

NOVEMBER 2012



Kansas FSA Updates

DEAR PRODUCERS: Welcome to the new Gov Delivery bulletins and updates service from the Name County FSA office. Note that you are welcome to request to receive bulletins from more than one county and can add or remove individual subscriptions at any time.

**Kansas State Office
Farm Service Agency**

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Adrian J. Polansky

COUNTY COMMITTEE VOTING BEGINS

Ballots for this year's county committee election were mailed to eligible voters on Nov. 5, 2012. Voters must complete their ballots and return them to the County FSA office by the close of business on Dec. 3, 2012. If mailed, ballots must be postmarked by midnight Dec. 3, 2012.

Voter Requirements Persons meeting requirements in 1 or 2, plus 3, below, is eligible to vote:

1. Be of legal voting age and have an interest in a farm or ranch as any of the following:

- An individual
- The authorized representative of an entity
- Both spouses when property is owned jointly
- Spouses in community property states.

2. Is not of legal voting age, but supervises and conducts the farming operations on an entire farm.

3. Participates or cooperates in any FSA program that is provided by law.

Discrimination Prohibited No person shall be denied the right to vote because of race, color, national origin, sex, religion, age, disability, political beliefs, sexual orientation or marital or family status.

2012 CRP EMERGENCY GRAZING ENDS NOV. 30

The Conservation Reserve Program (CRP) emergency grazing deadline is Nov. 30, 2012.

Producers who took advantage of the emergency grazing extension must remove all livestock from CRP acres by the Nov. 30th deadline. Producers must also provide ending acreage and producer usage report certifications to their local County FSA office.

For questions regarding CRP emergency grazing, contact your local FSA office.

HELP GROW YOUR FARM FUTURE

In just a few weeks, Kansas farmers and ranchers will have the opportunity to make a positive impact on their communities by taking part in the Census of Agriculture. Conducted every five years by USDA's National Agricultural Statistics Service (NASS), the Census captures a complete count of all U.S. farms, ranches and those who operate them. Producers will begin receiving their Census forms in the mail by the end of December, with responses due by February 4, 2013.

Census data is used by all those who serve farmers and rural communities from federal, state and local governments to agribusinesses and trade associations. Companies and cooperatives can use the information to determine the locations of facilities that will serve agricultural producers. Often legislators use the information when shaping farm policies and programs. And, of course, all farmers and ranchers who work with the FSA can use Census data to help make informed decisions about the future of our own operations.

For more information about the Census, visit www.agcensus.usda.gov or call 1-800-4AG-STAT (1-888-424-7828). Your Kansas contact is Jason Lamprecht at the USDA/NASS Kansas Agricultural Statistics office in Topeka at 785-233-2230. The Census of Agriculture is your voice, your future, your responsibility.

NEW ACREAGE REPORTING DATES

Producers are reminded that new acreage reporting dates are in effect for the 2013 crop year. Filing an accurate and timely acreage report for all crops and land uses, including failed acreage, can prevent the loss of FSA program benefits.

FSA's acreage reporting dates are:

- November 15, 2012 – Perennial Forage crops; includes all grasses, alfalfa, clover, etc.
- December 15, 2012 – Fall seeded small grains; includes wheat, barley, etc.
- January 1, 2013 – Apples and Pears
- July 15, 2013 – Spring seeded crops

For questions regarding acreage reporting deadlines, please contact the local FSA county office.

USDA ANNOUNCES DISASTER ASSISTANCE SIGN-UP FOR 2011 CROP LOSSES

Supplemental Revenue Assistance Payments (SURE) program enrollment for 2011 crop year losses started Oct. 22, 2012. Under the 2008 Farm Bill, SURE authorizes assistance to farmers and ranchers who suffered crop losses caused by natural disasters occurring through Sept. 30, 2011.

All eligible farmers and ranchers must sign up for 2011 SURE benefits before the June 7, 2013 deadline.

During 2011, all Kansas counties received a Secretarial Disaster Designation, whether primary or contiguous, with the exception of Republic County. Producers are eligible to apply for SURE benefits if they experienced at least a 10 percent production loss that affects one crop of economic significance except for Republic County producers, those producers would be eligible for SURE with a 50% total farm loss.

To meet program eligibility requirements, producers must have obtained a policy or plan of insurance through the Federal Crop Insurance Corporation or obtained Noninsured Crop Disaster Assistance Program (NAP) coverage for all economically significant crops. Eligible farmers and ranchers who meet the definition of a socially disadvantaged, limited resource or beginning farmer or rancher do not have to meet this requirement. Forage crops intended for grazing are not eligible for SURE benefits.

For more information on SURE program eligibility requirements contact your local County FSA office at or visit the website at <http://www.fsa.usda.gov/sure>.

NAP CLOSING DATES

The following crops have a NAP sales closing date of December 1, 2012: Those include perennial forage crops such as grasses, alfalfa, clover, lespedeza, as well as apricots, asparagus, blueberries, cranberries, raspberries, strawberries, cherries, grapes, oats, peaches, plums and honey. Since December 1st falls on a Saturday, producers will have until Monday, December 3rd to purchase NAP coverage.

Additionally, January 1, 2013 is the NAP sales closing date for apples and pears.

Please contact your local County FSA office for questions regarding NAP sales closing dates.

MARKETING ASSISTANCE LOANS

Marketing Assistance Loans, also referred to as Commodity Loans, are available to producers who share in the risk of producing the crop. To be eligible, you must maintain beneficial interest in the crop through the time of application. Once beneficial interest in a commodity is lost, the commodity is ineligible for loan — even if you regain beneficial interest.

Violating provisions of a marketing assistance loan may trigger administrative actions, such as assessing liquidated damages, calling the loan and denial of future farm-stored loans. The most common violations are removing or disposing of a commodity being used as loan collateral without prior authorization and providing an incorrect quantity certification.

UNAUTHORIZED DISPOSITION OF GRAIN

If loan grain has been disposed of through feeding, selling or any other form of disposal without prior written authorization from the county office staff, it is considered unauthorized disposition. The financial penalties for unauthorized dispositions are severe and a producer's name will be placed on a loan violation list for a two-year period. Always call before you haul any grain under loan.

FARM STORAGE FACILITY LOAN PROGRAM

The Farm Storage Facility Loan Program (FSFLP) allows producers of eligible commodities to obtain low-interest financing to build or upgrade farm storage and handling facilities.

The new maximum principal amount of a loan through FSFL is \$500,000. Participants are now required to provide a down payment of 15 percent, with CCC providing a loan for the remaining 85 percent of the net cost of the eligible storage facility and permanent drying and handling equipment. Additional security is required for poured-cement open-bunker silos, renewable biomass facilities, cold storage facilities, hay barns and for all loans exceeding \$100,000. New loan terms of 7, 10 or 12 years are available depending on the amount of the loan. Interest rates for each term rate may be different and are based on the rate which CCC borrows from the Treasury Department.

Payments are available in the form of a partial disbursement and the remaining final disbursement. The partial disbursement will be available after a portion of the construction has been completed. The final fund disbursement will be made when all construction is completed. The maximum amount of the partial disbursement will be 50 percent of the projected and approved total loan amount.

For more information about FSFL please visit your County FSA office or www.fsa.usda.gov.

NOTICE TO HISPANIC AND/OR WOMEN FARMERS OR RANCHERS

If you, or someone you know, believe the US Department of Agriculture (USDA) has improperly denied you farm loan benefits between 1981 and 2000 because you are Hispanic or female, you may be eligible to apply for compensation. Claims must be filed between September 24, 2012 and March 25, 2013 to be considered for cash payment or loan forgiveness.

If you think you might be eligible to file a claim, please access the Farmer and Rancher Call Center at 1-888-508-4429 or the Website at www.farmerclaims.gov.

For guidance, you may contact an attorney or other legal service provider in your community. If you are currently represented by an attorney regarding allegations of discrimination or in a lawsuit claiming discrimination, you should contact your attorney regarding this claims process. USDA cannot provide legal advice.

CHECKS PRESENTED TO FSA/FLP OFFICES

Following is the legal notice that will be displayed or provided to anyone submitting refunds and/or reimbursements in the FSA Office.

Notice to Customers Providing Checks in Person or by Mail

CONVERSION OF CHECKS:

When you provide a check as payment, you authorize us either to use information from your check to make a one-time electronic fund transfer from your account or to process the payment as a check transaction. When we use information from your check to make an electronic funds transfer, funds may be withdrawn from your account as soon as the same day you make your payment.

INSUFFICIENT FUNDS:

The electronic funds transfer from your account can occur faster than a check is normally processed. Do not present a check to the cashier unless there are sufficient funds available in your checking account. If the electronic funds transfer cannot be completed because of insufficient funds, we may try to make the transfer up to two more times.

AUTHORIZATION:

By presenting your check to the cashier you authorize the conversion of your check into an electronic funds transfer. If the electronic funds transfer cannot be processed for technical reasons, you authorize us to process the copy of your original check.

Privacy Act – A Privacy Act Statement required by 5 U.S.C. § 552a(e)(3) stating our authority for soliciting and collecting the information from your check, and explaining the purposes and routine uses which will be made of your check information, is available from our internet site at (<http://www.fms.treas.gov/otcnet/index.html>) or call toll free at (1-866-945-7920) to obtain a copy by mail. Furnishing the check information is voluntary, but a decision not to do so may require you to make payment by some other method.

RURAL YOUTH LOANS

FSA makes loans to rural youths who are at least 10 years of age and are not older than 21. Loans are made to assist in establishing and operating income-producing projects in connection with 4-H clubs, FFA and other agricultural groups. Projects must be planned and operated with the help of the organization advisor, produce sufficient income to repay the loan and provide the youth with practical business and educational experience.

Eligible applicants must meet other eligibility requirements and reside in a rural area, city or town with a population of 50,000 or fewer people.

The maximum loan amount is \$5000. Stop by the county office for help preparing and processing the application forms. The FSA staff can help you with questions you may have about a particular program.

BEGINNING FARMER LOANS

FSA has a program to assist beginning farmers and/or members of socially disadvantaged groups to finance agricultural enterprises. Under these designated farm loan programs, FSA can provide financing to eligible applicants through either direct or guaranteed loans. FSA defines a beginning farmer as a person who:

- Has operated a farm for not more than 10 years
- Will materially and substantially participate in the operation of the farm
- Agrees to participate in a loan assessment, borrower training and financial management program sponsored by FSA
- Except for operating loan assistance, does not own farm acreage in excess of 30 percent of the county's median size

Each member of an entity must meet the eligibility requirements. Loan approval is not guaranteed.

Additional program information, loan applications, and other materials are available at the local County FSA Office or visit www.fsa.usda.gov.

FARM RECONSTITUTIONS

When changes in farm ownership or operation take place, a farm reconstitution is necessary. The reconstitution — or recon — is the process of combining or dividing farms or tracts of land based on the farming operation.

The following are the different methods used when doing a farm recon. Remember, to be effective for the current year, recons must be requested by Aug. 1st.

Estate Method — the division of bases, allotments and quotas for a parent farm among heirs in settling an estate;

Designation of Landowner Method — may be used when (1) part of a farm is sold or ownership is transferred; (2) an entire farm is sold to two or more persons; (3) farm ownership is transferred to two or more persons; (4) part of a tract is sold or ownership is transferred; (5) a tract is sold to two or more persons; or (6) tract ownership is transferred to two or more persons. In order to use this method the land sold must have been owned for at least three years, or a waiver granted, and the buyer and seller must sign a Memorandum of Understanding;

DCP Cropland Method — the division of bases in the same proportion that the DCP cropland for each resulting tract relates to the DCP cropland on the parent tract;

Default Method — the division of bases for a parent farm with each tract maintaining the bases attributed to the tract level when the reconstitution is initiated in the system.

FOREIGN BUYERS NOTIFICATION

The Agricultural Foreign Investment Disclosure Act (AFIDA) requires all foreign owners of U.S. agricultural land to report their holdings to the Secretary of Agriculture. The Farm Service Agency administers this program for USDA.

All individuals who are not U.S. citizens, and have purchased or sold agricultural land in the county are required to report the transaction to FSA with 90 days of the closing. Failure to submit the AFIDA form (FSA-153) could result in civil penalties of up to 25 percent of the fair market value of the property. County government offices, Realtors, attorneys and others involved in real estate transactions are reminded to notify foreign investors of these reporting requirements.

Selected Interest Rates for November 2012

Farm Operating Loans (Direct) — 1.125%

Farm Ownership Loans (Direct) — 3.125%

Farm Ownership Loans - Direct Down Payment, Beginning Farmer or Rancher 1.50%

Emergency Loans — 2.125%

Dates to Remember

Nov. 22 - Thanksgiving Day, office closed

Dec. 3 - COC Ballots due to FSA Office

March 25, 2013 - Hispanic and Women Farmer and Rancher Claims Period ends

June 7, 2013 - SURE applications due

Continues - Continuous Conservation Reserve Program

For more information on bulletin subjects or details regarding your Gov Delivery subscription with the Kansas FSA State Office, contact Rachel Jones at rachel.jones@ks.usda.gov or phone 785-539-3531.

USDA is an equal opportunity provider and employer. To file a complaint of discrimination, write to USDA, Assistant Secretary for Civil Rights, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, S.W., Stop 9410, Washington, DC 20250-9410, or call toll-free at (866) 632-9992 (English) or (800) 877-8339 (TDD) or (866) 377-8642 (English Federal-relay) or (800) 845-6136 (Spanish Federal-relay).