

United States
Department of
Agriculture

June 11, 2009

Farm and Foreign
Agricultural
Services

Farm Service
Agency

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Stop 0572
Washington, DC
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TO: Drew Perraut
Desk Officer,
Office of Management and Budget

FROM: Steven J. Peterson /s/ Steven J. Peterson
Chief, Disaster Assistance Branch

SUBJECT: Temporary need for Producer Certification Statement for NAP CCC-583

The Food, Conservation, and Energy Act of 2008 (PL 110-246) amended the Food Security Act of 1985 to provide that the "Secretary shall issue such regulations as are necessary to ensure that the total amount of payments are attributed to a person by taking into account the direct and indirect ownership interests of the person in a legal entity that is eligible to receive the payments." This change impacts payment limitation for NAP beginning in crop year 2009. As a result of direct attribution, new direct attribution software must be developed so the payment process can correctly attribute payments. The development of direct attribution software has significantly delayed NAP payments for the 2009 crop year. Normally county offices can begin issuing NAP payments as early as February.

It has been determined to issue NAP payments through a manual payment process until the direct attribution software is available. Direct attribution software is expected to be available in August of 2009. During this temporary manual payment process a certification statement has been developed to make the producer aware that certain automated cross checks on compliance cannot be conducted at this time. This certification statement also addresses that when the automated payment process becomes available if it is determined an overpayment occurred, the producer will be required to refund any computed NAP overpayment.

Accordingly, the CCC-583 has been created to reflect the certification required by the producer to receive the non automated NAP payment.

We are requesting to expedite on an approval of a proposed form to address the temporary process as described in the above. Also, the change in requirement of attributing payments to a person taking into account the direct and indirect ownership interests of persons in a legal entity that are eligible to receive a NAP payment

authorized by the 2008 Farm Bill (PL 110-246). This form will be used temporarily until direct attribution software becomes available in August 2009.

If there are any questions or concerns, please call Deirdre Holder at 202-205-5851 or Mary Ann Ball at 202-720-4283.