

UNITED STATES DEPARTMENT OF AGRICULTURE

Farm Service Agency
Washington, DC 20250

Notice NAP-173

For: State and County Offices

**Extension of Time for 2014 LFP Producers to File 2014 CCC-576,
Notice of Loss, for Grazing Forage**

Approved by: Deputy Administrator, Farm Programs



1 Overview

A Background

Federal Agriculture Improvement and Reform Act of 1996 (1996 Act), U.S.C. 7333, Section 196(i)(3) provides that if a producer who is eligible to receive benefits under this section is also eligible to receive assistance for the same loss under any other program administered by the Secretary, the producer shall be **required** to elect whether to receive benefits under this section or under the other program, but **not** both.

In the fall of 2013, producers purchased 2014 NAP coverage for grazed forage crops. On February 11, 2014, HR 2642, Agricultural Act of 2014 (2014 Farm Bill), Section 1501 (c) authorized a permanent LFP to provide compensation for grazing losses to eligible livestock producers for covered livestock because of drought or fire on public managed lands. There was not any language in the 2014 Farm Bill that addressed multiple benefit exclusion provisions or language waiving the multiple benefit exclusion provisions.

During National Disaster Training held the week of April 1, 2014, policy was announced that producers who applied for both NAP grazed forage and LFP in the same year would be **required** to elect benefits between NAP and LFP as a result of the limiting language beginning in 2014. Signup began April 15, 2014.

In December 2014, HR 83 “Consolidated and Further Continuing Appropriations Act, 2015” Section 733, contained the following language:

“For the 2014 fiscal year and each fiscal year thereafter, losses under section 1501 of Public Law 113-79 shall not be considered the same loss for the purposes of 7 U.S.C. 7333(i)(3) and 7 U.S.C. 1508(n).”

This means that beginning in 2014, a producer that obtains both NAP and LFP may receive assistance under both NAP and LFP because the payment of losses under NAP and LFP are no longer considered as paying for the same loss.

Disposal Date	Distribution
October 1, 2015 3-19-15	State Offices; State Offices relay to County Offices

1 Overview (Continued)

B Purpose

This notice:

- notifies State and County Offices of the revised 2014 and subsequent years policy that producers can earn an LFP payment and NAP grazed forage payment on the same acres for the same intended use of grazed forage, and that the payment for losses under NAP and LFP will no longer be considered as paying for the same loss
- outlines procedures that State and County Offices shall follow for:
 - allowing 2014 LFP producers to late-file a 2014 CCC-576, Notice of Loss, for grazed forage in specific instances
 - issuing 2014 grazed forage NAP payments for the late-filed CCC-576, Notice of Loss.

2 NAP Coverage and LFP Benefits for 2014 and Subsequent Years

A 2014 and Subsequent Years NAP Coverage and LFP Benefits

For 2014 and subsequent years, a livestock producer can obtain NAP coverage on grazed forage acreage, receive both an LFP payment and a NAP payment on the same grazed forage acreage, and the payment for losses under NAP and LFP will no longer be considered as being paid on the same loss.

B Accepting 2014 Late-Filed CCC-576, Notices of Loss, for Grazed Forage From 2014 LFP Producers

Some 2014 livestock producers failed to timely file a 2014 CCC-576, Notice of Loss, for grazed forage crops that were eligible for 2014 LFP payment because:

- the 2014 policy provided that producers who applied for both NAP grazed forage and LFP in the same year would be required to elect benefits between NAP and LFP
- their 2014 LFP payment would exceed the 2014 NAP payment amount.

For 2014 **only**, the following livestock producers have **until May 8, 2015**, to submit a late-filed 2014 CCC-576, Notice of Loss, for grazed forage:

- livestock producers who have timely filed CCC-853 and received payment
- livestock producers on a County Office register with an appointment to file 2014 CCC-853 in the near future.

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2 NAP Coverage and LFP Benefits for 2014 and Subsequent Years (Continued)

B Accepting 2014 Late-Filed CCC-576, Notices of Loss, for Grazed Forage From 2014 LFP Producers (Continued)

When filing CCC-576, Notice of Loss, the livestock producer **must**:

- check (✓) item 13, indicating that independent assessment will be used on all grazed forage acreage
- sign in item 14
- not sign Part G, “Certification and Application for Payment” section, item 52A.

Note: Grazed forage losses will be based on 2 independent assessments according to 1-NAP (Rev. 1).

C Issuing 2014 Grazed Forage NAP Payments to 2014 LFP Producers

County Offices are authorized to issue 2014 grazed forage NAP payments to the 2014 LFP producers who meet:

- requirements in subparagraph B
- all other eligibility requirements of 1-NAP (Rev. 1).

3 Action

A State Office Action

SED’s shall ensure that all County Offices:

- are aware of the contents of this notice
- complete actions in subparagraphs 2 B and C immediately upon receiving this notice
- immediately notify affected producers of the change in policy in subparagraph 2 B.

B County Office Action

CED’s shall ensure that:

- actions in subparagraphs 2 B and C are completed immediately upon receiving this notice
- affected producers are immediately notified of the change in policy in subparagraph 2 B.