

**For:** State and County Offices

**2008 COC Nomination and Election**

**Approved by:** Acting Deputy Administrator, Field Operations



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**1 Overview**

**A Background**

The Farm Security and Rural Investment Act of 2002 (the Act) significantly expanded the requirements of the Secretary to ensure the transparency and accountability of:

- program participation
- COC elections for socially disadvantaged farmers and ranchers.

The Act requires the Secretary to report, and make available to the public, the election results of socially disadvantaged farmers and ranchers according to race, ethnicity, and gender.

**Note:** COC election procedure **must** ensure fair representation of socially disadvantaged groups.

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<b>Disposal Date</b>	<b>Distribution</b>
March 1, 2009	State Offices; State Offices relay to County Offices

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## Notice AO-1412

### 1 Overview (Continued)

#### B Purpose

This notice instructs STC's, COC's, County Offices, Outreach Coordinators, and State Office staff responsible for COC elections to:

- continue to use procedure issued in the "Uniform Guidelines for Conducting Farm Service Agency County Committee Elections" found on the FSA Internet at <http://www.fsa.usda.gov/FSA> under the "News & Events" tab, and in 15-AO, Exhibit 4
- ensure that County Offices begin accepting FSA-669A's for 2008 COC elections
- actively seek members of socially disadvantaged groups as nominees for COC elections
- make COC nomination and election information available to SDA organizations and 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 FSA-669A's and fact sheets are found at <http://www.fsa.usda.gov/FSA> under the "News & Events" tab

**Notes:** FSA-669A's are:

- also available at <http://intranet.fsa.usda.gov/FSA>
- available in Spanish.
- conduct informational meetings with SDA groups and producers to promote and explain the COC nomination and election processes

**Note:** Informational meetings should be conducted year round, with emphasis on nominations shortly before and during the nomination period.

- notify National Office if no nominations are received by any County Office
- be informed of changes in the 2008 COC election calendar (see Exhibit 1)
- be knowledgeable about COC election process.

#### 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 FSA-669A's from producers and groups representing socially disadvantaged producers in the county or COC jurisdiction before the close of the nomination period
- provide organizations representing socially disadvantaged groups with detailed information about the process and opportunity to nominate candidates during the nomination period

**Notes:** Record, in COC minutes, the names of SDA organizations contacted and information that was provided to SDA organizations.

SDA organizations may file FSA-669A's.

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

#### 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, organizations representing socially disadvantaged groups, and land grant institutions
- ensure that all producers are adequately and timely informed about COC nomination and election procedures including all nomination and election deadlines and dates

**Note:** County Offices and COC's shall begin to conduct 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 LAA's conducting elections.

**Note:** Include LAA's, FSA-669A's, and election information in at least 1 FSA newsletter before the opening of the nomination period.

## Notice AO-1412

### 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.

SED's, in consultation with State Outreach Coordinators or designees, shall require each COC to develop and submit to SED, **by June 16, 2008**, 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 representatives of socially disadvantaged groups and providing COC nomination and election information
- ensure that representatives of socially disadvantaged groups fully understand the responsibilities of COC's and COC nomination and election processes
- cooperate with and provide outreach assistance to County Offices and COC's
- compile a list of organizations contacted and provide the list to DAFO not later than **August 1, 2008**, by e-mail to [deborah.johnson@wdc.usda.gov](mailto:deborah.johnson@wdc.usda.gov).

#### B COC Action

Upon issuance of this notice, COC's, with the assistance of CED's and County Office staff, shall immediately develop an election outreach plan and inform all producers of the upcoming COC nomination and election processes and dates.

COC's shall take specific actions to ensure that:

- each minority and female group in the county is contacted and informed of the COC nomination and election processes
- FSA-669A's are available for all producers in COC's jurisdiction
- all eligible voters are recorded correctly in Service Center Information Management System (SCIMS) and the producer election data file
- all eligible voters in LAA's conducting elections are notified of nomination and election dates and procedure.

## Notice AO-1412

### 2 Action (Continued)

#### B COC Action (Continued)

COC's and employees shall:

- explain the duties, eligibility requirements, and benefits of being a COC member to producers
- place emphasis on obtaining socially disadvantaged nominees
- make every effort to obtain nominees **before** the close of the nomination period, **August 1, 2008**, to help ensure that alternates will be available for COC's.

Candidate **names will not be added by COC's to FSA-669's after August 1, 2008**, unless instructed by DAFO.

The nomination of eligible producers is the 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.

#### C CED Action

CED's shall:

- review the current COC Member Information Report with COC's to **ensure that the correct LAA** is identified for holding an election in 2008
- take an active role in contacting representatives of socially disadvantaged groups to solicit nominations and ensure that these groups fully understand COC's role
- be available to meet with socially disadvantaged groups to fully explain COC nomination and election procedures
- locally reproduce FSA-669A's, fact sheets, and posters from FSA's Internet at <http://www.fsa.usda.gov/FSA> under the "News & Events" tab and post them in public locations in COC's jurisdiction
- include FSA-669A's and describe LAA's holding elections in 1 newsletter that is sent to every producer in COC's jurisdiction
- conduct informational meetings to explain the COC nomination and election processes to the public
- work with COC's to ensure that information and meetings are thoroughly publicized through all available means

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### 2 Action (Continued)

#### C CED Action (Continued)

- **ensure that all nominees listed on FSA-593 are recorded in SCIMS as individuals, flagged eligible to vote, and placed in the correct COC/LAA in the producer election data file according to 15-AO, subparagraph 109 C.**

**Note:** Particular attention **must** be paid to nominees who are members of entities such as trusts, estates, corporations, limited partnerships, and limited liability corporations. Only the eligible voting member may be a candidate. This individual **must** have an individual profile record established in SCIMS according to 15-AO, subparagraph 77 D.

#### D FSA-669A's and COC's Slate

Individuals who want to file FSA-669A's may nominate themselves or another eligible candidate. Eligible candidates may be nominated by organizations representing socially disadvantaged farmers and ranchers, or by any eligible producer whose records are administered in the same COC jurisdiction

There is **no** required minimum number of eligible nominees for COC's slate, unless **no** FSA-669A's are filed for LAA's conducting elections. Names shall **not** be added to COC slates after the nomination period closes, if at least 1 candidate files an FSA-669A.

**Every effort must be made to obtain at least 1 nominee in each COC jurisdiction.** It is very important to **obtain more than 1 nominee** so that an alternate is available.

**Follow this table, if no valid FSA-669A's are filed for a particular LAA election.**

<b>IF...</b>	<b>THEN notify...</b>
CED	the State Office by <b>August 6, 2008.</b>
State Office	DAFO immediately, by e-mail to <a href="mailto:kenneth.nagel@wdc.usda.gov">kenneth.nagel@wdc.usda.gov</a> or <a href="mailto:deborah.johnson@wdc.usda.gov">deborah.johnson@wdc.usda.gov</a> .
DAFO	the Secretary's Office by <b>August 15, 2008.</b>

COC election guidelines require the following process when **no** FSA-669A's are filed:

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

**Note:** If the Secretary chooses not to exercise this authority, STC may nominate 2 individuals. If the Secretary only nominates 1 individual, STC may nominate up to 1 individual 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. One of the 2 nominees must be a member of a socially disadvantaged group. COC's must verify that each individual nominated by COC to fill a slate is willing to serve and meets all eligibility requirements.

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### 2 Action (Continued)

#### D FSA-669A's and COC's Slate (Continued)

- the Secretary may nominate an eligible socially disadvantaged producer to a slate regardless of whether FSA-669A has been filed.

**Notes:** A nomination by the Secretary may include the current advisor for 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 FSA-669A. COC's must ensure that the nominee is eligible to serve as an individual in LAA conducting the election.

#### E Mailing FSA-669B's

FSA-669B's will be mailed to eligible voters **no later than November 3, 2008**, by a selected contractor. County Offices shall prepare a supply of:

- locally created FSA-669B's to provide to voters not on an eligible voters list or for voters requesting FSA-669B's
- pre-addressed return FSA-73's with the mailing address of the voting site to provide with the locally created FSA-669B's
- FSA-73E's to provide with the locally created FSA-669B's.

FSA-669B's are available at <http://intranet.fsa.usda.gov>, under "Forms, Publications, and Supplies". FSA-73's and FSA-73E's may be ordered from the Kansas City Warehouse on FSA-159. State Offices shall maintain a supply of FSA-73's and FSA 73E's.

#### F Contacts

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

- Ken Nagel by either of the following:
  - e-mail at [kenneth.nagel@wdc.usda.gov](mailto:kenneth.nagel@wdc.usda.gov)
  - telephone at 202-720-7890
- Deborah Johnson by either of the following:
  - e-mail to [deborah.johnson@wdc.usda.gov](mailto:deborah.johnson@wdc.usda.gov)
  - telephone at 202-720-0067.

**COC Election Calendar**

The following provides the 2008 COC election schedule.

<b>2008 COC Election Schedule</b>	
April 1, 2008	<p>COC's:</p> <ul style="list-style-type: none"> <li>• complete review of LAA boundaries</li> <li>• send all LAA boundary determinations on FSA-582 to STC for approval.</li> </ul> <p><b>Note:</b> COC's shall document reviews and determinations of LAA boundaries in COC minutes.</p>
May 30, 2008	<p>STC's complete FSA-582 reviews, approve FSA-582's, and notify County Offices.</p> <p><b>Note:</b> STC's shall document reviews and determinations about LAA boundaries in STC minutes.</p>
June 2, 2008	<p>COC's and CED's:</p> <ul style="list-style-type: none"> <li>• review Current COC Member Information Report to ensure accuracy of LAA's holding elections</li> <li>• review eligible voter lists and verify accuracy as follows:                             <ul style="list-style-type: none"> <li>• remove deceased voters' names by changing the eligible to vote flag to "N" in the producer election data file on COC election web site</li> <li>• remove names of voters for whom no valid address can be obtained by changing the eligible to vote flag to "N" in the producer election data file on the COC election web site</li> <li>• add eligible voters' names by changing the eligible to vote flag to "Y"</li> <li>• ensure that all eligible voters are associated with the correct county and LAA</li> </ul> </li> <li>• issue public notice of election and LAA boundaries.</li> </ul> <p><b>Note:</b> COC's review LAA's holding elections and eligible voter lists for accuracy and record determinations in COC minutes.</p>
June 16, 2008	<p>COC's and County Offices:</p> <ul style="list-style-type: none"> <li>• increase outreach activities to acquire nominees and fully publicize the nomination and election processes</li> <li>• complete and print eligible voters list</li> <li>• make eligible voter lists available to the public.</li> </ul> <p><b>Note:</b> County Offices shall ensure that a supply of FSA-73's and FSA-73E's is on hand.</p>

COC Election Calendar (Continued)

<b>2008 COC Election Schedule</b>	
August 1, 2008	Final date for County Offices to receive FSA-669A's or for FSA-669A's to be postmarked. County Offices begin reviewing FSA-669A's.
August 6, 2008	County Offices complete reviews of FSA-669A's for eligibility. <b>Notify State Office if none received. STO shall notify DAFO no later than August 15.</b>  <b>Note:</b> If no FSA-669A's are received by COB August 1, COC's shall immediately begin the process of obtaining 2 willing nominees, 1 of whom <b>must</b> be an eligible SDA producer for the slate in the event the Secretary chooses not to exercise his authority to nominate.
September 8, 2008	COC's complete slates of nominees, if no FSA-669A's were received.  County Offices ensure that: <ul style="list-style-type: none"> <li>• each nominee is in SCIMS as an individual</li> <li>• SCIMS matches the race, ethnicity, and gender information on FSA-669A</li> <li>• the correct determination codes for race, ethnicity, and gender have been selected for each nominee in SCIMS</li> </ul> <p style="text-align: center;"><b>Note:</b> If nominee has entered the race, ethnicity, and gender on FSA-669A, the determination codes in SCIMS shall show "Customer Declared".</p> <ul style="list-style-type: none"> <li>• each nominee is flagged eligible to vote, and in the correct COC/LAA in the producer election data file.</li> </ul> Final date for County Office to mail congratulation letters to nominees.
September 12, 2008, to September 19, 2008	County Offices enter nominee and ballot data in COC Elections web site.
November 3, 2008	FSA-669B to be mailed by printing company to each producer on eligible voter lists for LAA's holding election.
November 17, 2008	Reminder postcards to be mailed by printing company.
December 1, 2008	Completed FSA-669B's to be returned to County Office or post-marked.
December 8, 2008	Final date for County Offices to count FSA-669B's.
December 2, 2008, to December 21, 2008	Elections web site available for County Offices to enter election results.