

January 2018



## Farm Service Agency Electronic News Service

# NEWSLETTER

*GovDelivery*

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## FSA News - Lone Star State Edition

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### Farm Service Agency Texas State Office

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**State Executive Director:**  
Gary L. Six

**State Committee:**  
Jerry Harris - Chair  
Juan Garcia  
Rodney Schronk  
Michael Skalicky  
Linda G. Williams

**Executive Officer:**  
Erasmo (Eddie) Trevino

### From the State Executive Director

During my years working at an FSA county office, I saw this agency help our producers first-hand. FSA serves Texas farmers and ranchers like no other government organization because we get to experience life with our customers at the local level.

I truly believe the most important part of our mission to "do right and feed everyone" is the face-to-face partnership we provide at the county office. From County Committee meetings to implementing the Farm Bill throughout the state, maintaining a personal awareness of our producers' needs is what makes FSA effective.

One very important part of that relationship is FSA's County Committees. County committees are local farmers and ranchers elected by their peers to guide farm programs delivery at the local level.

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**Division Chiefs:**

Ronda Arnett  
David Sullivan  
Erasmo (Eddie) Trevino,  
Acting

To find contact information for your local office go to:  
<http://www.fsa.usda.gov/tx>

Many newly-elected committee members began serving a few weeks ago. I encourage everyone not yet participating with FSA to meet their committee members to talk about local successes and issues, and visit the county FSA office to tell us how we can help.

I'm proud to work with the men and women who continue to support our long-time customers and partners in Texas. I also look forward to doing all I can to help introduce FSA's programs to farmers and ranchers just getting started or considering a life in agriculture. When FSA finds a way to do right by our customers, we help our customers feed everyone.

Sincerely,

Gary L. Six  
State Executive Director

## USDA Announces Near-Record Year for Farm Loans

### *Infusing Rural Communities with Stronger Businesses and Sounder Agricultural Economies*

The U.S. Department of Agriculture (USDA) Farm Service Agency (FSA) announced another year of high activity in its farm loan programs. Hard-working farm families across the country accessed nearly \$6 billion in new credit, either directly or guaranteed through commercial lenders in 2017. At year end, FSA was assisting more than 120,000 family farmers with loans totaling just over \$25 billion.

FSA provides a variety of loan assistance, including direct and guaranteed farm ownership loans, operating loans and even direct Microloans up to \$50,000 and EZ Guarantees up to \$100,000 with streamlined application processes.

More than 25,000 direct and guaranteed FSA loans went to beginning or underserved farmers and ranchers. Over 4,200 beginning farmers received direct farm ownership loans from FSA to make their first land purchase. And of the approximately 6,500 Microloans made in the last fiscal year, three-quarters (almost 4,900) went to beginning farmers, 1,000 went to women and 400 to veterans.

FSA's direct farm loans are unique in that the agency provides technical assistance in addition to credit. Consistent with efforts to continually improve technical assistance, today FSA announced the publication of two booklets that will serve as important informational tools and resources for existing and prospective farm loan borrowers.

**Your FSA Farm Loan Compass** booklet was recently developed specifically for farmers and ranchers who have an existing farm loan with FSA. It provides detailed guidance outlining borrower responsibilities and the servicing options that FSA offers. It also addresses common questions borrowers may have as they navigate through loan program requirements and the financial concepts involved.

Originally published in 2012, **Your Guide to FSA Farm Loans** was designed for new loan customers. It provides information about the various types of farm loans available and guides new borrowers through the application process. The revised version addresses program changes and includes new loan offerings, like the popular Microloan program that was rolled out after the publication of the original Guide.

"Your FSA Farm Loan Compass" and "Your Guide to FSA Farm Loans" are available on the FSA website at [www.fsa.usda.gov/dafl](http://www.fsa.usda.gov/dafl). Farmers and ranchers are encouraged to download and share them with others in their community who may require assistance in understanding FSA's loans and servicing processes. For additional information about FSA farm loans, please contact your local office: <http://offices.usda.gov>.

## Deadlines Approaching for FSA Livestock Disaster Assistance Programs

Livestock producers are reminded that deadlines for the Livestock Forage Disaster Program (LFP) and the Livestock Indemnity Program (LIP) are quickly approaching.

The deadline to apply for LFP benefits for 2017 grazing losses is Jan. 30, 2018. Eligible livestock producers must complete a CCC-853 and submit the required supporting documentation by the deadline. LFP provides compensation to eligible livestock producers who suffer grazing losses for covered livestock due to drought on privately owned or cash leased land or fire on federally managed land.

Producers with eligible livestock losses must submit a LIP application for payment by March 31, 2018. LIP provides assistance to eligible producers for livestock death losses in excess of normal mortality due to adverse weather and attacks by animals reintroduced into the wild by the federal government or protected by federal law.

For 2017, eligible LIP losses must occur on or after Jan. 1, 2017, and no later than 60 calendar days from the ending date of the applicable adverse weather event or attack. A notice of loss must be filed with FSA within 30 days of when the loss of livestock is apparent. Participants must provide the following supporting documentation to their local FSA office no later than 90 calendar days after the end of the calendar year in which the eligible loss condition occurred.

- Proof of death documentation
- Copy of growers contracts
- Proof of normal mortality documentation

Please contact to your local FSA office to make an appointment to apply for LFP or LIP benefits.

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## USDA Processing Pending Conservation Reserve Program Continuous Enrollment Offers

### ***Acceptance of Most 2018 Offers Temporarily Suspended***

USDA's Farm Service Agency (FSA) will process many pending eligible offers for land enrollment in the Conservation Reserve Program (CRP), and will temporarily suspend accepting most new offers until later in the 2018 fiscal year.

All current, eligible CRP continuous enrollment offers made through Sept. 30, 2017, except those made under the Pollinator Habitat Initiative (CP42), will be approved. Additionally, FSA is temporarily suspending acceptance of most offers going forward, providing time to review CRP allocation levels and avoid exceeding the statutory cap of 24 million acres.

The CRP acreage cap is a provision of the 2014 Farm Bill. Current enrollment is about 23.5 million acres nationwide. USDA is accepting all pending continuous enrollment offers made between May 4, 2017, and Sept. 30, 2017, except Pollinator Habitat Initiative offers, which are being declined because the program has met its acreage enrollment goal. USDA suspended acceptance of all new CRP continuous offers received or submitted after Sept. 30, 2017. The suspension will continue until later in the 2018 fiscal year.

However, FSA will continue to accept eligible offers for state-specific Conservation Reserve Enhancement Program (CREP) and CRP Grasslands enrollment. Offers received on or after Oct. 1, 2017, are subject to fiscal year 2018 rental rates, which have been adjusted to reflect current market conditions and established after careful review of the latest USDA National Agricultural Statistics Service (NASS) cash rent data.

In return for enrolling in CRP contracts that last between 10 and 15 years, FSA provides participating landowners with rental payments and cost-share assistance.

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CRP pays farmers and ranchers who remove sensitive lands from production and plant certain grasses, shrubs, and trees that improve water quality, prevent soil erosion, and increase wildlife habitat. Payment totals for 2017 totaled more than \$1.6 billion.

For more information about CRP, contact your local FSA office or visit [www.fsa.usda.gov/crp](http://www.fsa.usda.gov/crp). To locate your local FSA office, visit <http://offices.usda.gov>.

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## Organic Certification Cost Share Program

The Organic Certification Cost Share Program (OCCSP) provides cost share assistance to producers and handlers of agricultural products who are obtaining or renewing their certification under the National Organic Program (NOP). Certified operations may receive up to 75 percent of their certification costs paid from Oct. 1, 2016, through Sept. 30, 2017, not to exceed \$750 per certification scope.

Eligible costs include application fees, inspection costs, fees related to equivalency agreement/arrangement requirements, travel/per diem for inspectors, user fees, sales assessments, and postage.

Ineligible costs include equipment, materials, supplies, transitional certification fees, late fees and inspections necessary to address National Organic Program regulatory violations.

Producers and handlers may submit OCCSP applications to FSA county offices or they may apply through participating State Agencies, which will be listed at <https://www.fsa.usda.gov/programs-and-services/occsp/index> as their agreements to administer the program are finalized.

The FSA OCCSP application form is available at USDA's eForms site, by selecting "Browse forms" and entering "OCCSP" in the "title or keywords" field on the search page.

To learn more about organic certification cost share, visit [www.fsa.usda.gov/organic](http://www.fsa.usda.gov/organic) or contact a local FSA office by visiting <http://offices.usda.gov>.

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## MAL, LDP Policies for 2014-2018 Crop Years

The Agricultural Act of 2014 authorized 2014-2018 crop year Marketing Assistance Loans (MALs) and Loan Deficiency Payments (LDPs), with a few minor policy changes.

Among the changes, farm-stored MAL collateral transferred to warehouse storage will retain the original loan rate, be allowed to transfer only the outstanding farm-stored quantity with no additional quantity allowed and will no longer require producers to have a paid for measurement service when moving or commingling loan collateral.

MALs and LDPs provide financing and marketing assistance for wheat, feed grains, soybeans, and other oilseeds, pulse crops, rice, peanuts, cotton, wool and honey. MALs provide producers interim financing after harvest to help them meet cash flow needs without having to sell their commodities when market prices are typically at harvest-time lows. A producer who is eligible to obtain a loan, but agrees to forgo the loan, may obtain an LDP if such a payment is available. Marketing loan provisions and LDPs are not available for sugar and extra-long staple cotton.

FSA is now accepting requests for 2017 MALs and LDPs for all eligible commodities after harvest. Requests for loans and LDPs shall be made on or before the final availability date for the respective commodities. May 31 is the final loan availability date for Corn, Dry Peas, Grain Sorghum, Lentils, Mustard Seed, Rice, Safflower Seed, Chickpeas, Soybeans, Sunflower Seed, and Cotton.

Before MAL repayments with a market loan gain or LDP disbursements can be made, producers must meet the requirements of actively engaged in farming, cash rent tenant, and member contribution.

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Commodity certificates are available to loan holders who have outstanding nonrecourse loans for wheat, upland cotton, rice, feed grains, pulse crops (dry peas, lentils, large and small chickpeas), peanuts, wool, soybeans and designated minor oilseeds. These certificates can be purchased at the posted county price (or adjusted world price or national posted price) for the quantity of commodity under loan, and must be immediately exchanged for the collateral, satisfying the loan. MALs redeemed with commodity certificates are not subject to the actively engaged in farming, cash-rent tenant, Adjusted Gross Income provisions or the payment limitation.

To be considered eligible for an LDP, producers must have form CCC-633EZ, Page 1, on file at their local FSA Office before losing beneficial interest in the crop. Pages 2, 3, or 4 of the form must be submitted when payment is requested.

The 2014 Farm Bill also establishes payment limitations per individual or entity not to exceed \$125,000 annually on certain commodities for the following program benefits: Price Loss Coverage (PLC) payments, Agriculture Risk Coverage (ARC) payments, marketing loan gains (MLGs), and LDPs. These payment limitations do not apply to MAL loan disbursements or redemptions using commodity certificate exchange.

Adjusted Gross Income (AGI) provisions were also modified by the 2014 Farm Bill. A producer whose total applicable three-year average AGI exceeds \$900,000 is not eligible to receive an MLG or LDP. Producers must have a valid CCC-941 on file to earn a market gain of LDP. The AGI does not apply to MALs redeemed with commodity certificate exchange.

For more information and additional eligibility requirements, please visit a nearby USDA Service Center or FSA's website [www.fsa.usda.gov](http://www.fsa.usda.gov).

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## New Actively Engaged Provisions for Non-Family Joint Operations or Entities

Many Farm Service Agency programs require all program participants, either individuals or legal entities, to be "actively engaged in farming". This means participants provide a significant contribution to the farming operation, whether it is capital, land, equipment, active personal labor and/or management. For entities, each partner, stockholder or member with an ownership interest, must contribute active personal labor and/or management to the operation on a regular basis.

The 2014 Farm Bill established additional payment eligibility provisions relating to the farm management component of meeting "actively engaged in farming". These new provisions apply to joint operations comprised of non-family members or partners, stockholders or persons with an ownership in the farming operation. Effective for 2016 and subsequent crop years, non-family joint operations are afforded to one member that may use a significant contribution of active personal management exclusively to meet the requirements to be determined "actively engaged in farming". The person or member will be defined as the Farm Manager for the purposes of administering these new management provisions.

In some instances, additional persons or members of a non-family member joint operation who meet the definition of Farm Manager may also be allowed to use such a contribution of active personal management to meet the eligibility requirements. However, under no circumstances may the number of Farm Managers in a non-family joint operation exceed a total of three in any given crop and program year.

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## Recourse Seed Cotton Loans

Cotton producers can request a recourse seed cotton loan at their local Farm Service Agency (FSA) office. Due to this year's large cotton crop and delayed ginning, these seed cotton loans can provide interim financing to producers until their cotton is ginned.

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Recourse seed cotton loans are available from the beginning of harvest through March 31, 2018. Seed cotton loans must be repaid by May 31, 2018.

After the cotton has been ginned, the seed cotton loan is repaid with proceeds from the ginned cotton.

County Offices will provide written or e-mail notification to every Cooperative Marketing Association (CMA) or Loan Servicing Agent (LSA) used by the producer to ensure that the proceeds from a ginned cotton loan are used to repay a seed cotton loan obligation. Any proceeds obtained from LSA or CMA, whether from a loan or Loan Deficiency Payment (LDP), will be jointly payable to the producer and to the Commodity Credit Corporation if these proceeds are from a loan for the same cotton that is collateral for the seed cotton loan.

Contact your local FSA office to learn about eligible requirements or to request a seed cotton loan.

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## **Breaking New Ground**

Agricultural producers are reminded to consult with FSA and NRCS before breaking out new ground for production purposes as doing so without prior authorization may put a producer's federal farm program benefits in jeopardy. This is especially true for land that must meet Highly Erodible Land (HEL) and Wetland Conservation (WC) provisions.

Producers with HEL determined soils are required to apply tillage, crop residue and rotational requirements as specified in their conservation plan.

Producers should notify FSA as a first point of contact prior to conducting land clearing or drainage type projects to ensure the proposed actions meet compliance criteria such as clearing any trees to create new cropland, then these areas will need to be reviewed to ensure such work will not risk your eligibility for benefits.

Landowners and operators complete the form AD-1026 - Highly Erodible Land Conservation (HELC) and Wetland Conservation (WC) Certification to identify the proposed action and allow FSA to determine whether a referral to Natural Resources Conservation Service (NRCS) for further review is necessary.

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## **Loans for Targeted Underserved Producers**

FSA has a number of loan programs available to assist applicants to begin or continue in agriculture production. Loans are available for operating type loans and/or to purchase or improve farms or ranches.

While all qualified producers are eligible to apply for these loan programs, FSA has provided priority funding for members of targeted underserved applicants.

A targeted underserved applicant is one of a group whose members have been subjected to racial, ethnic or gender prejudice because of his or her identity as members of the group without regard to his or her individual qualities.

For purposes of this program, targeted underserved groups are women, African Americans, American Indians, Alaskan Natives, Hispanics, Asian Americans and Pacific Islanders.

FSA loans are only available to applicants who meet all the eligibility requirements and are unable to obtain the needed credit elsewhere.

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## Maintaining Good Credit History

Farm Service Agency (FSA) Farm Loan programs require that applicants have a satisfactory credit history. A credit report is requested for all FSA direct farm loan applicants. These reports are reviewed to verify outstanding debts, if bills are paid timely and to determine the impact on cash flow.

Information found on a customer's credit report is strictly confidential and is used only as an aid in conducting FSA business.

Our farm loan staff will discuss options with you if you have an unfavorable credit report and will provide a copy of your report. If you dispute the accuracy of the information on the credit report, it is up to you to contact the issuing credit report company to resolve any errors or inaccuracies.

There are multiple ways to remedy an unfavorable credit score:

- Make sure to pay bills on time; Setting up automatic payments or automated reminders can be an effective way to remember payment due dates
- Pay down existing debt
- Keep your credit card balances low
- Avoid suddenly opening or closing existing credit accounts

FSA's farm loan staff will guide you through the process, which may require you to reapply for a loan after improving or correcting your credit report.

For more information on FSA farm loan programs, visit [www.fsa.usda.gov](http://www.fsa.usda.gov).

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## Loan Servicing

There are options for Farm Service Agency loan customers during financial stress. If you are a borrower who is unable to make payments on a loan, contact your local FSA Farm Loan Manager to learn about the options available to you.

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USDA is an equal opportunity provider, employer and lender. To file a complaint of discrimination, write: USDA, Office of the Assistant Secretary for Civil Rights, Office of Adjudication, 1400 Independence Ave., SW, Washington, DC 20250-9410 or call (866) 632-9992 (Toll-free Customer Service), (800) 877-8339 (Local or Federal relay), (866) 377-8642 (Relay voice users).