

For: State and County Offices

**Closing the Application Process for the 2011 SURE Program**

Approved by: Deputy Administrator, Farm Programs



**1 Overview**

**A Background**

Signup for 2011 SURE began October 22, 2012. The application period for 2011 SURE program closes on **June 7, 2013**. Notice SURE-29 informed State and County Offices of the 2011 SURE program signup period.

**B Purpose**

This notice provides:

- information about the closing of the 2011 application period for the 2011 SURE program
- guidance to State and County Offices about using a register for FSA-682's for the 2011 SURE program
- instructions for publicizing the close of the 2011 SURE application period
- important reminders about the 2011 SURE program.

**2 2011 SURE Program Payment Application Period**

**A Application Period Deadline**

The **deadline** for FSA-682's is **COB June 7, 2013**. Except as provided in subparagraphs B, C, and D, FSA-682's submitted after June 7, 2012, will be disapproved.

County Offices will **not** discourage any interested producers from filing FSA-682's, even if it appears that the participant may fail or fails to:

- meet eligibility requirements
- earn a 2011 SURE program payment.

Disposal Date	Distribution
July 1, 2013	State Offices; State Offices relay to County Offices

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### 2 2011 SURE Program Payment Application Period (Continued)

#### B Using Registers

County Offices may request to use a register according to 1-CM, paragraph 2, because of heavy workload or computer processing issues that make completing FSA-682's impossible or impracticable by **June 7, 2013**.

**Note:** See 1-CM for guidance on signatures of persons signing, or persons contacting FSA, in a representative capacity.

#### C Relief for Late-Filed FSA-682's

If FSA-682 is filed after June 7, 2013, FSA-682 **must** be accompanied by a written statement from the applicant explaining:

- reason FSA-682 was not timely filed
- why relief to approve the late filed FSA-682 should be granted.

COC will review late filed FSA-682's submitted for consideration and do either of the following:

- recommend relief be granted to approve the late-filed FSA-682 according to 7-CP
- decline to recommend relief and disapprove the late-filed FSA-682 and provide appeal rights according to 1-APP.

STC will review COC relief recommendations and do either of the following:

- recommend that DAFP grant relief to approve the late-filed FSA-682 according to 7-CP
- disapprove FSA-682, decline to recommend relief, and provide appeal rights according to 1-APP.

#### D FSA-682's With Expected RMA Corrections to 2011 SURE Information Report (SIR) Data

Producers expecting RMA corrections to 2011 SIR data are required to timely file FSA-682's. The producer must certify all of the data is true and correct on all pages of FSA-682, whether a manual page or page generated by the SURE Workbook. Certifying incorrect information may result in a denial of program benefits.

Producers who do not timely apply for 2011 SURE program under the FSA-682 process currently available through **June 7, 2013**, for whatever reason, will be considered to **not** have filed FSA-682 for 2011 SURE program.

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### 2 2011 SURE Program Payment Application Period (Continued)

#### D FSA-682's With Expected RMA Corrections to 2011 SURE Information Report (SIR) Data (Continued)

See 1-SURE, paragraph 380, for FSA-682 corrections after the producer signed FSA-682 and paragraph 5 of this notice for monitoring requirements for cases expecting SIR corrections.

### 3 Requirements for Finalizing FSA-682's

#### A Basic Review Requirements

1-SURE, subparagraph 665 H, requires that the FSA employee that:

- completed the SURE Workbook enters their initials and date completed in the "Date Loaded by" workbook field
- completed the required second-party review of the SURE Workbook enters their initials and date completed in the "2<sup>nd</sup> Party Rev" workbook field.

**Note:** Based on the FY 2012 OIG audit of payments, persons completing the second party review shall pay close attention to producer share, acres, National Average Market Prices, and differences between FSA and RMA data to ensure that correct data has been entered. This will result in a decrease of improper payments for SURE.

#### B Final Review Requirements

When **all** the following necessary summarization is complete and FSA-682 is ready for payment, the FSA recording County Office employee that completed all of the following will complete the "Finalized by" SURE Workbook field:

- confirmed with all counties that all the administrative county workbooks are complete, including the COC determinations, if applicable
- ensured all COC determinations for all counties have been made and entered, if necessary
- summarized all workbooks together, if applicable.

**Notes:** "Finalized by" will only be displayed on recording county's SURE Workbook, regardless of whether the SURE Workbook is for a multi-county producer.

For 2 person offices, the final review may be performed by either the person that loaded the data or the person that performed the 2<sup>nd</sup> party review.

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### 4 Production Reminders

#### A Production Sources

1-SURE, subparagraph 201 D, provides production sources County Offices may use as tools for evidence of a producer's production reporting. As a reminder, it is the producer's responsibility to report production for all crops, on all NAP coverable and insurable acreage, of the SURE farm. The producer is the person making the certification on FSA-682 that this requirement has been met.

Certifications of production to a crop insurance agent submitted as production evidence for SURE are treated as what they are, "a certification". As outlined in 1-SURE, subparagraph 205 B, maximum average loss levels are applicable to production certifications.

#### B Production to Count

All production is to be counted for all cropland that is NAP coverable and insurable. Production is **not** related to tolerance, regardless of how tolerance applies to the guarantee outlined in 1-SURE, paragraph 100; all production counts.

Risk management purchase requirement may be met, but some acreage may **not** have been covered. If the acreage is NAP coverable or insurable, the production is still counted for SURE. Specific examples are outlined in 1-SURE, subparagraph 201 D.

### 5 Monitoring Expected RMA Corrections for 2011 SIR's

#### A Background

Producers should have contacted their agent when producer first questioned data on 2011 SIR, about corrections to data the insurance companies provide RMA, so that changes show up timely on SIR. It can take up to 4 weeks for a change in the RMA system to show up in SIR.

**Note:** Producers are responsible for contacting their agent in situations of missing data. County Offices shall **not** contact RMA or refer the producer to RMA to resolve these situations.

#### B Monitoring Requirements for Expected 2011 RMA Corrections

County Offices shall contact the State Office, through DD, if they have a producer meeting **all** of the following criteria:

- producer timely signed the 2011 FSA-682, including all required forms according to 1-SURE

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### 5 Monitoring Expected RMA Corrections for 2011 SIR's (Continued)

#### B Monitoring Requirements for Expected 2011 RMA Corrections (Continued)

- producer contacted their agent about a correction to RMA data
- the agent indicated that the data change was accepted by the RMA system, but the change has not appeared on SIR.

For each case meeting **all** of the criteria, State Offices shall confirm with the County Office whether the expected change appeared within 4 weeks of the date it was accepted into the RMA system. If the expected change does not appear on SIR within 4 weeks, the State Office shall contact the FSA National Office with the case details.

### 6 Action

#### A State Office Action

State Offices shall:

- approve or disapprove the request to use a register for 2011 FSA-682's
- monitor County Offices to ensure that participants on the register are scheduled for an appointment as soon as possible after **June 7, 2013**
- monitor County Offices, according to paragraph 5, for expected RMA corrections for 2011 SIR's.

#### B County Office Action

County Offices shall:

- publicize by all available means that the end of the 2011 SURE program application period is **June 7, 2013**
- encourage all who are interested in applying for the 2011 SURE program to sign FSA-682 by **COB June 7, 2013**
- **not** discourage any interested producer from filing FSA-682 by **June 7, 2013**, even if it appears that the participant fails to meet eligibility requirements or the participant may fail to earn a 2011 SURE program payment
- contact the State Office, through DD according to paragraph 5, for expected RMA corrections for 2011 SIR's.

If approved by the State Office to use a register, County Offices shall follow 1-CM.