

For: AL, AZ, AR, CA, FL, GA, IL, KS, KY, LA, MS, MO, NV, NM, NC, OK, SC, TN, TX, and VA
State and County Offices

Assisting in the Cotton Research and Promotion Program Signup Period

Approved by: Acting Administrator



1 Overview

A Background

AMS reviewed the need for a continuance referendum on the 1991 amendments to the Cotton Research and Promotion Order (Order). On May 29, 2013, AMS published the Department’s determination, based on the results of the review, **not** to provide for a continuance referendum on its own initiative.

According to the Cotton Research and Promotion Act, AMS will provide an opportunity for all eligible persons to sign up to request a referendum on the 1991 Order amendments during a signup period. The signup period will be August 3 through 14, 2015. **This is not a referendum (or a “yes or no vote”) of the Cotton Research and Promotion Program, but an opportunity for producers to signup if they want AMS to conduct a referendum in the future on the Cotton Research and Promotion Program. No action is necessary by the producer if a continuance referendum is not desired.**

Cotton Research and Promotion Act, Section 8(c)2 provides that if USDA determines, based on the results of the signup, that 10 percent or more of the total number of eligible producers and importers that voted in the most recent 1991 referendum (that is, 4,622) request a continuance referendum on the 1991 Order amendments, a referendum will be held within 12 months after the end of the signup period. If USDA determines that 10 percent or more of the number of producers and importers who voted in the most recent referendum favor a continuance referendum, a referendum will be held.

Important: As in past years, this signup may be audited, contested in court, or both. Accordingly, it is extremely important that State and County Offices follow this notice timely and accurately.

Disposal Date	Distribution
September 1, 2015	Cotton State Offices; State Offices relay to County Offices

Notice AO-1630

1 Overview (Continued)

B Purpose

This notice provides instructions to State and County Offices on how to carry out FSA's responsibilities for the upcoming Cotton Research and Promotion Program signup period.

C State and County Office Action

State and County Offices shall assist AMS in conducting the signup August 3 through 14, 2015, according to paragraph 2 and Exhibits 1 through 6.

Employees participating in signup activities shall record time in the WebTA Activity Reporting System (ARS) using Program "NP" (Non-Program) and Activity "OTH AGENCY SUPP" (Other Agency Support).

Notes: Program "AMS" shall **not** be used by Federal employees because Program "AMS" is only to be used by employees of DACO or KCCO for a specific reimbursable agreement.

AMS provided the signup instructions.

AMS will be paying for only the costs associated with this signup. State and County Offices shall list their expenses on the State and County Office FSA Transmittal of Results and Expenses Sheet (Exhibit 6). County Offices shall maintain a register of associated costs and report their expenses on Exhibit 6, along with the signup results. State Offices will summarize County Office costs, as well as any State Office costs and report on Exhibit 6, along with State summary results.

Important: County Offices shall **not** incur separate advertising and mailing expenses with respect to announcing this signup period. However, include excerpts from the AMS Notice to the Trade that is located at <http://www.ams.usda.gov/cotton> (CLICK "Cotton research and Promotion 5-Year Review & Signup" to access) in routine County Office newsletters and free press.

D Contact

For questions about this notice:

- County Offices shall contact their State Office
- State Offices shall contact Rick Pinkston, DAFO field operations staff, by either of the following:
 - e-mail to rick.pinkston@wdc.usda.gov
 - telephone at or 202-720-1857.

Notice AO-1630

2 Report to Support the Signup

A Background

A report has been developed to help County Offices conduct the signup. To access the report, go to <http://fsaintranet.sc.egov.usda.gov/ffas/farmbill/ccc/>, scroll down and under “Cotton Referendum”, CLICK “**Cotton Referendum Report**”.

Note: The report is password protected. The password is “**14cotton**”.

B Identifying Producers With Share of Cotton in the 2014 Crop Year

The report will:

- identify producers who shared in an acreage of upland cotton reported on FSA-578 during the 2014 crop year

Note: Owners of farms that had upland cotton grown in 2014, but who did **not** share in the crop, will be included regardless of the current status of the farm or the owner.

- eliminate producers flagged, “Deleted” in the name and address files
- **not** include producers with the total acreage reported as failed and not marketed
- for producers who were partnerships or joint ventures, identify and include the first level members as constituted in 2014
- for producers who were entities other than partnerships or joint ventures, identify the entity
- identify all counties in which the producer is currently active
- identify the recording county for each producer.

Note: Follow instructions in Exhibit 1 on eligibility to determine whether to add or delete a producer from the list.

Notice AO-1630

2 Report to Support the Signup (Continued)

C List of Producers

The report will print a list of producers, as described in subparagraph B, sorted by name and then State and County, with the following:

- name
- address
- business type and code
- counties in which the producer is currently active
- indicator of which county is the recording county.

This list will serve as the basis for the list required by Exhibit 1, subparagraph 3 B.

3 Maintaining FSA's Impartiality and Exhibit Content

A State and County Office Action

FSA is assisting AMS by conducting this signup at AMS's request. State and County Office employees, and COC members, shall use caution so that it does **not** appear that FSA is showing bias or partiality. State and County Offices shall **not** become involved in the following:

- issues relating to the USDA regulations in 7 CFR Part 1205
- encouraging a producer to cast a signup or not
- determining eligibility other than in an official capacity
- prejudice for or against the Cotton Research and Promotion Program.

B Signup Materials in Exhibits

There are 6 exhibits as follow.

Exhibit	Title
1	"AMS Instructions for Conducting the Signup"
2	"In-Office Signup Sheet"
3	"Register of Absentee Signup Requests Sheet"
4	"AMS Form CN-100, Producer Sign-up Request Form"
5	"Example Letter of Explanation of the Signup Period"
6	"State and County Office FSA Transmittal Sheet of Results and Expenses for Cotton Sign-Up"

AMS Instructions for Conducting the Signup

1 Overview

A Background

In July 1991, a referendum was conducted that resulted in the adoption of amendments to the Cotton Research and Promotion Order (Order). The Order establishes the Cotton Research and Promotion Program; a self-help, cotton producer and cotton importer-funded initiative designed to strengthen cotton's competitive position, expand markets and uses, and increase demand for upland cotton. The 2 most significant Order amendments are 1) the initiation of an assessment on imported cotton and the cotton-content of imported textiles and 2) the termination of the right of cotton producers to request and receive refunds of assessments paid. The Cotton Research and Promotion Act requires that once every 5 years after the date of the most recent referendum (July 1991), the Department will review the Cotton Research and Promotion Program to determine whether a referendum is needed. Following this review, the Department is to either conduct a referendum or provide persons subject to the Order an opportunity to request a referendum. On May 29, 2013, the Department endorsed the continuation of the 1991 Order amendments without a continuance referendum. As a result, AMS is taking steps to conduct a signup period as required by the Cotton Research and Promotion Act.

B Responsibilities

The Administrator of AMS is responsible for conducting the signup period and announcing its results. FSA will assist in conducting the signup period by:

- accepting AMS Form CN-100 from cotton producers for the signup
- determining eligibility of cotton producers to file AMS Form CN-100
- determining and reporting signup results.

C Purpose

The purposes of these instructions are to:

- describe the significance of the signup
- establish procedures about:
 - County Office actions
 - State Office actions
 - counting requests
 - retention and disposition of signup records
- establish instructions for determining:
 - producer eligibility
 - reporting signup results.

AMS Instructions for Conducting the Signup (Continued)

2 Signup Period

A Significance of Signup Period

Only eligible persons who would want to request a referendum on the Cotton Research and Promotion Program would need to participate during the signup period. If results of the signup period show that at least 10 percent (4,622) or more of the number of program participants voting in the most recent referendum request the conduct of a continuance referendum on the 1991 Order amendments, a referendum will be held within 12 months after the end of the signup period. Except that, in counting requests, not more than 20 percent of these requests may be from program participants from any 1 State. If the resulting signup period indicates that less than 10 percent (4,622) of program participants do **not** favor a continuance referendum, a referendum will **not** be held.

B Time and Location of Signup

The signup shall be held:

- from August 3 through 14, 2015
- in County FSA Offices.

3 Eligibility

A Eligibility Requirements

Any **person** who is 18 years or older and who, during 2014, was engaged in the production of upland cotton in the United States shall be eligible to participate in the signup period.

Note: The Cotton Research and Promotion Act defines “person” as any individual, partnership, corporation, association, or any other legal entity. Only persons who meet the following eligibility requirements may participate in the signup period.

- No person is entitled to sign up more than once, **except** that each individual partner of an eligible general partnership is entitled to request a continuance referendum, but the partnership itself is **not** entitled.
- Where a group of individuals is engaged in the production of upland cotton under the same lease or cropping agreement, only the individual or individuals who signed or entered into the lease or cropping agreement are eligible to participate in the signup period. Individuals who are engaged in the production of upland cotton as joint tenants, tenants in common, or owners of community property, are each entitled to submit AMS Form CN-100, if they share in the proceeds of the required crop as owners, cash tenants, share tenants, sharecroppers, or landlords of a fixed rent, standing rent, or crop share.

AMS Instructions for Conducting the Signup (Continued)

3 Eligibility (Continued)

A Eligibility Requirements (Continued)

- An officer or authorized representative of a qualified corporation, association, or limited partnership may submit AMS Form CN-100 for that corporation, association, or limited partnership.
- A guardian, administrator, executor, or trustee of any qualified estate or trust may submit AMS Form CN-100 for that estate or trust.
- An individual may **not** submit AMS Form CN-100 for another individual.
- Participation in the signup by proxy or Power of Attorney is **not** authorized.

B Determining Eligibility

- County FSA Offices are instructed to prepare lists of all known, eligible upland cotton producers in each county that it served during 2014 according to Exhibit 1, paragraph 2.
- Each person on the County FSA Office lists may participate in the signup.
- Eligible producers **must** date and sign their name on the County FSA Office In-Office Signup Sheet (Exhibit 2). Exhibit 2 can be photocopied from for usage.

Note: Exhibit 2 is **not** available to the public; therefore, copies shall **not** be distributed in any situation.

- Eligible producers requesting to sign up by mail **must** request and complete AMS Form CN-100, and return it to their respective County Office.
- Under **no** circumstance should any person wanting to request a referendum be refused the opportunity to sign up.
- A person whose name does not appear on the County FSA Office list may participate in the signup period. This person must provide documentation that demonstrates that the person was a cotton producer during the 2014 crop year.
- Producers may request to sign up by mail.
- Requests for absentee signup packages may be made by mail, FAX, or telephone by the producer or on the producer's behalf. In this case, the absentee signup package shall be mailed directly to the producer at the address provided. AMS Form CN-100 may be obtained by the Internet at www.ams.usda.gov/Cotton. CLICK "**Cotton Research and Promotion 5-Year Review & Sign-up**".

AMS Instructions for Conducting the Signup (Continued)**3 Eligibility (Continued)****B Determining Eligibility (Continued)**

- Requests must be for only 1 absentee package.

Notes: A list of names is **not** an individual request.

Cotton producers should make requests to the County FSA Office where the producer owns or rents land. If the producer owns or rents land in more than 1 county, the producer should make requests at the County Office where FSA maintains and processes the producer's administrative farm records.

- When a request for an absentee signup package is received by mail, FAX, or telephone, the County Office shall:
 - enter the date the request is received on the Register of Absentee Signup Requests Sheet (Exhibit 3)

Note: Exhibit 3 is **not** available to the public. Do **not** provide copies **for any reason** to anyone.

- list the producer's name and date received in Exhibit 3
- send the producer an absentee signup package containing a copy of AMS Form CN-100 (Exhibit 4) and a letter of explanation of the signup period (Exhibit 5), requiring the producer to return the following documents to be received by the County Office by COB August 14, 2015:

- a copy of at least 1 sales document that must accompany the returned signup sheet

Note: Sales documents are required even though the producer is shown on the county list.

- completed and signed AMS Form CN-100 (Exhibit 4)
- when a completed AMS Form CN-100 (Exhibit 4) is returned, enter the date received in Exhibit 3, "Remarks" column

AMS Instructions for Conducting the Signup (Continued)

3 Eligibility (Continued)

B Determining Eligibility (Continued)

- in Exhibit 3, “Remarks” column, ENTER “**Ineligible**”, if:
 - producer failed to submit sales evidence
 - AMS Form CN-100 was **not** received by the County Office by COB August 14, 2015
 - AMS Form CN-100 was **not** completed properly.

Notes: It is the responsibility of the person to provide information needed by the County FSA Office to determine eligibility. It is **not** the responsibility of the County FSA Office to obtain this information. Failure to provide sales receipts will require the County FSA Office to determine that the person is ineligible to participate in the signup period, and to notate “ineligible” next to the person’s name in the “Remarks” column on the County FSA Office Signup Sheets in Exhibits 2 and 3, as applicable.

Where producers have been requested to submit sales receipts, the County Office shall keep the sales receipt on file. If producers want the sales receipt returned, make a copy for the file and return the sales receipt to the producer.

4 Cotton Signup Boxes and Obtaining AMS Form CN-100

A Cotton Signup Boxes

County Offices shall provide a holding box or container of sufficient size, arranged so that **no** AMS Form CN-100 can be read or removed without breaking seals on the container.

B Obtaining AMS Form CN-100

Eligible persons may obtain AMS Form CN-100 in-person, by mail, FAX, or telephone. The County Office shall mail directly to the person, at the address provided by the person, if requested by mail, FAX, or telephone. Persons may also obtain AMS Form CN-100 through the Internet at <http://www.ams.usda.gov/cotton>. CLICK “**Cotton Research and Promotion 5-Year Review & Sign-up**”.

Requests made in-person, by mail, or FAX **must** be for only one AMS Form CN-100.

Note: A list of names is **not** an individual request.

AMS Instructions for Conducting the Signup (Continued)**5 Completing AMS Form CN-100****A Overview**

County Offices **must** provide all persons the opportunity to sign up during regular work hours August 3 through 14, 2015.

A completed and signed AMS Form CN-100 and supporting documentation **must** be returned to the County Office where the person's farm records are administratively located.

For the person **not** participating in FSA programs, the opportunity to participate in the cotton signup will be provided at the County Office serving the county where the person's operation is located. If an operation is located in several counties, the voting office shall be determined based on the major portion of the operation's location. For the producer **not** participating in FSA programs, the opportunity to participate will be provided at the County Office where the person owns or rents land.

Note: Each person is entitled to participate 1 time.

B Eligible Persons Action

Eligible persons **must**:

- complete AMS Form CN-100 in its entirety
- provide **supporting documentation**, such as a sales receipt or remittance form showing that the **person paid a cotton assessment** in 2014
- sign AMS Form CN-100 certifying that they paid an assessment on cotton in 2014.

C In-Person at the County Office

A person who obtains AMS Form CN-100 in-person at the appropriate County Office may complete and return AMS Form CN-100 at that time. The person **must**:

- complete and sign AMS Form CN-100 in its entirety **and** attach (staple) the supporting documentation
- place AMS Form CN-100 and attached supporting documentation in the holding box or container.

Note: If a person requesting a referendum wants the original supporting documentation returned, make a copy to attach to AMS Form CN-100 and return the original supporting documentation to that person.

AMS Instructions for Conducting the Signup (Continued)

5 Completing AMS Form CN-100 (Continued)

D By Mail or FAX

Persons who return AMS Form CN-100 by mail or FAX **must** complete and sign AMS Form CN-100 in its entirety, and return it to the appropriate County Office along with supporting documentation.

When AMS Form CN-100 is returned by mail or FAX, the County Office shall:

- **date-stamp** AMS Form CN-100 (must be received in County Office COB August 14, 2015)
- attach any supporting documentation (copies are acceptable)
- place AMS Form CN-100 and supporting documentation in the holding box or container.

6 Counting AMS Form CN-100's

Counting AMS Form CN-100's and the determination of results shall begin no later than **August 14, 2015**. The County FSA Office shall determine the number of:

- ineligible producer in-office requests
- eligible producer in-office requests
- eligible mail, FAX, or telephone producer requests
- ineligible mail, FAX, or telephone producer requests.

7 Reports and Records

A Results of the Signup

The County Office shall transmit the results of the signup to the State FSA Office using the State and County Office FSA Transmittal of Results and Expenses Sheet (Exhibit 6). Transmit signup results as soon as possible after counting is concluded, but no later than **August 21, 2015**.

County FSA Offices where no persons requested a referendum shall submit Exhibit 6 showing a negative report to the State Office no later than **August 21, 2015**.

Requirement: County Offices shall maintain all documentation, including copies of any correspondence, copies of sales documentation, signup sheets, and other signup materials until further notice. Place all materials in a box clearly marked, "**Retain Until Further Notice**", and seal the box. AMS may require County Offices to send all of the materials used in the signup to their National Office. It, therefore, becomes **mandatory** for all County Offices to be extremely meticulous in filing the voting materials.

AMS Instructions for Conducting the Signup (Continued)

7 Reports and Records (Continued)

B State FSA Office Reporting

State FSA Offices shall:

- review all County Office data for accuracy
- summarize the results, including negative results, of the signup received from all County Offices within the State on Exhibit 6
- transmit the completed Exhibit 6 by e-mail to **rick.pinkston@wdc.usda.gov** by **August 21, 2015**.

Note: Photocopy and manually complete Exhibit 2.


State: _____			
In-Office Signup Sheet			
County FSA Signup Sheet			
		Page _____	of _____
Date	Print Name	Signature	Remarks
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			
14.			
15.			
16.			
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19.			
20.			
21.			
22.			
23.			
24.			
25.			

Note: Photocopy and manually complete Exhibit 3.

State: _____			
Register of Absentee Signup Requests Sheet			
_____ County FSA Office Signup Sheet		Page _____ of _____	
Date Received	Print Name	Date Returned	Remarks
1.			
2.			
3.			
4.			
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25.			

AMS Form CN-100, Producer Signup Request Form

The following will be available at www.ams.usda.gov/cotton on August 3, 2015. CLICK "Cotton Research and Promotion 5-Year Review & Sign-up".

	<p>100 Riverside Parkway, Suite 101 Fredericksburg, Virginia 22406</p>
<p>Form Approved OMB No. 0581-0093</p>	
<p>To request a continuance referendum, please complete the attached form and include a copy of at least one sales receipt and return these documents to the County FSA office where your farm is located. For your signature to be counted during the sign-up period your request must be received no later than <u>August 14, 2015</u>. No action is necessary if a continuance referendum is not desired.</p>	
<p>I, _____ request that the U.S. Department of (PRINT FULL NAME)</p>	
<p>Agriculture conduct a continuance referendum regarding the 1991 amendments to the Cotton Research and Promotion Order.</p>	
<p>_____</p> <p>Print Name</p>	
<p>_____</p> <p>Address</p>	
<p>_____</p> <p>Signature</p>	<p>_____</p> <p>Date</p>
<p>_____</p> <p>Company Name</p>	
<p>BURDEN AND NONDISCRIMINATION STATEMENTS</p> <p><i>According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0093. The time required to complete this information collection is estimated to average 6 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.</i></p> <p><i>The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program (not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.</i></p>	
<p><small>CN-100, Attachment C</small></p>	

Example Letter of Explanation of the Signup Period

The following is available for download from the FFAS Employee Forms Online Website at <http://intranet.fsa.usda.gov/dam/ffasforms/forms.html>. CLICK “**Find Current Forms Using Our Form Number Search**”, in the “Form Number” field, ENTER “**AO-1630 Exh 5**”, and CLICK “**Submit**”. Copy the content of this example letter onto FSA letterhead. Do **not** alter or modify the language.

Dear Producer:

The United States Department of Agriculture (USDA) is providing eligible cotton producers an opportunity to request a referendum regarding continuation of the 1990 amendments to the Cotton Research and Promotion Act.

The Cotton Research and Promotion Program is a cotton producer and importer funded, self-help marketing program initiated by an Act of Congress in 1966. USDA oversees the administration of this program. The purpose of this program is to strengthen Upland cotton’s competitive position and to maintain and expand domestic and foreign markets for Upland cotton.

The following changes to the program were approved in a July 1991 referendum, by a 60 percent majority of cotton producers and importers who voted. These changes included: (1) importer representation on the Cotton Board, the organization that assists the Department in administrating the Cotton Research and Promotion Program; (2) assessments levied on imported cotton and cotton products; (3) increasing the amount the Department can be reimbursed for the conduct o a referendum from \$200,000 to \$300,000; (4) reimbursing government agencies that assist in administering the collection of assessments on imported cotton and cotton products; and (5) terminating the right of cotton producers to demand a refund of assessments.

To request a continuance referendum, please complete the attached form and return it to the County FSA Office listed above. For your signature to be counted during the signup period, your request must be received in the County Office not later than **August 14, 2015**.

A sales document for cotton you produced from 2014 must accompany your completed signup form.

No action is necessary if a continuance referendum is not desired.

Sincerely,

County Executive Director

State and County Office FSA Transmittal of Results and Expenses Sheet

Available for download from the FFAS Employee Forms Online Website at <http://intranet.fsa.usda.gov>. CLICK “FFAS Employee Forms/Publications Site”, “Find Current Forms Using Our Form Number Search”, in “Form Number” field, ENTER “AO-1630 Exh 6”. Do not alter or modify the language.

This form is available electronically.

U.S. DEPARTMENT OF AGRICULTURE
Farm Service Agency

**STATE AND COUNTY OFFICE FSA TRANSMITTAL SHEET
OF RESULTS AND EXPENSES FOR COTTON SIGN-UP**

1. State Name	2. County Name	
	Number of Requests	
3. Eligible in-office producer requests.		
4. Ineligible in-office producer requests.		
5. Eligible mail, FAX, or telephone producer requests.		
6. Ineligible mail, FAX, or telephone producer requests.		
7. Total eligible in-office, mail and faxed Upland Cotton Producer requests (Sum of 3 and 5).		
List State and County Expenses (For Use by State and County Offices).		
8. List Grade and Title of personnel working on cotton sign-up, including COC:	A. Hours Worked	B. Costs
a.		\$
b.		\$
c.		\$
d.		\$
e.		\$
f.		\$
g.		\$
9. Total Hours Worked and Total Costs:		\$
10. Reproduction Costs.		\$
11. Mailing Costs.		\$
12. Envelope Costs.		\$
13. Postage Costs.		\$
14. Grand Total Costs:		\$
15. Certification:		
I hereby certify that I have reviewed the information on this form, and that it is true, complete, and correct to the best of my knowledge and belief.		
A. NAME OF PREPARER	B. TITLE OF PREPARER	C. DATE PREPARED (MM-DD-YYYY)
<p>NOTE: County Offices shall email results to their State Office. State Offices shall email results to National Office; rick.pinkston@wdc.usda.gov.</p>		

07-17-15