

IOWA INSTRUCTION 440-380 – SIGNATORY VERIFICATION OF BUSINESSES WITH A  
CONSERVATION PROGRAM CONTRACT

1. PURPOSE:

This Iowa Instruction provides the process to review entity documents to verify signatory authority when a business participates in a conservation treatment under conservation program contracts administered through ProTracts.

2. ROLES AND RESPONSIBILITIES:

One of the methods for businesses to verify signatory authority is for the entity is to provide a copy of the entity documents that designates specific signatory authority. It is the responsibility of NRCS to verify the entity documents include the specific signatory authority.

3. EXPLANATION:

The signature authority for businesses with program contracts is found in the Conservation Programs Manuals Title 440 - Programs, Part 512 – Conservation Program Contracting, Subpart C, and Section 512.21. When entity documents are used for Signatory Verification, 512.21 B. (1) (i), shown below, it is the responsibility of the entity to locate and show NRCS the specific signatory authority language in the entity documents.



**512.21 Signature Authority for Businesses**

**A. Authorization for Joint Operations and Entities**

Each joint operation or legal entity must authorize someone to act on its behalf to sign the application, contract, payment request, or other administrative documents. The Farm Service Agency (FSA) has agreed to give NRCS a copy (upon request) of all documents supporting existing legal entity or joint operations currently on file at the Service Center. Forms CCC-501 and CCC-502 provide a list of entity members but do not establish signature authority for the business in and of themselves.

**B. Signatory Verification**

(1) NRCS will accept any of the following to verify an authorized signatory for a joint operation, entity, or unit of government:

- (i) A copy of the corporate charter, bylaws, court orders of appointment, trust agreement, last will and testament, or articles of partnership clearly designating who has signature authority for the legal entity. Where specific signatory authority is not provided in the entity documents, all members must sign the contract documents or a power of attorney (POA) designating an individual to act as the attorney-in-fact or agent for the joint operation or entity.
- (ii) Appropriate delegation from State or local government official having legal authority to obligate a unit of government. This may be in letter form on official letterhead. If the authority is being delegated to a subordinate, the delegation letter must also include the original signature of the designee accepting the delegation.
- (iii) Self-certification for members of businesses, joint operations, and entities as indicated on Form CCC-902E, Farm Operating Plan for an Entity 2009 and Subsequent Program Years, Part C, Column F, or Form CCC-901, Member's Information 2009 and Subsequent Years, Part A, Column 5, as applicable. Only members selected on these forms will be considered authorized to sign for the business, joint operation, or entity. If they request that an individual other than an authorized member be granted authority to act as an attorney-in-fact on their behalf, they may grant this authority by executing a Form FSA-211, Power of Attorney.

Approved By:

Date:

/s/ Richard Sims

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