need to effectively implement the program as quickly as possible to increase competition in fertilizer production and support American farmers.

The 60-day notice for comments will be published in the Federal Register as soon as possible after the RFA is posted to www.grants.gov 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 RFA will go into effect, which would hinder the program's 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 collection.

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, BranchChief, 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