

**United States Department of Agriculture
Farm Service Agency
Supporting Statement
OMB Control Number 0560-0237
7 CFR 764, Direct Loan Making**

FSA is requesting a revision of a currently approved information collection request. Due to Executive Order 14058, the Secretary of Agriculture tasked FSA with simplifying the direct loan application process. As such, forms FSA-2001, FSA-2002, FSA-2003, FSA-2004, FSA-2005, FSA-2006, FSA-2037,¹ FSA-2038, FSA-2302, and FSA-2330 have been consolidated into a single form for the purposes of direct loan making and that consolidation is reflected in this collection. The revised FSA-2001 will be used for direct loan making to replace the use of the other listed forms; other Farm Loan Programs uses, for example loan servicing may still use the original forms in some cases.

The current Farm Loan application is a combination of 10 forms; 29 pages with an estimated paperwork burden of 5 hours and 20 minutes. The revised application will consolidate those 10 forms into 1 form; 13 pages – which includes a cover page and a checklist for the applicant’s information. The new estimated paperwork burden is *reduced* to only 2 hours 40 minutes – an estimated reduction of 50%. This is a common-sense approach for producers, a more effective and efficient tool for Loan Officials and an overall more streamlined and simplified approach for all. (See Table 1)

Table 1 – Summary of Burden Hour Changes

| Description | Hours Per Response | | |
|--|--------------------|---------|--------|
| | Current | Revised | Change |
| Total time Req. for <u>New</u> applicants – <u>Indiv/Married</u> | 5.333 | 2.667 | -2.666 |
| Total time Req. for <u>Existing</u> applicants – <u>Indiv./Married</u> | 4.333 | 2.667 | -1.666 |
| Total time Req. for <u>New</u> applicants – <u>Entities</u> | 5.833 | 3.167 | -2.666 |
| Total time Req. for <u>Existing</u> applicants - <u>Entities</u> | 4.833 | 3.167 | -1.666 |

Justification

1. Explain the circumstances that make the collection of information necessary.

FLP provides loans to family farmers to purchase real estate and equipment and finance agricultural production. The regulation covered by this information collection package describes the policies and procedures the agency uses to provide supervised credit to FLP applicants requesting direct loan assistance in accordance with the provisions of the Consolidated Farm and Rural Development Act (CONACT) (7 U.S.C. 1921 and Pub. L. 87-128), as amended. Direct loan making information collection requirements include financial and production records of the operation, as well as information necessary to obtain liens on collateral, provide evidence of the indebtedness, and ensure repayment of the loan. The hours for the Land Contract Guarantee Program and Emergency Equine Loss Loan Program were already merged into the Direct Loan Making total burden hours. Also, the Farm Storage Facility Loan Program was exempted, and

¹Forms FSA-2037 and FSA-2038 are covered by OMB Control Number 0560-0238. That is not changing with this ICR because they may continue to be used for those purposes (General Program Administration). To fully show the burden reduction resulting from the streamlining of forms in this ICR, we show the burden for those forms because they are now part of the streamlined form FSA-2001 – by comparing the total burden for all 10 forms to the reduced burden for the new form shows the reduction resulting from the streamlining.

those numbers are shown in column 12 of the FSA-85-1- Reporting and Recordkeeping Requirements, under Exempt.

Due to Executive Order 14058, the Secretary of Agriculture tasked FSA with simplifying the direct loan application process. As such, forms FSA-2001, FSA-2002, FSA-2003, FSA-2004, FSA-2005, FSA-2006, FSA-2037, FSA-2038, FSA-2302, and FSA-2330 have been consolidated into a single form for the purposes of direct loan making and that consolidation is reflected in this collection. The revised FSA-2001 will be used for direct loan making to replace the use of the listed forms; other FLP uses, for example loan servicing, may still use the original forms in some cases. (See Table 2)

Table 2 – Burden Hour Changes

| Description | Form No. | Hours Per Response | | |
|---|----------|--------------------|---------|----------|
| | | Current | Revised | Change |
| Request for DL Assistance – Indiv./Married (ALL purposes – LM, T&A and PLS) | FSA-2001 | 0.5 | 2.667 | +2.167 |
| Request for DL Assistance – Entities (ALL purposes – LM, T&A and PLS) | FSA-2001 | 1 | 3.167 | +2.167 |
| Three-Year Financial History – new applicants | FSA-2002 | 1 | 0 | -1.000 |
| Three-Year Financial History – existing applicants | FSA-2002 | 0.5 | 0 | -0.500 |
| Three-Year Production History – new applicants | FSA-2003 | 1 | 0 | -1.000 |
| Three-Year Production History – existing applicants | FSA-2003 | 0.5 | 0 | -0.500 |
| Authorization to Release Information | FSA-2004 | 0.167 | 0 | -0.167 |
| Creditor List – LM | FSA-2005 | 0.333 | 0 | -0.333 |
| Property Owned & Leased – LM | FSA-2006 | 0.5 | 0 | -0.500 |
| FBP Worksheet – Balance Sheet (Part of ICR 0560-0238**) | FSA-2037 | 1 | 0 | -1.000 |
| FBP Worksheet – Projected Income/Expense (Part of ICR 0560-0238**) | FSA-2038 | 0.5 | 0 | -0.500 |
| Description of Training & Experience | FSA-2302 | 0.333 | 0 | -0.333 |
| Request for Microloan Assistance – Indiv./Married | FSA-2330 | 1.5 | 2.667 | +1.167 * |
| Request for Microloan Assistance – Entities | FSA-2330 | 2 | 2.667 | +0.667 * |
| Total time Req. for <u>New</u> applicants – Indiv./Married | | 5.333 | 2.667 | -2.666 |
| Total time Req. for <u>Existing</u> applicants – Indiv./Married | | 4.333 | 2.667 | -1.666 |
| Total time Req. for <u>New</u> applicants – Entities | | 5.833 | 3.167 | -2.666 |
| Total time Req. for <u>Existing</u> applicants - Entities | | 4.833 | 3.167 | -1.666 |

**Note – FSA-2330, “Request for ML Assistance” will be replaced with revised FSA-2001 form. As such, the number of ML respondents reported in the renewal package approved earlier this Fall, have been added to the number of respondents on the 2001 form(s) categories. This change does affect the total burden hours slightly, but due to the low number of ML respondents (~5,593 indiv/married {17.6% of respondents}; ~10 entities {0.13% of entity respondents}), it does NOT result in a significant jump in overall burden figures.*

***Note (2) – Forms FSA-2037 & FSA-2038 are not in this revised ICR, but are shown to provide clarity on time-savings to the applicant and to account for the described reduction in burden hours for this ICR. The totals in the*

table include their burden solely to illustrate the decrease in burden hours for applicants completing the new FSA-2001 loan application.

Authority to establish the regulatory requirements contained in 7 CFR 764 is provided under 5 U.S.C. 301, which provides that “The Head of an Executive department or military department may prescribe regulations for the government of his department ... the distribution and performance of its business. Furthermore, section 339 of the CONACT Act (7 U.S.C. 1989) provides that “the Secretary is authorized to make such rules and regulations, prescribe the terms and conditions for making... loans, security instruments and agreements, except as otherwise specified herein, and to make such delegations of authority as he deems necessary to carry out the title.” The Secretary delegated authority to administer the provisions of the CONACT applicable to FLP to the Under Secretary for Farm and Foreign Agricultural Services (FFAS) in section 2.16 of 7 CFR part 2. FFAS further delegated this authority to the FSA Administrator in section 2.42 of 7 CFR part 2.

2. Indicate how, by whom, and for what purpose the information is to be used. Except for new collection, indicate the actual use the Agency has made of the information received from the current collection.

Information is submitted by applicants to the local agency office serving the county in which their business is headquartered. The information is necessary to thoroughly evaluate the applicant’s request for a direct loan and is used by agency officials to:

- Ensure that cash flow projections used in determining loan repayment are based on the actual production history of the operation.
- Ensure that a loan is adequately secured.
- Ensure the applicant meets the statutorily established program eligibility requirements.
- Obtain assignments on income or sales proceeds, when appropriate, to ensure timely repayment of the loan.

The general nature of a loan from the agency is very similar to that of any commercial creditor. However, agency applicants tend to pose a higher economic risk of loss than those operations financed by commercial creditors as applicants must document that no other source of credit is available at the time of application. Legislation requires the agency to actively supervise these applicants and provide credit counseling, management advice, and financial guidance. Thus, the monitoring, reporting, evaluation, and consent requirements of this supervision increase the information collection burden on agency applicants above those imposed by commercial creditors.

The information collection requirements established in 7 CFR 764 are described below and on the attached **Reporting and Recordkeeping Requirements spreadsheet**.

Forms

FSA-2001 – Request for Direct Loan Assistance

7 CFR 764.51(b)(1); 7 CFR 765.205(a) (1); 7 CFR 765.403(a)(1); 7 CFR 766.102(a)(2); 7 CFR 766.204(a) (2); and 767.151(b)

FSA uses FSA-2001 as its application form for both direct loan making and direct loan servicing requests. Information collected on FSA-2001 includes name, address, type of operation, marital status, race and

ethnicity, citizenship, name and address of employer, as well as certifications pertaining to delinquent Federal debt, prior convictions for controlled substances, disqualification due to Federal crop insurance fraud, restrictions and disclosure of lobbying activities, and previous debt forgiveness by the agency. The information is used to:

- Ensure applicants requesting loan assistance or servicing meet statutory eligibility requirements.
- Determine if the applicant qualifies for funds targeted to socially disadvantaged applicants according to the CONACT's provisions.
- Determine the State where the agency must file the financing statements according to the Uniform Commercial Code requirements.

FSA-2001 requires all entity members to provide information about percent of ownership in the entity, citizenship, marital status, ethnicity, race, gender, name and address of employer, as well as read the certifications provided above and sign the form.

Further, applicants must provide description of the operation on the application form instead of providing it separately. All applicants complete Part A of the new form. After that, the parts of the application to be completed depend on how the applicant operates their farm(s). Individuals complete Parts B, E, F, G, H, I, J & L of FSA-2001. Informal entities, including married respondents, complete items B, D, E, F, G, H, I, J and L. Entity members will complete Parts C, D, E, F, G, H, I, J, and L. Therefore, the agency estimates it will take 30 minutes for individuals to complete the revised form and one hour for entities, as all entity members are required to provide information applicable to individuals and certify and acknowledge that they have read the certifications included on the form. The revised FSA-2001 will be used for direct loan making to replace the use of the other listed forms; other Farm Loan Programs uses, for example loan servicing will still use the original forms, in addition to the FSA-2001.

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Total burden hours |
|--|------------------|-------------|---------------------------------|-----------------|---------------------|--------------------|
| Request for loan making assistance/LM - Individuals and married applicants | FSA-2001 | 31,718 | 0.751 | 23,820 | 2.667 | 63,521 |
| Request for Direct Loan Assistance/LM - Entity | FSA-2001 | 7,439 | 0.333 | 2,477 | 3.167 | 7,844 |
| Request for Direct Loan Assistance/transfer & assumption (ind.) | FSA-2001 | 923 | 0.751 | 693 | 2.667 | 1,848 |
| Request for Direct Loan Assistance/transfer & assumption (ent) | FSA-2001 | 232 | 0.333 | 77 | 3.167 | 245 |
| Request for Direct Loan Assistance/PLS - individuals & married | FSA-2001 | 4,351 | 0.751 | 3,268 | 0.500 | 1,634 |
| Request for Direct Loan Assistance/PLS - entity | FSA-2001 | 1,022 | 0.333 | 340 | 1.000 | 340 |
| Request for Direct Loan Assistance/SA individuals & married app. | FSA-2001 | 82 | 0.751 | 62 | 0.500 | 31 |
| Request for Direct Loan Assistance/SA - entity | FSA-2001 | 18 | 0.333 | 6 | 1.000 | 6 |

FSA-2002 – Three-Year Financial History – NO LONGER REQUIRED FOR DIRECT LOAN MAKING.

7 CFR 764.51(b)(4); 7 CFR 766.102(a)(3); and 7 CFR 1436.4

FSA **used** FSA-2002 to provide applicants and borrowers a standardized option for submitting the required financial history to the agency. FSA requires applicants to submit the last three years income and expense records as part of a complete application. This information is necessary to ensure that the projected cash flow used to determine loan repayment is based on the actual financial history of the operation.

Lastly, borrowers requesting primary loan servicing under 7 CFR 766 **were formerly** required to provide FSA-2002. As is the case for applicants with outstanding loans, most borrowers have provided the agency FSA-2002 as part of the year-end analysis and therefore, will only have to provide one year of information.

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Exempt | Total burden hours |
|-------------------------------------|------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|
| Three-Year Financial History - FSFL | FSA-2002 | 285 | 1.000 | 285 | 0.500 | 143 | 0 |
| Three-Year Financial History - PLS | FSA-2002 | 1,254 | 1.000 | 1,254 | 0.500 | | 627 |

FSA-2003 – Three-Year Production History

7 CFR 761.104(c)(3); 7 CFR 764.51(b)(5); 7 CFR 766.102(a)(4); and 7 CFR 1436.4

FSA uses FSA-2003 to provide applicants and borrowers a standardized option for submitting the required production history to the agency. FSA requires applicants to submit the last three years of production records as part of a complete application for loan making requests. The production records are used to ensure that the projected cash flow used to determine loan repayment is based on the actual production history of the operation.

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Exempt | Total burden hours |
|---|------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|
| Three-Year Production History - existing applicants | FSA-2003 | 4,896 | 1.000 | 4,896 | 0.500 | | 2,448 |
| Three-Year Production History - FSFL | FSA-2003 | 250 | 1.000 | 250 | 0.500 | 125 | 0 |
| Three-Year Production History - PLS | FSA-2003 | 1,242 | 1.000 | 1,242 | 0.500 | | 621 |

FSA-2004 – Authorization to Release Information

7 CFR 764.51(b)(8); 7 CFR 764.51(b)(12); 7 CFR 765.205(a)(6); 7 CFR 765.404(b)(1); 7 CFR 766.102(a)(6) & (8); 7 CFR 766.204(a)(2); 7 CFR 1436.4; and 7 CFR 1956.56

Applicants and borrowers must provide the agency access to employment and non-farm income information as well as allow the agency to verify debts with other creditors. FSA uses FSA-2004 for applicants and borrowers authorizing the agency to obtain the information needed.

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Exempt | Total burden hours |
|--|------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|
| Authorization to Release Information - subordination | FSA-2004 | 8,653 | 1.000 | 8,653 | 0.167 | | 1,442 |

| | | | | | | | |
|--|----------|-------|-------|-------|-------|-----|-----|
| Authorization to Release Information - transfer & assumption | FSA-2004 | 783 | 1.000 | 783 | 0.167 | | 131 |
| Authorization to Release Information - debt settlement | FSA-2004 | 2,652 | 1.000 | 2,652 | 0.167 | | 442 |
| Authorization to Release Information - FSFL | FSA-2004 | 1,500 | 1.000 | 1,500 | 0.167 | 250 | 0 |
| Authorization to Release Information - PLS | FSA-2004 | 3,560 | 1.000 | 3,560 | 0.167 | | 593 |
| Authorization to Release Information - Homestead protection | FSA-2004 | 22 | 1.000 | 22 | 0.167 | | 4 |
| Authorization to Release Information - SA amortization | FSA-2004 | 68 | 1.000 | 68 | 0.167 | | 11 |

FSA-2005 – Creditor List

7 CFR 764.51(b)(12); 7 CFR 764.51(d)(2); 7 CFR 764.101(d); 7 CFR 765.205(a)(6); 7 CFR 765.404(b)(1); 7 CFR 766.102(a); 7 CFR 766.151(a)(3); and 7 CFR 766.204(a)(2)

FSA uses FSA-2005 in which applicants and borrowers provide a complete list of their creditors. The agency will use the information provided to complete, in part, the form on which creditors will verify the applicants and borrowers' debt and assets.

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Exempt | Total burden hours |
|--|------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|
| Creditor List - subordination | FSA-2005 | 8,652 | 1.000 | 8,652 | 0.333 | | 2,884 |
| Creditor List - transfer & assumption - ineligible | FSA-2005 | 705 | 1.000 | 705 | 0.333 | | 235 |
| Creditor List - PLS | FSA-2005 | 3,546 | 1.000 | 3,546 | 0.333 | | 1,182 |
| Creditor List - homestead protection | FSA-2005 | 22 | 1.000 | 22 | 0.333 | | 7 |
| Creditor List - SA amortization | FSA-2005 | 68 | 1.000 | 68 | 0.333 | | 23 |

FSA-2006 – Property Owned and Leased

7 CFR 764.51(b)(9); 7 CFR 764.402(c); 7 CFR 765.205(a)(5); 7 CFR 766.102(a)(7); and 7 CFR 766.204(a)

Applicants must provide information on all land owned, to be owned or leased as well as a list of equipment and livestock to be purchased, is currently leased, or is to be leased. Borrowers requesting a subordination of the agency's lien as well as borrowers applying for primary loan servicing have to provide that information also. Information collected on FSA-2006 includes the name of the owner of record, brief description of the land and the acreage of the land under lease, the county the land is located in, as well as the terms of the lease. The information is used to determine if FSA-2028 reflects accurately the property the applicant or borrower owns and leases.

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Exempt | Total burden hours |
|---|------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|
| Property Owned and Leased - PLS | FSA-2006 | 3,546 | 1.000 | 3,546 | 0.500 | | 1,773 |
| Property Owned and Leased - SA amortization | FSA-2006 | 74 | 1.000 | 74 | 0.500 | | 37 |

FSA-2007- Cosigner Application and Agreement

7 CFR 764.402 (a)(4)

If the applicant cannot meet the repayment requirements for the loan requested, or the security offered by the applicant does not meet the FSA's requirements, FSA may accept a cosigner to ensure timely loan repayment, or a pledge of security by a third party to meet the security requirements. The cosigner only completes the FSA-2007-Cosigner Application and Agreement.

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Exempt | Total burden hours |
|------------------------------------|------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|
| Cosigner Application and Agreement | FSA-2007 | 920 | 1.000 | 920 | 0.250 | | 230 |

FSA-2014 – Verification of Income

7 CFR 764.51(b)(8); 7 CFR 765.205(a)(4); 7 CFR 765.404(b)(1); 7 CFR 766.102(a)(6); 7 CFR 766.152; and 7 CFR 766.204(a)(2)

Applicants requesting a direct loan and borrowers requesting subordination, primary loan servicing, homestead protection, or shared appreciation amortization, must provide FSA-2004 authorizing the agency to obtain verification of their non-farm income and other benefits the applicant or borrower may be receiving or entitled to receive, based on state law. The applicant or borrower provides employer information or other benefit provider on FSA-2001. The agency partially completes FSA-2014 and sends it to the employer or appropriate agency to verify the applicant or borrower's non-farm income. FSA uses the non-farm income information to determine the applicant or borrower's repayment ability or other sources of income when considering the request.

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Exempt | Total burden hours |
|---|------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|
| Verification of Income - loan making | FSA-2014 | 19,589 | 1.000 | 19,589 | 0.250 | | 4,897 |
| Verification of Income - subordination | FSA-2014 | 6,724 | 1.000 | 6,724 | 0.250 | | 1,681 |
| Verification of Income - transfer & assumption - Ineligible | FSA-2014 | 164 | 1.000 | 164 | 0.250 | | 41 |
| Verification of Income - PLS | FSA-2014 | 2,759 | 1.000 | 2,759 | 0.250 | | 690 |
| Verification of Income - Homestead protection | FSA-2014 | 19 | 1.000 | 19 | 0.250 | | 5 |
| Verification of Income - SA amortization | FSA-2014 | 51 | 1.000 | 51 | 0.250 | | 13 |

FSA-2015 - Verification of Debts and Assets

7 CFR 764.51(b)(12); 7 CFR 764.51(d)(2); 7 CFR 765.205(a)(6); 7 CFR 765.404(b)(1); 7 CFR 766.102(a)(8); 7 CFR 766.204(a)(2); 7 CFR 1436(a)(1); and 7 CFR 1956.56

As part of a complete application for a direct loan, subordination request, transfer and assumption request, primary loan servicing, shared appreciation amortization, voluntary conveyance, debt settlement, or storage facility loan, applicants must authorize FSA to verify the applicants' assets and debts, as well as the collateral securing such debts. Applicants and borrowers complete FSA-2004 that authorizes FSA to request financial information about the applicant from creditors and financial institutions. Further, applicants provide a list of creditors on FSA-2005. FSA completes FSA-2015 partially and provides it to creditors and financial institutions, along with a copy of FSA-2004.

Information collected from creditors on FSA-2015 is essential in evaluating the applicant or borrower's repayment ability by ensuring that all debt repayment has been accurately reflected on the farm operating plan. Further, it provides information about the applicant or borrower's assets invested with financial institutions. Information collected on FSA-2015 includes details regarding the security held by the creditor as well as the unpaid debt, installment amount, and repayment history. Use of the form for debt verification is not necessary when all needed information can be obtained from a credit report; however, credit reports do not provide information regarding the type and amount of security taken by the creditor. Lastly, if the applicant or borrower does not have assets invested with financial institutions and the debts can be verified through other means, the form is not completed.

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Exempt | Total burden hours |
|--|------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|
| Verification of Debts and Assets - debt settlement | FSA-2015 | 4,225 | 3.000 | 12,675 | 0.333 | | 4,225 |
| Verification of Debts and Assets - FSFL | FSA-2015 | 2,800 | 3.000 | 8,400 | 0.333 | 2,800 | 0 |
| Verification of Debts and Assets - loan making - OL & EM | FSA-2015 | 34,501 | 3.000 | 103,503 | 0.333 | | 34,501 |
| Verification of Debts and Assets - loan making - FO | FSA-2015 | 4,332 | 3.000 | 12,996 | 0.333 | | 4,332 |
| Verification of Debts and Assets - youth loans | FSA-2015 | 435 | 3.000 | 1,305 | 0.333 | | 435 |
| Verification of Debts and Assets - subordination | FSA-2015 | 13,898 | 3.000 | 41,694 | 0.333 | | 13,898 |
| Verification of Debts and Assets - transfer & assumption | FSA-2015 | 298 | 3.000 | 894 | 0.333 | | 298 |
| Verification of Debts and Assets - PLS | FSA-2015 | 5,355 | 3.000 | 16,065 | 0.333 | | 5,355 |
| Verification of Debts and Assets - SA amortization | FSA-2015 | 107 | 3.000 | 321 | 0.333 | | 107 |
| Verification of Debts and Assets - voluntary conveyance | FSA-2015 | 30 | 3.000 | 90 | 0.333 | | 30 |

FSA-2026 – Promissory Note

7 CFR 764.402(a)(1),(a)(2),(a)(4); 7 CFR 766.106; 7 CFR 766.155(c); and 7 CFR 766.204

When the agency approves a new loan or the restructuring of an existing loan, the applicant or borrower must sign FSA-2026, which serves as evidence of the indebtedness. FSA-2026 is used to establish the amount, term, interest rate charged on the loan, and repayment schedule. In addition, FSA-2026 contains loan terms and conditions such as the statutorily mandated requirement that the borrower graduate to commercial credit when reasonable rates and terms are available. Further, based on state law, FSA-2026 may contain additional state applicable provisions. Lastly, when FSA restructures a loan and a deferral is part of restructuring, the borrower signs an addendum to the promissory note acknowledging that interest accrued on the deferred principal will be paid in equal installments after the deferral term. Under all circumstances, FSA completes FSA-2026 and the applicant or borrower reviews the terms and conditions and signs it. In the case of an individual applicant, only one signature is required; however, in the case of an entity, the entity's officers as well as all entity members have to sign FSA-2026. When the applicant does not have adequate repayment ability, a third party may agree to incur liability for the debt. When this occurs, the cosigner is also required to sign FSA-2026.

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Exempt | Total burden hours |
|--|------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|
|--|------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|

| | | | | | | | |
|--|----------|--------|-------|--------|-------|--|-------|
| Promissory Note - Individual | FSA-2026 | 23,202 | 1.000 | 23,202 | 0.333 | | 7,734 |
| Promissory Note - Entity Members | FSA-2026 | 6,451 | 1.000 | 6,451 | 0.333 | | 2,150 |
| Promissory Note - PLS - individual | FSA-2026 | 2,615 | 1.000 | 2,615 | 0.333 | | 872 |
| Promissory Note - PLS - entity members | FSA-2026 | 835 | 1.000 | 835 | 0.333 | | 278 |
| Promissory Note - cosigner | FSA-2026 | 222 | 1.000 | 222 | 0.333 | | 74 |

FSA-2027 – Supplemental Payment Agreement

7 CFR 764.254(b) and 7 CFR 766.109 (c)(1)

Applicants for OL loans may be required to agree to make supplemental payments on their loans when income is projected to be available. Further, borrowers receiving a deferral under 7 CFR 766, whose repayment ability increases during the deferral period, are required to make supplemental payments on their loans. FSA completes FSA-2027 based on information provided by the applicant or borrower during the loan making or servicing process. The applicant or borrower reviews the form before it is executed.

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Exempt | Total burden hours |
|--------------------------------|------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|
| Supplemental Payment Agreement | FSA-2027 | 656 | 1.000 | 656 | 0.250 | | 164 |

FSA-2028 - Security Agreement

7 CFR 764.103(b)(1); 7 CFR 764.103(c); 7 CFR 764.103(e); 7 CFR 764.255(b)(1); 7 CFR 764.305; 7 CFR 764.402(a)(5); 7 CFR 765.303; 7 CFR 766.56; 7 CFR 766.112(a); 7 CFR 766.204(a)(5)

When a loan will be secured by a lien on chattels or loan servicing is requested on loans with chattel security, the applicant or borrower must execute FSA-2028. The applicant or borrower is only required to read and sign FSA-2028, as FSA completes it from information provided during the loan making or servicing process.

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Exempt | Total burden hours |
|---|------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|
| Security Agreement - youth (lien on products financed) | FSA-2028 | 3,989 | 1.000 | 3,989 | 0.333 | | 1,330 |
| Security Agreement - pledge of third party | FSA-2028 | 413 | 1.000 | 413 | 0.333 | | 138 |
| Security Agreement - 150 percent requirement | FSA-2028 | 1,209 | 1.000 | 1,209 | 0.333 | | 403 |
| Security Agreement - lien on non-essential assets | FSA-2028 | 162 | 1.000 | 162 | 0.333 | | 54 |
| Security Agreement - OL lien on property financed | FSA-2028 | 15,325 | 1.000 | 15,325 | 0.333 | | 5,108 |
| Security Agreement - add livestock when crops to be fed | FSA-2028 | 2,377 | 1.000 | 2,377 | 0.333 | | 792 |
| Security Agreement - lien on new property in exchange | FSA-2028 | 4,431 | 1.000 | 4,431 | 0.333 | | 1,477 |
| Security Agreement - Delinquent DSA lien on all assets | FSA-2028 | 133 | 1.000 | 133 | 0.333 | | 44 |
| Security Agreement - PLS lien on all assets | FSA-2028 | 343 | 1.000 | 343 | 0.333 | | 114 |
| Security Agreement - SA amortization lien on all assets | FSA-2028 | 67 | 1.000 | 67 | 0.333 | | 22 |

FSA-2029D – Deed of Trust and FSA-2029M – Mortgage

7 CFR 764.103; 7 CFR 764.104; 7 CFR 764.155; 7 CFR 764.205; 7 CFR 764.353; 7 CFR 764.402; 7 CFR 765.205(a)(12); 7 CFR 766.106

FSA uses FSA-2029D or FSA-2029M to obtain a security interest in real estate it is financing with agency funds. Both forms contain uniform covenants that address borrower responsibilities such as payments towards the loan, application of payments received, taxes, assignment of proceeds from the real estate, insurance requirements, advances the agency makes on behalf of the borrower, protection of lien, hazardous substances, graduation requirements, forfeiture provisions, false statements, highly erodible land and wetland provisions, and successors and assigns, among others. Further, both forms contain non-uniform covenants such as default, death, incompetence and bankruptcy, foreclosure, and assignment of leases and rents. Lastly, based on state law, FSA-2029D or FSA-2029M may contain additional state applicable provisions.

FSA requires that FSA-2029D or FSA-2029M, as appropriate under State law, be executed to establish the FSA's lien against the property when a loan will be secured by real estate. When FSA makes an operating loan and the applicant does not have chattel security of up to 150 percent of the loan amount, FSA will obtain a lien on real estate. In addition, when the applicant does not have the required amount of security for the proposed loan, the agency accepts real estate pledged by a third party as security for the loan.

Borrowers requesting subordination or a partial release and will use proceeds to acquire, develop, or enlarge real estate that the agency does not have a lien on, must also execute FSA-2029D or FSA-2029M. Further, when FSA provides disaster set aside or restructures delinquent borrowers' loans under 7 CFR 766, the borrowers are required to provide the agency with a lien on all their assets; therefore, FSA-2029D or FSA-2029M will be required under those conditions. Lastly, in loan servicing under 7 CFR 766, FSA may have to complete and require the borrower to execute a mortgage modification agreement based on specific state law requirements.

A lien on the real estate security is necessary to ensure that FSA can collect the debt from the sale of the security property should the applicant default on the loan. FSA completes FSA-2029D or FSA-2029M to provide the terms and conditions on which the loan was made; applicants, borrowers, and third parties are only required to review and sign.

In most cases, the applicant or borrower is the owner of the property. In limited cases, the property may be jointly owned by the applicant and another party, in which case both the applicant and the third party are required to execute FSA-2029D or FSA-2029M for FSA to obtain a valid lien on the property.

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Exempt | Total burden hours |
|---|----------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|
| RE mortgage/deed of trust - pledge from 3rd party | FSA-2029M, FSA-2029D | 207 | 1.000 | 207 | 0.500 | | 104 |
| RE mortgage/deed of trust - 150% requirement | FSA-2029M, FSA-2029D | 7,712 | 1.000 | 7,712 | 0.500 | | 3,856 |
| RE mortgage/deed of trust - lien on nonessential assets | FSA-2029M, FSA-2029D | 595 | 1.000 | 595 | 0.500 | | 298 |
| RE mortgage/deed of trust - RE financed w/ FO funds | FSA-2029M, FSA-2029D | 3,045 | 1.000 | 3,045 | 0.500 | | 1,523 |
| RE mortgage/deed of trust - RE financed w/ BFDP funds | FSA-2029M, FSA-2029D | 156 | 1.000 | 156 | 0.500 | | 78 |
| RE mortgage/deed of trust - EM physical loss | FSA-2029M, FSA-2029D | 154 | 1.000 | 154 | 0.500 | | 77 |
| RE mortgage/deed of trust - subordination w/ purchase | FSA-2029M, FSA-2029D | 224 | 1.000 | 224 | 0.500 | | 112 |
| RE mortgage/deed of trust - | FSA-2029M, | 82 | 1.000 | 82 | 0.500 | | 41 |

| | | | | | | | |
|--|----------------------|-----|-------|-----|-------|--|-----|
| proceeds used to develop | FSA-2029D | | | | | | |
| RE mortgage/deed of trust - delinquent DSA lien on assets | FSA-2029M, FSA-2029D | 54 | 1.000 | 54 | 0.500 | | 27 |
| RE mortgage/deed of trust - PLS lien on all assets | FSA-2029M, FSA-2029D | 730 | 1.000 | 730 | 0.500 | | 365 |
| RE mortgage/deed of trust - SA amortization lien on all assets | FSA-2029M, FSA-2029D | 72 | 1.000 | 72 | 0.500 | | 36 |

FSA-2041 – Assignment of Proceeds from the Sale of Products and FSA-2042 – Consent to Payment of Proceeds from Sale of Products

7 CFR 764.402; 7 CFR 765.303; and 7 CFR 766.106(a) & (b)

At, or before loan closing or closing the servicing action requested, the agency requires all necessary signatures to obtain the required security interest in the collateral. In addition to executing a financing statement or real estate mortgage/deed of trust, as appropriate, the agency may require an assignment or consent to payment from proceeds to ensure that proceeds from the sale of security or products is submitted to the agency.

FSA-2041 is executed by applicants or borrowers to provide an assignment of proceeds from the sale of products to the agency when the agency does not have a lien on the products. FSA-2041 enables the purchaser of the products to directly submit sale proceeds to the agency. FSA-2042 is executed by applicants or borrowers to provide consent to payment of proceeds from the sale of products to the agency when the agency has a perfected lien on the products.

Information collected on both FSA-2041 and FSA-2042 includes the applicant's name and address, the purchaser's name and address and provides a written record of the agreement reached between the parties for the disposition of the proceeds. The agency uses the information provided on both forms to ensure the applicant has adequate repayment ability for the loan or servicing request.

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Exempt | Total burden hours |
|---|--------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|
| Assignment of proceeds & consent to payment - applicant | FSA-2041, FSA-2042 | 7,062 | 1.000 | 7,062 | 0.333 | | 2,354 |

FSA-2043 – Assignment of Proceeds from the Sale of Dairy Products and Release of Security Interest

7 CFR 764.402; 7 CFR 765.303; and 7 CFR 766.106(a) & (b)

Applicants may assign to the agency the proceeds from the sale of dairy products when the agency has a security interest in the products under the Uniform Commercial Code. Further, borrowers requesting regular as well as primary loan servicing, may be required to provide a revised assignment to the agency to close the servicing request. Information collected on FSA-2043 includes the products' purchaser name and address, the applicant's name and address as well as the agreement reached regarding the distribution of payments for dairy products sold. FSA requires this information to ensure that the applicant will be able to repay the requested loan or be able to meet the terms for the restructured loan.

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Exempt | Total burden hours |
|---|--------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|
| Assignment of proceeds & consent to payment - purchaser | FSA-2041, FSA-2043 | 2,341 | 3.000 | 7,023 | 0.333 | | 2,341 |
| Assignment of dairy | FSA-2043 | 3,345 | 1.000 | 3,345 | 0.333 | | 1,115 |

| | | | | | | | |
|----------------------|--|--|--|--|--|--|--|
| proceeds - applicant | | | | | | | |
|----------------------|--|--|--|--|--|--|--|

FSA-2044 – Assignment of Income from Real Estate Security

7 CFR 764.402; 7 CFR 765.252

Applicants and borrowers may assign to the agency income derived from a lease of real estate security when all or part of the proceeds will be collected over a period of time. FSA uses FSA-2044 to set forth the terms and conditions applicable to the assignment.

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Exempt | Total burden hours |
|--|------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|
| Assignment of dairy proceeds - purchaser | FSA-2044 | 1,105 | 3.000 | 3,315 | 0.333 | | 1,105 |
| Assignment of income (includes mineral leases) | FSA-2044 | 1,995 | 1.000 | 1,995 | 0.333 | | 665 |

FSA-2301 – Request for Youth Loan

7 CFR 764.302(d) and (e)

Section 311(b)(1) of the CONACT Act provides authority to make loans to rural youths “to operate an enterprise in connection with their participation in 4-H Club, Future Farmers of America, and similar organizations.” Information provided on FSA-2301 includes the applicant’s name, address, marital status, race and ethnicity, citizenship, as well as certifications pertaining to delinquent Federal debt, prior convictions for controlled substances, and previous debt forgiveness by the agency. A complete application for a youth loan includes a recommendation and plan of supervision by a project advisor associated with the organization in which the youth participates. This information is needed to ensure that the youth is receiving guidance during the loan term. Lastly, the youth applicant’s parent or guardian must acknowledge the understanding of the full liability being incurred by the youth loan applicant.

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Exempt | Total burden hours |
|--|------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|
| Request for youth loan - applicant | FSA-2301 | 4,410 | 1.000 | 4,410 | 0.500 | | 2,205 |
| Request for youth loan - advisor | FSA-2301 | 2,652 | 1.620 | 4,296 | 0.167 | | 716 |
| Request for youth loan - parent/guardian | FSA-2301 | 4,044 | 1.000 | 4,044 | 0.167 | | 674 |

FSA-2309 - Certification of Disaster Losses

7 CFR 764.51(b)(14)

As part of a complete application for emergency loans, applicants must complete FSA-2309. The information collected provides details regarding the losses suffered by the applicant and is used to calculate whether or not the applicant suffered a qualifying loss necessary to meet the statutorily-mandated emergency loan eligibility requirements.

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Exempt | Total burden hours |
|----------------------------------|------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|
| Certification of disaster losses | FSA-2309 | 1,361 | 1.000 | 1,361 | 1.500 | | 2,042 |

FSA-2310 –Lender’s Verification of Loan Application

7 CFR 764.352(e)

Individual applicants, as well as entity members, requesting an emergency loan must document whether they can obtain needed credit from commercial lenders. Applicants partially complete FSA-2310 to allow the lenders to whom they have applied for a loan to provide information to FSA pertaining to their request. In turn, lenders complete the remaining parts of FSA-2310, which consist of debts owed by the applicant, the lender's willingness to continue extending credit to the applicant, and the amount, interest rate, terms, purpose and security offered by the applicant for the proposed loan. Lastly, lenders indicate if they would be willing to provide the needed credit to the applicant through an agency guaranteed loan.

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Exempt | Total burden hours |
|--|------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|
| Lender's verification of loan application - individual | FSA-2310 | 1,232 | 1.000 | 1,232 | 0.083 | | 103 |
| Lender's verification of loan application - entity members | FSA-2310 | 379 | 1.000 | 379 | 0.083 | | 32 |
| Lender's verification of loan application - lender | FSA-2310 | 877 | 2.000 | 1,754 | 0.500 | | 877 |

FSA-2313 – Notification of Loan Approval and Borrower Responsibilities

7 CFR 764.401(a)

When FSA approves a loan request, the applicant must read and agree to the loan approval conditions by executing FSA-2313. Information contained on FSA-2313 includes the amount of the loan, loan term, interest rate and any other conditions required for loan approval.

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Exempt | Total burden hours |
|--|------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|
| Notification of loan approval and conditions | FSA-2313 | 26,350 | 1.000 | 26,350 | 0.333 | | 8,783 |

FSA-2314 Request for Streamlined OL Assistance

This form will be used by the applicant to apply for OL assistance using the Streamlined OL application process. Each applicant will provide one application form. Information collected on FSA-2314 includes name, address, types of operation, marital status, race and ethnicity, citizenship, as well as certifications pertaining to delinquent Federal debt, prior convictions for controlled substances, disqualification due to Federal crop insurance fraud, restrictions and disclosure of lobbying activities, and previous debt forgiveness by the agency. The information is used to:

- Ensure applicants requesting direct loan assistance or servicing meet statutory eligibility requirements.
- Determine if the applicant qualifies for funds targeted to socially disadvantaged applicants and beginning farmer applicants according to the CONACT's provisions.
- Determine the State where the agency must file the financing statements according to the Uniform Commercial Code requirements.

The application form requires all entity members to provide information about percent of ownership in the entity, citizenship, marital status, ethnicity, race, gender, as well as read the certifications provided above and sign the form.

Further, this form consolidates information gathering that is normally gathered on several other forms as part of our regular OL application process. Additionally, this reduces the overall net volume of pages in the entire application process.

Applicants must provide authorization to FSA to order a Credit Bureau Report (CBR), instead of signing for this authorization separately on the FSA 2004 (Authorization to Release Information).

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Exempt | Total burden hours |
|--|------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|
| Request for Streamlined loan making assistance/LM - Individual | FSA-2314 | 5,000 | 0.756 | 3,780 | 0.500 | | 1,890 |
| Request for Streamlined loan making assistance - LM-Entity | FSA-2314 | 14 | 0.333 | 5 | 1.000 | | 5 |

FSA-2317 – Consent and Subordination

7 CFR 764.255(b)

When FSA makes an operating loan for items that will become fixtures on real estate the agency does not have a lien on, it requires the lender with the lien on the real estate to consent to the agency making the loan. FSA partially completes FSA-2317 and the applicant and lender are required to review and execute the form.

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Exempt | Total burden hours |
|---------------------------------------|------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|
| Consent and subordination - applicant | FSA-2317 | 192 | 1.000 | 192 | 0.250 | | 48 |
| Consent and subordination - lender | FSA-2317 | 194 | 1.000 | 194 | 0.250 | | 49 |

FSA-2318 – Agreement for the Disposition of Jointly Owned Property

7 CFR 764.402(c)

When FSA makes a loan to purchase or refinance debt against interests in jointly-owned property, all the property owners must execute FSA-2318 to agree on the conditions under which the loan will be made. Further, the applicant, as well as all owners, provides their respective lienholder's information and percent of undivided interest on FSA-2318. Before the jointly-owned property can be sold under an involuntary sale, all lienholders have to provide consent.

FSA estimates that less than 10 lienholders per year will have to provide consent to sell jointly-owned property.

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Exempt | Total burden hours |
|---|------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|
| Agreement for disposition of jointly-owned property | FSA-2318 | 118 | 1.000 | 118 | 0.167 | | 20 |

FSA-2319 – Agreement with Prior Lienholder

7 CFR 764.104(a)(2)

When FSA approves a real estate loan subject to an existing prior lien, FSA requires the prior lienholder to execute FSA-2319, if state law does not require the lienholder to provide notice of foreclosure to junior lienholders. FSA-2319 provides the prior lienholder is required to notify the agency if the borrower defaults

on the prior lienholder's loan, so the agency can protect its financial interest. The agency completes FSA-2319 and the prior lienholder reviews and executes it.

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Exempt | Total burden hours |
|---------------------------------|------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|
| Agreement with prior lienholder | FSA-2319 | 1,535 | 1.000 | 1,535 | 0.167 | | 256 |

FSA-2320 – Property Insurance Mortgage Clause

7 CFR 764.108

When real estate is security for an agency loan, the applicant has to obtain insurance as provided by the agency. FSA-2320 is used when the insurance is written by a company other than a contract company; is attached to the property insurance policy; and, provides the distribution conditions for any loss or damage payments. After the loan for which FSA-2320 was provided has been paid in full, FSA uses it to release its security interest in the real estate.

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Exempt | Total burden hours |
|--|------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|
| Agreement with prior lienholder - FSFL | FSA-2320 | 800 | 1.000 | 800 | 0.167 | 133 | 0 |
| Property Insurance mortgage clause | FSA-2320 | 12 | 1.000 | 12 | 0.167 | | 2 |

FSA-2340 – Selection of Attorney/Title Agent

FSA-2341 – Certification of Attorney

FSA-2342 – Certification of Title Insurance Company

7 CFR 764.402(d)(3) and 7 CFR 765.205(b)(13)

Applicants select the closing agent to perform loan closing and other legal services to ensure they obtain good and marketable title to the security. FSA developed FSA-2340 to document that applicants selected the agent, and that the applicant understands that the agency does not assume any liability or responsibility for the closing agent's fees. FSA estimates that all applicants for farm ownership loans as well as for emergency loans secured by real estate and borrowers requesting subordination of real estate security will complete FSA-2340.

Closing agents for agency loans have to be licensed in the state where the loan will be closed; must not be debarred or suspended from participation in Federal programs; must maintain liability insurance as well as fidelity bond to cover employees with access to loan funds; have knowledge of the requirements of state law to close the loan; provide title clearance; and act promptly to provide the required services. FSA estimates that one third of applicants will use the same closing agent to perform loan closing; therefore, the closing agents will complete FSA-2341 or FSA-2342, as appropriate, and it will take 20 minutes per response.

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Exempt | Total burden hours |
|---|--------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|
| Selection of attorney/title agent | FSA-2340 | 4,833 | 1.000 | 4,833 | 0.167 | | 806 |
| Certification of attorney/title company | FSA-2341, FSA-2342 | 2,850 | 1.000 | 2,850 | 0.333 | | 950 |

FSA-2344– Preliminary Title Opinion

7 CFR 764.402(b) and 7 CFR 765.205(b)(13)

FSA will not close a loan secured by real estate or approve a subordination of a real estate lien until it is certain that good and marketable title can be vested in the applicant, subject only to encumbrances, exceptions, and reservations authorized by FSA in writing, and ensure FSA can obtain a valid lien on the security. The applicant-selected closing agent prepares FSA-2344 after examination of real estate records to determine if the requested action can be closed and provide the agency with a valid lien and the applicant with good and marketable title. Information contained in FSA-2344 is used by the agency to prepare the loan closing instructions.

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Exempt | Total burden hours |
|---------------------------|------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|
| Preliminary title opinion | FSA-2344 | 2,725 | 1.490 | 4,060 | 1.500 | | 6,090 |

FSA-2350 – Loan Closing Instructions

7 CFR 764.402(e)

When a loan will be secured by real estate, or a subordination of real estate security is approved, FSA uses FSA-2350 to provide loan closing instructions to the closing agent. The closing agent must review the instructions, and after closing the loan, sign and return FSA-2350 certifying the loan was closed according to the instructions provided.

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Exempt | Total burden hours |
|---------------------------|------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|
| Loan closing instructions | FSA-2350 | 2,455 | 1.490 | 3,658 | 0.500 | | 1,829 |

FSA-2351 – Certification of Improvement of Property

7 CFR 764.402(d), and 7 CFR 765.205(b)(13)

At loan closing or subordination, the seller of the property must execute FSA-2351, providing that no work or improvements have been completed within a specified time period, or that if work was completed, all contractors have been paid. The specified time period is established based on state laws pertaining to the filing of mechanics liens. The certification is necessary to ensure that mechanics liens cannot be filed after the agency loan or the subordination has been closed as mechanics liens take priority, and would, thereby, adversely impact the agency's interest in the security property.

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Exempt | Total burden hours |
|--|------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|
| Certification of improvement of property | FSA-2351 | 491 | 1.000 | 491 | 0.167 | | 82 |

FSA-2352– Final Title Opinion

7 CFR 764.402(d) and 7 CFR 765.205(b)(13)

FSA will not close a loan secured by real estate or approve a subordination of a real estate lien until the closing agent can issue a policy of title or final title opinion showing title vested as required, the agency lien and security position and any exceptions. This information is necessary to ensure the agency can obtain the desired lien position and that there are no flaws or encumbrances on the title that would adversely impact the agency's financial interest in the security property. FSA-2352 is prepared by the closing agent to provide the final title opinion.

| | Forms/Non- | Respondents | No of | Total responses | Hours per | Exempt | Total |
|--|------------|-------------|-------|-----------------|-----------|--------|-------|
|--|------------|-------------|-------|-----------------|-----------|--------|-------|

| | format | | responses per Respondents | | responses | | burden hours |
|---------------------|----------|-------|---------------------------|-------|-----------|--|--------------|
| Final title opinion | FSA-2352 | 2,445 | 1.490 | 3,643 | 0.500 | | 1,822 |

FSA-2360 – Report of Lien Search

7 CFR 764.402(c)

For loans that will be secured by chattels, the agency requires that a lien search be completed to ensure the agency will obtain the required lien priority. In most cases, FSA employees complete the lien search; however, attorneys may be used to conduct the lien search.

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Exempt | Total burden hours |
|------------------------------|------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|
| Report of lien search | FSA-2360 | 607 | 1.000 | 607 | 0.500 | | 304 |
| Report of lien search - FSFL | FSA-2360 | 1,500 | 1.000 | 1,500 | 0.500 | 750 | 0 |

FSA-2361 – Subordination to the Government

7 CFR 764.255(b)

FSA requires a first lien on all property or products acquired or produced with OL loan funds. If another creditor holds the first lien position, FSA may require the creditor to subordinate its security position to the agency to close the loan.

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Exempt | Total burden hours |
|---------------------------------|------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|
| Subordination to the Government | FSA-2361 | 545 | 1.000 | 545 | 0.500 | | 273 |

FSA-2370 – Request for Waiver of Borrower Training

7 CFR 764.453

The applicant must submit evidence of successful completion of financial or production courses, or evidence which demonstrates to the agency's satisfaction the applicant's experience and training necessary for a successful and efficient operation to request waiver of borrower training requirements. FSA requires borrower training at the time of initial loan; when supervision as provided under 7 CFR 761 indicates need for training; or, when the applicant is requesting a loan for a new enterprise. Applicants for initial loan only may request waiver of borrower training. Applicants requesting an initial loan from the agency complete FSA-2370 and provide appropriate documentation needed for the agency to determine training needs.

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Exempt | Total burden hours |
|--|------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|
| Request for Waiver of Borrower Training Requirements | FSA-2370 | 9,323 | 1.000 | 9,323 | 0.500 | | 4,662 |

FSA-2371 – Agreement to Complete Borrower Training

7 CFR 764.452(b), (c), and (d); 7 CFR 764.454

When FSA determines, based on the evaluation of the applicant's documentation of training and experience, the applicant will benefit by attending borrower training, the agency requires applicants to execute FSA-2371 agreeing to complete financial management, production, or both training, as appropriate. Further, FSA may require applicants for a loan to add a new enterprise to attend borrower training, even if the training

requirement had been waived or completed under previous loan requests. Lastly, if agency supervision indicates the applicant needs to attend borrower training, FSA will require the applicant to complete the appropriate courses. All applicants executing FSA-2371 must complete the training within 2 years.

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Exempt | Total burden hours |
|--------------------------------|------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|
| Agreement to Complete Training | FSA-2371 | 8,306 | 1.000 | 8,306 | 0.250 | | 2,077 |

FSA-2375 - Agreement to Conduct Production or Financial Management Training

7 CFR 764.458(a)

After FSA approves a vendor's request to become approved borrower training source for FSA's applicants, the vendor and FSA executes FSA-2375. The agreement to conduct borrower training is valid for three years and outlines the terms agreed to by the vendor and the agency, based on the documentation provided on the vendor's application.

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Exempt | Total burden hours |
|---|------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|
| Agreement to Conduct Production and/or Financial Training | FSA-2375 | 145 | 1.000 | 145 | 0.167 | | 24 |

FSA-2376 – Borrower Training Course Evaluation

7 CFR 764.454(d)

Upon completion of a required borrower training course, the borrower completes an evaluation of the course using FSA-2376. The borrower submits the completed form to the vendor for submission to the agency. This evaluation is used by the agency to ensure that the training course is meeting the planned objective and that the vendor is fulfilling the requirements established in their agreement with FSA.

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Exempt | Total burden hours |
|--|------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|
| Borrower training course evaluation - borrower | FSA-2376 | 3,972 | 1.000 | 3,972 | 0.250 | | 993 |
| Borrower training course evaluation - vendor | FSA-2376 | 356 | 10.390 | 3,699 | 0.500 | | 1,849 |

Non-Forms

7 CFR 764.51(b)(6) – Documentation that Other Credit is Not Available

A statutory eligibility requirement that must be met by applicants is that other credit at reasonable rates and terms, including a loan guaranteed by the agency, is not available. Applicants, including individual entity members, must submit documentation that other credit is not available. To obtain this documentation, the applicant must contact local agricultural lenders.

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Exempt | Total burden hours |
|--|------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|
| Documentation other credit is not available - lender | Non-form | 5,946 | 3.140 | 18,670 | 1.000 | | 18,670 |

7 CFR 764.51(b)(10) – Copy of Legal Description of Property to be Purchased, Leases, or Other Agreements

As part of a complete application, the applicant must submit a copy of the legal description of the property to be purchased, leases for rented land or other agreements that are needed to effectively evaluate the loan request. For example, a copy of the lease is needed if the applicant is requesting a loan to finance improvements to leased land to ensure the term of the lease exceeds the proposed loan term. The legal description of the property to be purchased is needed for the agency to obtain the appraisal and file the security instrument.

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Exempt | Total burden hours |
|---|------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|
| Copy of legal description of RE to purchase, leases, agreements | Non-form | 13,560 | 1.000 | 13,560 | 0.250 | | 3,390 |

7 CFR 764.51(b)(13) – Additional Information Needed to Evaluate Loan Application

FSA may request any additional information needed to effectively evaluate the loan application, as it is impossible to list all potential information that would be needed from each and every applicant. In most cases, this will be limited to providing FSA with a copy of documents already in the applicant's possession, such as a divorce decree, information pertaining to child support or alimony paid or received, or copy of driver's license or other documents that may be required under State law.

Collection of information under this requirement will be limited to only those items that potentially impact the applicant's cash flow projections or are needed to ensure the agency obtains a legally enforceable lien on the proposed loan security. Several states have developed their own forms to ensure an enforceable lien on loan security required by State law. Colorado has developed form FSA-2300-2 CO, Transfer and Assignment of Waterstock, for obtaining the required information. Kansas has developed form FSA-2300-8 KS, Authorization to Amend an Existing Financing Statement, for obtaining the required information. Minnesota has developed form FSA-2000-1 MN, Affidavit of Ownership, for obtaining the required information. Oregon has developed form FSA-2300-3 OR, Contract Modification, for obtaining the required information. Wisconsin has developed form FSA-2300-1 WI, Agreement by Holder of Seller's Interest under Land Contract, for obtaining the required information. Wisconsin has developed form FSA-2300-4 WI, Mortgage for Wisconsin by a Third Party, for obtaining the required information. Wisconsin has developed form FSA-2300-5 WI, Security Agreement by a Third Party, for obtaining the required information. The respondents who complete the respective state forms are not required to provide any other additional information for this purpose.

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Exempt | Total burden hours |
|---|------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|
| Information needed to evaluate loan application | Non-form | 1,255 | 1.000 | 1,255 | 0.250 | | 314 |

7 CFR 764.53(e) – Request to Keep Loan Application Active

Historically, direct OL and FO loan funds are exhausted each fiscal year before all approved loans are funded. When loan funds are exhausted, the agency will keep an approved loan application on file until funding becomes available. FSA, however, will contact the applicant at least annually to determine if the application should be retained or withdrawn.

| | Forms/Non- | Respondents | No of | Total responses | Hours per | Exempt | Total |
|--|------------|-------------|-------|-----------------|-----------|--------|-------|
|--|------------|-------------|-------|-----------------|-----------|--------|-------|

| | format | | responses per Respondents | | responses | | burden hours |
|--|----------|----|---------------------------|----|-----------|--|--------------|
| Request to keep application active (funds not available) | Non-form | 28 | 1.000 | 28 | 0.167 | | 5 |

7 CFR 764.101(c) – Citizenship Status Documentation

Applicants certify as to their citizenship status on FSA-2001, or FSA-2301 for youth loan applicants. Sections 302, 311, and 321 of the CONACT provide that applicants for agency loans must be United States citizens. Further, provisions of the Personal Responsibility and Work Opportunity Act of 1996 (8 U.S.C. 1611) require that recipients of Federal benefits be U.S. citizens, U.S. non-citizen nationals, or qualified aliens. Applicants who identify themselves as non-citizen nationals or qualified aliens must submit copies of supporting documentation to establish their eligibility.

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Exempt | Total burden hours |
|----------------------------------|------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|
| Citizenship status documentation | Non-form | 22 | 1.000 | 22 | 0.250 | | 6 |

7 CFR 764.104(b)(2) – Contract for sale – agreement to use insurance proceeds

If the real estate offered as security is held under a recorded purchase contract, the applicant and the purchase contract holder must agree in writing that any insurance proceeds received for real estate losses will be used only for one or more of the following purposes: to replace or repair the damaged real estate improvements which are essential to the farming operation; to make other essential real estate improvements; or to pay any prior real estate lien, including the purchase contract. Applicants do not normally enter into contract for sale; therefore, the agency estimates that 19 applicants and sellers will enter into contract for sale.

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Exempt | Total burden hours |
|---|------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|
| Contract for sale - agreement to use insurance proceeds | Non-form | 19 | 1.000 | 19 | 0.250 | | 5 |

764.104(b)(5) – Purchase contract holder agreement

The purchase contract holder must agree in writing to not sell or voluntarily transfer their interest without prior written consent of the agency; not encumber or cause any liens to be levied against the property; not take any action to accelerate, forfeit, or foreclose the applicant's interest in the security property; consent to the agency making the loan and taking a security interest in the applicant's interest under the purchase contract; not take any action to foreclose or forfeit the interest of the applicant under the purchase contract because the agency has acquired the applicant's interest by foreclosure or voluntary conveyance, or because the agency has subsequently sold or assigned the applicant's interest to a third party who will assume the applicant's obligations under the purchase contract; notify the agency in writing of any breach by the applicant; and give the agency the option to rectify the conditions that amount to a breach.

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Exempt | Total burden hours |
|------------------------------------|------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|
| Purchase contract holder agreement | Non-form | 19 | 1.000 | 19 | 0.250 | | 5 |

764.104(c) – Request to BIA for title status report

When real estate offered as security for an agency loan is on Indian Trust lands, the applicant must request BIA to furnish Title Status Reports to the agency and approve the lien before the agency may close the loan.

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Exempt | Total burden hours |
|---|------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|
| Request to BIA to provide title status report | Non-form | 12 | 1.000 | 12 | 0.500 | | 6 |

7 CFR 764.108(a), (b), (c), and (d) – Copy of Property or Hazard Insurance, Flood Insurance, or Crop Insurance Policies

Prior to loan closing, the applicant must provide copies of property or hazard insurance, flood insurance, or crop insurance policies, as appropriate, covering loan security, as loss or damage to the security property would jeopardize repayment of the loan and adversely impact the agency's financial interest. Copy of the applicable insurance policy is necessary to ensure the agency is listed as loss payee or beneficiary on the insurance policy.

Note: FSA estimates that applicants may have to provide copies of one, two, or all three types of insurance, based on the loan requested and the security offered.

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Exempt | Total burden hours |
|------------------------------|------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|
| Evidence of hazard insurance | Non-form | 12,454 | 1.000 | 12,454 | 0.250 | | 3,114 |
| Evidence of flood insurance | Non-form | 11,500 | 1.000 | 11,500 | 0.250 | | 2,875 |
| Evidence of crop insurance | Non-form | 15,150 | 1.000 | 15,150 | 0.250 | | 3,788 |

7 CFR 764.108(d) – Waiver of Eligibility for Emergency Crop Loss Assistance

Section 371 of the CONACT act provides that as a condition for obtaining a direct OL loan, the applicant must obtain crop insurance, if available. Further, Section 193 of the Federal Agriculture Improvement and Reform Act of 1996 provides, in part, to be eligible for assistance under section 371 of the CONACT, the applicant must obtain crop insurance or waive any eligibility for crop loss assistance.

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Exempt | Total burden hours |
|--|------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|
| Waiver of eligibility for emergency crop loss assistance | Non-form | 545 | 1.000 | 545 | 0.250 | | 136 |

7 CFR 764.151(e) – Evidence applicable to refinance bridge FO loan

One eligible use of FO loan funds is to refinance a bridge loan made by a commercial or cooperative lender, after the agency approved the FO loan for the applicant but agency funding was not available to consummate the transaction.

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Exempt | Total burden hours |
|--------------------------------------|------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|
| Evidence to refinance bridge FO loan | Non-form | 104 | 1.000 | 104 | 0.250 | | 26 |

7 CFR 764.255 Security Requirements for OL loans

Under applicable state law, FSA may have to obtain and maintain branded livestock and feeder cattle agreements, as well as obtain liens on motor vehicles. Applicants will be required to provide the branded livestock and feeder cattle agreements and the applicants will be required to provide a lien on motor vehicles for the agency to close the operating loan requested. Colorado has developed form FSA-2000-1 CO, Motor Vehicle Security Agreement, for obtaining the required information. Colorado has developed form FSA-2000-2 CO, Feeder Cattle Agreement, for obtaining the required information. Kansas has developed form FSA-2300-9 KS, Feeder Cattle Agreement, for obtaining the required information. Kansas has developed form FSA-2300-11 KS, Acknowledgement of Purchase Money Security Interest of Farm Service Agency (FSA), for obtaining the required information. Oregon has developed form FSA-2300-2 OR, Severance Agreement, for obtaining the required information. The respondents who complete the respective state forms are not required to provide any other additional information for this purpose.

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Exempt | Total burden hours |
|---|------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|
| Obtaining branded livestock and feeder cattle agreement | Non-form | 347 | 1.000 | 347 | 0.250 | | 87 |
| Lien on motor vehicles | Non-form | 69 | 1.000 | 69 | 0.250 | | 17 |

7 CFR 764.352(c) – Copy of Lease and Notification of Termination of Lease during the Loan Term

EM loan funds may be used to repair or replace property damaged or destroyed as a result of a disaster, provided that at the time of the disaster the applicant is the owner and operator of the farm, or the operator of the farm with a lease term that exceeds the term of the loan requested. Applicants leasing the farm they operate must provide a copy of the lease to the agency to determine that the lease exceeds the proposed loan's term. Further, the applicant is required to provide prior notification to the agency if the lease is proposed to terminate during the term of the loan. This notification is necessary to ensure that the agency's financial interests are protected.

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Exempt | Total burden hours |
|---|------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|
| EM RE purposes - lease exceeds loan term | Non-form | 12 | 1.000 | 12 | 0.250 | | 3 |
| EM RE purposes - notification of lease's expiration | Non-form | 10 | 1.000 | 10 | 0.250 | | 3 |

7 CFR 764.352(e) – Written Declination of Credit for Emergency Loan Applicants

Provisions of the CONACT mandate that an applicant for an EM loan be unable to obtain the necessary credit from other sources. Applicants requesting a loan in excess of \$300,000 must provide two written declinations; applicants requesting a loan less than \$300,000 must submit one written declination; and, in the case of applicants requesting a loan less than \$100,000, the agency may waive the requirement if it determines that it poses undue burden on the applicant. It is estimated that 83 percent of EM loan requests are for less than \$100,000; therefore, the applicants will provide either one or none written declination. The applicants will have to provide multiple written declinations.

In addition to the burden imposed on applicants, the commercial lender denying the applicant's EM loan request must provide the written declination.

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Exempt | Total burden hours |
|--|------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|
|--|------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|

| | | | | | | | |
|---|----------|-----|-------|-----|-------|--|-----|
| Written declination of credit - EM applicants | Non-form | 292 | 2.000 | 584 | 0.250 | | 146 |
| Written declination of credit - EM - lender | Non-form | 190 | 3.080 | 585 | 0.500 | | 293 |

7 CFR 764.353(d)(3) and 764.356(a) – Documentation of Inventory for Livestock Physical Losses

The provisions of the CONACT act require that an applicant suffer a 30 percent loss to be eligible for an EM loan; therefore, when an EM loan is requested for physical losses to livestock, the applicant must provide written documentation of the inventory on hand immediately preceding the loss, and records of livestock product sales sufficient for FSA to determine the level of loss. The information is necessary to ensure the applicant suffered a qualifying loss as well as establish the value of the livestock and livestock products just prior to the loss.

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Exempt | Total burden hours |
|---|------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|
| Documentation of losses of livestock/livestock products | Non-form | 172 | 1.000 | 172 | 0.250 | | 43 |

7 CFR 764.355(c) – Documentation to Approve an EM Loan Based on Repayment Ability When Adequate Security is Not Available Because of the Disaster

Under the provisions of the CONACT Act, FSA may approve an EM loan when adequate security is not available because of the disaster, provided there is reasonable assurance that the applicant has the ability to repay the loan and certain other conditions are met. One of the conditions requires that the applicant has had a positive net cash farm income in at least 3 of the past 5 years. All loan making applications require 3 years of production, income and expense records; therefore, this condition only imposes the collection of the additional two years of records over all other loan requests. While the general requirement has been reduced to three years of records for most applicants, the additional two years of documentation is necessary when a loan is being made without adequate security.

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Exempt | Total burden hours |
|--|------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|
| EM - repayment ability when security not available | Non-form | 12 | 1.000 | 12 | 0.250 | | 3 |

7 CFR 764.355(3) – Certificate of Title for EM Loans

Under most circumstances, FSA requires title clearance when a loan will be secured by real estate. Title clearance ensures that a valid lien can be obtained and that there are no encumbrances that would adversely impact the agency's financial interest. An exception to the title clearance requirement is made for EM (Emergency Loan) loans of \$25,000 or less. For these loans, the applicant may provide a certification of ownership in the form of an affidavit signed by the applicant. The relatively low loan amount limits potential losses to the agency.

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Exempt | Total burden hours |
|-----------------------------|------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|
| Certificate of title for EM | Non-form | 62 | 1.000 | 62 | 0.250 | | 16 |

7 CFR 764.454(a)(2) – Documentation of circumstances beyond the borrower's control for not completing training within timeframe

When borrowers are unable to complete the required borrower training within 2 years due to circumstances beyond their control, such as when the scheduled course was cancelled or a training vendor was not approved in the borrower's area, borrowers have to provide appropriate documentation to the agency. Documentation may include copy of the course's cancellation notice and return of training fees.

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Exempt | Total burden hours |
|---|------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|
| Circumstances beyond borrower's control for not completing BT | Non-form | 390 | 1.000 | 390 | 0.250 | | 98 |

7 CFR 764.456 – Vendor Application for Approval to Provide Borrower Training

Vendors who desire agency approval to provide financial management or production training to agency borrowers must submit a written request and supporting documentation, which must include:

- Sample course materials and a description of the training methods;
- Specific training objectives for each session of the course;
- A detailed course agenda;
- A list of instructors and their qualifications;
- The proposed locations where training will take place;
- Cost per participant and minimum and maximum class size;
- A description of the vendor's experience providing training to farmers;
- A description of how the needs of borrowers with physical or mental disabilities, or with limited English speaking proficiency will be met.

This information is necessary to ensure that the vendor is capable of providing the training, which is mandated by the CONACT, designed to assist the borrower in becoming a successful farm operator.

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Exempt | Total burden hours |
|--|------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|
| Vendor application for approval to provide borrower training | Non-form | 41 | 1.000 | 41 | 16.500 | | 677 |

7 CFR 764.458(a)(3) – Request to Change Curriculum, Instructor, or Cost

FSA-approved vendors are required to have prior approval from FSA to change the curriculum, instructor, or cost for an approved course. This requirement ensures that training is provided in the manner outlined in the vendor's request for approval.

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Exempt | Total burden hours |
|---|------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|
| Vendor request to change curriculum, instructor or cost | Non-form | 16 | 1.000 | 16 | 0.500 | | 8 |

7 CFR 764.458(a)(4) – Vendor Revocation of Agreement to Provide Borrower Training

Vendors may revoke the agreement to provide borrower training by providing FSA with a 30-day written notice.

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Exempt | Total burden hours |
|---|------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|
| Vendor revocation of agreement to provide borrower training | Non-form | 11 | 1.000 | 11 | 0.250 | | 3 |

7 CFR 764.458(b) – Renewal of Vendor Approval to Provide Borrower Training

Vendors receive approval to provide borrower training for a period of 3 years. To maintain their status, the vendor must provide a written request to renew the agreement along with any changes in course curriculum, instructor or cost. This information is necessary to ensure that continued approval of the vendor and the courses provided will meet the objectives of the statutorily mandated borrower training requirements.

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Exempt | Total burden hours |
|---|------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|
| Renewal of vendor approval to provide borrower training | Non-form | 133 | 1.000 | 133 | 6.500 | | 865 |

7 CFR 764.459 – Vendor Evaluation of Borrower Progress

Vendors are required to provide the agency with a periodic progress report for each borrower enrolled in training. The reports indicate whether the borrower is attending sessions, completing the training program, and demonstrating an understanding of the material. This evaluation is necessary to ensure the training provides the intended benefit to the borrower.

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Exempt | Total burden hours |
|--|------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|
| Vendor evaluation of borrower progress | Non-form | 396 | 6.720 | 2,661 | 0.500 | | 1,331 |

7 CFR 765.205 and 7 CFR 766.106 RE Mortgage and Modification Agreement

The respondents will complete mortgage modification agreements based on state law requirements, when FSA completes servicing requests under 7 CFR 765.205 and 7 CFR 766.106.

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Exempt | Total burden hours |
|------------------------------------|------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|
| RE mortgage/modification agreement | Non-form | 973 | 1.000 | 973 | 0.500 | | 487 |

7 CFR 764.51(b)(15) - Conservation Plan

Producers or landowners can develop a written plan with USDA's Natural Resource Conservation Service (NRCS). The purpose of this voluntary and confidential plan is to provide a blueprint for the future of the operation's resources by recording management decisions and the conservation practices planned for use on and maintenance of a farm. A conservation plan includes producer or landowner-determined objectives and goals, aerial photographs or diagrams of the fields, descriptions of treatment decisions, and other items.

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Exempt | Total burden hours |
|-------------------|------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|
| Conservation Plan | Non-form | 1,612 | 1.000 | 1,612 | 0.250 | | 403 |

7 CFR 764.51(b)(16) – Transition to Organic/Sustainable

The Natural Resources Conservation Service (NRCS) provides financial and technical assistance for the development of a “Conservation Plan Supporting Organic Transition.” The conservation activity plan documents decisions by producers and growers who agree to implement a system of conservation practices which assist the producer to transition from conventional farming or ranching systems to organic production systems. Once certified, organic producers and processors can label their products as organic as long as they continue to follow the organic regulations.

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Exempt | Total burden hours |
|-----------------------------------|------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|
| Transition to Organic/sustainable | Non-form | 9 | 1.000 | 9 | 0.250 | | 2 |

7 CFR 764.51(b)(2) – Entity Information with Direct Loan Application

Entities applying for agency loans must provide copy of the entity’s charter, articles of incorporation and bylaws, evidence of current registration and a resolution adopted by the Board of Directors or entity members authorizing the entity to apply for and obtain the loan. Only new entities that have not obtained a loan from the agency are required to provide this information. Iowa has developed form FSA-2300-1 IA, Notice Agreement, for obtaining the required information. Oregon has developed form FSA-2000-1 OR, Addendum for Additional Signatories, for obtaining the required information. The respondents who complete the respective state forms are not required to provide any other additional information for this purpose.

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Exempt | Total burden hours |
|---------------------------------------|------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|
| Entity information - loan application | Non-form | 672 | 1.000 | 672 | 0.250 | | 168 |

7 CFR 764.51(b)(6) – Documentation that Other Credit is Not Available

A statutory eligibility requirement that must be met by applicants is that other credit at reasonable rates and terms, including a loan guaranteed by the agency, is not available. Applicants, including individual entity members, must submit documentation that other credit is not available. It is estimated that 19,110 applicants will spend one hour gathering and submitting this documentation.

| | Forms/Non-format | Respondents | No of responses per Respondents | Total responses | Hours per responses | Exempt | Total burden hours |
|---|------------------|-------------|---------------------------------|-----------------|---------------------|--------|--------------------|
| Documentation other credit is not available - applicant | Non-form | 19,110 | 1.000 | 19,110 | 1.000 | | 19,110 |

Collections contained in 7 CFR 764 that will be approved under OMB Control Numbers for other CFR parts or OMB Control Numbers

The following table summarizes the information collections included in 7 CFR 764, for which approval has been obtained or requested under the OMB Control Number for another CFR part that requires the same collection of information for a difference purpose.

| CFR citation | Description | Approved under |
|---------------------|---|-----------------------|
| 764.51 | Financial information to process loan making request | 0560-0238 |
| 764.51 | Production information to process loan making request | 0560-0238 |
| 764.51 | Operating plan | 0560-0238 |
| 764.51 | Copies of tax returns | 0560-0238 |
| 764.51 | Evidence that environmental requirements have been met to process loan request | 0575-0094 |
| 764.402 | Use of supervised bank account to deposit loan funds when other options are not available | 0560-0238 |

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.

Information collections obtained using FSA forms may be submitted electronically provided the applicant has obtained and activated a USDA account with Level 2 access that allows for electronic submissions. All forms that the applicant has to complete in their entirety, or review and execute, are posted on the e-Form website at <http://www.sc.egov.usda.gov>. For forms the applicant is required to complete in their entirety, the fillable version of the form, as well as detailed instructions on completing the form, are also included. If the forms prepared by FSA, that the public simply reviews and signs it. However, in lieu of detailed instructions for completing those forms, the instructions simply state that the forms are provided on the website for information purposes only.

Non-form information collections require providing copies of documents in the applicant's possession or providing written replies to agency requests or offers. Non-form collections, as well as all agency forms, may be submitted in person at the local agency office, by mail, or by facsimile. Further, applicants with established Level 2 accounts may provide non-form information collections as any kind of non-executable attachments, such as PDF, doc, xls, or text formats.

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.

The burden established in this regulation is required under the provisions of the CONACT, which mandates specific actions be taken when making loans to FLP applicants.

FSA/FLP personnel with expertise in making loans have reviewed the information collections required under this CFR part to eliminate any duplicative or unnecessary collections of information. The information contained in this collection is made part of the case file and, when reasonably current, may be used in lieu of re-submission by the applicant. However, financial information that is collected at another time may be dated and not useful for the specific action being considered. Various program areas within the agency share

data; however, information collections established in this regulation would typically not be available from another agency. Therefore, the potential to share data with other USDA agencies is limited.

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.

FSA has made every effort to minimize burden on small businesses and small entities. FSA only requires collection of information when necessary to act on an applicant or borrower's request for assistance. The information required by this regulation is financial in nature and similar to that required to complete Federal tax returns, make business decisions or to obtain a loan from any commercial lender. Thus, it places no additional burden on small businesses above that required in the normal course of business. There are about 167,559 small businesses or entities.

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.

Since FSA is mandated to provide supervised credit, failure to collect the information, or collecting it less frequently, could result in the failure of the farm operation or loss of FSA security property. The collection of information is required as a result of an applicant's specific request, is obtained on an as-needed basis, and is used to document the applicant's eligibility for the requested loan. Accurate decisions when making a loan depend on current financial information and actual history and potential of the farming operation in order to carry out the program as intended. There is no regular reporting schedule related to the information collection requirements in this CFR part. If the information were not collected, or collected less frequently, FSA would be unable to meet the congressionally mandated mission of the loan programs.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner:

- a. Requiring respondents to report information more frequently than quarterly. There are no information collection requirements that require information more frequently than quarterly.
- b. Requiring written responses in less than 30 days. There are no information collection requirements that require written responses in less than 30 days.
- c. Requiring more than an original and two copies. There are no information collection requirements that require more than an original or single copy of a document.
- d. Requiring respondents to retain records for more than 3 years. There are no such requirements.
- e. No utilizing statistical sampling. There are no such requirements.
- f. Requiring the use of statistical sampling which has not been reviewed and approved by OMB. There are no such requirements.
- g. Requiring the pledge of confidentiality. There are no such requirements.
- h. Requiring submission of propriety trade secrets. There are no such requirements.

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.

The Federal Register notice for 60-day comment period was published on August 31, 2022 (87 FR 53441). There were no comments received on all aspects of the collection.

FSA maintains close contact with borrowers through FSA's general field representatives (GFR) and a headquarters' staff. GFR's have direct personal contact with the applicants in connection with the fulfillment of FSA requirements. GFR's pass on any substantive comments to the headquarters staff. Staff

is readily available to assist/help the Agency's customers. FSA works closely with lending institutions and a nationwide network of lending institutions as part of the Farm Credit System, which provides supplemental loan funds to borrowers.

The following individuals were consulted regarding this information collection, and there were no comments on the forms and the collection process.

William "JR" Boulden – (606) 375-2323

Paul Miller – (815) 674-5820

Rick Helmrich – (563) 920-7784

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

There are no payments or gifts provided to respondents.

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

FSA forms that serve as collection instruments contain a Privacy Act statement identifying circumstances under which the information collected may be released. This statement is based on the Privacy Act, the Freedom of Information Act and the Agency's System of Records that has been published in the Federal Register. Agency policies, as well as a copy of the System of Records, are published in FSA handbooks 2-INFO and 3-INFO. No further assurance of confidentiality is provided to applicants or borrowers.

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.

The information collected is of a financial nature. As a condition for the receipt of program benefits, respondents must provide total disclosure of income data and a history of their business dealings that is often considered sensitive. Regardless, the information is required to properly document FSA's decision pertaining to loan making and servicing actions.

12. Provide estimates of the hour burden of the collection of information.

The estimate of hour burden of the information collections is as follows:

| | |
|---|----------|
| Total Number of Unduplicated Respondents..... | 177,394. |
| Reports Filed Per Person..... | 3.45. |
| Total Annual Responses..... | 611,359. |
| Total Annual Burden Hours..... | 295,850. |

The estimate of annual cost for the information collections is as follows:

| | |
|--------------------------------------|----------|
| Respondent's Cost per Hour - Farmers | \$50.10. |
| - Business | \$48.11. |

| | |
|--|-----------------------------|
| Total Annual Respondent Cost – Farmers/business..... | 562726 responses X \$98.21. |
| - Total..... | 29,055,449. |

Respondent cost per hour was derived by using U.S. Bureau of Labor Statistics Occupational Employment and Wages, May 2022. Table 11-9013-Farmers and Ranchers, and Other Agricultural Managers. The U.S. mean hourly wage for this group is \$38.63 hourly and \$80,360 annually, as measured by the Bureau of Labor.

Respondent cost per hour was derived by using U.S. Bureau of Labor Statistics Occupational Employment and Wages, May 2022, Table 13-2072-Loan Officers. The U.S. mean for loan officer's income, as measured by the Bureau of Labor is \$76,200 annually or \$36.64.

Also, a total employer compensation costs (fringe benefits) for all workers averaged \$11.47 per hour worked from Bureau of Labor Statistics website, specifically in the document of the private employer costs for employee compensation, June 2022.

13. Provide an estimate of the total annual cost burden to the respondents or record keepers resulting from the collection of information.

The regulation and associated information collections place no burden costs on respondents for capital, start-up, operation, maintenance, or the purchase of services.

14. Provide estimates of annualized cost to the Federal Government.

Averaging the GS-9 through GS-12 (2022 RUS-Salary Table) salaries indicates an average employee salary of \$ 60,266 per year. Standard adjustments recommended by FSA's Budget Division of 33.3% are added for benefits and miscellaneous expenses (\$19,888), for a total average cost for a Farm Loan Program employee salary of \$80,153 per year, which divided by 2087 hours equals an hourly salary of \$38.41).

Therefore, the estimated annual cost to the Federal Government is:

611,359 responses X \$38.41 = \$11,959,299.

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

FSA is conducting this revision due to Executive Order 14058 issued by the White House, that tasked the Secretary of Agriculture with simplifying the direct loan application process. In doing so, this collection was also affected.

The numbers of responses decreased by 93,365 while the burden hours increased by 10,578 due to the forms FSA-2001, FSA-2002, FSA-2003, FSA-2004, FSA-2005, FSA-2006, FSA-2037, FSA-2038, FSA-2302, and FSA-2330 that have been consolidated into a single form for the purposes of direct loan making and that consolidation is reflected in this collection. The revised FSA-2001 will be used for direct loan making to replace the use of the other listed forms; other Farm Loan Programs uses, for example loan servicing will still use the original forms in some cases. Also, the number of respondents decreased by 10,474 in this collection.

This ICR revision is making a number of changes to the form FSA-2001 and consolidating 10 forms into this one form, which results in a total burden of 295,850 hours to 611,359 respondents. Some of these changes (separately described above in Table 2) were made in response to EO 14058. This specific subset of changes outlined will reduce hours per response by an estimated 50% to producers. It is worth noting that forms FSA-2037 & 2038 are not in this revised ICR, but are shown in Table 2 to provide clarity on time savings to the applicant and to account for the described reduction in burden hours for this ICR revision. The totals in Table 2 above include their burden solely to illustrate the decrease in burden hours for applicants completing the new FSA-2001 loan application.

16. For collection of information whose results will be published, outline plans for the tabulation and publication.

The information collections required under this regulation will not be tabulated or published.

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.

The forms are displayed with OMB expiration date.

18. Explain each exception statement to the certification statement identified in Items 19 and 20 on OMB Form 83-I. There are no exceptions requested.