

Farm Service Agency
OMB control number: 0560-0253
Transfer of Farm Records Between Counties (the form of FSA-179)

Purpose:

The Farm Service Agency (FSA) is requesting OMB approval on an extension with a revision of a currently approved information collection.

Background:

FSA programs are administered on the basis of “farm”. For program purposes, a farm is a collection of tracts of land that have the same owner and the same operator. Land with different owners may be considered to be a farm if all the land is operated by one person and additional criteria are met. A farm is typically administered in the FSA county office where the farm is physically located. A farm can be transferred from the physical location county office if the principle dwelling of the farm operator has changed, a change has occurred in the operation of the land, or there has been a change that would cause the receiving administrative county office to be more accessible. Without obtaining the information from producers for the FSA-179, the FSA county office will not be aware of an owner/operator’s desire to transfer a farm.

Justification:

1. Circumstances making collection of information necessary.

Form FSA-179, Transfer of Farm Records between Counties, is used as the request for a farm transfer from one county to another initiated by the producer. A farm transfer is a change in the administrative location of a farm.

A farm transfer can be initiated if the farm is being transferred back to the county where the farm is physically located, the principle dwelling of the farm operator has changed, a change has occurred in the operation of the land, or there has been a change that would cause the receiving administrative county office to be more accessible.

Owners and/or farm operators requesting a farm transfer for one of the reasons described above are responsible for notifying the County FSA Office of the desire to transfer the farm records. The request is documented on FSA-179 which is completed, signed by the owner/operator, and filed with the County FSA Office. The County FSA Committee must act on all farm transfer requests and issue their approval or disapproval on the FSA-179. It is necessary to collect the information recorded on the FSA-179 in order to determine the farm that is being transferred and to ensure that all owners and the operator of the farm agree to the transfer.

2. How, by whom, and for what purpose is information used.

Producers (owners and/or operators) initiate the FSA-179 with their local FSA office. Producers are to inform their local Office any time a change is made to their farming operation. Working together, the producer and the FSA employee determine whether a transfer of farm records is appropriate. The producer may request that the land being transferred be combined with land already administered by the receiving county office. Some of the information requested on FSA-179 is available in the records maintained at the FSA office and can be obtained from the office. This information includes current data such as name and address of operator and owner, name of transferring county, farm number, and location of farm.

The information collected on the FSA-179 is collected only if a farm transfer is being requested and is collected in a face-to-face setting with county office personnel. If a farm transfer request is not being initiated, this information is not collected.

The information is used by county office employees to document which farm is being transferred, what county it is being transferred to, and why it is being transferred.

The FSA-179 assists county committees in determining why the farm transfer is being requested and that it is not being requested for the purpose of increased program benefits, avoiding payment reductions, establishing eligibility to transfer base acres, or for circumventing any other program provision. Whether or not the review of FSA-179's revealed any scheme or device for circumventing program requirements, the collection of information is necessary in order to establish new farm records based on the transfer request.

3. Use of information technology.

The FSA-179 is available to producers in an electronic format only at <http://forms.sc.egov.usda.gov/eForms/welcomeAction.do?Home>. The transferring FSA County Office is required to submit all current year records with the completed FSA-179 to the receiving office. All owners and the operator of the farm being transferred are required to sign the FSA-179.

4. Efforts to identify duplication.

Forms are continually analyzed to determine whether information is duplicated on another form. The following information is not available from another source: (a) name of receiving county, (b) reason for transfer, (c) signature of owner(s), and (d) signature of operator.

The farm transfer process uses available information from farm and producer records, however, the receiving county and the farm involved is the choice of the producer.

5. Methods to minimize burden on small business or other small entities.

This collection of information does not place an additional burden on small businesses or other small entities.

6. Consequence if information collection were less frequent.

The information is collected only when a producer requests a farm transfer or the county committee determines that a farm transfer is required. If FSA-179 is not filed, county offices will be unable to determine whether the producer desires to transfer a farm.

7. Special circumstances.

There are no special circumstances that require the information collection to be conducted in a manner inconsistent with general information collection guidelines in 5 CFR 1320.5.

8. Federal Register notice, summarization of comments and consultation with persons outside the agency.

A Federal Register notice requesting comments on this information collection was published on April 9, 2020 at 84 FR 19920. No public comments were received.

The consultations were performed with Mark Henderson of Poweshiek County Iowa (641)990-1378, Wes Winterstein of Queen Anne's County Maryland (410)490-6531, and Todd Parker of Marshall County Kansas (785)363-2111. They have no issues with the form.

9. Explain any decision to provide any payment or gift to respondents.

Payments and gifts are not provided to respondent.

10. Confidentiality provided to respondents.

Data collected is handled according to established FSA procedures implementing the Privacy Act and the Freedom of Information Act. Collection of this information also complies with the Privacy Act of 1974 and OMB Circular A-130, "Responsibilities for the Maintenance of Records About Individuals by Federal Agencies."

11. Questions of a sensitive nature.

Data collected is not considered sensitive in nature.

12. Estimates of Burden.

Nationwide, there are approximately 10 farm transfer requests completed per FSA county office per year. The total estimated annual burden in this request is 3,540 hours for completing the form. These figures represent 21,240 respondents completing an FSA-179 at average times of 10 minutes each.

Respondent cost per hour was derived by using U.S. Bureau of Labor Statistics Occupational Employment and Wages, May 2020, 11-9013 Farmers, Ranchers, and Other Agricultural Managers. The U.S. mean household income, as measured by the Bureau of Labor, is \$41.35. Fringe benefits for all private industry workers are an additional 29.9 percent, or \$12.36, resulting in a total of \$53.71 per hour. The estimated cost is \$190,133 ($\$53.71 \times 3,540$ burden hours).

There are no record keeping requirements for farm transfers for the producer.

13. Total annual cost burden to respondents or record keepers.

No special equipment or services must be purchased by the respondent to collect the information. Therefore, there are no capital/startup costs.

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

The estimated cost to the Federal Government is \$649,530.

The estimated cost of forms maintenance is \$4,248 based on \$.20 cost per form, including development and printing, distribution, storage, retrieval, and dissemination of 21,240 forms.

Program administration at the County Office is estimated at \$378,496 which is computed based on 30 minutes per response (10,620 hours) times the average FSA employee wage of \$27.21 (estimated employee average hourly wage; based 2020 General Schedule, Grade 7, Step 6). Fringe benefits for all government workers are an additional 31 percent, or \$8.43, resulting in a total of \$35.64 per hour.

Program administration at the State Office is estimated at \$42,618. This estimate used a reduced response rate of 5 percent of the total responses or 1,062 responses and was computed based on 15 minutes per response (265.5 hours) times the average FSA State employee wage/fringe benefits of \$40.13 (\$31.70 estimated employee average hourly wage; based 2020 General Schedule, Grade 12, Step 1 (General Schedule base level)) plus fringe benefits for all government workers are an additional 31 percent, or \$8.43).

At the National Level, one program specialist is assigned responsibility of managing the farm records program. This specialist spends 15% of their time on program administration for farm transfers totaling \$186,158 annually ($3186 \times$

58.43). The average FSA employee wage/fringe benefits of \$58.43 (estimated employee average hourly wage; based 2020 General Schedule, Grade 13, Step 2) plus fringe benefits for all government workers are an additional 31 percent, or \$8.43).

No cost data is being provided for appeal cases.

15. Reasons for changes in burden.

The burden hours decreased by 21,540 hours in this information collection. The reason for the decrease is due to the removal of travel times from the request. The respondents may submit applications by mail and many respondents go to the county offices to do regular and customary business with FSA for other FSA programs and can complete and submit the form FSA-179 during this time; this means no travel time is required specifically for the information collection and therefore, it is no longer included in the burden hour reporting.

16. Tabulation, analysis, and publication plans.

The FSA-179 is not intended as an information collection document for statistical purposes.

17. Reasons display of expiration date of OMB approval is inappropriate.

FSA is displaying the OMB expiration date.

18. Exceptions to 83-I certification statement.

The agency is able to certify compliance with all provisions under Item 19 of OMB Form 83-I.