FACT SHEET

UNITED STATES DEPARTMENT OF AGRICULTURE
FARM SERVICE AGENCY

April 2009

FSA County Committee Election - Eligibility to Vote and Hold Office as a County Committee Member

Prospective Voter Requirements

A person who meets the requirements in #1 or #2 below, as well as #3 is eligible to vote.

1. Be of legal voting age and have an interest in a farm or ranch as either:
- An individual
- The authorized representative of an entity

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

3. Participates or cooperates in any U.S. Department of Agriculture (USDA) Farm Service Agency (FSA) program that is provided for by law

Discrimination Prohibited

USDA prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal or because all or part of an individual's income is derived from any public assistance program.

Types of Eligible Voters

1. Individual Voter

An individual voter is someone who meets one or more of the following:
- Is eligible to vote in one's own right
- Is a partner of a general partnership
- Is a member of a joint venture

2. Nonindividual Voter

A nonindividual voter is a legal entity, such as a:
- Corporation, estate, trust, limited partnership or other business enterprise, excluding general partnerships and joint ventures
- State, political subdivision of a state or any state agency

Only the designated representative may cast a vote for the entity.

3. Interpretation of Voting Eligibility for Spouses in Community Property States

In community property states, the spouse of an eligible voter is eligible to vote.

4. American Indian Tribal Lands

Every member of an American Indian tribe is considered a landowner, if the land in question is tribally owned or held in trust for the tribe by the United States. Members of American Indian tribes holding agricultural land are eligible to vote if voting requirements are met.

Voting Eligibility

1. Local Administrative Areas

A county or multi-county jurisdiction served by a county committee is divided into three to eleven Local Administrative Areas (LAA). Each LAA is represented by one member on the county committee. A person may only vote in one LAA in which he or she participates or cooperates in FSA programs or programs administered by FSA.

2. Multiple Farm Interests in Same County or Area

Eligible voters who participate or cooperate in FSA programs on separate farms in more than one LAA in the same county or multi-county jurisdiction may only cast one ballot. Such voters must choose only one LAA in which they wish to cast their ballots.

3. Multi-County Jurisdictions

Eligible voters with separate farming interests in more than one county or multi-county jurisdiction are eligible to vote in the election conducted for each county committee. Voting is limited to one LAA in which farming interests are located.

Only one vote may be cast in each county or multi-county jurisdiction.

Eligibility to Hold Office

To hold office as a county committee member, a person must meet each of the basic eligibility requirements described below:

1. Participate or cooperate in a program administered by FSA

2. Be eligible to vote in a county committee election

3. Reside in the LAA in which the person is a candidate

NOTE: In special cases, this requirement may be waived. Check with the local FSA office.

4. A person must not have been:
- Removed or disqualified from the office of county committee member, alternate or employee
- Removed for cause from any public office or have been convicted of fraud, larceny, embezzlement or any other felony
- Dishonorably discharged from any branch of the armed services

People uncertain about their eligibility to vote in the county committee election should contact their local FSA office. Affirmation of eligibility to vote must be determined in order for a vote to count in an election.

Any candidate may request that all voted ballots for an individual county committee election be returned to the respective FSA state office in lieu of being returned to the FSA county office. This request must be in writing and submitted to the local FSA county executive director prior to the announced end of the nomination period.

During the election period, individuals not receiving a ballot in the mail may obtain a ballot directly from their FSA county office. The ballot must be cast on or before the election deadline.

For More Information

For more information about FSA county committees, visit a local FSA or USDA Service Center or the Web site at http://www.fsa.usda.gov/elections

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