

# Notices

Federal Register

Vol. 89, No. 164

Friday, August 23, 2024

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

## DEPARTMENT OF AGRICULTURE

### Farm Service Agency

[Docket ID FSA–2023–0020]

#### Notice; Emergency Relief Program 2022 (ERP 2022)

**AGENCY:** Farm Service Agency, USDA.  
**ACTION:** Notice.

**SUMMARY:** The Farm Service Agency (FSA) is issuing this notice to announce the actions it is taking to comply with a preliminary injunction related to payment calculations for ERP 2022.

**FOR FURTHER INFORMATION CONTACT:** Kathy Sayers; telephone: (202) 720–6825; email: [kathy.sayers@usda.gov](mailto:kathy.sayers@usda.gov). Individuals who require alternative means for communication should contact the USDA Target Center at (202) 720–2600 (voice and text telephone (TTY)) or dial 711 for Telecommunications Relay service (both voice and text telephone users can initiate this call from any telephone).

#### SUPPLEMENTARY INFORMATION:

##### Background

FSA announced ERP 2022 in a notice published in the **Federal Register** on October 21, 2023 (88 FR 74404–74419). The application period for ERP 2022 began on October 31, 2023.<sup>1</sup> On June 7, 2024, the United States District Court for the Northern District of Texas, Amarillo Division, issued a preliminary injunction in *Rusty Strickland et al. v. U.S. Dept. of Agriculture et al.* (Case No. 2:24–CV–60–Z) enjoining USDA “from making or increasing payments, or providing any additional relief, based on its ‘socially disadvantaged farmer or

<sup>1</sup> The current deadlines to submit ERP 2022 applications and eligibility documentation were announced on July 15, 2024. See <https://www.fsa.usda.gov/news-room/news-releases/2024/usda-announces-august-14-application-deadline-for-emergency-relief-program-assistance-for-commodity-and-specialty-crop-producers-impacted-by-2022-natural-disasters>.

rancher’ designation under [ERP 2022], whether used directly or as a subset of its ‘underserved farmer or rancher’ designation.”<sup>2</sup>

The Notice of Funds Availability includes the following provisions related to the payment calculations that were applicable only to underserved farmers or ranchers:

- For Track 1, the payment calculation provides a refund of an underserved farmer or rancher’s share of the premium and fee for crop insurance or Noninsured Crop Disaster Assistance Program coverage; and
- For Track 2, the payment calculation provides an increase to an underserved farmer or rancher’s payment that is equal to 15 percent of the gross Track 2 payment after progressive factoring, not to exceed the calculated Track 2 payment before progressive factoring.

Upon issuance of the preliminary injunction, and in order to comply with the preliminary injunction, FSA took action to immediately halt ERP 2022 payments while FSA evaluated the scope of changes that would be required. This notice announces that FSA is resuming issuance of ERP 2022 payments; however, consistent with the preliminary injunction, payments to socially disadvantaged farmers or ranchers will be subject to a modified payment calculation that does not include the refund of premiums and fees under Track 1 or the 15 percent increase under Track 2 described above. If the preliminary injunction is lifted, with available funds, FSA will make or update payments to affected and eligible

<sup>2</sup> As defined in the October 21, 2023, Notice of Funds Availability, “socially disadvantaged farmer or rancher” means a farmer or rancher who is a member of a group whose members have been subjected to racial, ethnic, or gender prejudice because of their identity as members of a group without regard to their individual qualities. For entities, at least 50 percent of the ownership interest must be held by individuals who are members of such a group. Socially disadvantaged groups include the following and no others unless approved in writing by the Deputy Administrator:

- (1) American Indians or Alaskan Natives;
  - (2) Asians or Asian-Americans;
  - (3) Blacks or African Americans;
  - (4) Hispanics or Hispanic Americans;
  - (5) Native Hawaiians or other Pacific Islanders;
- and
- (6) Women.

“Underserved farmer or rancher” means a beginning farmer or rancher, limited resource farmer or rancher, socially disadvantaged farmer or rancher, or veteran farmer or rancher.

socially disadvantaged producers consistent with the terms of the Notice of Funds Availability.

Some ERP 2022 payments may continue to be delayed due to the need to modify payment software to accommodate these changes, but FSA intends to begin issuing payments again in late August to eligible producers.

**Zach Ducheneaux,**

*Administrator, Farm Service Agency.*

[FR Doc. 2024–18993 Filed 8–22–24; 8:45 am]

**BILLING CODE 3410–05–P**

## DEPARTMENT OF AGRICULTURE

### Federal Crop Insurance Corporation

[Docket No. FCIC–24–0004]

#### Notice of Request for Renewal and Revision of the Currently Approved Information Collection

**AGENCY:** Federal Crop Insurance Corporation, USDA.

**ACTION:** Renewal and Revision of the Currently Approved Information Collection.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, the Farm Service Agency (FSA) and Risk Management Agency (RMA) are requesting comments from all interested individuals and organizations on a revision of a currently approved paperwork package associated with the Acreage and Crop Reporting Streamlining Initiative (ACRSI).

**DATES:** Written comments on this notice will be accepted until close of business October 22, 2024.

**ADDRESSES:** We invite you to submit comments on this information collection request. In your comments, include the date, volume, and page number of this issue of the **Federal Register**, and the title of rule. You may submit comments by any of the following methods, although FCIC prefers that you submit comments electronically through the Federal eRulemaking Portal:

- **Federal eRulemaking Portal:** Go to <http://www.regulations.gov> and search for Docket ID FCIC–24–0004. Follow the online instructions for submitting comments.

- **Mail:** Fritz Matetzschk, United States Department of Agriculture, FSA, DAFP, PDD, 1400 Independence Ave.

SW, mail stop 0570, Washington, DC 20250-0570; or David Zanoni, RMA, United States Department of Agriculture, P.O. Box 419205, Kansas City, MO 64133-6205.

All comments received, including those received by mail, will be posted without change and publicly available on <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** Fritz Matetzschk, United States Department of Agriculture, FSA, DAFP,PDD, Washington, DC 20250-0570, (202) 690-2031; or David Zanoni, RMA, United States Department of Agriculture, P.O. Box 419205, Kansas City, MO 64133-6205, (816) 507-9302.

**SUPPLEMENTARY INFORMATION:**

*Title:* Acreage/Crop Reporting Streamlining Initiative (ACRSI).

*OMB Number:* 0563-0084.

*Expiration Date of Approval:* December 31, 2024.

*Type of Request:* Extension of a currently approved information collection.

*Abstract:* The currently approved information collection of OMB Number 0563-0084 is up for renewal and we are requesting an extension for 3 years. FSA and RMA are requesting comments from all interested individuals and organizations on the information collection request associated with ACRSI. FSA and RMA have established the procedures, processes, and standards to simplify commodity and acreage reporting by producers, eliminate or minimize duplication of information collection by multiple agencies, and reduce the burden on producers, allowing producers to report this information through FSA county office service centers, insurance agents, or through precision ag technology capabilities. FSA and RMA implemented a streamlined reporting solution to establish a common data collection and reporting capability that supports USDA's programs.

RMA is continuing to improve the existing Office of Management and Budget (OMB) approved information collections for RMA, 0563-0053, Multiple Peril Crop Insurance, acreage information, generally collected from the respondent during a personal visit to the FSA Service Center and again from the respondent during a personal visit with the insurance agent.

The forms are still available to accommodate respondents with no internet access and those who wish to continue to personally visit the FSA Service Center and insurance agent to report this common information.

Information reported to the common data collection and reporting capability

(otherwise known as the Clearinghouse) are shared by both FSA and Approved Insurance Providers (AIPs) via RMA. With continued ACRSI process enhancements, some or all of the commodity and acreage information in the existing approved information collections are reported through this solution. Furthermore, the information collected are the same as the information currently approved. Additionally, the respondent will continue to report their common information one time through a single source thereby reducing the respondent's burden of reporting such common information and eliminating the duplicate reporting that may be currently required. The information collected will continue to be the same as the information currently approved and are used in the same manner it would be used if reported separately to each agency. The producers are continuing to use their precision-ag systems, farm management information systems, or download data files to directly report certain commodity and acreage information needed to participate in USDA programs.

The information being collected may consist of, but not be limited to: Producer name, customer/tax ID, state, county, commodity name, commodity type or variety, intended use, date planted, planted acreage, and land location (which may include legal description, FSA farm number, FSA tract number, FSA field number, geospatial as-planted field boundaries, Resource Land Unit, etc.).

FSA and RMA continues to enhance the ACRSI process. The effectiveness and lessons learned from each phase informed changes and expansions in subsequent phases. The first phase was initiated in the fall of 2011 in Dickenson, Marion, McPherson, and Saline Counties in Kansas, and only for the collection of information from producers regarding winter wheat. The second phase was implemented in the spring of 2015 in 30 counties of Illinois and Iowa covering 9 crops. The third phase was implemented in the fall of 2015 in all counties of 15 states covering 9 crops. The fourth phase was implemented in the spring of 2016 in all counties nationwide covering 13 crops and about 90 percent of reported acreage. The fifth phase was implemented in the fall of 2016 expanding nationwide coverage to 16 crops and about 93 percent of reported acreage. The sixth phase was implemented in the fall of 2017 expanding nationwide coverage to 25 crops and about 94 percent of reported acreage. Since that time, ACRSI has

continuously added more crops and types that now covers over 97 percent of insurable acreage. The program will continue to add crops and types over time to stay current; however, there are no crops left to cross walk that have major acreage impacts.

RMA and FSA additionally piloted a process to allow external providers to submit required data from precision agriculture or farm management information systems. This 2018 Pilot used planting data from Nebraska producers that was disseminated to the Agencies through the ACRSI Clearinghouse process. Beginning in 2024, FSA now processes geospatial data from third parties or AIPs with the Geospatial Review Application. This allows FSA staff to process more efficiently the submitted data and reduce the time and effort spent by producers when reporting detailed precision data to FSA.

However, the existing approved information collection will be updated, modified or eliminated, as applicable, to reflect the reduction in burden on the respondents as the ACRSI process is enhanced.

*Respondents:* Producers.  
*Estimated Annual Number of Respondents Utilizing the Web-Based Single Source Reporting System and Benefiting From Sharing Information Between Agencies:* 500,000.

*Estimated Annual Number of Responses per Respondent:* 1.5.  
*Estimated Total Annual Burden on Respondents Utilizing the Web-Based Single Source Reporting System and Benefiting From Having That Information Shared Between Agencies:* 187,500 hours.

We are requesting comments on all aspects of this information collection to help us to:

(1) Evaluate whether the collection of information is necessary for the proper performance of the functions of the agencies, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agency's estimate of burden including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility and clarity of the information to be collected;

(4) Minimize the burden of the collection of information on those who are to respond through use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms to technology.

All comments in response to this notice, including names and addresses when provided, will be a matter of

public record. Comments will be summarized and included in the request for Office of Management and Budget (OMB) approval.

**Marcia Bunger,**

*Administrator, Federal Crop Insurance Corporation.*

[FR Doc. 2024–18906 Filed 8–22–24; 8:45 am]

BILLING CODE 3410–08–P

## DEPARTMENT OF AGRICULTURE

### Food and Nutrition Service

#### Privacy Act of 1974; Computer Matching Program

**AGENCY:** Food and Nutrition Service (FNS), USDA.

**ACTION:** Notice of reestablished matching program.

**SUMMARY:** In accordance with the Privacy Act of 1974, as amended, USDA FNS is providing notice of a reestablished computer matching program between FNS and the State agencies that administer the Supplemental Nutrition Assistance Program (SNAP). The matching program allows State agencies access to the Electronic Disqualified Recipient System (eDRS), a national database operated by FNS. The system maintains records of SNAP disqualifications imposed by State agencies on individuals who have been found to have committed an intentional program violation (IPV).

**DATES:** The deadline for comments on this notice is September 23, 2024.

The re-established matching program will become effective not sooner than 30 days after publication of this notice, provided no comments are received that warrant a change to this notice. The matching program will be conducted for an initial term of 18 months and may be renewed for up to one additional year if the parties make no change to the matching program and certify that the program has been conducted in compliance with the matching agreement.

**ADDRESSES:** Interested parties may submit written comments by one of the following methods:

- *Preferred:* Federal eRulemaking Portal at <http://www.regulations.gov> provides the ability to type short comments directly into the comment field on this web page or attach a file for lengthier comments. Follow the online instructions at that site for submitting comments.

- *By email:* FNS, SNAP, State Administration Branch (SAB) at [SM.FN.SNAPSAB@usda.gov](mailto:SM.FN.SNAPSAB@usda.gov).

- *By mail:* Maribelle Balbes, Branch Chief, SAB, SNAP, FNS, 1320 Braddock Place, Alexandria, VA 22314.

- *Instructions:* All comment submissions must include the agency name and docket number for this rulemaking. All comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided.

- *Docket:* For access to the docket to read background documents or comments received go to <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** For general questions, please contact the above individual, Maribelle Balbes, Branch Chief, SAB, SNAP, FNS at [Maribelle.Balbes@usda.gov](mailto:Maribelle.Balbes@usda.gov) or 703–605–4272.

**SUPPLEMENTARY INFORMATION:** The Privacy Act of 1974, as amended, 5 U.S.C. 552a, provides certain protections for individuals applying for and receiving federal benefits. The law governs the use of computer matching by federal agencies when records in a system of records, which contains information about individuals that are retrieved by name or other personal identifier, are matched with records of other Federal, State, or local government records. The Privacy Act requires agencies involved in a matching program to:

- Obtain approval of a Computer Matching Agreement, prepared in accordance with the Privacy Act, by the Data Integrity Board of any Federal agency participating in a matching program.

- Enter into a written Computer Matching Agreement.
- Provide a report of the matching program to Congress and the Office of Management and Budget (OMB), and make it available to the public, as required by 5 U.S.C. 552a(o), (u)(3)(A), and (u)(4).

- Publish a notice of the matching program in the **Federal Register** as required by 5 U.S.C. 552a(e)(12) after OMB and Congress complete their review of the report, as provided by OMB Circular A–108, Federal Agency Responsibilities for Review, Reporting, and Publication under the Privacy Act.

- Notify the individuals whose information will be used in the matching program that the information they provide is subject to verification through matching, as required by 5 U.S.C. 552a(o)(1)(D).

- Verify match findings before suspending, terminating, reducing, or making a final denial of an individual's benefits or payments or taking other

adverse action against the individual, as required by 5 U.S.C. 552a(p).

This matching program meets these requirements.

#### Participating Agencies

FNS and the State agencies that administer SNAP to include all 50 States, the District of Columbia, and the territories of Guam and the U.S. Virgin Islands.

#### Authority for Conducting the Matching Program

The Food and Nutrition Act of 2008 (the Act), as amended, 7 U.S.C. 2015(b), provides the legal authority for conducting the matching program. Section 6(b) of the Act prescribes mandatory periods of ineligibility for persons found to have committed an IPV such as fraud, misrepresentation, or other violation of statute or regulation in connection with SNAP. Section 6(b)(4) prescribes regulations to ensure that appropriate State and Federal entities forward information concerning determinations arising out of such proscribed activity by a specific individual.

#### Purpose(s)

The eDRS matching program maintains program integrity and reduces payment errors by providing information to assist State agencies with establishing or verifying the eligibility of individuals for SNAP benefits and determining the appropriate disqualification period to be imposed for a new IPV as required in regulations at 7 CFR 273.16, Disqualification for intentional Program violation. Each State agency must submit information about individuals who have been disqualified from SNAP within their State to eDRS. As a participant in this matching program, each State agency has access to this national system to both submit the required information for their State and perform the required matches against information provided by all State agencies.

#### Categories of Individuals

SNAP applicants and new household members are matched against eDRS as part of the eligibility determination process to ensure the individual is not currently disqualified from receiving benefits due to an IPV. Individuals who are being disqualified by a State agency due to a new IPV finding are matched against eDRS to assist the State agency in determining the appropriate duration of the new disqualification