

UNITED STATES DEPARTMENT OF AGRICULTURE

Farm Service Agency
Washington, DC 20250

**Direct and Counter-Cyclical Program and
Average Crop Revenue Election for 2009
and Subsequent Crop Years
1-DCP (Revision 3)**

Amendment 23

Approved by: Deputy Administrator, Farm Programs



Amendment Transmittal

A Background

During the migration to MIDAS as the system of record, data changes caused CCC-509's to be cancelled. Many times, the producers on the farm had enrolled and CCC-509 had been approved. As a result, County Offices have been forced to re-enter data when no change to CCC-509 shares or number of base acres had been made.

This amendment provides policy that, if CCC-509 shares or base acres have not changed, then producers on the farm may not be required to complete CCC-509 again.

B Major Changes

Subparagraph 176 D has been amended to correct the 2013 example.

Subparagraph 331 A has been amended to include 2010 and 2011 enrollment dates for DCP and ACRE.

Subparagraph 394 H has been added to provide policy on 2013 CCC-509's affected by changes to data in FRMS.

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D Reconstitution of Farm's Impact on Election Period for ACRE Only (Continued)

2009 Example: A request to divide Farm 100 is filed on July 15, 2009. The reconstitution results in Farms 1001 and 1002. Notification of completing the reconstitution is issued on July 27, 2009. The operators, owners, and producers on Farms 1001 and 1002 have 30 calendar days from July 27, 2009, to make a valid ACRE election on CCC-509ACRE for the 2009 and subsequent crop years and must enroll the farm within 30 calendar days from July 27, 2009. Any CCC-509ACRE filed after this date will be considered an election made in the subsequent election period.

2013 Example: A request to divide Farm 300 is filed on May 31, 2013. The reconstitution results in Farms 2001 and 2002. Notification of completing the reconstitution is issued on July 17, 2013. The required signatures, according to paragraph 394, on Farms 2001 and 2002 have 30 calendar *--days from July 17, 2013, to elect and enroll ACRE or enroll in DCP on CCC-509. The farms may elect and enroll in ACRE or enroll in DCP after the deadlines in paragraph 331 because policy in paragraph 333 provides a 30-calendar-day window to enroll reconstituted farms.--*

E Impact of Transfers of Land, Successions-in-Interest, and Reconstitutions on Valid CCC-509ACRE or CCC-509

[7 CFR 1412.77] Land subject to an ACRE election will continue to be subject to the election even if there is a transfer of land or change in interest of any producer on the farm. If a new owner or operator or producer purchases or obtains the right and interest in, or right to occupancy of, the land subject to an ACRE election option, such new owner or operator or producer, upon the approval of CCC, may choose to become a participant to a new ACRE Program contract with CCC with respect to such transferred land in accordance with § 1412.41.

For 2013, CCC-509 is the control document for the ACRE election.

A valid election on CCC-509ACRE (CCC-509 for 2013) is unaffected by subsequent changes in:

- producers on the farm
- the constitution of the farm or tracts on the farm.

In the event that a change to a farm's constitution occurs, a copy of the parent farm's valid CCC-509ACRE (CCC-509 for 2013) shall be placed in each resulting farm's farm folder.

Follow 2-CM for reconstitutions. Farms or tracts with a valid ACRE election cannot be combined with farms **not** having a valid ACRE election.

Follow Part 6, Section 3 for ACRE Program contract requirements.

See paragraphs 187, 207, and 397 for the ACRE Program.

176 ACRE (Continued)

--F Withdrawing CCC-509ACRE or CCC-509--

[7 CFR 1412.72(k)] Any producer with an interest in a farm having made the ACRE election according to subparagraph A may unilaterally revoke the election for all of the farm if the election and revocation are both filed by the producer prior to the election deadline established for the initial year of election. The revocation must be submitted in writing to CCC no later than close of business on the date of the election deadline of the initial year of election. There are no late file provisions available for withdrawal of the ACRE election. No other withdrawals or revocations of the ACRE election will be permitted in order to comply with the irrevocability mandated in law. Accordingly, relief provisions in part 718, subpart D, of this title are not applicable to revocation of the ACRE election.

***--For 2013, CCC-509 is the control document for the ACRE election. The 2013 election or withdrawal of a farm from ACRE is completed on CCC-509. The last day to withdraw from a 2013 election is June 3, 2013.**

In the event a valid ACRE election on CCC-509ACRE or CCC-509 is withdrawn according to this subparagraph, any CCC-509:

- signed after the filing of CCC-509ACRE or CCC-509 will likewise be considered timely withdrawn according to paragraph 394
- that may have existed before the valid election on CCC-509ACRE or CCC-509 shall continue to be treated as withdrawn and **not** be recognized for any purpose.

Note: Producers on a farm who have withdrawn CCC-509ACRE or CCC-509 according--* to this paragraph who are interested in participating in DCP must timely file a new CCC-509 according to paragraph 394.

Any and all payments issued under any CCC-509 that is withdrawn must be refunded. See paragraph 14.

Note: Another tenant that is a producer on noncropland acres only is **not** required to sign *--CCC-509ACRE or CCC-509.--*

Part 6 Annual Enrollment

Section 1 General Information

331 Annual Enrollment Period

A Enrollment Dates

Enrollment in either DCP or ACRE is on an annual basis.

- The 2009 DCP enrollment period began December 23, 2008, and ended August 14, 2009.
- The 2009 ACRE Program enrollment period began April 27, 2009, and ended August 14, 2009.
- *--The 2010 DCP/ACRE enrollment period began October 1, 2009, and ended June 10, 2010.
- The 2011 DCP/ACRE enrollment period began October 1, 2010, and ended June 1, 2012.
- The 2012 DCP/ACRE enrollment period began January 23, 2012, and ended June 1, 2012.
- The 2013 DCP enrollment period began February 19, 2013, and ends August 2, 2013.--*
- The 2013 ACRE election and enrollment period begins February 19, 2013, and ends June 3, 2013.

ACRE Program enrollment occurs **after** election of ACRE. See paragraph 176 for ACRE.

B Farms With CRP-1

Farms with CRP-1's that expire, are voluntarily terminated, or early released after September 30, 2008, and before June 3, 2013, for 2013 ACRE or August 3, 2013, for 2013 DCP may enter into or expand CCC-509 to the extent:

- CAB's reduced under CRP-15 were released
- PFC acreage was reduced on CCC-505
- base acres were reduced on CCC-505.

Note: See subparagraph 67 C for adjustments to base acres and yields because of CRP-1 that expires, is voluntarily terminated, or is early released. See 3-CM for updating the farm maintenance system.

C Reconstitution of Enrolled Farms

Farms enrolled during the prescribed annual enrollment period are no longer considered to be enrolled following a farm reconstitution. Farms resulting from a reconstitution are not deemed to have CCC-509 and, therefore, may not earn benefits associated with DCP or the ACRE Program unless timely enrolled in DCP or the ACRE Program.

See paragraph 333 for enrollment of reconstituted farms.

Note: ACRE elections are irrevocable and continue to apply following reconstitutions.

332 Overview of CCC-509

A CCC-509

CCC-509 includes the following for each covered commodity and peanuts on the farm:

- base acres, direct payment acres, direct payment yields, and counter-cyclical payment yields, if applicable
- producer payment shares for direct and, if applicable, counter-cyclical
- advance direct and counter-cyclical payment selections, as applicable

Note: Although advance direct payments are available under an ACRE Program contract, there are no advance ACRE ACRE payments.

- signatures of the producer and CCC representative.

CCC-509 is available at <http://fsaintranet.sc.egov.usda.gov/fsa/>.

The following provides which version of CCC-509 is acceptable for each contract year.

IF contract year is...	THEN the acceptable version of CCC-509 is...
2008	“06-20-08”.
2009	<ul style="list-style-type: none"> • “04-16-09” • “11-14-08”.
2010	<ul style="list-style-type: none"> • “10-01-09” • “04-27-10”.
2011	<ul style="list-style-type: none"> • “04-27-10” • “10-06-10”.
2012	“10-01-11”.
--2013	“01-22-13”.--

For ACRE Program contracts, CCC-509 will also reflect those potentially eligible for ACRE payments even though the producer may not have a share of base acres. See paragraphs 187, 209, and 397.

B CCC-509 Instructions

Complete CCC-509 according to the following.

Item	Instruction
1	Enter the applicable program year. Note: This will be prefilled if generated in DCP/ACRE software.
2	Enter the State code for the farm serial number in item 4. Note: This will be prefilled if generated in DCP/ACRE software.

394 CCC-509 (Continued)

D No Partial Enrollments

[7 CFR 1412.41] Eligible producers who elect to enter into a contract with CCC must enroll all base acres on the farm. Enrollment of fewer than all base acres on the farm is not allowed.

E Withdrawing Enrollment

[7 CFR 1412.41] Eligible producers may withdraw from a DCP or ACRE Program at *--any time by June 1 (August 14, 2009, for 2009, June 3, 2013, for 2013 ACRE, or August 2, 2013, for 2013 DCP) of the year of the contract provided all signatories to--* the contract, including CCC, agree to the withdrawal. CCC-509's enrolled prior to the decision of producers on a farm to elect the ACRE option for a fiscal year on CCC-509ACRE are considered withdrawn pursuant to § 1412.72. Producers electing the ACRE option according to § 1412.72(d) must subsequently decide whether or not to enroll the farm on a CCC-509. Producers on a farm are solely responsible for ensuring that enrollment occurs.

In the event that a timely withdrawal of a valid CCC-509ACRE is filed according to subparagraph 176 B, any subsequent ACRE Program contract shall likewise be considered withdrawn. Additionally, any CCC-509 that may have preceded CCC-509ACRE in the same *--enrollment period is also considered withdrawn. For 2013, CCC-509ACRE is **not** applicable.--*

See subparagraph 445.5 C for late-filed enrollment provisions applicable to 2010 and subsequent crop years.

F Expiration of Contracts

[7 CFR 1412.41] All contracts expire on September 30 of the fiscal year of the contract unless:

- (1) Withdrawn in accordance with 7 CFR § 1412.41(b);**
- (2) Terminated in accordance with 7 CFR §§1412.41(d) or (e); or**
- (3) Terminated at an earlier date by mutual consent of all parties, including CCC.**

See paragraph 14.

394 CCC-509 (Continued)

G Required Signatures on CCC-509

CCC-509's on which all signatures for producers sharing in base acres are not obtained by June 1 (August 14, 2009, for 2009, June 3, 2013, for ACRE, or August 2, 2013, for 2013 DCP) of the applicable year are not considered filed for any purpose.

Notes: See subparagraphs 397 D and 445.5 C for exceptions.

For cash lease situations, signatures or other applicable documentation can be submitted after June 1 (August 14, 2009, for 2009 or August 2, 2013, for 2013) of the applicable year provided all signature requirements were timely obtained for producers sharing in the base acres. See subparagraph C for cash lease signature requirements.

See paragraphs 187 and 207 for ACRE Program contracts.

No action whatsoever will be taken on any CCC-509 that does not contain all required signatures. CCC-509 shall not be disapproved, approved, or considered under any equitable relief provision. Incomplete CCC-509's are not due any sort of decision from FSA.

***--H 2013 Data Changes Affecting CCC-509**

With the implementation of MIDAS, changes to data are occurring that impact CCC-509. In certain situations, data in FRMS is changing after producers have submitted CCC-509.

For 2013 only, follow the attached chart about changes to data in FRMS causing CCC-509 to be cancelled:

IF...	AND...	THEN...
a producer(s) has elected and enrolled CCC-509 in ACRE or has enrolled CCC-509 in DCP and a subsequent Farm Records data update occurs that cancels CCC-509	a data update does not affect the number of base acres or the shares on CCC-509	the signatures on the original CCC-509 may be considered valid.
	a data update occurs that changes the number of base acres on CCC-509	a revised CCC-509 reflecting the new base acres must be completed and signed by all producers with payment shares greater than zero.
	a data update occurs that changes the shares on CCC-509	a revised CCC-509 reflecting the shares must be completed and signed by all affected producers with payment shares greater than zero.

Note: Producers on ACRE farms with a zero direct share on CCC-509 and a share of a covered commodity on FSA-578 must also sign the revised CCC-509 by September 30, 2013 to remain eligible for any potential ACRE ACRE payments.--*

395 10-Acre Rule Exception Signature Requirements**A Signatures of Owners Certifying SDA or Limited Resource Farmers or Ranchers on CCC-509**

The farm operator or owners that are applying for the SDA or limited resource farmer or rancher exception, so that a producer on the farm may receive payment, must complete CCC-509, item 7 if all of the following apply:

- the farm has 10 base acres or less
- 1 of the following apply:
 - the owner is an individual and is SDA or limited resource farmer or rancher
 - the owner is a group of individuals and 50 percent of the ownership interest are SDA or limited resource farmers or ranchers
 - the owner is an entity and 50 percent of the ownership interest of the entity are SDA or limited resource farmers or ranchers
- the participant on the contract wishes to receive benefits.

Reports, Forms, Abbreviations, and Redelegations of Authority (Continued)

Forms (Continued)

Number	Title	Display Reference	Reference
CCC-903	Worksheet for Payment Eligibility and Payment Limitation Determinations		352
CCC-920	Grassland Reserve Program Contract		66, 427
CCC-931	Average Adjusted Gross Income (AGI) Certification and Consent to Disclosure of Tax Information		6, 7, 352
CCC-933	Average Adjusted Gross Income (AGI) Certification and Consent to Disclosure of Tax Information		6, 7, 352
CRP-1	Conservation Reserve Program Contract		Text, Ex. 2
CRP-2	Conservation Reserve Program Worksheet		427
CRP-2C	Conservation Reserve Program Worksheet (for Continuous Signup)		427
CRP-15	Agreement for Reduction of Bases, Allotments and Quotas		67, 331, 425
FCI-19	Crop Insurance Acreage Report		478
FSA-155	Request for Farm Reconstitution		176, 333, 398
FSA-156-EZ	Abbreviated 156 Farm Record and Tract Listing		82, 426, 427, Ex. 19
FSA-217	Socially Disadvantaged, Limited Resource and Beginning Farmer or Rancher Certification		395
FSA-325	Application for Payment of Amounts Due Persons Who Have Died, Disappeared, or Have Been Declared Incompetent		400
FSA-578	Report of Acreage		Text, Ex. 2, 17
FSA-658	Record of Production and Yield		6, 175, 187, Part 9
FSA-910	Wetland Reserve Program Projected DCP Base Reduction Worksheet	Ex. 19	426

Reports, Forms, Abbreviations, and Delegations of Authority (Continued)

Abbreviations Not Listed in 1-CM

The following abbreviations are not listed in 1-CM.

Approved Abbreviations	Term	Reference
CIMS	Comprehensive Information Management Systems	188
ERSR	Electronic Repository of Security Request	403
FRMS	Farm Record Management System	394
PRS	Production Reporting System	177, 510.5-510.8
PTPP	Planting Transferability Pilot Project	76-82, 333, 445, 501, 502, 532

Delegations of Authority

COC may redelegate authority to approve CCC-505's, CCC-509's, CCC-509ACRE's, and FSA-658's to CED, in routine cases. Redlegation shall be documented in COC minutes.