

Supporting Statement
Emergency Grain Storage Facility Assistance Program
OMB control number: 0560-NEW

FSA is requesting **EMERGENCY CLEARANCE** in order for FSA to implement EGSFP provisions to provide financial assistance to producers affected by the December 2021 tornadoes that passed through eleven counties in Kentucky, as well as destroyed a large commercial grain elevator limiting a producer's marketing and storage options, in the most expeditious and timely manner possible. Grain producers in Minnesota and South Dakota affected by the derecho (several thunderstorm and straight-line winds) that swept through these states and other identified states and eligible disaster events will also be eligible for EGSFP assistance. The Deputy Administrator of Farm Programs may determine other areas eligible for assistance.

The Commodity Credit Corporation (CCC) reallocated \$20 million under section 5(b) of the CCC Charter Act to the Farm Service Agency (FSA) to provide financial assistance. EGSFP provides eligible producers with financial assistance needed to support producers or groups of producers in their efforts to build emergency storage capacity. Funds will be available until expended. EGSFP is being implemented through a Notice of Funds Availability which is expected to be released in March 2023, and FSA expects to begin collecting this information immediately after. If FSA went through the normal PRA process, FSA would be unable to collect this information until July 2023 at the earliest. Doing so would delay USDA's ability to provide relief to the effected producers.

1. Circumstances that make the collection of information necessary.

Producers will receive payments as authorized by sections 5(b), (d), and (e) of the CCC Charter Act (15 U.S.C. 714c(b), (d), and (e)), in the amount of \$20 million to be used to partially compensate producers for on-going market disruptions and assist with the transition to a more orderly marketing system.

In order to determine whether a producer is eligible for EGSFP and to calculate a payment, a producer is required to submit FSA-413, EGSFP application and FSA-413-1, Continuation Sheet for EGSFP, if applicable; CCC-901, Member Information for Legal Entities, as applicable; CCC-902E, Farm Operating Plan for An Entity, as applicable CCC-902I Farm Operating Plan for an Individual, as applicable., 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 producers will be used by FSA to determine eligibility and distribute payments to eligible producers under EGSFP program.

The following forms are for the producers to complete, where applicable, to get EGSFP payments:

FSA-413-EGSFP application - Producers are required to submit this form to be eligible for EGSFP payment. Producers will be providing EGSFP information to the FSA County employee by either in person, or by email or fax.

FSA-413-1, Continuation Sheet for EGSFP, as applicable – Producers are required to complete this form to be eligible for EGSFP payment when there are co-applicants. Producers will be providing EGSFP information to the FSA County employee by either in person, or by email or fax.

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

CCC-902E-Farm Operating Plan for an Entity is used to collect information about producers to report their farm operations to determine eligibility for payments, if they have not previously provided it

CCC-902I-Farm Operating Plan for an Individual is used to collect information about producers to report their farm operations to determine eligibility for payments if they have not previously provided it.

AD-1026- Highly Erodible Land Conservation (HELC) and Wetland Conservation Certification is used 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 purposes only.

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.

Applicants will complete a manual EGSFP application (an electronic version of the form FSA-413 and FSA-413-1, if applicable) and provide the application to FSA County Office employees, emailing, or faxing. Then, FSA county office staff will enter the application information into an excel workbook that will calculate the EGSFP payment. The calculated EGSFP payment will be manually entered into the Common Payment System by County Office employees.

Some applicants will already have on file, forms CCC-901, CCC-902E, CCC-902I, 1026A at the time of application; however, a percentage of applicants who have not previously participated in FSA programs may need to file these forms to become eligible.

All 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.

There is no duplication of information.

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 are 53 small businesses or entities. Economists used 7% of the small business or entities against the total respondents.

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 authorized by sections 5(b), (d), and (e) of the CCC Charter Act (15 U.S.C. 714c(b), (d), and (e)). Because of the short period to receive applications and distribute payments and the need for county offices to complete portions of the application form, applications must be provided to the county offices and entered in an excel workbook.

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 an emergency information collection request. The 60-day notice requesting for public comment on the information collection request is embedded in the NOFA which will be released in March 2023, and USDA will then pursue an information collection pursuant to the regular PRA process. The three names for consultation on EGSFP information collection request will be included in the full ICR package submission.

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 of 1974 and Freedom of Information Act (5 U.S.C. 552).

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 750 producers may apply for EGSFP payments. See the Reporting and Recordkeeping Requirements spreadsheet that provides burden hours for each form.

The annual burden for this information collection package is 317 hours.

FSA-413 Application - The estimated burden hours for the application is 250 (750 x 20 minutes).

FSA-413-1 Continuation Sheet for EGSFP – The estimated burden hours for the continuation sheet is 24 (300 x 5 minutes)

CCC-901- Member Information for Legal Entities -The estimated burden hours for the form is 45 (90 x 30 minutes).

CCC-902E- Farm Operating Plans for An Entity - The estimated burden hours for the form is 24 (300 x 5 minutes).

AD-1026- Highly Erodible Land Conservation (HELC) and Wetland Conservation Certification - This form is exempted from the PRA for any FSA programs but included the burden hours for information. The estimated burden hours for the form are 24 (300 x 5 minutes).

Respondent cost per hour of \$ 46.40 was derived by using U.S. Bureau of Labor Statistics Occupational Employment and Wages, May 2021, 11-9013 Farmers, Ranchers, and Other Agricultural Managers. Fringe benefits for all private industry workers are \$11.47, resulting in a total of \$57.87 per hour. The estimated cost is \$18,344.79 (\$57.87 x 317).

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.

The cost of form development, printing and distribution is minimal because the forms are computer generated. A manual EGSFP application, FSA-413 and FSA-413-1 will be completed by the applicants. Information from the application is entered into an excel workbook that will calculate a payment to be issued through an automated system. County employee cost per response equals 1 hour for completion of the application form multiplied by \$ 29.69 (Based on the 2023 General Schedule-DC rate, Grade 7, Step 6). Fringe benefits for all government workers are an additional 31 percent, or \$9.20, resulting in a total of \$38.89 per hour. The total annualized cost to the Federal Government is \$29,167.50 (\$38.89 x 750 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 EGSFP.

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 will display the OMB expiration date.

18. Explain each exception statement to the certification statement identified for PRA submissions.

FSA certified that the collection of information encompassed by this request complies with 5 CFR 1320.9 and the related provisions of 5 CFR 1320.8(b)(3).