

2025 NASCOE Negotiation Items

Item: 1

Control Number: NEA-2024-PA-265

Category: Administrative

Issue:

The 32-AS Handbook and the FSA File Maintenance and Disposition Manual are unclear. There are inconsistencies in the implementation of FSA's filing system, as evidenced by the absence of certain forms in 32-AS and the varying methods used by different county offices. This is a follow-up from 2020 Negotiation Item #6.

The supplemental manual is outdated, leading to uncertainty about which filing code applies to various documents and forms. While some forms are listed in the manual, many others are missing. This ambiguity is significantly time-consuming, as employees and offices may choose different codes, making record retrieval challenging.

For example, some county offices are creating files whether there is a corresponding record for the folder or not. We also need more refined instructions as to what labels are required on each individual program file and specifics examples on what forms are to be filed in each folder.

NASCOE Position:

NASCOE suggests that all forms be displayed in an exhibit in the relevant handbook. This exhibit should include a column that lists the 4-digit filing code from 32-AS for each document. NASCOE also recommends including additional information, like actual form numbers for all known forms, in the FSA File Maintenance & Disposition Manual to maintain consistency.

FSA Response:

Agency Records Officers (AROs), part of the FPAC BC, recognize the need for the crosswalk between FPAC/FSA forms, correlating program use and filing guidance. Further, AROs intend to incorporate this information in future releases of 32-AS-Supplement. This will be driven by a partnership between the AROs, the records team and the National Office program managers.

Agency Records Officer in collaboration with National Office program managers intend to revitalize 32-AS-Supplement which serves as the Agency's Records Retention Schedule (RRS). Future amendments to Handbook 32-AS are also in the works.

Resolution:

NASCOE Accepts this response. However, as we have accepted this response in the past, we are asking for a timeline in which we can expect this update to 32-AS.

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Item: 2

Control Number: MWA-2025-WI-90

Category: Administrative

Issue:

The most recent amendment to 27-PM (Rev. 2), Amend. 3, prohibits large, standalone offices to have a Lead PA.

With the recent re-classification of Program Technician (PTs) to Program Analysts (PAs), policy did not accommodate for Chief PTs to be converted to Lead PAs in non-shared management offices. The new policy in 27-PM (Rev. 2), subparagraph 17B states that Lead PA positions “will only be used in shared management arrangements according to Part 3.” It is understood that some offices across the country were not properly using Chief PTs or were no longer accurately classified as having a need for them and that the number of PAs affected would be relatively small. Several offices across the nation are not shared management but have large staff numbers and more workload than many shared management operations. These offices should be allowed to have a Lead PA.

It is unlikely that FSA’s attrition rate will change, even with increased pay from PT reclassification. Almost every industry is increasing pay to remain competitive. When there is constant turnover in an office, there is extra paperwork for hiring, onboarding, quarterly reviews, probational paperwork, IT/CEC work, and training to get the employee to a functional level, which can take up to 2 years. Offices with high workload, program complexity, and large staffing need a Lead PA to assist the CED with the volume of administrative duties and field questions from producers and staff regarding complex programs on any topic, get them researched, and get answers, like the role of the prior Chief PT position.

NASCOE Position:

NASCOE understands that in 27-PM (Rev 2) Amend 3, Par. 17B, with the reclassification of Program Technicians to Program Analyst that the Lead PA positions will only be used in shared management offices.

We understand there are only a small number of FSA County Offices experiencing an unusually high workload, which necessitates the employment of six or more PAs. Consequently, managing these offices can be comparable to managing two offices in a shared management setting, because the CED is required to handle the workload effectively and efficiently. Having a Lead PA in place would be beneficial for managing the workload, providing training and guidance to other Pas, and ensuring resources are available to accomplish the work of the county office. The Lead PAs in these offices would still need to meet the same requirements in 27-PM (Rev 2) Amend. 3, Exhibit 12. NASCOE would also suggest that a bi-annual review be completed at these county offices to make sure that the Lead PAs are still needed, utilizing the process previously used for CED re-classification. NASCOE also suggests that both the CED and Lead PA sign an agreement stating that if the status

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of the office changes the Lead PA would return to a PA status, taking any legal requirements for grade retention into account.

NASCOE is aware that this is a big request as PT reclassification took place last July; however, we feel that in these larger FSA offices with over six PAs, this would be a beneficial asset to our producers and a moral boost to the staff in these locations.

FSA Response:

The Lead PA position gets its higher grade based upon the fact that the PA is in a shared management office and serving as the Acting CED when the CED is absent. The CED must be absent at least 40% of the time.

Prior to the reclassification, the Chief PT and Key PT positions were Grade 9 positions. Both of these positions had a full performance Grade 9 based upon training duties for other PTs. With the PT reclassification effort, all PAs now have training as a component of the full performance Grade 9 level. While a CED in a bigger office may have more workload and thus rely on their experienced PAs more heavily for training newer PA hires, classification of positions is based not upon the amount of workload that an employee has but upon the complexity of that workload.

As FSA has already accounted for the complexity of work with the full performance Grade 9 PA position, no change will be made.

Resolution:

NASCOE accepts this response.

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Item: 3

Control Number: SWA-2025-KS-79

Category: Administrative

Issue:

Many FSA program handbooks have different requirements for official dates of record. These dates are referred to by several different terms across the various handbooks, which makes it challenging for new and seasoned employees to remember what the requirement is, for that specific program, to submit as the official recording date.

Below are several examples of how the different programs, and their handbooks, use conflicting terminology:

1. FSA-578 says "Producer's Signature"

1-CM (Rev. 3) Amend. 77, Par 2C, Managing Operations for Final or Closing Dates for Enrollment, Applications, Filings, Etc., and Using Registers (Continued) C Action Performed at FSA Office:

--Note: County Offices will date stamp documents that are delivered in person to the FSA office and use that date stamp date as the official recording date reflecting official physical receipt of that document.

2-CP (Rev. 16) Amend. 22, Par. 216 D, Certifying Crops by Farm: Enter the signature date from FSA-578 and provide the option to certify by either of the following methods.

2. CCC-94: 3-PL rev 2 a 22 Par26G
3. 3-PL rev 2 a 22 Par26D references 1-CM (Rev. 3) Amend. 49 Par 2c
4. CCC-902: 3-PL Rev 2-a22 par 23c
5. AD-1026: 3-PL Rev 2-a22 par 23c
6. CCC-853: 2-LFP Par 24c
7. CCC-852: 1-LIP Par 53C references to 1-CM

NASCOE Position:

All programs need to have consistent wording. Whether it is the producer's signature date, date office receives the document, or certification date, etc. It would help to provide clarity, avoid mistakes, and keep terminology simple by using just two terms: Date Received or Producer Signature Date. It is recommended that the handbooks are updated and corrected to only use one term and policy, across all programs.

FSA Response:

SND will take this recommendation under advisement for consideration. SND is currently seeking input from all program areas regarding this issue and will update 1-CM accordingly.

Additionally, PDD has established a forms and metadata team. This team is tasked to review different terminology currently used on forms and application across various programs and submit recommendations to standardize common data terms across DAFP.

Resolution:

More conversation is needed, but the issue is recognized by all parties

NASCOE will provide names to DAFP to assist in this project - will send to Lisa Berry

DAFP will provide copies of 1-CM amendment to allow input – Mike Walters will send to Taylor Stucki.

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Item: 4

Control Number: NWA-2025-NE-106

Category: Administrative

Issue:

Handbook 17-PM Paragraph 161D discusses Excused Absence for Preventive Health Screening for employees. It states "Employees with less than 80 hours of accrued sick leave shall be granted up to 4 hours of excused absence each year to participate in preventive health screenings, without charge to leave or loss of pay." This type of leave encourages employees to participate in available preventive healthcare services, in addition to making excused absences available to them.

NASCOE Position:

NASCOE believes that with the progress in preventive health, all employees would benefit from an annual allotment of four hours for excused absences to undergo preventive health screenings, regardless of their accumulated leave. This additional benefit would encourage FSA employees to participate in available preventive healthcare services while also making the excused absence accessible to all employees.

We firmly believe that the reason these appointments are missed and people fall ill is because, regardless of the amount of leave they have, they are not scheduling appointments because they don't want to use their leave.

The agency provides four hours of administrative leave to work at a polling location during voting. However, if you have accumulated fewer than 80 hours, you will only receive administrative leave for preventative health screenings. Our colleagues believe it's prudent to save all their available leave in case of an emergency.

This is a minor policy adjustment that could significantly impact the well-being of our employees. We kindly request management to seize this opportunity to demonstrate their commitment to the health and well-being of FSA employees.

FSA Response:

At this point in time, if we were to look at expanding administrative leave for preventative health screening we could risk losing this benefit for all employees. DAFO will maintain this recommendation, but at this point in time does not plan any changes.

Resolution:

NASCOE accepts this response.

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Item: 5

Control Number: MWA-2025-IN-154

Category: Administrative

Issue:

We have discovered that new employees are not being adequately trained on the 1-AS handbook or the proper use of handbooks.

In the 2024 Federal Employee Viewpoint Survey, Farm Service Agency is trailing FPAC for the question-“I receive the training I need to do my job well” by 4.5 percentage points. This question was in the top five highest percent negative for FSA.

FSA currently has a system for on-boarding all employees through a TEAMS meeting in addition to adding a training on the structure and history of USDA. There are placeholder CEDT trainings on Ag Learn for County Executive Director Trainees, based on observation, these may have been live events that are not currently scheduled. The course title is: Administer Programs Covered by Administrative Handbooks. It's description includes- review and discuss in detail Handbooks 1-AS, 25-AS, 33-AS, 34-PM, 35-PM, 20-AO, 3- BU, 5-PM, 17-PM, 19-PM, 22-PM, 27-PM, 28-PM, 32-PM, 9-AO; 15-AO, 16-AO, 18-AO, 2-INFO, 3-INFO, 1-FI, 3-FI, 61-FI, 98-FI, and 118-FI.

On the DAFO website, there are resources for State Committees, County Committees, State Executive Directors, District Directors, and County Executive Director Trainees but the Program Analyst link is not found. Most of the trainings on this site focus on programs and don't include the administrative aspects of our jobs.

Policy and directives training seems to be overlooked, because of office workload and the immediacy of serving customers emphasizing the task of completing program applications. Program Analysts are often left to research policy on the administrative operations of an office on their own without guidance. The quality of training received regarding where to find operational policy is dependent upon the training capabilities of the supervisor.

Training does exist in AgLearn that is currently available to CEDTs, entitled “FSA COT Training 11 – Administer Programs Covered by Administrative Handbooks”.

NASCOE Position:

While other program areas have state-dependent nuances, administrative programs such as those listed above should be cohesive nation-wide. By developing or updating trainings, concrete information is being provided to new employees on basic administrative programs.

Currently, the responsibility in these areas is left to the supervisor. Many states have developed detailed courses, but they tend to be heavy in program information similar to what is observed on the training sites. The modules and recorded trainings are helpful but do not cover the day-to-day

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information of how the agency operates outside of disaster, price support, and conservation programs.

Nation-wide training in administrative function will provide basic knowledge in handbooks, agency structure, financial processes and reduce costly mistakes or inadvertent inequalities between offices.

NASCOE asks for the training module available to CEDTs in the on-boarding AgLearn training requirements for all new employees.

FSA Response:

DAFO has made several strides in this area. First, we reinvigorated the PT Skills for Success program. Second, we established the Training SharePoint page.

DAFO has also established a cross-deputy training working group to discuss innovative training ideas. We are currently fleshing out ways to improve training across the agency. We are looking into ways to provide shorter training segments and also to build upon the CEDT modules by having mock scenarios and applications. DAFO welcomes NASCOE's suggestions on particular training topics and/or methods.

Resolution:

DAFO will take into consideration developing training tools similar to a "Basic FSA 101". Would include implementation for all new hires for CO employees. Kim Viers & Amy Webbink are open to having NASCOE provide a list of recommendations of trainings thought necessary and when they should be completed.

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Item: 6

Control Number: NWA-2024-NE-35

Category: Farm Programs - Common

Issue:

The common varieties of winter wheat are quite similar in abbreviation to each other. Hard red winter is HRW and hard white winter is HWR. There are common abbreviations for each variety of wheat usually attributed to common industry standards or crop insurance standards.

Abbreviations for wheat varieties are identified in 2-CP (Rev. 16), Amend. 6, Exhibit 16. Most of the abbreviations, except for hard amber durum (HAD) and hard white winter wheat (HWR) follow the same strategy:

1. First letter identifies the hardness of the wheat: hard or soft - H or S
2. The second letter identifies the color of the wheat: amber, red or white - A, R or W
3. The third is tied to the growing season: winter or spring - W or S

No other crop in the current Exhibit 16 has the abbreviation of HWW.

FSA has 9 different type names of wheat while the U.S. Wheat Associates and National Association of Wheat Growers along with several state's extension services only recognize 6 classes: Hard Red Winter, Hard Red Spring, Soft Red Winter, Hard White, Soft White and Durum.

Federal Crop Insurance only requires delineation between spring, winter and durum types of wheat per the FCIC 18010 Crop Insurance Handbook 2024, for acreage reporting and production history.

NASCOE Position:

The utilization of industry standards adds validity and efficiency to FSA's programs. Standard terminology allows for the reduction in erroneous acreage reports and payments. FSA should strive to construct their policies in a manner that is both consistent with FCIC standards and common abbreviations to ensure the translation from producer to program is seamless. By adopting policy which all varieties of wheat follow the abbreviation rules, FSA can ensure fewer mistakes by the county office staff and producers.

Therefore, NASCOE suggests hard white winter wheat be abbreviated to HWW in both CARS and 2-CP.

FSA Response:

SND will work with RMA and the Price Support Division to fully determine the impacts on this requested change. Once all downstream program and software impacts have been identified a decision can be made on the feasibility of this requested change.

Resolution:

NASCOE accepts this response, but would request information provided by RMA and a timeline of when this issue can be completed.

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Item: 7

Control Number: MWA-2024-IA-160

Category: Farm Programs - Common

Issue:

The MIDAS software does not have the capability of generating a notification letter to notify Other Tenants (OTs) of farm records or farm operating changes.

County Offices have been adding producers as OTs to farms in MIDAS either because they are getting a share of the crop or participating in another FSA program like CRP or LFP. As our policy shows, there are legitimate reasons that we need to have an OT also on a farm, such as two (or more) producers all having a share in a crop, who are not landowners. However, There is no notification letter in MIDAS for OTs when a change is made to the farm. For an OT to be notified, County Offices have to consider the use of a manual letter.

NASCOE Position:

NASCOE recommends a policy change to handbook 10-CM, Paragraphs 13 and 314A making it optional to send an OT a notification letter of changes to the farm/farming operation. The policy change would allow the software to be updated with the ability to generate notification letters for OTs in the MIDAS software.

FSA Response:

SND will take this recommendation under advisement for consideration by management for future policy change, including evaluation of the requested software enhancement to generate OT change notification letters.

Resolution:

This change is forthcoming in FY26, open after rollover weekend (9/26/25).

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Item: 8

Control Number: NWA-2024-MT-31

Category: Farm Programs - Conservation

Issue:

There is an inability to process errors and omissions in Grasslands CRP once offer that has been accepted. Handbook 2-CRP (Rev. 6) paragraph 339 outlines the reasons for processing/editing an acceptable, or omitted, offer for General and Grasslands CRP as: "Errors detected in ranking data elements, changes to CRP-2 data elements. Any timely-filed offers found by County Offices to contain incorrect ranking data are considered erroneous. Changes in the CRP-2 data may result in any of the following: offer being ineligible, EBI score increasing, EBI score decreasing." COLS software does not allow county office employees to correct CRP Grasslands offers through COLS as would be done for General CRP offers.

The process between the two signups differs in how corrections are processed due to errors and omissions. Notice CRP-1029 directs us to handle General Signup 62 error and omissions by referring to 2-CRP (Rev 6) while Notice CRP-1033 directs errors and omissions for CRP Grasslands SU 206 be handled by submitting the applicable documentation to our state offices and they will send them up via SharePoint.

NASCOE Position:

NASCOE recommends that the errors and omissions process be uniform between the two signup types by giving the ability for county office employees to make corrections within COLS. This would help make CRP more cohesive across the sign-up types as well as help employees better understand the program because of the matching policy.

FSA Response:

When grassland CRP was introduced in 2015, the software was designed to process offers in multiple FY batching periods similar to EQIP. The 2018 Farm Bill changed grassland CRP from continuous enrollment with multiple batching periods (similar to EQIP) to annual enrollment with an announced ranking period similar to general CRP. Unfortunately, grassland CRP software functionality was not modified when signup changes were implemented. As a result, grassland CRP signup errors and omissions must be processed through State Offices and submitted on a National Office SharePoint.

As funding becomes available, CD and PDD will explore enhancements to grassland CRP software.

Resolution:

NASCOE accepts this response.

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Item: 9

Control Number: NWA-2024-NE-102

Category: Farm Programs - Conservation

Issue:

The CCC-505, Voluntary Permanent Base Acres Reduction, form is required for CRP enrollment and is supposed to be completed at the time of contract approval. The system is not always available due to fiscal year rollover for expiring CRP contracts that are re-enrolling so manual CCC-505 forms are required to be done.

Often times the manuals are completed incorrectly or not done at all due to short staffing and are completed once the expired base acres are distributed back to the farm and the form can be generated out of the system. Errors occur due to new land being enrolled, multiple CRP contracts, mathematical errors, etc.

2-CRP (Rev 6) Amend. 7

- Para 212 - Completing CRP-2C for CRP Signup
 - A. About CRP-2C
 - *Before completing CRP-2C, the County Office must ensure that the base acre limitation is not exceeded.
- Para 401 - Approving and Numbering CRP-1's
 - A. Requirements Before Approval
 - ensure that base acres and CRP acres do not exceed effective DCP cropland on the farm, according to subparagraph B
 - complete approved farm reconstitutions
 - B. Approving CRP-1's
 - When the producer determines to reduce base acres on a farm because of enrollment into CRP, the producer must complete CCC-505 according to 1-ARCPLC at the time the acres are being offered for CRP.

10-CM (Rev 2) Amend. 3

- Para 304 Automated CCC-505 Base Reduction Wizard
 - A. Overview
 - Users are required to use the CCC-505 wizard to complete all base reductions unless the software is not available.

1 ARCPLC (Rev 1) Amend 2

- Para 283 Acre Reductions for CRP, GRP, or WRE Enrollment
 - B. When to Determine Reduction Acres for CRP and GRP
 - When the producer determines to reduce base acres on a farm because of enrolling in CRP or GRP, the producer must complete CCC-505 at the time the acres are being offered for CRP or GRP.

All the above referenced handbooks require a COF to determine if a CCC-505 is required. This process is complicated enough when there is a new CRP offer made but is further complicated

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when there is existing CRP on the farm or a contract is being re-enrolled. COF staff must make manual calculations to determine how many acres of base must be reduced and there is a large possibility of error when having to calculate the potential reduction before the contract becomes effective.

NASCOE Position:

NASCOE suggests that policy be revised to allow manual CCC-505 to be completed by the producer at the time of the offer. Offices should be required to have a conversation with the producer about which base crops they would like to remove and those should be noted on the manual CCC-505 when it is signed by the producer. The COF would then enter a preliminary CCC-505 reduction into the wizard which would be finalized or modified within 30 days of the new contract effective date without the need to acquire another producer signature.

FSA Response:

The CCC-505 Wizard allows a CCC-505 to be initiated with a specified effective year. This would include situations where the base reduction is initiated and the CCC-505 is generated for signature due to a CRP offer that will not be effective until the CRP contract begins in the next fiscal year. Users can initiate the CCC-505 wizard, complete the steps outlined in 10-CM (Rev. 2), paragraph 304, and “Complete and Print” the CCC-505 for signature. If the effective year entered for the CCC-505 is a future year, the system will hold the approval workflow until after rollover, when the approving official can then approve the CCC-505 if the offered CRP was accepted. If for some reason the CRP offer was not accepted, the contract did not become effective, and the base reduction is no longer necessary, the user can cancel and delete the CCC-505.

SND will review policy pertaining to the ability to complete a manual CCC-505 versus using the CCC-505 Wizard. However, since the wizard functionality can handle the need to generate a CCC-505 at the time of a CRP offer, to be effective in the future, users are encouraged to use the software to ensure accuracy and control of the workflow generation for approval.

Resolution:

DAFP will discuss possible flexibilities and will request input from the field and commits to working with NASCOE to get feedback to find a workable solution. NASCOE will provide names to offer input.

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Item: 10

Control Number: SWA-2024-OK-134

Category: Farm Programs - Conservation

Issue:

Currently, we are required to build FSA-848s within five (5) days of CRP-1 Contract approval for both General and Continuous contracts. An FSA-848 is required for both cost-share practices and non-cost share practices according to 2-CRP (Rev 6), Par. 500A.

The FSA-848s are extremely time-consuming, averaging about 15 minutes each. In a county with heavy CRP, this task becomes a significant burden for county office employees who must complete it within the established 5-day deadline.

With the changes in CRP regulations and payment rates, we are unfortunately seeing a huge decrease in participation in the CRP Program making almost all of our accepted contracts reenrolled acreage only. Creating FSA-848s for these contracts that generate no cost-share for the producer seems to be added workload and additional hoops to jump through.

NASCOE Position:

NASCOE would like to propose a change in the timeframe to issue FSA-848s after contract approval. NASCOE believes that a 30-day timeframe would allow ample time to complete the workload that is entailed to issue FSA-848s.

FSA Response:

The requirement to create and approve FSA-848s within five (5) days of CRP-1 contract approval is necessary to support the timely obligation of cost share funds in the same FY as CRP-1 approval. For example, the FSA-848 for a CRP-1 approved on 9/16/2024 should be created and approved by COB, 9/20/2024.

When FSA-848s are not created and approved in the same FY the CRP-1 is approved (by 5:00pm CDT on September 30), FSA County Offices must manually report the financial obligation for cost share to FMD for recording (see Notice CRP-1037). FMD uses this data to ensure all approved CRP-1s are obligated and reported on CCC's year-end audited financial statements. As County Offices create and approve these FSA-848s, the funding for cost share obligations is pulled from the BFY of CRP-1 approval. Cost share funds available in prior BFYs are limited and based on what was manually reported to FMD at year end.

CD will consider allowing 30-days to create and approve FSA-848s associated with non-cost share practices (i.e. required management). As a note, FSA-848s are **not** required when CRP-1s with conservation plans for re-enrolled acreage do not include C/S for establishment of a practice and a required management activity (See 2-CRP, subparagraph 500 A).

Resolution:

DAFP is open to conversation, though this issue may not get settled this cycle. DAFP is actively working on it, not sure it'll get completed within this signup cycle. DAFP working to resolve in long-term and put policy forward that makes sense. Will start with non-C/S so a portion of the issue can hopefully be resolved sooner than later.

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Item: 11

Control Number: SEA-2025-FL-8

Category: Farm Programs - Conservation

Issue:

The Emergency Conservation Program (ECP) requires proof of control of land. However, many cattle producers do not have hard copy leases. The current policy in 1-ECP (Rev. 8), Par. 623A states “Pay C/S to the eligible participant who pays the cost of performing the practice regardless of a lease or other agreement that provides payment to be:

- Made in some other manner
- Relinquished to someone who did not pay related costs

Note: If referencing the terms of a lease or rental agreement, a copy of the lease or rental agreement must be included in the ECP file”

While it states a lease or “rental agreement”, the handbook never states that a CCC-855 is an acceptable form that may be utilized for the ECP program. In other handbooks, it does clearly state that a CCC-855 is an acceptable form. For example, in 1-LFP Par. 26 E Lease Agreements “COC or CED, if delegated, will review all acreage leases, including CCC-855’s to determine whether:

- the lease conveys control, however limited, to the lessee
- lessee is at risk of a loss of production of forage on the grazing land or pastureland crop acreage for which benefits are being requested for LFP.”

The CCC-855 form references 7 CFR Part 1416, a set of regulations governing emergency disaster programs. Since ECP is in an “Emergency Disaster program” this form further solidifies its approval for use while this program is being administered. In most disaster situations, people urgently need money and assistance. The use of this form expedites and simplifies our compliance with program rules and regulations while simultaneously providing timely aid to those in need.

NASCOE Position:

NASCOE recommends allowing the CCC-855 to be used as an acceptable form of a “lease or rental agreement” for the ECP program. The handbook should be amended to include wording similar to the 1-LFP handbook that states “If written acreage lease or rental agreement was not entered into, a copy of CCC-855 must be completed and signed by the lessor, according to paragraph 28.” Also, we recommend including a section for the policy for utilizing a CCC-855 as the acceptable form of lease or rental agreement, similar to 1-LFP Par. 28. Allowing the use of the CCC-855 form would help producers to be able to efficiently and timely apply for and receive benefits from this emergency disaster program.

FSA Response:

CD will include this recommendation to FSA leadership as a potential future policy change.

Resolution:

DAFP is working on this and would be open to input from the field. This topic is bundled for policy changes for discussion with leadership - DAFP would like assistance. No timeline for when this will go before leadership, but hopefully soon. NASCOE will provide names for assist.

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Item: 12

Control Number: SWA-2024-KS-89

Category: Farm Programs – Disaster Assistance

Issue:

Fact sheets are not timely being updated with correct procedure. National Notice 1-ELAP 15 made several changes to various ELAP policies. Later, the 1-ELAP handbook received amendment 13 which included the changes from the notice. However, the current ELAP fact sheet for Livestock issued on April 2024 is still missing this updated policy.

For example, the fact sheet states “Eligible adverse weather for losses resulting from the additional cost of transporting water to eligible livestock includes an eligible drought, meaning that any area of the county has been rated by the U.S. Drought Monitor as having a D3 (extreme drought) intensity that directly impacts water availability at any time during the normal grazing period.” Whereas our handbook policy is “Water transportation becomes eligible when a county qualifies for D2 (severe drought) status or greater, as defined in Exhibit 2, and can continue until the end of the calendar year.” This can make things challenging for staff especially when these programs do not often trigger in their county and they are trying to find a quick response for a producer. Often, we turn to the fact sheets because they are an excellent tool to utilize ourselves and share with producers to provide an understanding of our policy in a clear and concise manner.

NASCOE Position:

NASCOE recommends that fact sheets are updated at the same time as the corresponding handbook. This allows for information to match across a program’s handbook, website, and factsheet. It is critical that the information provided on fact sheets to producers matches the handbook policy for proper understanding of the FSA policy.

FSA Response:

The National Office updates the Fact Sheets whenever changes are made to policy, which is typically done at least two times per program year and the fact sheets are updated annually, no matter what policy changes are made to incorporate the new rates for the program year as it is updated. The National Office is aware that older versions of fact sheets are available when using a search engine and are working to make sure that those fact sheets are not available. Fact sheets should be updated and a link to the most current fact sheet is posted on the ELAP SharePoint for internal use. External links that are posted should be current, but FSA will continue to work to make sure that those older fact sheets are not linked to any current FSA websites.

Resolution:

NASCOE accepts this response.

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Item: 13

Control Number: SWA-2024-TX-190

Category: Farm Programs – Disaster Assistance

Issue:

The Form CCC-855, Annual Lease Agreement Certification Statement serves as an approved resource for most of our FSA programs. This form helps necessitate documentation to support producer leasehold interests, as per 1-LFP, paragraph 28.

On the form, Item 3, Program Year can become an unnecessary field to complete. This can lead to the creation of duplicate forms for different program years, resulting in the same lease terms and/or conditions being applied. Additionally, overlapping grazing periods and FSA programs with varying eligibility periods can cause duplications and contribute to more issues.

NASCOE Position:

We would like to recommend to remove Item 3, “Program Year,” from the CCC-855 Form. Instead allow the current and relevant lease terms to be displayed further down on the form. Implement a procedure to allow the terms of this lease be used for FSA programs, rather than being tied to a specific “Program Year.” This would align the use of the CCC-855 to being utilized just as a written lease brought into our office for program participation.

FSA Response:

The National Office will take this suggestion under consideration after all program areas discuss. Speaking on behalf of the LFP program, this form is required to be submitted annually by the lessee and lessor so having the applicable LFP program year as a quick reference would seem helpful to ensure the form has been received for the program year the producer is applying for assistance. However, we appreciate this submission and will add this as a Farm Bill discussion topic with a task force when all software, policy, and forms are discussed as we are always looking for opportunities for better efficiency in program administration.

Resolution:

DAFP will be working towards this in the future, would like to include NASCOE in the conversation.

2025 NASCOE Negotiation Items

Item: 14

Control Number: NWA-2024-ID-167

Category: Farm Programs - Price Support

Issue: The Handbook 2-LP Wool and Mohair, Amend. 1, Par. 401G states County offices must obtain the following herd characteristics from eligible producers requesting benefits and record the information in CCC-633EZ, page 4, item 86: flock size, date of shearing, and breed of animals in herd. Additionally, Par. 403 D of the handbooks states LDP rate is based on the date the producer certifies the unshorn lambs were slaughtered. When requesting additional disbursements, Par. 404 F, producers are to indicate commodity in item 64, type in 65, quantity in 66, etc.

2-LP Wool and Mohair procedure does not align with the form. In addition, there is not an appropriate space on the CCC-633 EZ for all information that is to be captured and certified. Only pages 1 and 4 of the form are required for Wool, Mohair and Unshorn Pelt LDP's.

Below is a list of the discrepancies between 2-LP Wool and Mohair procedure and the 633EZ form:

Paragraph	Procedure Item number	Current Reference to Form (Item number)	Correct Reference to Form (Item number)
401 G	86	Part P. Producer Signature	Item 93 "Additional Information"
401 H	67	LDP CCC use only	71 "Source of Quantity"
403 D	NONE	81? LDP Date?	
404 F	64 (commodity)	Crop Year	68
	65 (type)	Tax delinquent debt question	69
	66 (quantity)	State and County	70
	67 C	LDP No. CCC Use Only	71 C
	68 (Stored location)	Commodity	72
	69	Beneficial interest	73
	79-81	Part O- Stored, Quantity, Herd Size and LDP Date	83-85
405 A	5 and 6	None??	5A-5C
405 B (Note)	Page 2	Request for LDP	Page 4

The CCC-633 WM has the pertinent information required (current herd size, breed and type/ year shorn) for the LDP but it references loans.

NASCOE Position:

The CCC-633-WM form could be modified to request either an LDP or MAL. The information required is similar for both programs. The current discrepancies between procedure and the CCC-633EZ form has and will contribute to errors in administering the LDP program for wool, mohair and unshorn pelts. A form specific to these commodities is needed to reduce errors and capture necessary information and procedurally required certifications.

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FSA Response:

A revision to 2-LP Wool and Mohair is currently in Directives for clearance. It provides the current version of the CCC- 633EZ which will clarify several issues. Also, the instructions for the CCC-633 EZ are available online through the forms website.

PSD will research ways to improve the CCC-633EZ for Wool LDPs. The CCC-633WM is a worksheet that was originally just for MALs, but PSD can add this form as a supplement to LDPs. The CCC-633EZ is automated in the LDP system. to incorporate the CCC- 633WM into LDP will cause major rework, but PSD will work with the field to improve the CCC-633EZ for wool use.

Resolution:

NASCOE accepts this response.

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Item: 15

Control Number: NWA-2025-SD-69

Category: Farm Programs - Price Support

Issue:

Currently, Electronic Funds Transfer (EFT) is available for loan proceeds within FLP, and FSFLs are required to utilize Treasury Checks, when secured by additional security or if closing is held by a closing agent.

When an applicant makes a request for an FSFL and the placement of the item is on real estate, a lien search must be performed to determine if CCC has the necessary lien position required for the FSFL structure, equipment and/or storage and handling truck. The lien search must occur after the FSFL UCC-1 has been filed to determine FSA's lien position (1-FSFL (Rev. 3) Amend. 6, Par. 144A). According to 1-FSFL (Rev. 3) Amend. 6, Par. 187 K and 2-FSFL (Rev. 1) Amend. 2, Par. 402A, the handbooks state that the FSFLs are required to have a closing agent and that the checks are to be sent to the closing agent with a closing date 21 days after the check is dated and that EFT is not to be allowed. There are many times during the process that issues could arise for a smooth loan closing. Relying on the mail delivery, communication across multiple parties, and also timing for said parties. With the use of EFTs, the loan disbursements, and loan closing process can be a smoother and more efficient process for our customers and reducing the possibility of unnecessary errors.

When a producer chooses to add real estate as part of the security for their FSFL, there are several added check boxes that must be checked to get the check issued to the borrower. With the addition of the real estate being added to the FSFL, that adds another layer of security being added to the loan. CCC is very concerned about the collateral of any loans we make, and when real estate is used in that way, and we do not currently hold the 1st lien, we take extra precautions to make sure we are protected and due to extra security is one of many reasons that a check must be issued instead of using EFTs.

However, for FLP Farm Loans, EFTs are authorized methods, and are the preferred method for ordering the funds for the loan, according to 3-FLP (Rev. 2) Amend. 54, Par. 398A and Par. 431A

NASCOE Position:

NASCOE believes that the guidelines of a FLP are the same as the FSFL program. Many farm loans are secured by real estate, a lien must be requested, a closing agent must handle the closing, the funds are ordered through DLS, and at this point the funds are then deposited through EFT in the escrow account of the Title Company. These loan funds do come from ACIF, whereas, the FSFL loan funds come from CCC. NASCOE proposes that because FLP farm loans, and FSFLs without extra security or closing agents, can utilize EFTs, that all FSFLs be allowed to utilize EFTs.

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FSA Response:

The DLS/FLP and DLS/FSFL automated systems are not programmed to carry out the same tasks or activities. The National Office is actively working to build a new FSFL automated system. Once the new FSFL automated system is deployed, the National Office may consider for FSFL closings that require additional security and a closing agent or title company to close the FSFL, enhancing the FSFL automated system and allowing FSFL closing funds to be ordered and deposited by EFT in the closing agent or title company's escrow account.

Resolution:

DAFP sees the benefit and hopes that an integration is possible in a new FSFL platform that is forthcoming, likely in FY26. DAFP will need to research if this process is capable and will provide a response if unable to complete.