

U.S. DEPARTMENT OF AGRICULTURE  
WASHINGTON, D.C. 20250

<b>DEPARTMENTAL REGULATION</b>		Number: 4370-002
<b>SUBJECT:</b> Providing a Receipt for Service or Denial of Service by the Farm Service Agency, the Natural Resources Conservation Service, the Rural Business Service, the Rural Housing Service, and the Rural Utilities Service.	<b>DATE:</b> November 28, 2011	
	<b>OPI:</b> Departmental Management	

1. PURPOSE

This Departmental Regulation (DR) implements section 14003 of the Food, Conservation and Energy Act of 2008 (7 U.S.C. §2279-1(e), "section 14003"). This DR establishes the procedures and policy for the Farm Service Agency, the Natural Resources Conservation Service, the Rural Business Service, the Rural Housing Service, and the Rural Utilities Service to issue a receipt, upon request, for each benefit or service sought by any inquirer, applicant, or customer, and to note the action taken or recommended to be taken.

2. SPECIAL INSTRUCTIONS/CANCELLATION

This DR cancels and supersedes any instruction, procedure, or policy issued by the Farm Service Agency, the Natural Resources Conservation Service, the Rural Business Service, the Rural Housing Service, and the Rural Utilities Service on Receipt for Service.

3. POLICY

- a. All Agencies listed above shall provide a receipt for service or denial of service upon request by any inquirer, applicant, or customer, denoting the date, place, subject of the request or inquiry, and the action taken, not taken, or recommended by such Agency. All Agencies shall use form AD-2088 as such a receipt.
- b. This DR provides the format and procedures that each Agency listed above will follow in complying with section 14003 and this DR.

4. BACKGROUND

Following the enactment of the 2008 Farm Bill, the Farm Service Agency, the Natural Resources Conservation Service, the Rural Business Service, the Rural Housing Service, and the Rural Utilities Service released, at various times, interim guidance to state offices, area offices, and service centers on how to comply with section 14003. Such guidance is superseded by this DR. Each Agency is required to issue new guidance in compliance with this DR.

## 5. ABBREVIATIONS/DEFINITIONS

Within the context of this DR, the following definitions apply:

- a. Agency. A major program organizational unit of the Department of Agriculture (“USDA”) with delegated authorities to deliver rural development, agricultural or food programs, activities, benefits, and services, i.e. the Farm Service Agency (“FSA”), the Natural Resources Conservation Service (“NRCS”), the Rural Business Service, the Rural Housing Service, and the Rural Utilities Service (collectively, “the Rural Development Mission Area” or “RD”).
- b. Applicant. A person or legal entity who has submitted an application for benefits or services provided by an Agency, whether such application is complete or incomplete.
- c. Benefit. Any Federal financial assistance or support provided by an Agency to the public.
- d. Customer. A person or legal entity that has requested or received any benefits or services provided by an Agency.
- e. Date of the Request. The calendar day, month, and year on which an inquirer, applicant, or customer asks for a benefit or service from an Agency.
- f. Inquirer. A person or legal entity who requests information about any benefit or service provided by an Agency.
- g. Landowner. A person or legal entity who is in legal possession of real property.
- h. Legal entity. A corporation, partnership, joint operation, cooperative, limited liability corporation, trust, or association doing business.
- i. Person. An individual, natural person. Person does not include a legal entity.
- j. Producer. A person or legal entity engaged in the production of agriculture.
- k. Place. The address of the inquirer, applicant, or customer requesting a Receipt for Service, or the address of the area to which the benefit or service sought would be applied.
- l. Receipt. The Department of Agriculture’s form, AD 2088, a document showing compliance by the Agency with this DR and section 14003.
- m. Service. Any program, practice, or procedure provided to the public, including technical assistance, by an Agency.

6. PROCEDURES

- a. Each Agency shall instruct its field employees by providing guidance about how to comply with the Receipt for Service provision of the 2008 Farm Bill (section 14003 of the Food, Conservation and Energy Act of 2008 (7 U.S.C. §2279-1(e)). Such guidance shall be consistent with this DR. Each Agency shall require that when any inquirer, applicant, or customer who seeks information about or requests any benefit or service provided by the Agency, upon request, he or she shall be given a receipt (form AD-2088) by such Agency denoting the date, place, subject of the request or inquiry, and the action taken, not taken, or recommended by such Agency. Such a receipt shall be provided on the same date the inquiry or request is made or received in person; in the case of inquiries or requests made by FAX, email, or mail, including if such FAX, email, or mail is received during non-business hours, the receipt shall be provided the next business day.
- b. The Office of Advocacy and Outreach shall maintain a toll-free telephone number to allow any inquirer, applicant, or customer to report failure to comply with this policy. Agencies shall display an informational poster in offices that provide the toll-free number.

7. RESPONSIBILITIES

Each Agency shall instruct its field staff on the Receipt for Service procedures reflected in this DR and the use of form AD-2088 within 30 days of the issuance of this DR.

Failure to comply with the instructions in this DR could result in disciplinary action.

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