

**For:** State and County Offices

**Preparing Uniform Commercial Code (UCC) Forms**

**Approved by:** Acting Deputy Administrator, Farm Loan Programs

*Alameda (Dee) Cole*

**1 Overview**

**A**

**Background**

All States have adopted the revisions to the UCC, Article 9, regarding secured transactions, and many States use national standard UCC forms to complete filings. Some of the national standard UCC forms contain a field for the entry of the debtor’s taxpayer identification number (Social Security number or employer identification number).

The revised Article 9, Section 9-523(f), which addresses public availability of records, provides that the filing office “shall offer to sell or license to the public on a nonexclusive basis, in bulk, copies of all records filed...”. Some debtors have expressed concern that their taxpayer identification number becomes public information under the provisions of this section.

**B**

**Purpose**

This notice provides guidance regarding including the debtor’s taxpayer identification number on UCC forms.

**C**

**Contact**

Direct questions about this notice to Bill Cobb at 202-720-1059 or Patrick Spalding at 202-690-0595.

<b>Disposal Date</b>  January 1, 2004	<b>Distribution</b>  State Offices; State Offices relay to County Offices
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## Notice FLP-286

### 2 Completing UCC Forms

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#### **A Applicable Forms**

The following standard national UCC forms contain a field for the debtor's taxpayer identification number.

- UCC-1
- UCC-1AD
- UCC-3.

These forms, including instructions for completion, are available in a fillable format on the FFAS Employee Forms Online Website located at <http://165.221.16.90/dam/ffasforms/forms.html>.

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#### **B Action**

The instructions for UCC-1 and UCC-1AD provide the debtor's taxpayer identification number "may be required in some States." The instructions for UCC-3 provide the taxpayer identification number should be entered "in those States where required."

When completing UCC forms for FLP debtors, the debtor's taxpayer identification number will only be entered if required by State law; otherwise, the field will be left blank.

**Note:** Consult with the Regional Attorney to determine whether the taxpayer identification number is required on UCC forms.

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