SUPPORTING STATEMENT - PART A for

OMB Control Number 0560-0165:

Information Collection Request Package for

Certified Mediation Program

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Certified Mediation Program

7 CFR Parts 785

USDA, Farm Service Agency

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A1. Circumstances that make the collection of information necessary.

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

FSA is requesting an extension of a currently approved information collection (0560-0165). The USDA Certified Mediation Program (CMP) is mandated by the Subtitles A and B of Title V of the Agricultural Credit Act of 1987 (Public Law 100-233) as amended, and 2 CFR 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards applies to this program. The following 2 CFR policy requirements apply to this program, Subpart B, General provisions, Subpart C, Pre-Federal Award Requirements and Contents of Federal Awards, Subpart D, Post Federal; Award Requirements, Subpart E, Cost Principles, and Subpart F, Audit Requirements. Under the program, USDA makes grants to state-designated entities that provide mediation to agricultural producers, their lenders and others that are directly affected by the actions of certain USDA agencies. Grantees mediation participation is voluntary. In mediation, a trained, impartial mediator helps grant participants review and discuss the conflict, identify options to resolve disputes and agree on solutions. Ideally, this process helps avoid expensive and time-consuming administrative appeals and/or litigation. Cases covered by the grants include agricultural loans, whether made by USDA or commercial lenders and disputes involving USDA actions on farm and conservation program, wetland determinations, compliance with farm programs, conservation programs, and the National Organic Program established under the Organic Foods Production Act of 1990, rural water loan programs, grazing on natural forest system lands, pesticides, rural housing, business loans, crop insurance, lease issues, including land leases and equipment leases, family farm transition, farmer-neighbor disputes, and such other issues as the Secretary or the head of the Department of Agriculture of each participating State considers appropriate for better serving the agricultural community and persons eligible for mediation, or credit counseling prior to the initiation of any mediation involving USDA or unrelated to any ongoing dispute or mediation in which USDA is party. FSA is administering the program.

A2. Purpose and Use of the Information.

Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate how the agency has actually used the information received from the current collection.

The 2024 Farm Bill authorized that the Certified Mediation Program is open to qualifying States, insular areas (the Commonwealth of Puerto Rico, Guam, America Samoa, the Commonwealth of the Northern Mariana Islands, the Federated States of Micronesia, the Republic of the Marshall Islands, the Republic of Palau, and the Virgin Islands of the United States) and Tribes, however, tribal governments have not participated in the Program. Certified Mediation Programs include State Governments, Non-Profit Entities with 501C3 Status, Private Institutions of Higher Education, Public/State Controlled Institutions of Higher Education, State Department of Agriculture, State-Related Institutions of Higher Education, County Governments, and Non-Profit Entities without 501C3 Status. State agencies administer this program on behalf of USDA. These agencies work with grantees who've received Federal funding. When a complaint is filed, the grantee reaches out to their State agency, which then helps mediate and work through any issues between the grantee and the federal government using this information collection. Lack of adequate information to make the determination could result in the improper administration and appropriation of Federal grant funds.

The information collection requirements are described below and on the attached burden grid spreadsheet.

Request for recertification of Certified Mediation Program (7 CFR 758.3(b))

The information is provided by the Certified Mediation Program that have previously been determined eligible and are requesting to be recertified for the ensuing year. If a State is a qualifying State at the time its request is made, the written request need only describe the changes made in the program since the previous year's request. To effectively administer the program, Certified Mediation Programs apply for recertification, which includes the completion of Forms SF-424, SF-424A, and SF-424B. Currently, there are 46 Certified Mediation Programs; the estimated time to provide the information requested is 12 hours.

Annual Report (7 CFR 785.8(a))

Certified Mediation Programs provide an annual report to FSA that must include the goals and accomplishments of the program, program activities and outcomes of the cases opened and closed during the reporting year, mediation services provided and the resolution rate for each category of issues reported for cases closed during the year, and financial status report, which may be provided of Form SF-425.

In addition, information on the performance and effectiveness of the program that considers the estimated average costs of mediation services per client, estimated savings to the state as a result of having the certified mediation program; and the recommendations for improving the delivery of mediation services to covered persons. Lastly, the annual report may provide any additional information that the state may elect to include.

All currently approved Certified Mediation Programs provide the annual report, the time to collect and provide the information is estimated to be 17 hours per response.

Mid-year Report (7 CFR 785.8)

Certified Mediation Programs provide FSA with a mid-year report that includes information on mediation services provided during the preceding six months. All currently approved Certified Mediation Programs provide a mid-year report. The time to collect and provided information is estimated to be 8 hours per response.

SF-270 – Request for Advance or Reimbursement (7 CDR 785.7)

Certified Mediation Programs may request either an advance or reimbursement of grant funds during the year the grant covers. Programs request grant funds on an average of 3 times per year, each request is estimated to take 1 hour to complete.

Collections Approved Under Other OMB Control Numbers

The following table summarizes the information collection included in 7 CFR 785, for which approval has been obtained under the OMB Control Number for another CFR part. Notice of Funding Opportunities (NOFO) for this program will be posted on Grants.gov.

CFR Citation	Description	Approved Under
785.3(b)	SF-424, Application for Federal Assistance	4040-0004, exp. 03/31/2029
785.3(b)	SF-424A, Budget Information - Non-Construction Programs	4040-0006, exp. 06/30/2028
785.4	SF-424B, Assurances - Non-Construction Programs	4040-0007, exp 07/31/2028
785.4	SF-425, Federal Financial Report	4040-0014, exp. 06/30/2028
785.4	SF-270, Request for Advance or Reimbursement	4040-0012, exp. 06/30/2028

A3. Use of information technology and burden reduction.

Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other

forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.

FSA makes every effort to comply with the E-Government Act, 2002 (E-Gov) and to provide for alternative submission of information collections. At this time, there are no plans to create a database to collect information. Certified Mediation Programs provide information using forms that are approved for government-wide use. At this time, none of the currently approved Certified Mediation Programs has obtained and activated a USDA account with Level 2 access that allows for electronic submissions. FSA emails the automated forms with detailed instructions to complete the required forms or formats. The information required from Certified Mediation Programs is mainly financial in nature, such as budgets, and operational information specific to each program, such as a list of participants and issues mediated, list of mediators, training classes for mediators, etc.

Non-form information collections are mostly limited to copies of documents in Certified Mediation Programs' possession or providing written replies to agency requests or offers. Non-form Collections, as well as all forms, may be submitted by email, mail, or by facsimile.

The information required from Certified Mediation Programs is mainly financial in nature, such as budgets, and operational information specific to each program, such as list of participants and issues mediated; list of mediators, training classes for mediators, etc. Therefore, the information requested is not conducive to being provided by using information technology. Information technology will not reduce the amount of information needed for efficient program administration. The agency anticipates 0% of responses to be submitted electronically.

A4. Efforts to identify duplication.

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

Every effort has been made to avoid duplication. There is similar data collected; however, those do not meet the agency's need. There is no duplication of information involved with processing Certified Mediation Programs' grant request, or the monitoring of the Certified Mediation Programs' grant request. Certified Mediation Programs provide information on an annual basis to the agency to ensure that the program is still eligible to receive federal funds. FSA solely manages issuance for the Certified Mediation Program to ensure integrity. The information required for data collection is not currently reported to any other agency on a regular basis in a standardized form.

A5. Impacts on small businesses or other small entities.

If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I), describe any methods used to minimize burden.

The collection will not have a significant economic impact on a substantial number of small entities since FSA is collecting information from States mainly. It also contains normal business recordkeeping requirements and minimal essential reporting requirements. Small businesses will not be affected by the regulation. The information requested is the minimum amount required to meet program requirements. There are 5 small businesses or entities.

A6. Consequences of collecting the information less frequently.

Describe the consequence to Federal program or policy activities if the collection is not conducted, or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

This collection is voluntary to obtain benefits and is an ongoing information collection request. The regulation requires the minimum information needed to determine whether a state's mediation program is eligible for recertification, application for Federal Assistance, reporting requirements, and mid-year reports. Without the collection of information, FSA would not be able to properly administer the federal funds in an equitable and cost-effective manner to ensure program integrity.

A7. Special circumstances relating to the Guidelines of 5 CFR 1320.5.

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

- **Requiring respondents to report information to the agency more often than quarterly;**
- **Requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**
- **Requiring respondents to submit more than an original and two copies of any document;**
- **Requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;**
- **In connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;**
- **Requiring the use of a statistical data classification that has not been reviewed and approved by OMB;**
- **That includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or**
- **Requiring respondents to submit proprietary trade secret, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.**

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

A8. Comments to the Federal Register Notice and efforts for consultation.

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

Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years even if the collection of information activity is the same as in prior years. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

FSA published a 60-day notice in the Federal Register on July 2, 2026, at 91 FR 40513 requesting comments. There were no comments received.

FSA maintains close contact with the Certified Mediation Program and provides guidance and advice on issues as they occur. In addition, the following programs provided input on this information collection:

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Maine Certified Mediation Program
University of Maine System Acting through the University of Maine
5717 Corbett Hall
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Phone: (207) 974-9637

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State of Nebraska – Department of Agriculture
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Lincoln, Nebraska 68521-6730
Phone: (402) 310-8354

All stakeholder Programs that provided input on this information collection stated that the time FSA is estimating is adequate.

A9. Explain any decisions to provide any payment or gift to respondents.

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

There were no payments or gifts given to respondents.

A10. Assurances of confidentiality provided to respondents.

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

There is no assurance of confidentiality provided to respondents for the information required in this collection. The information collected pertains mostly to administering federal grants according to rules and regulations. The only personally identifiable information is requested from potential applicants is included on SF-424. This information may be used within FSA but will not be disclosed outside of the Agency.

The Acting Assistant Privacy Officer, Samantha Jones, reviewed and approved this package on August 9/9/2026.

A11. Justification for any questions of a sensitive nature.

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

The information collected under this information collection request is financial in nature. As a condition of the receipt of federal grant funds, CMPs disclose financial information as well as information about their business operations. However, the information is required to properly administer federal funds.

A12. Estimates of the hour burden of the collection of information.

Provide estimates of the hour burden of the collection of information. Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated.

A. Indicate the number of respondents, frequency of response, annual hour burden,

and an explanation of how the burden was estimated. If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB Form 83-I.

This is a voluntary, ongoing data collection, required to obtain and maintain grant benefits.

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

Total number of Unduplicated Respondents	46
State and Local Governments	15
Private Sector	21
Public/State Controlled Institution of Higher Education	10
Reports Filed Per Respondent	12
Estimated Hours per Response	2.41666667
Total Annual Responses	552
Total Burden Hours	1,334

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

The estimate of annual cost for the information collections is as follows, including fringe benefits for all private industry workers is an additional 29.7 percent:

Respondent's Cost Per Hour - Budget Analyst		$44.06
Secretary/Administrative Assistant		$23.23
Total Annual Respondent Cost:		
Budget Analyst (1,702 hours x $44.06)	$74,990	
Secretary/Admin. Assistant (1,702 hours x $23.23)	$39,538	
Total		$114,528

Cost per hour for respondents (average hourly wage mean) was derived from the U.S. Department of Labor's Occupational Employment and Wages, May 2025, tables which are found at the Bureau of Labor Statistics website at:

Budget Analyst: https://www.bls.gov/ooh/business-and-financial/budget-analysts.htm

Secretary/Administrative Assistant: https://www.bls.gov/ooh/office-and-administrative-support/secretaries-and-administrative-assistants.htm

A13. Estimates of other total annual cost burden.

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

There are no capital, startup, or ongoing operation or maintenance costs associated with this information collection to respondents or record-keepers.

A14. Provide estimates of annualized cost to the Federal government.

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

The estimated annualized cost to the Federal government is 83,678.40 (2,160 hours x $38.74).

FSA employees provide guidance and assistance to Certified Mediation Programs in obtaining and reporting the information needed. In addition, they provide templates for completion to ensure information provided is complete and accurate, and to reduce the time it takes Certified Mediation Programs to gather and submit the requested information. Lastly, employees review the information provided to effectively administer federal grant funds according to applicable rates and regulations. FSA estimates that employees spend 54 hours on information submitted from each Certified Mediation Program, for a total of 2,160 hours.

Total annual cost = $61,722 annual salary (GS-9, step 1 (2026 Federal Salary General Schedule RUS) x 1.31% (to incorporate 31% fringe benefits) = $80,855.82 or $38.74/hr.

A15. Explanation of program changes or adjustments.
Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I.

FSA is requesting an extension of a currently approved information collection. The current burden inventory is 42 estimated annual respondents: 504 estimated annual responses and 2,772 estimated annual burden hours. With this extension the agency is seeking 46 estimated annual respondents, 552 estimated annual responses and 1,334 estimated annual burden hours. This reflects an increase in the number of estimated respondents 4, increase in the estimated number of responses 48 and a decrease in the number of estimated annual burden hours 1,438 since the last OMB submission. The estimated number of respondents and burden hours have been updated to reflect these changes.

The increase in the request is due to adjustments because the number of certified mediation programs has increased in the past several years.

A16. Plans for tabulation, and publication and project time schedule.
For collections of information whose results are planned to be published, outline plans for tabulation and publication.

This collection does not employ statistical methods and there are no plans to publish the results of this collection for statistical use.

A17. Displaying the OMB Approval Expiration Date.

If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

FSA will display the OMB approval expiration date.

A18. Exceptions to the certification statement identified in Item 19.

Explain each exception to the certification statement identified in Item 19 of the OMB 83-I" Certification for Paperwork Reduction Act."

There are no exceptions requested.