

**Supporting Statement**  
**Coronavirus Food Assistance Program 2 (CFAP 2)**  
**OMB control number-0560-0297**

- 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.**

FSA is requesting an approval on an extension without change of a currently approved information collection.

Producers will receive payments under the CFAP 2.0 to compensate for on-going market disruptions and to transition to a more orderly marketing system. Payments will assist producers with the purchase of materials and facilities required in connection with the production and marketing of agricultural commodities, aid in the removal or disposition of surplus agricultural commodities, and aid in the development of new and additional markets, marketing facilities, and uses for such commodities.

In order to determine whether a producer is eligible for CFAP and to calculate a payment, a producer is required to submit AD-3117, CFAP application; AD-3117A-Continuation Form for CFAP-Milk Production Modification; AD-3117B- Continuation Sheet for Coronavirus Food Assistance Program 2 (CFAP 2) Application for Contract Producers, CCC-902, Farm Operating Plan for Payment Eligibility, Parts A & B; CCC-901, Member Information for Legal Entities, if applicable; CCC-941, Average Adjusted Gross Income (AGI) Certification and Consent to Disclosure of Tax Information; and CCC-942, Certification of Income from Farming, Ranching, and Forestry Operations, Optional, and AD-1026- Highly Erodible Land Conservation (HELC) and Wetland Conservation Certification.

- 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.**

FSA is requesting an approval on an extension without change of a currently approved information collection.

The information submitted by respondents will be used by FSA and AMS to determine eligibility and distribute payments to eligible producers under CFAP.

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

AD-3117 – CFAP application - Producers are required to submit this form in order to be eligible for CFAP payment. Producers will be providing CFAP 2 information to the FSA

County employee by either in person, or by email or fax. The FSA county office staff will manually enter the information into an automated system except for Part G – Acreage-based Crops that is automatically populated by the system in order to print out the completed CFAP 2 application for applicant to sign it.

AD-3117A- CFAP 2 – Continuation sheet – Milk Production Modification- this form is for the milk producers to provide milk production, where applicable.

AD-3117B-CFAP application- Continuation Sheet for Coronavirus Food Assistance Program 2 (CFAP 2) Application for Contract Producers – this form will be for contract producers to provide additional information, if applicable, to apply for CFAP 2 benefits. Applicable Contract Producers will use the continuation form to help calculate the 2018 or 2019 revenue for their AD-3117 application if one of the following exceptions apply: Operation increased in size in 2020; New contract producer in 2019; Operation increased in production or number of turns in 2020, not associated to an increase of square footage for the operation; compared to 2018 or 2019 that impacted revenue; and New contract producer in 2020.

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

CCC-902- Farm Operating Plans for an Individual (Part A and B) is used to collect information about individuals to report their farm operations to determine eligibility for payments. Also, this form is designed for individuals using a social security number and requesting program payments as an individual on their own farming operation.

CCC-941- Average Adjusted Gross Income (AGI) Certification and Consent to Disclosure of Tax Information is to be used for producers to do the certification of compliance with the \$900,000 AGI limitation applicable to 2011 through 2023 crop, program, and fiscal year benefits.

CCC-942 Request for an Exception to Average AGI limitation is required to submit if at least 75 percent of the person or legal entity's average AGI is derived from farming, ranching, forestry and seafood production and related activities and the participant provided required certification and documentation, the person or legal entity, other than a joint venture or general partnership, is eligible to receive payments, directly or indirectly up to the payment limit.

AD-1026- Highly Erodible Land Conservation (HELIC) and Wetland Conservation Certification for producers 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.

**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.**

FSA makes every effort to comply with the E-Government Act, 2002 (E-Gov) and to provide for alternative submission of information collections for the respondents. At this time, the respondents are not able to electronically submit the information to an IT system.

The applicants will submit CFAP 2 information by reporting to FSA County Office employees, emailing, faxing or submit using level 2 authentication online. Then, FSA county office staff will enter the application into an automated system. The system will allow all data fields to be entered, except part G will automatically populate in the system. The system will print out the completed CFAP 2 application that the applicant will sign. If applicants receive it electronically, they will email their confirmation instead of signing the completed application.

Most applicants will already have CCC-902, CCC-901, CCC-941, and CCC-942 on file 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.

The electronic form versions are available in the USDA eForms website:  
<https://forms.sc.egov.usda.gov/eForms/welcomeAction.do?Home>.

**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.**

There is no similar data collection available. Every effort has been made to avoid duplication. FSA has reviewed USDA reporting requirements, state administrative agency reporting requirements, and special studies by other government and private agencies.

**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.**

The information collected does not adversely impact small businesses or other small entities. There are 60,057 small businesses or entities. Economists used 7% of the small business or entities against the total respondents.

**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 burden.**

The collection is voluntary and ongoing information collection request. Failure to solicit applications will result in failure to provide payments to eligible producers. Because of the short time 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 automated system.

**7. Special circumstances relating to the Guidelines of 5 CFR 1320.5. 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.

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. 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 60-day notice was published on June 5, 2024 (89 FR 48142), and there were no received comments.

The 3 names for consultation on the CFAP 2 information collection request were in the following, and they do not have any comments and concerns about the collection:

1. Backacres Farms LLC; P. Hlubik; backacresnj@gmail.com; 609.346.8575.

2. K. Freeman Farms Inc; Kellyfreemanfarms@yahoo.com; 480-703-3437.
3. Mathews Brothers DBA Mathews Farms, V. Mathews, 318-729-8180.

**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.

**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 governs the authorized access to the personal identifiable information collection (PII). Request for and 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 SORN mentioned in this paragraph.

This package was reviewed and approved by FPAC, Senior Government Information Specialist, Samantha Jones, on September 5, 2024.

**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.**

No questions of a sensitive or personal nature are included in the application.

**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.**

USDA estimates that up to 857,950 producers may apply for CFAP 2 payments. The estimates are derived from the CBA document. See the Reporting and Recordkeeping Requirements spreadsheet that contained all the numbers for each form.

The annual burden for this information collection package is 926,051 hours.

AD-3117 – CFAP 2 Application - Producers are required to submit this form to be eligible for CFAP payment. The estimated burden hours for the application is 857,950 (857,950 x 1 hour).

AD-3117A- CFAP 2 – Continuation sheet – Milk Production Modification- this form is for the milk producers to provide milk production.

AD-3117B-CFAP application- Continuation Sheet for Coronavirus Food Assistance Program 2 (CFAP 2) Application for Contract Producers – this form is for contract producers to provide additional information, if applicable, to apply for CFAP 2 benefits. Applicable Contract Producers will use the continuation form to help calculate the 2018 or 2019 revenue for their AD-3117 application if one of the following exceptions apply: Operation increased in size in 2020; New contract producer in 2019; Operation increased in production or number of turns in 2020, not associated to an increase of square footage for the operation; compared to 2018 or 2019 that impacted revenue; and New contract producer in 2020.

CCC-901E Member Information for Legal Entities, if applicable - Producers are required to complete this form to report information about their farming operation, if they have not previously provided it. The estimated burden hours for the form is 7,614 (95,180 x 30 minutes).

CCC-901I-Member Information for Individuals, if applicable - Producers are required to complete this form to report information about their farming operation, if they have not previously provided it. The estimated burden hours for the form is 7,614 (95,180 x 30 minutes).

CCC-902- Farm Operating Plans for an Individual (Part A and B) is used to collect information about individuals to report their farm operations to determine eligibility for payments. Also, this form is designed for individuals using a social security number and requesting program payments as an individual on their own farming operation. The estimated burden hours for the form is 11,520 (144,000 x 5 minutes).

CCC-941- Average Adjusted Gross Income (AGI) Certification and Consent to Disclosure of Tax Information is to be used for producers to do the certification of compliance with the \$900,000 AGI limitation applicable to 2011 through 2023 crop, program, and fiscal year benefits. The estimated burden hours for the form is 45,449 (181,795 x 15 minutes).

CCC-942-Request for an Exception to Average AGI limitation is a new form and is required if at least 75 percent of the person or legal entity's average AGI is derived from farming, ranching or forestry related activities and the participant provided required certification and documentation, the person or legal entity, other than a joint venture or general partnership, is eligible to receive CFAP, directly or indirectly up to the payment limit. The estimated burden hours for the form is 1,975 (7,898 x 15 minutes).

AD-1026- Highly Erodible Land Conservation (HELC) and Wetland Conservation Certification for producers 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. The estimated burden hours for the form is 6,423 (80,290 x 5 minutes).

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

Respondent cost per hour was derived by using U.S. Bureau of Labor Statistics Occupational Employment and Wages, May 2023, 11-9013 Farmers, Ranchers, and Other Agricultural Managers. The U.S. mean household income, as measured by the Bureau of Labor, is \$43.35. Fringe benefits for all private industry workers are an additional \$13.02, resulting in a total of \$56.37 per hour. The estimated cost is \$52,201,495 (\$56.37 x 926,051).

**13. Estimates of other total annual cost burden. 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 \$58,037,309. CFAP application information are entered in an automated system manually and will print out the completed CFAP application that the applicant will sign it.

County employee cost per response is equal 1 hours for completion of the application form multiplied by \$ 31.26 (estimated county employee average hourly wage; based 2024 General Schedule, Grade 7, Step 6). Fringe benefits for all government workers are an additional \$14.41, resulting in a total of \$46.67 per hour. The total annualized cost to the Federal Government is \$57,037,309 (\$46.67 x 1,248,901 responses).

**15. Explanation of program changes or adjustments. Explain the reasons for any program changes or adjustments reported.**

There are no program or adjustment or burden hours changes since the last OMB submission.

**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.

**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.

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

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