

For: State Offices, County Offices, and Cotton Clerks

Commodity Certificate Exchange (CCE) for 2015 Cotton Crop Loans – Phase 1 Manual Process

Approved by: Acting Deputy Administrator, Farm Programs



1 Overview

A Background

Section 740 of the Consolidated Appropriations Act, 2016, amended Section 166 of the Federal Agriculture Improvement and Reform Act of 1996. Beginning with the 2015 crop year MAL's, the Secretary shall provide commodity certificates in the same terms and condition as were in effect for the 2008 crop year for loans.

Effective with the 2015 crop year MAL's, CCC will authorize the purchase of commodity certificates that must be immediately exchanged for outstanding nonrecourse marketing assistance loan (MAL) collateral by a producer or designated agent.

It is necessary to use the existing Commodity Loan Processing System (CLPS) to assist in completing the manual CCC-694-2 and loan redemptions using CCE until CLPS is modified to support the automated CCE process.

There will be 2 phases of implementing CCE's. Phase 1 is the manual CCE process for the 2015 crop year. Phase 2 will be the automation of CCE's for 2016 and converting requested 2015 AWP transactions as CCE's.

B Purpose

This notice explains:

- general CCE policy and provisions
- Phase 1 of the CCE process for:
 - redemptions of cotton under loan that have not reached maturity
 - immediate redemption on requested loans, also known as turn-around loans.

Disposal Date	Distribution
October 1, 2016	State Offices; State Offices relay to County Offices and Cotton Clerks

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1 Purpose (Continued)

B Purpose

This notice addresses cotton to be exchanged with a commodity certificate as a manual process for loans serviced by a County Office or a Cotton Loan Clerk.

Notes: See Notice CMA-140 for CCE provisions applicable to CMA's, LSA's and DMA's. Phase 2 of the CCE process will be forthcoming once all software updates have been implemented to support the automated CCE process in CLPS, ACRS, and CCR.

C Producer Actions

Producers who have pledged or will pledge cotton for a 2015 crop commodity loan **must** complete a CCC-694-2 according to this notice if they intend to have the loan redemption converted to a CCE.

All producers with a share in the 2015 cotton crop will be notified by FSA in writing of the requirement to complete a CCC-694-2 in order for 2015 cotton crop redemptions to be recorded as CCE's. Additional details about the mailing will be in a future notice.

CMA's must complete a CCC-694-2 for each commodity to be covered by a CCE, however, CMA's will **not** need to collect CCC-694-2's from members. See Notice CMA-140 for CCE provisions applicable to CMA's.

D Definitions

For the purpose of this notice, the following definitions are unique to CCE transactions.

- **Commodity loan gain** means the difference between the loan principal amount and the AWP-value of a commodity certificate used to exchange the loan collateral, and the gain is not subject to either AGI provisions or Payment Limitation.
- **Exchange rate** will be the effective adjusted world price (AWP) for cotton on the date the request to purchase a certificate is submitted on CCC-694-2 to the County Office.
- **Market loan gain** means the difference between the loan principal amount and the AWP-value of the redeemed loan collateral, and the gain is subject to both AGI provisions and Payment Limitation.
- **Turn-around loan** is a special designation for a loan that is requested, approved for disbursement, and exchanged with a commodity certificate purchased the same day.

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1 Purpose (Continued)

E CCE Options

There are 4 options available to request commodity certificates for exchange of loan collateral.

- **Turn-around loan** is requested by a producer at the loan servicing office to purchase a commodity certificate for immediate exchange of the entire loan quantity. This option is **not** authorized for agents designated by a CCC-605.
- **Commodity certificate purchase** by a producer at the loan servicing office for immediate exchange of all or part of the loan collateral provided the loan maturity date has not been reached and/or the loan is not in violation.
- **Redemptions by agents, buyers, and alternative delivery partners** will be processed as a commodity certificate exchange if the exchange rate is in effect at the time of the redemption.
- **Previous redemptions and loan gains for 2015 crop** processed through ACRS, CCR, or CLPS will be converted to a commodity certificate exchange at the applicable exchange rate in effect at the time the redemption occurred if all other eligibility requirements have been met. This option is **limited** to the 2015 crop year.

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2 General Policies and Provisions

A CCE Policy

CCE's:

- are applicable beginning with the 2015 crop year MAL's

Note: A future notice will provide instructions on handling MAL's repaid prior to the issuance of this notice.

- only apply to ginned upland cotton represented by warehouse receipt for which CCC is the holder
- are calculated using the exchange rate based on:
 - AWP in effect on the of day the repayment, adjusted for quality, allowable FCA, times the net bale weight, plus any compression charges that were previously paid by CCC, minus the storage charges according to 7-CN
 - 1-day of storage credit for immediate turn-around loans, if applicable
- expire immediately upon exchange of the outstanding loan collateral
- **cannot** occur unless the cotton is first placed under loan and the loan has not matured.

Commodity certificates are **not** issued for any of the following:

- exchange with collateral of any low grade UP cotton loan for which the repayment rate calculates as a negative
- exchange with collateral of seed cotton loans
- exchange with collateral of ELS cotton loans
- CCC-owned inventory.

Commodity loan gains from loan collateral exchanged with commodity certificates for loan collateral are not subject to:

- payment limitation
- AGI provisions
- actively engaged, member contribution, and cash rent tenant provisions.

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2 General Policies and Provisions (Continued)

B Eligibility Requirements

Eligible producers **must**:

- have an outstanding non-recourse commodity loan, not past maturity
- submit a signed CCC-694-2 to the County Office on the day of redemption
- immediately exchange commodity certificate for loan collateral
- for turn-around loans (see subparagraph 3 F):
 - meet MAL eligibility requirements and retain BI
 - request the loan by the final loan availability date.

Eligible UP cotton **must**:

- be produced in the U.S. by an eligible producer for the current crop year
- **not** be previously pledged for LDP.

Exception: Gin-direct LDP applications may be revised or terminated, provided **none** of the cotton covered by the LDP application has been ginned, according to 7-CN, subparagraphs 274 F and G.

ELS cotton is not eligible for CCE's.

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3 CCE for Loan Collateral

A Purpose and Use of CCC-694-2

CCC-694-2 is the producer's acknowledgement of the commodity certificate purchase and exchanged immediately for loan collateral.

A separate CCC-694-2 **shall** be completed and filed in the producer's loan folder for **each loan** being exchanged at one time for the same producer if one of the following CCE options are selected:

- turn-around loan
- commodity certificate purchase.

Only one CCC-694-2 is required for **each producer** for the entire crop year if both of the following CCE options are selected:

- **redemptions by agents, buyers, and alternative delivery partners**
- **previous redemptions and loan gains for 2015 crop** processed through ACRS, CCR, or CLPS.

Important: A completed CCC-694-2 **must never:**

- leave the County Office
- be copied
- be faxed.

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3 CCE for Loan Collateral (Continued)

B Completing CCC-694-2

Manually complete CCC-694-2 according to the following table.

Item	Instructions
1	Enter the crop year.
2	Enter the name and address of the producer requesting the CCE. Note: Agents designated by CCC-605 or CCC-605P are not authorized to request a CCE turn-around loan.
3	No entry required.
4	If box 8A or 8B is checked, enter the check number received from the certificate buyer. If box 8C or 8D is checked, no entry is required in this box.
5	If box 8A or 8B is checked, enter the date check received from the certificate buyer. If box 8C or 8D is checked, no entry is required in this box.
6	If box 8A or 8B is checked, enter the check amount received from the certificate buyer. If box 8C or 8D is checked, no entry is required in this box.
7	Enter the manually assigned commodity certificate transaction number assigned according to subparagraph 3 G. (For items 8C and 8D, enter loan number as "00000".)

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3 CCE for Loan Collateral (Continued)

B Completing CCC-694-2 (Continued)

Item	Instructions
8	Check the box next to the applicable action in items 8A through 8D. If either box 8A or 8B is checked, no other boxes can be checked.
8 A	Enter an “ X ” only for a turn-around loan , otherwise leave blank. A producer can elect to identify any lienholder. CCC-679 must be submitted to issue a check jointly to the producer and the lienholder. A new CCC-694-2 is required for each turn-around loan request. Notes: Lien searches not required for immediate exchanges with commodity certificates.
8 B	Enter an “ X ” only for an immediate Commodity Certificate Exchange purchase for the date signed, otherwise leave blank. A new CCC-694-2 is required for each certificate repayment/redemption.
8 C	Cotton producers shall enter “ X ” in this box if all outstanding MAL’s are to be redeemed by designated agents, buyers, or alternative delivery partners as a CCE at the rate in effect on the date of redemption. Note: One request is sufficient for all applicable outstanding loan(s) for the entire crop year, and is to be submitted by producer(s). Producers can select 8C and 8D on the same form.
8 D	For previous redemptions and loan gains for 2015 crop only , producers shall enter an “ X ” in this box to indicate that all previous 2015 crop year MAL redemptions processed through ACRS, CCR, or CLPS are to be converted to a CCE at the applicable exchange rate in effect at the time the original redemption occurred. Note: One request is good for all prior redemptions on applicable loan(s), and required to be submitted by producer(s). Producers can select 8C and 8D on the same form.
9	No entry required – producer certification agreeing to the terms to purchase a commodity certificate for exchange of outstanding MAL collateral.
10	Obtain the signature of the producer(s) and the date signed. Note: Agents designated only by CCC-605 or CCC-605P are not authorized to request a CCE turn-around loan.
11	Enter any applicable remarks.

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3 CCE for Loan Collateral (Continued)

C Example of CCC-694-2

The following is an example of CCC-694-2.

This form is available electronically.		See Page 2 for Privacy Act and Public Burden Statements.	
CCC-694-2 (02-18-16)		U.S. DEPARTMENT OF AGRICULTURE Commodity Credit Corporation	
ACKNOWLEDGMENT OF COMMODITY CERTIFICATE PURCHASE			1. Crop Year
2. Name and Address of Contact Producer		3. Name of Seller: COMMODITY CREDIT CORPORATION	
PART A - COMMODITY CERTIFICATE EXCHANGE IDENTIFICATION			
4. Check Number	5. Check Date	6. Check Amount \$	7. Commodity Certificate Transaction No.(s)
PART B - PRODUCER REQUEST			
8. Check the applicable request to purchase a Commodity Certificate and agree to the following statement: "I acknowledge that this is a request for an immediate exchange of loan collateral for a commodity certificate, to be applicable to the attached list of cotton bales, peanut warehouse receipts, or those commodities listed on the CCC-666 which I am submitting concurrently, and is an irrevocable request that cannot be altered or withdrawn under any circumstances."			
<input type="checkbox"/> A. Turn-around loan – purchase commodity certificates for immediate exchange of the entire loan quantity. Required for each turn around loan request.			
<input type="checkbox"/> B. Commodity Certificate Purchase by a producer at the loan servicing office for immediate exchange of all or part of the loan collateral provided the loan maturity date has not been reached and/or the loan is not in violation. Required for each redemption.			
<input type="checkbox"/> C. COTTON AND PEANUT - Redemptions by Agents, Buyers, and Alternative Delivery Partners - ALL transactions are to be processed as commodity certificate exchanges if the exchange rate is in effect at the time of the redemption. Required by each Producer.			
<input type="checkbox"/> D. Previous Redemptions and Loan Gains for 2015 Crop – all previous loan redemptions processed through ACRS, CCR, or CLPS are to be converted to a commodity certificate exchange at the applicable exchange rate in effect at the time the redemption occurred if all other eligibility requirements have been met. Required by each Producer.			
PART C - PRODUCER AGREEMENT			
9. I acknowledge: (1) receipt of Commodity Credit Corporation (CCC) Commodity Certificate which I requested to purchase from CCC; (2) that the certificate will be exchanged with CCC in the manner specified in CCC regulations at 7 CFR Part 1401 in order that I may receive commodities from CCC which had been pledged as collateral for a CCC marketing assistance loan; and (3) that for purposes of valuing the commodity acquired under this transaction, such value will be the marketing loan repayment rate applicable under 7 CFR Parts 1421 (<i>commodities other than upland cotton</i>) and 1427 (<i>upland cotton</i>) for the commodity determined as of the day I made payment to CCC for the commodity certificate except for those redemptions and loan gains that previously occurred for the 2015 crop.			
10A. Producer's Signature (By)	10B. Title/Relationship of the Individual Signing in the Representative Capacity	10C. Date (MM-DD-YYYY)	
10A. Producer's Signature (By)	10B. Title/Relationship of the Individual Signing in the Representative Capacity	10C. Date (MM-DD-YYYY)	
11. REMARKS:			

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3 CCE for Loan Collateral (Continued)

C Example of CCC-694-2 (Continued)

CCC-694-0002 (02-18-16)

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NOTE : *The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a – as amended). The authority for requesting the information identified on this form is 7 CFR Part 1401, 7 CFR Part 1421, 7 CFR Part 1427, the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.), and the Agricultural Act of 2014 (Pub. L. 113-79). The information will be used to determine eligibility to participate in and receive benefits under a CCC loan program through documentation of producer/producer's representative acknowledgement of the commodity certificate purchase. The information collected on this form may be disclosed to other Federal, State, Local government agencies, Tribal agencies, and nongovernmental entities that have been authorized access to the information by statute or regulation and/or as described in applicable Routine Uses identified in the System of Records Notice for USDA/FSA-2, Farm Records File (Automated) and USDA/FSA-14, Applicant/Borrower. Providing the requested information is voluntary. However, failure to furnish the requested information will result in a determination of ineligibility to participate in and receive benefits under a CCC loan program.*

This information collection is exempted from the Paperwork Reduction Act as specified in the Agricultural Act of 2014 (Pub. L. 113-79, Title I, Subtitle F, Administration).

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at http://www.ascr.usda.gov/complaint_filing_cust.html and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov. USDA is an equal opportunity provider, employer, and lender.

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3 CCE for Loan Collateral (Continued)

D Assigning Manual Transaction ID Numbers for Item 7 on CCC-694-2 – Phase 1

Each commodity certificate transaction shall be identified by a unique 16-digit transaction number to be entered in item 7 on the CCC-694-2 until applicable software applications are updated to record CCE's.

County Offices shall:

- manually assign the commodity certificate transaction ID
- maintain a register of commodity certificate transaction ID numbers on an Excel spreadsheet available on both PSD's CCE SharePoint site, and Price Support's Internet site at <http://www.fsa.usda.gov/programs-and-services/price-support/Index>
- assign numbers sequentially each crop year according to the item checked on the CCC-694-2 as follows:
 - if item 8A or 8B is checked, the transaction number will be comprised of the crop year, 5 digit State and County code, 5-digit loan number, and a 4-digit sequential number such as **15-48015-00123-0001**
 - if items 8C or 8D, or both, are checked, the transaction number will be comprised of the crop year, 5 digit State and County code, "00000" for the loan number, and a 4-digit sequential number, such as **15-48828-00000-0002**.

Note: The 4-digit sequential number will begin with "0001" each crop year.

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3 CCE for Loan Collateral (Continued)

D Assigning Manual Transaction ID Numbers on CCC-694-2 – Phase 1 (Continued)

County Offices shall enter the following on the Commodity Certificate Exchange (CCE) Interim Register Excel spreadsheet:

Column	Column Header	Record the following...
1	Crop Year	“YY” for the crop year, “15” for crop year 2015.
2	State & County Code	State and County Code as “SSCCC” (no dashes).
3	Loan #	5-digit loan number as “XXXXX”. Note: For Options 8C and 8D enter “00000” (zeros).
4	Cert. #	Sequentially assign a 4 digit certificate number, “XXXX”, starting with “0001”.
5	Producer	Producer or Entity’s name as it appears on the loan.
6	Commodity	“UP” for upland cotton.
7	Turn Around Loan	Enter an “X” for loans requested for immediate exchange for commodity certificates, option 8A on CCC-694-2 (turn-around loans). Otherwise leave blank.
8	CCE	Enter an “X” for commodity certificates exchanged for collateral on open loans, option 8B on CCC-694-2, otherwise leave blank.
9	Redemptions by Agents, Buyers & Alternative Delivery Partners	Enter an “X” to request that all cotton redemptions by agents, buyers, and alternative delivery partners are to be processed using the AWP as the exchange rate in effect on the date the repayment was processed through ACRS, CCR or CLPS, option 8C on CCC-694-2. Otherwise leave blank.
10	Previous Redemptions & Loan Gains (2015 Crop Only)	Enter an “X” to request converting all previous redemptions for 2015 crop to a CCE at the applicable exchange rate in effect at the time the original redemption occurred, option 8D on CCC-694-2, otherwise leave blank.

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3 CCE for Loan Collateral (Continued)

D Assigning Manual Transaction ID Numbers on CCC-694-2 – Phase 1 (Continued)

Column	Column Header	Record the following...
11	Quantity	Enter: <ul style="list-style-type: none"> • “ALL” for turn-around loans, or if the entire outstanding quantity is being exchanged, or • pounds exchanged for a partial exchange. Leave blank if option 8C and/or 8D were selected on CCC-694-2.
12	Purchase Date	Enter the date the completed CCC-694-2 was submitted to the loan servicing office. Leave blank, if options 8C and/or 8D were selected.
13	CHECK AMT	If options 8A or 8B are selected, enter the calculated commodity certificate value in dollars and cents “ \$0.00 ” purchased by the producer, otherwise leave blank.
14	CLPS DATE	Enter the date the transaction was recorded in CLPS. Leave blank, if options 8C and/or 8D were selected.

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3 CCE for Loan Collateral (Continued)

E Requests for Turn-Around Loans for Immediate Exchange for Commodity Certificates – Phase 1

The loan servicing office is to process commodity certificate exchanges when a producer selects **option 8A, Turn-around Loan** according to this table.

Step	Function
1	<p>The producer requests a loan for immediate exchange with a commodity certificate. County Office will process and approve the loan in CLPS according to 16-PS.</p> <p>Note: The County Office shall use the date CCC-694-2 was signed and submitted to the County Office for an immediate exchange as the “COC Approval”, “Lien Search” and “UCC-1” filing dates. Lien searches and UCC-1 filings are not required to request a turn-around loan, but a date must be recorded in CLPS.</p>
2	<p>The producer signs the loan documents, checks CCC-694-2, Item 8 requesting to purchase a commodity certificate for immediate exchange for the entire loan amount, and signs CCC-694-2.</p>
3	<p>The County Office disburses the loan in NPS according to 3-FI.</p>
4	<p>The County Office determines the repayment dollar value of the entire loan quantity by using the CLPS software to process a “Cash” repayment using the AWP in effect on the date Step 2 is completed, and enters this value in CCC-694-2, Item 6.</p> <p>Important: Do not complete the repayment in CLPS until producer/producer’s agent provides the check for the exact dollar value to exchange the loan collateral.</p> <p>If the producer is not able to provide a check, click “Cancel” to cancel the redemption process.</p>

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3 CCE for Loan Collateral (Continued)

E Requests for Turn-Around Loans for Immediate Exchange for Commodity Certificates – Phase 1 (Continued)

Step	Function
5	After the producer provides a check for the purchase of the commodity certificate, the County Office shall process the entire loan quantity for a “ Cash ” repayment using AWP in effect on the date of CCC-694-2 was signed and submitted to the County Office.
6	The County Office will record on CCC-500M that the transaction was a “ Commodity Certificate Exchange ” in the “Remarks” section and include the manually assigned transaction number. Notes: The transaction will appear as an AWP cash redemption in CLPS, however, after CLPS software is updated a future notice will be published which will provide instructions for correcting this transaction as CCE. The remittance for the commodity certificate will be entered in CLPS during the repayment process and sent to NRRS.
7	County Office is to release the loan collateral

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3 CCE for Loan Collateral (Continued)

F Manual Commodity Certificate Exchange Process for Outstanding Loans – Phase 1

The loan servicing office is to process commodity certificate exchanges when a producer selects **option 8B, Commodity Certificate Purchase** for an outstanding loan according to this table.

Step	Action
1	Producer selects option 8B on form CCC-694-2 to exchange loan collateral using commodity certificates.
2	<p>County Office identifies loan and loan quantity, and determines repayment value using CLPS software to process a “Cash” repayment using AWP in effect on the date of the request, and enters this value in CCC-694-2, Item 6.</p> <p>Important: Do not complete the repayment in CLPS until producer/producer’s agent provides the check for the exact dollar value to exchange the loan collateral.</p>
3	Producer/Producer’s agent signs CCC-694-2 acknowledging purchase of the commodity certificate for the exact dollar value needed to exchange the loan collateral.
4	<p>The County Office completes the AWP redemption in CLPS as a “Cash” repayment.</p> <p>The County Office will also enter the following in the “Remarks” section of CCC-500M, “Commodity Certificate Exchange” with the manually assigned transaction number according to subparagraph 3 D.</p> <p>Notes: The transaction will appear as an AWP cash redemption in CLPS, however, after CLPS software is updated a future notice will be published which will provide instructions for correcting this transaction as CCE.</p> <p>The remittance for the commodity certificate will be entered in CLPS during the repayment process and sent to NRRS.</p>
5	County Office is to release the loan collateral.

3 CCE for Loan Collateral (Continued)

G Redemptions Submitted by Buyers, Agents, or Alternative Delivery Partners – Option 8C

Phase 1 requires **each** producer to complete CCC-694-2 and select option 8C for any 2015 crop MAL redeemed by an agent, buyer or alternative delivery partner if they wish to have the transaction processed as a commodity certificate exchange if the exchange rate is in effect at the time of the redemption. Only **one** CCC-694-2 needs to be completed for the 2015 cotton crop year if a producer selects item 8C.

County Offices **shall** continue to:

- use existing software to process cotton loan redemptions
- track benefits through the interim process.

Note: If a producer **fails** to submit a completed CCC-694-2 for option 8C, **all** CCR transactions for the applicable producer will be treated as “cash” redemptions **and** any market gains will be subject to payment limitation and AGI provisions.

H Previous Redemptions and Loan Gains for 2015 Crop – Option 8D

Phase 1 requires **each** producer to complete CCC-694-2 and select option 8D for any 2015 crop MAL redeemed and proceed through ACRS, CCR, or CLPS if they wish to have previous transactions to be converted to a commodity certificate exchange if the exchange rate was in effect at the time the redemption occurred, and if all other eligibility requirements have been met. Only **one** CCC-694-2 needs to be completed for the 2015 cotton crop year if a producer selects item 8D.

For the 2015 cotton crop only – a producer may select options 8C **and** 8D at the same time on the same CCC-694-2, and the provisions will be applicable to **all** eligible 2015 cotton crop loans obtained by the producer.

The conversion of previous redemptions and loan gains will be addressed in greater detail in a future notice.

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4 Action

A State Office Action

State Offices shall ensure County Offices and cotton clerks receive and review the entire contents of the notice.

B County Office and Cotton Clerks Action

County Offices and cotton clerks shall follow the contents of this notice. Questions related to CCE's and the contents of this notice shall be directed to their respective State program specialists.

C Contacts

State program specialists shall direct questions to the applicable contact according to this table.

IF assistance is need for...	THEN contact...
<ul style="list-style-type: none">• cotton MAL policy• CCE policy	Kelly (Hereth) Dawson by either of the following: <ul style="list-style-type: none">• e-mail to kelly.hereth@wdc.usda.gov• telephone at 202-720-0448.
CLPS processing	Laura Schlote by either of the following: <ul style="list-style-type: none">• e-mail to laura.schlote@wdc.usda.gov• telephone at 202-720-7785.