

For: State and County Offices

Late-Filed and Revised Acreage Reporting Policy for 2014 Farm Bill Base Acre Reallocation

Approved by: Deputy Administrator, Farm Programs



1 Overview

A Background

The Agricultural Act of 2014 (2014 Farm Bill) authorizes owners of a farm a one-time opportunity to retain or reallocate the farm's covered commodity crop base acres using the 4-year average P&CP acres or subsequently planted crop acreage in the 2009 through 2012 crop years. The reallocation is permitted among base acres of covered commodities on the farm, and an increase in total base acres on the farm is **not** allowed.

To make the base reallocation election, each owner and operator of a farm will be provided an acreage history letter showing:

- each of their farm's P&CP and subsequently planted crop acreage history for the years of 2009 through 2012
- the base acres of covered commodities on the farm as of September 30, 2013.

The letter will instruct operators and owners to carefully review the acreage history for the farm and, if necessary, to contact the County Office to update or correct acreage history, whether it is because of missing tract history because of farm reconstitution (tract division or combination), changes, or because of missing crop acreage history during the 2009 through 2012 crop history period.

This notice provides guidance on processing late-filed acreage reports and acreage report revisions that may occur in advance of base acre reallocation.

Disposal Date	Distribution
November 1, 2014 7-17-14	State Offices; State Offices relay to County Offices

1 Overview (Continued)

B Purpose

This notice informs County Offices:

- of an opportunity for owners and a farm operator to request corrections to acreage history with supporting documentation
- that owners and the farm operator will be permitted an opportunity to submit late-filed acreage reports of P&CP or subsequently planted crop acreage for crop years 2009 through 2012, with approved supporting documentation as specified in 2-CP, subparagraph 21 F.

Note: Late-filed fees will be waived for late-filed acreage reports filed for the purpose described in this notice. The provisions of 2-CP, subparagraphs 21 B and F must be used to determine COC acceptability of nonphysical evidence to prove existence and disposition of the crop, as applicable.

C Potential Implications of Revised or Late-Filed P&CP Acreage Reports

If a late-filed acreage report or revision changes what FSA will recognize as initial crop acreage (P&CP) in CLU for any program purpose, the revised acreage will be used for all program purposes without any exception and without regard to who requested the late-filed acreage report or revision. Any unearned payments that may result under any program because of the late-filed acreage report or revised acreage report must be refunded with interest from the date of disbursement.

2 Reporting 2009 Through 2012 Crop Year Acreage

A Late-Filed and Revised Acreage Provisions

Follow 2-CP, paragraphs 21 and 22 to process requests for revisions or late-filed acreage reports for the purpose of revising or correcting P&CP or subsequently planted crop acreage history in 2009 through 2012 crop years for base acre reallocation purposes.

If an owner or operator of a farm wants to file a late-filed acreage report, including revising an existing acreage report, for any field and tract in any crop year 2009 through 2012 for the purpose of having that corrected P&CP or subsequently planted crop acreage available for base acre reallocation purposes, the revised acreage report will be processed according to 2-CP, paragraph 21.

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2 Reporting 2009 Through 2012 Crop Year Acreage (Continued)

A Late-Filed Provisions (Continued)

Owners and the farm operator need to understand that if an acreage report and request for prevented planted credit was submitted by any producer in 2009 through 2012 crop year, a new request for prevented planted acreage credit will only be permitted if either of the following apply:

- the prevented planting credit request for the crop was **not** previously processed and acted on by FSA
- an appeal of FSA's disapproval or denial of prevented planting acreage credit was timely filed by the producer with NAD upon which NAD dismissed the appeal for lack of jurisdiction.

Note: It is important that owners and the operator understand that a late-filed acreage report or revised acreage report to change P&CP in 2009 through 2012 crop years could adversely impact prior year initial crop or subsequent crop acreage determinations for other programs administered by FSA for those years. FSA will review whether revisions impact other program eligibility or extent of eligibility decisions and, as applicable, request refunds of unearned payments when that occurs as a result of revisions or late-filed acreage reports.

Late-filed acreage reports and revisions filed for ARC/PLC program purposes must be loaded in the automated system according to 2-CP.

3 Action

A State Office Action

State Offices shall ensure that:

- County Offices are aware of the contents of this notice
- requirements for reporting covered commodities for 2009 through 2012 crop years are followed and publicized.

B County Office Action

County Offices shall:

- review the contents of this notice
- publicize the opportunity for revising or late-filing reporting acres of covered commodities as discussed in this notice and 2-CP.