

**U.S. Department of Agriculture  
Commodity Credit Corporation  
Farm Service Agency  
OMB Number: 0560-0215**

**Representations for CCC and FSA Loans and Authorization to File a Financing Statement  
under the Revised Article 9 of the Uniform Commercial Code**

**1. Circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.**

This request is an extension with a change of a currently approved collection.

This information collection package is necessary to obtain continued approval for form CCC-10, Representations for Commodity Credit Corporation or Farm Service Agency Loans and Authorization to File a Financing Statement and Related Documents, which is used to gather information from Commodity Credit Corporation (CCC) and Farm Service Agency (FSA) loan applicants. The information is used to: (a) gather or verify basic data regarding the applicant which is required on a financing statement; and (b) to obtain their permission to file a financing statement prior to the execution of a security agreement.

CCC and FSA programs require loans be secured with collateral. The security interest is created and attaches to the collateral when: (1) value has been given, (2) the debtor has rights in the collateral or the power to transfer rights in the collateral, and, (3) the debtor has authenticated a security agreement that provides a description of the collateral. In order to perfect the security interest in collateral, a financing statement must be filed according to a State's Uniform Commercial Code. This action 'perfects' the security interest and legally allows the lender to foreclose upon and liquidate the collateral in the event the borrower defaults on a loan. The revised Article 9 affects the manner in which CCC and FSA, as well as any other creditor, perfect and liquidate security interests in collateral.

The information obtained on CCC-10 is needed to not only obtain authorization from loan applicants to file a financing statement without their signature, but also to verify the full legal name and location of the debtor. For most FSA programs, an applicant is identified by using their social security number or a tax identification number. While most FSA program applicants already have their name and identification number data on file with the FSA County Office, verification of this data is critical when it comes to financing statement transactions, because the applicant's exact legal name must be entered on the financing statement under the revised Article 9. Before form CCC-10 was developed and approved for use, this information was not required by either CCC or FSA. Also under revised Article 9, the debtor's location or primary residence, rather than the location of collateral, now determines the place to file a financing statement. The debtor's location is its place of business, or the location of the chief executive office, if the debtor has more than one place of business. However, if the borrower is an entity which must register to come into existence, (e.g. corporation, Limited Liability Company, limited partnership) its location is the state in which the entity was organized.

## **Supporting Statement for Paperwork Reduction (Continued)**

Without obtaining the information from loan applicants, CCC and FSA would be unable to perfect a security interest in collateral used to secure loans. However, CCC and FSA limit the use of CCC-10 to the extent possible. For example, the application form for a Farm Loan Programs (FLP) loan (FSA-2001, approved under 0560-0237) includes the collections for the applicant's "exact legal name" and location. In addition, FSA-2001 includes the authorization to file a financing statement prior to the execution of a security agreement in the existing certifications and authorizations. As a result, form CCC-10 will only be used for an FLP loan when an individual other than the applicant will be pledging security for the loan. This significantly decreases the use of the form for FLP.

### **2. Purpose and Use of the Information. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate how the agency has actually used the information received from the current collection.**

This request is an extension with a change of a currently approved collection.

Producers applying for CCC or FSA loans at USDA Service Centers,) will be asked to provide Farm Loan Program certain information on Form CCC-10. They may also obtain the form at the USDA eForms website, fill it out, and submit it to the appropriate person at the USDA Service:

- serves as CCC or FSA's notice of intent to perfect its security interest
- identifies the debtor's exact full legal name, primary residence, and if the debtor is an entity, the type and location of the entity
- authorizes CCC or FSA to file financing statements prior to the execution of a security agreement.

### **3. Use of information technology and burden reduction. 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 decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.**

CCC and FSA makes every effort to comply with the E-Government Act, 2002 (E-Gov) and to provide for alternative submission of information collections.

The form and instruction to fill it out is available through the USDA eForms web site at <https://forms.sc.egov.usda.gov/>. Currently, a completed CCC-10 cannot be submitted electronically with a digital signature because the form may require multiple signatures. However, CCC-10 can be accepted by fax or scanned and electronically sent by email.

## Supporting Statement for Paperwork Reduction (Continued)

**4. Efforts to identify duplication. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Question 2.**

Every effort has been made to avoid duplication. FSA does collect similar data on the FSA-2001. FSA does not have a standard form when the information on the CCC-10 changes (for example, name, address). FSA does not have the language contained in part A of the CCC-10 on any other form.

Some of the information collected on CCC-10 may already be available at the County office in the form of information gathered to make payment limit determinations. Also, an applicant was previously not required to provide their full legal name. Therefore, the information gathered on the CCC-10 will serve to verify or update the information already on file. Also, the CCC-10 is an effort to gather information that can be used for five FSA loan programs, thus eliminating the need for a separate form for each loan program.

**5. Impacts on small businesses or other small entities. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.**

CCC-10 is identical for all applicants without regard to their volume or business. Therefore, no additional burden is being placed on businesses of any particular size. There are 500 small businesses or entities.

**6. Consequences of collecting the information less frequently. Describe the consequence to Federal program or policy activities if the collection is not conducted, or is conducted less frequently, as well as any technical or legal obstacles to reducing bu**

The collection is all voluntary and on-going collection request.

All information will be collected the first time a producer applies for a CCC or FSA loan. If the information has not changed, for subsequent loan applications there is no need to gather it again. If this information is not collected, FSA will not be able to ensure integrity or disburse loans because a security interest would not be obtainable.

**7. Special circumstances. 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; There are no circumstances that would require information more than quarterly from an applicant.
- requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it; There are no circumstances that would require a

## Supporting Statement for Paperwork Reduction (Continued)

respondent to prepare a written response to a collection of information in fewer than 30 days after receipt.

- requiring respondents to submit more than an original and two copies of any document; There are no special circumstances requiring respondents to submit more than an original and two copies of any document. In most situations, only the original, faxed or scanned copy is required.
- requiring respondents to retain records, other than health, medical, government contract, grain-in-aid, or tax records for more than three years; There are no special circumstances requiring respondents to retain records, other than health, medical, government contract, grain-in-aid, or tax records for more than three years.
- using statistical sampling, that is not designed to produce valid and reliable results that can be generalized to the universe of study; There are no special circumstances that would be used in connection with a statistical survey.
- requiring the use of a statistical data classification that has not been reviewed and approved by OMB; There are no special circumstances that would require the use of a statistical data classification that has not been reviewed and approved by OMB.
- requiring a pledge of confidentiality; There are no special circumstances that include a pledge of confidentiality that is not supported by authority established in statute or regulation.
- requiring respondents to submit proprietary trade secret; This agency protects confidentiality to the extent permitted by law.

There are no special circumstances. The collection of information is conducted in a manner consistent with the guidelines in 5 CFR 1320.5.

**8. Comments to the Federal Register Notice and efforts for consultation. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8 (d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden. .**

A Federal Register notice was published on April 2, 2021, at 86 FR 17350 announcing FSA's intention to renew a currently approved information collection. No comments were received for the collection of information.

## Supporting Statement for Paperwork Reduction (Continued)

**Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported. Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years even if the collection of information activity is the same as in prior years. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.**

The form was also sent to K. Bearden, [krista.kkv@gmail.com](mailto:krista.kkv@gmail.com), J. Gordon, [james.gordon@bankwithpioneer.com](mailto:james.gordon@bankwithpioneer.com), J. Fluegge, [jeremyfluegge@hotmail.com](mailto:jeremyfluegge@hotmail.com). There were no comments received from these three individuals.

**9. Explain any decisions to provide any payment or gift to respondents. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.**

No other payment, gift or incentive will be provided through this information collection request. Respondents may be eligible for loan benefits under the applicable loan program and will be subject to the applicable loan eligibility requirements.

**10. Assurances of confidentiality provided to respondents. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.**

The information collection is subject to the Food, Conservation and Energy Act of 2008, 7 U.S.C. § 8791 (Section 1619). Section 1619 prohibits disclosure of information provided by an agriculture producer or owner of agricultural land concerning the agricultural operation, farming or conservation practices, or the land itself, in order to participate in programs of the Department; or geospatial information otherwise maintained by the Secretary about agricultural land or operations for which information was provided.

Additionally, System of Records Notices (SORN) USDA/FSA-2 and USDA/FSA-14 governs the authorized access to the personal identifiable information collection (PII). Request for and/or disclosure of PII from this information collection is subject to the provisions of The Privacy Act of 1974, as amended, 5 U.S.C. § 552a, and the routine uses of the aforementioned SORNS.

This package was reviewed and approved by the FPAC Privacy Officer, Deryl Richardson, on August 22, 2024.

## Supporting Statement for Paperwork Reduction (Continued)

**11. Justification for any questions of a sensitive nature. Provide additional justification for any questions of a sensitive nature, such as sexual behavior or attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.**

There are no personal questions of a sensitive nature, such as sexual preference, religious beliefs, and other matters that are commonly considered private. Although some loan applicants may consider their farm operating information to be sensitive information, that information is fundamental to the perfection of a security interest in collateral and is required under the Uniform Commercial Code. CCC and FSA will be unable to approve a loan without the information.

**12. Estimates of the hour burden of the collection of information. Provide estimates of the hour burden of the collection of information. Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens.**

See the attached Reporting and Recordkeeping requirement for a burden break down for the form.

Farm Loan Programs includes direct operating, farm ownership, and emergency loans. As stated on the CCC-10, CCC and FSA continue to use the information on the CCC-10 for future loans until the signer of the form notifies CCC or FSA of any changes. However, new applicants for any CCC and FSA loans must submit a CCC-10.

The total annual burden associated with applicant's preparing the form is estimated to be 298 hours. This was calculated based on 3,734 respondents/responses taking five minutes (0.08/hour) to complete the form for CCC and FSA programs.  $(3,734 \times 0.08/\text{hour} = 299 \text{ hours})$

**Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories.**

The estimated annual cost to the public is \$10,327 which is based on the annual burden of 298 hours times an average hourly wage/fringe benefit of \$34.57  $(298 \text{ hours} \times \$34.57 = \$10,327)$ . The average hourly wage of \$34.57 was obtained from a publication by the Bureau of Labor Statistics, U. S. Department of Labor (USDL-24-0484) released March 12, 2024. This is the average hourly earnings on private nonfarm payrolls but was used because figures showing total farm income include a large portion of off-farm income which can inflate the total hourly earnings of the majority of loan applicants.

## Supporting Statement for Paperwork Reduction (Continued)

**13. Provide estimates of the total annual cost burden to respondents or recordkeepers resulting from the collection of information, (do not include the cost of any hour burden shown in questions 12 and 14). The cost estimates should be split into two components: (a) a total capital and start-up cost component annualized over its expected useful life; and (b) a total operation and maintenance and purchase of services component.**

This information collection and reporting burden does not impose any burden cost on respondents for capital, start-up, operation, maintenance, or the purchase of services.

**14. Provide estimates of annualized cost to the Federal government. Provide estimates of annualized cost to the Federal government. Provide a description of the method used to estimate cost and any other expense that would not have been incurred without this collection of information.**

The cost of gathering, maintaining, retrieving, and disseminating the data is \$11,112. This figure is based on requiring at least 5 minutes (.08/hour) per response times the average FSA employee wage of \$37.20 (3,734 applicants x 0.08/hour x \$37.20 = \$11,112). The average FSA Program Technician employee wage was obtained from the Office of FSA's Deputy Administrator for Field Operations and is Grade 7 Step 8, OPM's 2024 Pay Scale).

The cost of form development, printing and distribution is minimal because the form is computer generated.

**15. Explanation of program changes or adjustments. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I.**

The average annual number of respondents using the CCC-10 for Farm Loan Programs is estimated at **3,734 annual respondents**. FSA reported an adjustment in this collection. The burden hours of 87 reduced while the responses reduced to 905 in this collection. A reduction in the number of burden hours from 385 to 298 is due to fewer producers who are new to FSA loan programs who had not previously provided applicable data and less time spent by producers who review the data on the form each time they apply for an FSA loan.

Producers are required to file CCC-10 only if doing so for the first time or if any of the data on the form has changed. Therefore, unless the producer is new to FSA loan programs or if any of the data applicable to the form has changed based upon a quick review of the data by the applicant, the CCC-10 is carried forward from one year to the next.

**16. Plans for tabulation, and publication and project time schedule. For collections of information whose results are planned to be published, outline plans for tabulation and publication.**

The information collected is not planned for publication.

## Supporting Statement for Paperwork Reduction (Continued)

**17. Displaying the OMB Approval Expiration Date. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.**

FSA is displaying the OMB expiration date on the form CCC-10.

**1. Exceptions to the certification statement identified. Explain each exception to the certification statement identified in ROCIS-"Certification for Paperwork Reduction Act."**

FSA is able to certify compliance with all provisions in the certification statement.