

UNITED STATES DEPARTMENT OF AGRICULTURE

Farm Service Agency  
Washington, DC 20250

**Agriculture Risk Coverage and  
Price Loss Coverage Program  
1-ARCPLC (Revision 1)**

**Amendment 7**

**Approved by:** Deputy Administrator, Farm Programs



**Amendment Transmittal**

**A Reasons for Amendment**

Subparagraph 189 A has been amended to add a note that either version of CCC-866 (7-23-19 or 3-24-20) is acceptable for the election and enrollment of ARC-CO and/or PLC.

Subparagraph 189 B has been amended to update CCC-866 by replacing the word “owners” with “producers” in the third paragraph.

Paragraph 190 has been added to provide for election correction policy.

Subparagraph 206 C has been amended to clarify the reconstitution policy for enrolling farms.

Subparagraph 208 B has been amended to clarify delegated relief.

Subparagraph 248 A has been amended to clarify the final date to revise a 2019 contract.

Subparagraph 249 B has been amended to clarify the enrollment date for a contract.

<b>Page Control Chart</b>		
<b>TC</b>	<b>Text</b>	<b>Exhibit</b>
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B Example of CCC-862 (Continued)

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CCC-862 (09-04-19)

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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 the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.), the Agricultural Act of 2014 (7 U.S.C. 9015) as amended by the Agriculture Improvement Act of 2018 (Pub. L. 115-334) and 7 CFR Part 1412. The information will be used to determine eligibility to participate in and receive benefits under the Agriculture Risk Coverage Program and Price Loss Coverage Program. 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). 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 the Agriculture Risk Coverage Program and Price Loss Coverage Program.

**Paperwork Reduction Act (PRA) Statement:** The information collection is exempted from the Paperwork Reduction Act as specified in 7 U.S.C. 9091(c)(2)(B).

The provisions of appropriate criminal and civil fraud, privacy, and other statutes may be applicable to the information provided. **RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.**

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**A Instructions for CCC-866**

The following are instructions for completing CCC-866. When all the producers of a farm sign CCC-866, those producers are indicating the election of each covered commodity with base acres on the farm as indicated on the form.

<b>Item</b>	<b>Instructions</b>
1	Auto-filled with program years 2019 through 2023.
2	Enter administrative County Office's State code.
3	Enter administrative County Office's County code.
4	Enter applicable * * * FSN.
5A	Enter administrative County Office's name and address.
5B	Enter administrative County Office's Phone Number (optional)
5C	Enter administrative County Office's Fax Number (optional)
6	If the producers wish to utilize the multi-year contract option, check (✓) the box.
7	The applicable covered commodities on the farm will print.
8	The applicable covered commodity's ARC-CO or PLC election will print.
9	The applicable covered commodity's base acres will print.
10	The applicable covered commodity's PLC yield will print.
11 YES	A check (✓) will be made if the applicable covered commodity is participating in the program year.
11 NO	A check (✓) will be made if the applicable covered commodity is <b>NOT</b> participating in the program year.
12A	Enter the producer's name and address.
12B	For the producer listed in item 12A, enter that producer's e-mail address (optional)
12C	For the producer listed in item 12A, enter the producer's phone number (optional).
13	Enter the covered commodity that the producer in 12A will receive a share.
14	Enter the payment share of the covered commodity's base acres for the producer in 12A.
15A	The producer will check (✓) this box to indicate refusing the payment.
15B	The producer that refused the payment in 10A will initial.
15C	Enter the date the person who initialed in 10B.
16A	The producer listed in item 12A shall sign.
16B	If the person who signed on behalf of the producer in item 12A signed in a representative capacity, enter the title of the person who signed in a representative capacity.
16C	Enter date the person signed in item 12A.
17A	The CCC representative authorized to approve CCC-866 shall sign indicating approval of CCC-866 and acceptance of the ARC-CO and/or PLC election for the farm.
17B	Enter the date the CCC representative signed in 12A
18	Enter any remarks.
19	The employee accepting CCC-866 may initial (optional).

\*--**Note:** Either version of CCC-866 (7-23-19 or 3-24-20) is acceptable for the election and enrollment of ARC-CO and /or PLC.--\*

**B Example of CCC-866**

The following is an example of CCC-866.

\*--

This form is available electronically. <span style="float: right;">(See Page 3 for Privacy Act and Paperwork Reduction Act Statements)</span>											
<b>CCC-866</b> (03-24-20)	U.S. DEPARTMENT OF AGRICULTURE Commodity Credit Corporation										
<b>AGRICULTURAL RISK COVERAGE –                  COUNTY OPTION (ARC-CO) AND PRICE LOSS                  COVERAGE (PLC) ELECTION AND CONTRACT</b>											
1. Program Year:											
2. State Code	3. County Code										
4. Farm Number											
5A. County FSA Office Name and Address											
5B. County Office Telephone No. <i>(Including Area Code)</i>	5C. County Office Fax No. <i>(Including Area Code)</i>										
<p>THIS ARC-CO AND PLC ELECTION AND CONTRACT is entered into between the Commodity Credit Corporation (CCC) and the undersigned producers on the farm identified in Item 4. Upon approval, this farm and the producers on the farm are enrolled in ARC-CO and/or PLC for the program year identified above in Item 1. All producers with a share in base acres must sign this contract by the announced enrollment deadline of the applicable program year in order to participate and make themselves potentially eligible to receive payments for the applicable program year.</p> <p>The terms and conditions of the ARC-CO and PLC contract are contained in the CCC-862 and CCC-866 Appendix and the regulations at 7 CFR Part 1412. By signing this contract producers: (1) acknowledge receipt and agree to abide by the terms of the CCC-862 and CCC-866 Appendix; (2) agree to comply with the terms and conditions of the program and those governing payment limitation and eligibility and adjusted gross income limitation provisions; (3) agree that the terms and benefits of this program are subject to changes in law; and (4) certify that all the information contained on this form, whether or not personally entered by the producer, is true, correct, and accurate. All producers agree to participating or not participating on a covered commodity by covered commodity basis in Item 10.</p> <p>All producers on the farm must agree to the election made in Item 8. If an ARC or PLC election is not made the election defaults to the election for the farm that was effective under the previous Farm Bill, and no payments will be earned under this contract and farm for 2019. All producers on the farm agree and acknowledge that: (1) this election is irrevocable for the covered commodities and the farm, or any resulting farm(s) of a reconstitution; (Beginning in 2021, producers may change the election on the farm); (2) this farm may not be combined with any other farm that has base acres and does not have the same program election applicable for each and all covered commodities on all farms intended to be combined; (3) even though the producers on the farm may have made an election, producers must still annually enroll the farm and covered commodity in the ARC or PLC program in order to be eligible to receive ARC or PLC benefits for that covered commodity and crop year; (4) they must comply with the regulations at 7 CFR Part 1412; and (5) ARC or PLC benefits are subject to change based upon changes to law. FSA's acceptance of this signed form and use of the form does not equate to FSA's approval of the election. If FSA later determines this election was invalid under 7 CFR Part 1412, the elections indicated on this form are invalid and will not apply to the farm.</p> <p>NOTE: PLC yields in Item 10 are only used in the payment calculation of covered commodities that have elected PLC.</p>											
6. Multi-year Contract (2019 - 2023) <input type="checkbox"/>											
7. Commodity	8. Program Elected	9. Base Acres	10. PLC Yield	11. Participating		7. Commodity	8. Program Elected	9. Base Acres	10. PLC Yields	11. Participating	
				YES	NO					YES	NO
				<input type="checkbox"/>	<input type="checkbox"/>					<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>					<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>					<input type="checkbox"/>	<input type="checkbox"/>
12A. Owner or Producer's Name and Address				13. Commodity		14. Payment Share		13. Commodity		14. Payment Share	
12B. Email Address											
12C. Telephone No. <i>(Including Area Code)</i> :											
15A. Refused Payment Information:								15B. Producer's Initials			
<input type="checkbox"/> All ARC-CO Payments are Refused				<input type="checkbox"/> All PLC Payments are Refused				15C. Date Initialed (MM-DD-YYYY)			
16A. Producer's Signature (By)				16B. Title/Relationship of the Individual Signing in the Representative Capacity				16C. Date (MM-DD-YYYY)			
<b>FOR FSA USE ONLY</b>											
17A. Signature of CCC Representative										17B. Date (MM-DD-YYYY)	
18. Remarks										19. Employee's Initials	

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**B Example of CCC-866 (Continued)**

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<b>CCC-866</b> (03-24-20)		Page 2 of 3		
1. Program Year	2. State Code	3. County Code	4. Farm Number	
<b>CONTINUATION OF OWNER'S OR PRODUCER'S CROP INFORMATION (From Page 1)</b>				
12A. Owner or Producer's Name and Address a	13. Commodity	14. Payment Share	13. Commodity	14. Payment Share
12B. Email Address				
12C. Telephone No. (Including Area Code):				
15A. Refused Payment Information: <input type="checkbox"/> All ARC-CO Payments are Refused <input type="checkbox"/> All PLC Payments are Refused			15B. Producer's Initials	
			15C. Date Initialed (MM-DD-YYYY)	
16A. Producer's Signature (By)		16B. Title/Relationship of the Individual Signing in the Representative Capacity		16C. Date (MM-DD-YYYY)
12A. Owner or Producer's Name and Address	13. Commodity	14. Payment Share	13. Commodity	14. Payment Share
12B. Email Address				
12C. Telephone No. (Including Area Code):				
15A. Refused Payment Information: <input type="checkbox"/> All ARC-CO Payments are Refused <input type="checkbox"/> All PLC Payments are Refused			15B. Producer's Initials	
			15C. Date Initialed (MM-DD-YYYY)	
16A. Producer's Signature (By)		16B. Title/Relationship of the Individual Signing in the Representative Capacity		16C. Date (MM-DD-YYYY)
12A. Owner or Producer's Name and Address	13. Commodity	14. Payment Share	13. Commodity	14. Payment Share
12B. Email Address				
12C. Telephone No. (Including Area Code):				
15A. Refused Payment Information: <input type="checkbox"/> All ARC-CO Payments are Refused <input type="checkbox"/> All PLC Payments are Refused			15B. Producer's Initials	
			15C. Date Initialed (MM-DD-YYYY)	
16A. Producer's Signature (By)		16B. Title/Relationship of the Individual Signing in the Representative Capacity		16C. Date (MM-DD-YYYY)

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B Example of CCC-866 (Continued)

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<b>CCC-866</b> (03-24-20)	Page 3 of 3
<p><b>NOTE:</b> <i>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 the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.), the Agricultural Act of 2014 (7 U.S.C. 9015) as amended by the Agriculture Improvement Act of 2018 (Pub. L. 115-334) and 7 CFR Part 1412. The information will be used to determine eligibility to participate in and receive benefits under the Agriculture Risk Coverage Program and Price Loss Coverage Program. 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). 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 the Agriculture Risk Coverage Program and Price Loss Coverage Program.</i></p> <p><b>Paperwork Reduction Act (PRA) Statement.</b> <i>Paperwork Reduction Act (PRA) Statement: The information collection is exempted from PRA as specified in 7 U.S.C. 9091(c)(2)(B).</i></p> <p><i>The provisions of appropriate criminal and civil fraud, privacy, and other statutes may be applicable to the information provided. <b>RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.</b></i></p>	
<p><i>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.</i></p> <p><i>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.</i></p> <p><i>To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at <a href="http://www.ascr.usda.gov/complaint_filing_cust.html">http://www.ascr.usda.gov/complaint_filing_cust.html</a> 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: <a href="mailto:program.intake@usda.gov">program.intake@usda.gov</a>. USDA is an equal opportunity provider, employer, and lender.</i></p>	

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**\*--190 Election Correction Policy****A Election Correction Policy Where FSA Made an Error**

Producers on the farm can make an ARCPLC election during the election period. During the election process, errors may have occurred where the election submitted by producers on CCC-862 or CCC-866 does **not** match the election entered in FRS and CRM or it does not match the election provided to producers on the final base, yield, and election notifications issued.

County Offices will follow the policy outlined in this paragraph for completing and documenting election corrections:

- documentary evidence must be on file in the farm folder that validates the election submitted by the producer on CCC-862 or CCC-866 during the election period does not represent what currently appears in FRS and CRM
- COC will review the evidence in the farm folder and thoroughly document the County Office error in the COC Executive minutes as to the correct election submitted by producers on the farm
- upon COC approval, the County Office will correct the election per crop for ARC-CO and/or PLC or ARC-IC for the farm in FRS and CRM.

**Note:** Corrections made by COC must be reviewed by a State Office representative. Producers are **not** required to sign a new CCC-862 or CCC-866 for corrections made according to this paragraph. This is **not** a new opportunity for election.

**B Election Correction Notification Policy**

Notification to all owners and the operator of the program election correction on the farm is required using the base acre, yield, and election notification letter that contains appeal rights.--\*

**191-200 (Reserved)**

## 206 Reconstitution of ARC-CO, PLC, and ARC-IC Farms (Continued)

**B Authorized Reconstitutions and Transfers**

Subject to the provisions of subparagraph A, the following reconstitutions are allowed for 2019 and each subsequent program year, if FSA-155 or FSA-179 is initiated by August 1 of the effective FY:

- divisions of all farms
- farm combinations in limited situations
- completed farm transfers.

**Note:** Combinations of ARC-CO and PLC parent farms with other ARC-CO and PLC parent farms can only be approved if there are no conflicting elections between common base crops or HIP between parent farms.

Combinations of eligible parent farms with farms determined to be ineligible for payment where all of the cropland was grass, idle or fallow from January 1, 2009 through December 31, 2017, are prohibited to prevent changing the eligibility of base acres.

An ARC-CO and PLC parent farm can never be combined with an ARC-IC parent farm or vice versa.

A parent farm that has zero base acres and has no election can be combined with any parent farm that has elected an ARC-CO and PLC or ARC-IC program. Examples include, but are not limited to:

- noncropland farm
- cropland farm with zero base acres
- CRP farm with base acres reduced to zero.

Operators, producers, and owners **must** understand that when farms are combined, the resulting farm and its election that applied to the parent farms of the reconstitution will continue to apply to child farms following any subsequent division of that farm, even if the division is in the same year.

**Example:** Farm 1 has a valid election of ARC-CO for corn and grain sorghum. The operator of Farm 1 requests to combine Farm 1 with Farm 3, which has an election of ARC-CO for corn, no base acres of grain sorghum, and PLC elected for wheat. Farms 1 and 3 can be combined as there are no conflicting elections; however, the resulting farm (and child farms if split from that farm later) will have ARC-CO election apply corn and grain sorghum and PLC for wheat.

206 Reconstitution of ARC-CO, PLC, and ARC-IC Farms (Continued)

**C Enrollment Following Reconstitutions**

\*-- Child farms resulting from reconstitutions that had 1 or more parent farms enrolled timely by March 15 of the contract period have 30 calendar days following the issuance of the notification of base acres and yields to submit enrollment contracts. The parent farms election remains valid on child farms resulting from the reconstitution and cannot be revised after March 15 of the contract period.

For program year 2020, child farms resulting from reconstitutions of 1 or more parent farms enrolled timely by June 30, 2020, have the later of 30 calendar days following the issuance of notification of base acres and yields or September 30, 2020, to submit enrollment contracts.

**Note:** Refer to 10-CM, Part 5, for producer notification requirements following a farm reconstitution.--\*

**207 Base Restoration Because of CRP**

**A Farms With CRP-1's**

Farms with CRP-1's that expire, are voluntarily terminated, or are early released after September 30, 2013, and **before** the enrollment deadline established for the ARC and PLC program year, may enter into or increase the base acres on the ARC-CO and PLC contract or ARC-IC contract to the extent:

- PFC or DCP acreage was reduced on CCC-505
- base acres were reduced on CCC-505
- partial CRP payments that may have been issued on the farm (paragraph 41).

**B Adjustments to Base Acres**

See 10-CM for updating base acres for CRP-1's that expire, are voluntarily terminated, or are early released.

## 208 Relief for Producers When Interest in Base Acres Exceed Their Interest in Cropland on a Farm

### A Background

DAFP delegates programmatic relief authority to SED's to allow (with limitations) contracts to be considered enrolled even though a producer(s) on a farm did not have control of enough DCP cropland to support the claimed share of base acres.

Absent the relief, a contract containing shares of producers not having control of enough DCP cropland to support the claimed share must be considered invalid under regulations and the contract appendix.

The relief allows the contract to remain enrolled in the applicable year's ARC/PLC program; however, producers that were not enrolled or that did not enroll a share supported by control of enough DCP cropland will be limited to the smaller of the share that was timely enrolled or the share of base acres supported by adequate DCP cropland.

### B Relief Delegated

SEDs are delegated the authority to approve programmatic relief when one or more producers on a farm do not have control of adequate DCP cropland to support the requested payment share of base acres on enrolled ARC/PLC farms. Any other relief issue or question \*--not specifically mentioned in this subparagraph must be forwarded to DAFP for consideration.--\*

This relief allows farms to continue to participate in the applicable year's ARC/PLC program; however, producers that were not enrolled or did not enroll a share supported by control of enough DCP cropland will have payments limited to the smaller of the share that was timely enrolled or the share of base acres supported by adequate DCP cropland. Without the granting of this relief, the contract for the farm would be terminated and **all** payments would be required to be refunded from all producers on the farm (even those with shares supported by adequate DCP cropland).

**Note:** This relief is not applicable to ARC-IC.

**248 CCC-862 and CCC-866 Modification After End of Contract Period****A Introduction**

The final date for participants to provide all necessary signatures for producers with an interest in CCC-862 and CCC-866 is March 15 (March 16, 2020 for FY 2019, June 30, 2020 for FY 2020) of the applicable FY.

Revisions to CCC-862 and CCC-866 will **not** be made after the conclusion of the contract \*--period (September 30) for the applicable FY (September 30, 2020, for FY 2019 contracts).--\*

**Note:** See paragraph 203 for late-filed enrollment provisions.

2-ARCPLC provides procedure for updating producer signature and enrollment date information in FRMS.

**B Updates Affecting Enrollment Date**

The enrollment date is automatically removed when any of the following changes are made to data in FRMS:

- operator is changed
- other tenant with an interest in CCC-862 or CCC-866 is removed from the farm
- owner is added to a tract associated with the farm
- base acres are modified
- PLC payment yields are modified
- election is modified according to 10-CM
- out-of-balance condition is created because of changes to effective DCP cropland
- CCC-862 contract base acre shares are revised.

Updates to FRMS for any of these reasons constitute a modification of existing CCC-862 and CCC-866; therefore, the enrollment date is automatically removed from FRMS when the update occurs.

**248 CCC-862 and CCC-866 Modification After End of Contract Period (Continued)****C State Office Review Process**

The All Farms With Enrollment Date Modifications After End of Contract Period Report will be available to State Office specialists to identify all CCC-862's and CCC-866's with an enrollment date that was updated during the previous month. This report is available to State and National Office users **only**. See 2-ARCPLC for instructions for printing the report.

**Reminder:** An enrollment date can be entered into the ARCPLC software at any time; however, if the enrollment date for the contract is after September 30 of the applicable contract year, the enrollment date **must** be recorded by the State Office. See paragraph 249 for additional information about situations where enrollment of the farm could occur after the conclusion of the contract period.

State Offices may review the All Farms With Enrollment Date Modifications After End of Contract Period Report detailing where the enrollment date has been updated during the previous month. State Offices may:

- conduct a review of farms listed on the monthly report to ensure that ARC and PLC program policy has been administered properly
- take corrective action, if applicable, with County Offices if contracts were updated in error.

**Note:** SED's may delegate the review to DD's.



**249 Updating Producer Signature and Enrollment Dates After the End of Contract Period****A Introduction**

County Offices will ensure that all information recorded in ARCPLC contract software accurately reflects signature, enrollment, and approval date information. See 2-ARCPLC for additional information about how data will be entered in ARCPLC contract software.

If a valid signature of a producer with an interest in CCC-862 or CCC-866 or enrollment information is actually **received** after the conclusion of the contract period of the applicable year, ARCPLC contract software is designed to prevent County Office users from updating that information.

If a valid signature of a landowner with zero share or cash lease is actually **received** after the conclusion of the contract period of the applicable year, ARCPLC contract software is designed to prevent County Office users from updating that information.

**Example:** Landowner signed a 2020 CCC-866 to zero shares on October 13, 2020. ARCPLC contract software will **not** allow a zero share signature after September 30, 2020, to be entered by a County Office user as a producer signature date. The signature and enrollment dates must be updated by the State Office.

249 **Updating Producer Signature and Enrollment Dates After the End of Contract Period  
(Continued)**

**B Situations That Warrant Producer Signature or Enrollment Dates After the Conclusion of the Contract Period**

\*--The enrollment date in ARCPLC contract software is determined by the date the last required signature was obtained on CCC-862 and CCC-866.--\*

**Note:** Use the later of the signature date or postmark/date stamp of when the contract is received in the County Office according to 1-CM.

The following is considered supporting documentation:

- landowner signing CCC-862 or CCC-866 to zero shares
- copy of a cash lease agreement.

**Important:** The supporting documentation can be submitted any time through the second March 1 after the end of the contract period. (See subparagraph 204 C).

Some cases require State Office intervention so ARCPLC contract software can be updated to accurately reflect when the signature was obtained and/or when CCC-862 or CCC-866 was enrolled.

ARCPLC contract software validations do **not** allow County Office users to enter a producer signature date after the conclusion of the contract period, including zero share signatures.