



United States
Department of
Agriculture

Farmers
Home
Administration

Washington
D.C.
20250

FmHA AN No. 2499 (1900)

March 16, 1992

SUBJECT: Preparation for Appeal Hearings

TO: State Directors, District Directors,
and County Supervisors

PURPOSE/INTENDED OUTCOME: The purpose of this AN is to assist Farmers Home Administration (FmHA) decision makers in preparing for appeal hearings.

The intended outcome is to facilitate the appeals process by making the appeal hearings more beneficial to all parties involved.

COMPARISON WITH PREVIOUS AN: There is no previous AN on this subject.

IMPLEMENTATION RESPONSIBILITIES: FmHA Instruction 1900-B, §1900.57(b) indicates the appropriate decision maker or informed delegate is to be at the appeal hearing and will present information, if necessary. Rarely will it not be necessary to present information documenting the adverse decision being appealed. FmHA decision makers should be fully prepared to actively defend adverse decisions at appeal hearings; they should not arrive at an appeal hearing planning to "rest on the record." The decision maker must be able to define the adverse action, state why it was taken, and identify supporting FmHA Instruction and written policies.

Decision makers should include relevant information in the casefile prior to submission to the National Appeals Staff (NAS). This information could include copies of the Instruction pages upon which the decision was based, copies of documentation supporting the decision, or any other information used to arrive at the decision.

LA VERNE AUSMAN
Administrator

EXPIRATION DATE: March 31, 1993

FILING INSTRUCTIONS:
Preceding FmHA
Instruction 1900-B