

DATE: March 6, 2025

TO: Dominic Mancini
Deputy Administrator
Office of Information and Regulatory Affairs
Office of Management and Budget

THROUGH: Levi S. Harrell
Departmental Clearance Officer
Information Management Division
Office of the Chief Information Officer

FROM: Jamie White
Acting Deputy Administrator for Farm Programs

SUBJECT: Request for Emergency Approval for a New Information Collection
Package—Emergency Commodity Assistance Program (ECAP)

The Farm Service Agency (FSA) is requesting OMB approval on the emergency approval of a collection of information necessary to implement ECAP. ECAP will use \$10 billion in funds authorized by Section 2102 of Division B of Title I of the American Relief Act, 2025 (Pub. L. 118-158) to issue 1-time economic assistance payments to eligible producers of eligible commodities for the 2024 crop year. These payments will help farmers of eligible commodities cope with increased costs and falling commodity prices, allowing them to pay down debt relative to the 2024 crop and obtain financing for the 2025 crop year. FSA intends to announce ECAP in a notice of funding availability in the *Federal Register*.

FSA is requesting approval by March 12, 2025, to facilitate printing and mailing of the pre-filled applications to comply with the statutory deadline of March 21, 2025, to begin issuing payments.

ECAP is essential to the FSA mission as a part of safety net to help producers continue farming despite suffering losses that are outside of their control. FSA also cannot reasonably comply with the normal PRA clearance procedures under 5 CFR part 1320 because public harm is reasonably likely to result if normal PRA clearance procedures are followed – that public harm would be to the producers of eligible commodities who have suffered losses, many of whom may not be able to absorb those losses, and any additional delay in assistance could cause them to have to consider making business decisions that they would not otherwise choose to make, which could result in changes that could extend the harm to consumers and others in the line of business (5 CFR 1320.13(a)(2)(i)). In addition, the American Relief Act, 2025, directs the Secretary to issue payments 90 days after the date of enactment (March 21, 2025), and a delay would result in this statutory deadline to be missed (§ 1320.13(a)(2)(iii)).

ECAP applications will be pre-filled using eligible acres of planted and prevented planted eligible commodities submitted by producers on FSA-578, Report of Acreage, for the 2024

crop year. Producer also must have filed a notice of loss for prevented planted acreage using FSA-576, Part B. Producers of eligible commodities who did not previously submit an acreage report or notice of loss may submit late-filed forms for ECAP eligibility purposes without paying a late-filing fee. If requested by FSA, producers must also provide supporting documentation to substantiate late-filed reports of acreage and notices of loss.

FSA will print and mail pre-filled applications to producers who have reported acreage of eligible crops by mid-March 2025. Producers who have established a level 2 eAuthentication account will also be able to apply online through an electronic portal. Producers may also contact their local FSA office to obtain an application or request assistance. The anticipated deadline to apply is August 15, 2025.

Applicants must also submit the following forms if applicable and if not previously filed with FSA: AD-2047, Customer Data Worksheet; AD-1026, Highly Erodible Land Conservation (HELC) and Wetland Conservation Certification; CCC-901, Member Information for Legal Entities; and CCC-902, Farm Operating Plan. Producers who are requesting an increase to the payment limitation must also file CCC-943, 75% of Average Gross Income from Farming, Ranching, or Forestry Certification. Many expected applicants are currently participating in other programs and will have most of these forms on file prior to applying for ECAP.

If there are any questions or concerns, please email me at maryann.ball@usda.gov.