

For: State and County Offices

2005 County Committee (COC) Nomination and Election

Approved by: Acting Deputy Administrator, Field Operations



1 Overview

A Background

The Department of Agriculture Reorganization Act of 1994 required the Secretary to solicit and accept nominations for COC member positions from organizations representing the interests of socially disadvantaged farmers and ranchers.

It was concluded that under-representation of minorities and females on COC's may prevent socially disadvantaged producers from receiving information about elections, programs, and other available services.

The Farm Security and Rural Investment Act of 2002 (the Act) significantly expanded the requirements of the Secretary to ensure the transparency and accountability for socially disadvantaged farmers and ranchers about program participation and COC elections. The Act requires the Secretary to report and make available to the public the participation rate of socially disadvantaged farmers and ranchers according to race, ethnicity, and gender. If determined necessary by the Secretary, after analyzing the data contained in the report, the Secretary was to promulgate and publish in the Federal Register proposed uniform guidelines for conducting COC elections. The procedure in such guidelines must ensure the fair representation of socially disadvantaged groups. After considering public comments, Secretary Veneman issued the final **Uniform Guidelines for Conducting Farm Service Agency County Committee Elections** (the guidelines) in the Federal Register on January 18, 2005. The guidelines can be viewed by clicking on the link found on the page at <http://www.fsa.usda.gov/pas/publications/elections>.

B Purpose

This notice:

- obsoletes Notice AO-1330
- provides a 2-week extension of the nomination period to **August 15, 2005**

Disposal Date	Distribution
February 1, 2006	State Offices; State Offices relay to County Offices

Notice AO-1338

1 Overview (Continued)

B Purpose (Continued)

- instructs STC's, COC's, County Office staff, State Office personnel responsible for COC elections, and Outreach Coordinators to:
 - incorporate procedure issued in the guidelines
 - ensure that County Offices begin accepting nominations for the 2005 COC election
 - actively seek members of socially disadvantaged groups as nominees for COC elections
 - make COC nomination and election information available to local producers using all means possible including, but not limited to, FSA county or area newsletters, local and minority-oriented newspapers, and radio and television stations
 - publicize the Internet site and inform the public that nomination forms and fact sheets are available at <http://www.fsa.usda.gov/pas/publications/elections>

Note: Nomination forms are also available at <http://intranet.fsa.usda.gov>. Spanish versions are also available.

- conduct informational meetings to promote and explain the COC nomination and election process

Note: Informational meetings should be conducted year round.

- be informed of changes in the 2005 COC election calendar according to Exhibit 1
- be informed about COC election processes.

C Definition of Socially Disadvantaged Group and Members

Socially disadvantaged group means a group whose members have been subjected to racial, ethnic, or gender prejudice because of their identity as members of a group without regard to their individual qualities.

Socially disadvantaged farmer or rancher is a farmer or rancher who is a member of a socially disadvantaged group.

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1 Overview (Continued)

D Socially Disadvantaged Group Representation on COC's

To ensure representation of socially disadvantaged farmers and ranchers on COC's, FSA requires County Offices and COC's to do the following:

- actively solicit and accept nominations from producers and groups representing socially disadvantaged producers in the county or area before the close of the nomination period
- provide socially disadvantaged organizations with detailed information about the process and opportunity to nominate during the nomination period

Note: Record in COC minutes the names of organizations contacted and what information was provided.

- place informational posters and fact sheets in public facilities and churches or businesses serving socially disadvantaged members.

E Publicizing Elections

FSA National, State, and County Offices shall publicize COC nomination and election procedures and:

- provide COC fact sheets and posters to producer organizations, community-based organizations, tribal governments, local CSREES offices, socially disadvantaged organizations, and land grant institutions
- ensure that all producers are adequately and timely informed about COC nomination and election procedures including all nomination and election dates

Note: County Offices and COC's shall begin extensive COC election outreach activities immediately.

- place special emphasis on providing COC nomination and election information to socially disadvantaged groups representing minority and female farmers and ranchers
- post local administrative area (LAA) boundaries identifying the LAA's conducting an election.

2 Action

A SED, STC, and Outreach Coordinator Action

SED's and STC's shall ensure that all State and local level organizations whose members include socially disadvantaged farmers and ranchers are contacted and made aware of the upcoming COC nominations and elections.

The SED, in consultation with the State Office Outreach Coordinator or designee, shall require each COC to develop and submit to SED **by June 15, 2005**, a plan to ensure that all producers are adequately informed of COC nomination and election processes.

Note: Each county plan shall include methods for targeting socially disadvantaged farmers and ranchers.

State Outreach Coordinators shall:

- take an active role in contacting socially disadvantaged leaders and providing them COC nomination and election information
- ensure that socially disadvantaged representatives fully understand the responsibilities of COC's and COC nomination and election process
- cooperate with and provide outreach assistance to County Offices and COC's
- compile a list of organizations contacted and provide the list to DAFO before the end of the nomination period by e-mail to **Zina.Riley@wdc.usda.gov**.

B COC Action

COC's, with the assistance of CED's and County Office staff, shall immediately develop a plan and begin to inform all producers, with special emphasis on socially disadvantaged farmers and ranchers, of:

- COC nomination and election processes
- specific actions that the County Office will take to ensure that:
 - each minority, female, and other under-represented group in the county is contacted and informed of the COC nomination and election process
 - COC nomination forms and assistance are available for all producers
 - all eligible voters are recorded correctly in the automated system
 - all eligible voters are notified of nomination and election dates and procedure.

2 Action (Continued)

B COC Action (Continued)

It is critical to FSA's current and future well-being that COC's and employees ensure that all producers have an equal opportunity to be a candidate for COC. COC's shall inform employees to:

- listen to producers' concerns and suggestions
- explain FSA COC's member's duties, eligibility requirements, and benefits
- develop good working relationships with all producers
- place emphasis on obtaining socially disadvantaged nominees.

The nomination of eligible producers is the primary method used to obtain candidates for COC elections. COC's are responsible for ensuring that all producers are knowledgeable about the nomination process for COC positions.

COC's shall begin immediately to solicit candidates for COC. COC's should actively solicit nominees before the close of the nomination period on **August 15, 2005**. Names will not be added to ballots after the close of the nomination period. It is the COC and County Office's responsibility to make every effort possible to obtain nominees **before** the close of the nomination period to help ensure that alternates will be available for COC.

C CED Action

CED's shall:

- ensure that the correct LAA's are identified to hold elections in 2005
- take an active role in contacting leaders of socially disadvantaged groups to solicit nominations and ensure that these groups fully understand the role of COC's
- be available to meet with socially disadvantaged groups to fully explain the COC nomination and election procedures
- locally reproduce the nomination forms, fact sheets, and posters from the FSA internet at **<http://www.fsa.usda.gov/pas/publications/elections>** and post them in public locations in the county or area
- immediately prepare and mail a newsletter to all producers and include FSA-669A
- conduct informational meetings to explain the COC nomination and election process to the public
- work with COC to ensure that information and meetings are thoroughly publicized through all available means.

2 Action (Continued)

D Nominations and Slate

Individuals desiring to file a nomination may nominate themselves or may nominate another eligible candidate. Organizations representing socially disadvantaged farmers and ranchers may nominate any eligible candidate.

There is no required minimum number of eligible nominees for the COC slate, unless **no** FSA-669A's are filed for LAA conducting an election. COC's shall not add names to a slate after the close of the nomination period, even if only 1 candidate files FSA-669A. When no valid nominations are filed for a particular LAA election:

- CED's shall notify DAFO through the State Office on **August 18, 2005**, that no nominations were filed by e-mail to **Ken.Nagel@wdc.usda.gov**, **Deborah.Johnson@wdc.usda.gov**, or **Zina.Riley@wdc.usda.gov**.
- DAFO will notify the Secretary's office.

The guidelines require the following process when no nominations are filed:

- the Secretary may nominate up to 2 individuals for the slate

Note: If the Secretary chooses not to exercise this authority, or only nominates 1 individual, STC may nominate up to 2 individuals for the slate. If there are less than 2 nominees on the slate after the Secretary and STC determine whether to make any nominations, COC shall ensure that the slate is filled with 2 nominees. Where it has been determined that socially disadvantaged groups are not adequately represented, COC's shall add nominees who can fairly represent the interest of these groups. COC's must verify that each individual nominated by COC to fill a slate is willing to serve and meets all eligible requirements.

- the Secretary may nominate an eligible socially disadvantaged producer to a slate regardless of whether any nominations have been filed.

Notes: A nomination by the Secretary may include the current advisor for the COC.

STC and COC shall keep detailed minutes of nomination determinations.

Nominees, whether self-nominated or nominated by another, must attest to their willingness to serve by signing the nomination form.

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2 Action (Continued)

E Ballot Mailing

Ballots will be mailed to eligible voters **no later than November 4, 2005**, by a selected contractor. County Offices shall prepare a supply of locally created ballots (FSA-669B) to provide to voters not on an eligible voters list or for walk-in voters. County Offices shall also prepare a supply of pre-addressed return envelopes (FSA-73 and FSA-73E) bearing the mailing address of the voting site to provide with the locally created ballots.

FSA-669B is available from the FFAS employee forms site accessible from **<http://intranet.fsa.usda.gov>**.

F Contact

If there are questions about this notice, contact 1 of the following individuals:

- Ken Nagel telephone at 202-720-7890 or e-mail at **Ken.Nagel@wdc.usda.gov**
- Zina Riley telephone at 202-720-0258 or e-mail at **Zina.Riley@wdc.usda.gov**.

FSA County Committee Election Calendar

The following table provides the 2005 COC election schedule.

2005 COC Election Schedule	
April 1, 2005	COC to complete review of LAA area (LAA boundaries) and send changes to STC. Note: COC shall document in the minutes the review and determinations concerning LAA boundaries.
May 31, 2005	STC to complete review of COC LAA boundary changes and approve. Note: STC shall document in the minutes the review and determinations concerning LAA boundaries.
June 6, 2005	<ul style="list-style-type: none"> • Ensure accuracy of LAA or LAA’s holding election. • Print eligible voters list to verify accuracy. Remove deceased voters and add eligible voters to the county name and address file. Ensure all eligible voters are associated with the correct county and correct LAA. • Issue public notice of election and LAA boundaries. Note: COC shall review LAA’s holding election and eligible voters list for accuracy and record in COC minutes.
June 15, 2005	<ul style="list-style-type: none"> • COC’s and County Offices to increase outreach activities to try to acquire nominees and publicize the nomination and election process. • Complete and print eligible voters list. • Make eligible voters list available to the public. • Ensure nomination forms are available at the County Office.
August 15, 2005	Final date to receive nominations forms or be postmarked.
August 24, 2005	<ul style="list-style-type: none"> • Review nominations. • Complete slates of nominees. • Final date for mailing letter of congratulations to nominees.
August 31, 2005 - September 16, 2005	Enter nominee data in the COC eAuthentication application.
October 1 - October 8, 2005	KC-ADC consolidated ballot data to contractor.
November 4, 2005	Final date for contractor to mail ballots.
November 21, 2005	Final date for contractor to mail reminder post cards.
December 5, 2005	Final date for returning completed ballots.
December 12, 2005	Final date for counting ballots.
December 12 - December 19, 2005	County Offices shall enter election data in COC election reporting eAuthentication application.
January 10, 2006	KC-ADC to send initial report to DAFO.