

FSA
HANDBOOK

Livestock Disaster Assistance Programs

For State and County Offices

SHORT REFERENCE

1-LDAP

UNITED STATES DEPARTMENT OF AGRICULTURE
Farm Service Agency
Washington, DC 20250

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Livestock Disaster Assistance Programs
1-LDAP

Amendment 1

Approved by: Acting Deputy Administrator, Farm Programs



Amendment Transmittal

A Background

The Food, Conservation, and Energy Act of 2008 (2008 Act) created the following new disaster programs:

- Emergency Assistance for Livestock, Honey Bees, and Farm-Raised Fish Program (ELAP)
- Livestock Forage Disaster Program (LFP)
- LIP.

Policy and procedure for these programs will be issued in this handbook.

B Reason for Issuance

This handbook has been issued to provide policy and procedure for LIP.

C Status of 4-DAP (Rev. 1) and 4-DAP (Rev. 2)

Policy and procedure for livestock assistance programs was previously provided in 4-DAP. State and County Offices shall continue to follow 4-DAP (Rev. 1) or 4-DAP (Rev. 2), as applicable, for policy and procedure for livestock programs implemented before enactment of the 2008 Act.

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Part 1 Basic Information**1 Handbook Purpose and Coverage****A Handbook Purpose**

This handbook has been issued to provide procedure for livestock programs implemented by DAFP, through PECD.

B Related Handbooks

Handbooks related to programs provided in this handbook include the following:

- 1-APP for appeals
- 1-CM for signatures, power-of-attorney, and name and address files
- 6-CP for conservation compliance
- 7-CP for finality rule provisions
- 1-FI for direct deposits
- 3-FI for deleting incorrect program codes on automated CCC-257's
- 58-FI for claims and withholdings
- 61-FI for prompt payment information
- 63-FI for assignments and joint payments
- 64-FI for establishing and reporting claims in the Automated Claims System
- 67-FI for establishing and reporting debts in CRS
- 2-INFO for providing information to the public
- 1-PL for "person" and average AGI provisions for 2008
- 2-PL for updating subsidiary information in the System 36
- 3-PL for updating subsidiary information in the web-based system
- 4-PL for "direct attribution" and average AGI provisions for 2009 and subsequent years.

C Sources of Authority

This handbook provides procedure for multiple livestock programs. The programs are separated by part in this handbook. See the applicable part for the source of authority and regulations for a specific program.

2-20 (Reserved)

Part 2 Livestock Indemnity Program (LIP)**Section 1 Basic LIP Provisions****21 General Information****A Purpose**

This part provides instructions for administering LIP.

LIP provides monetary assistance to eligible livestock owners and livestock contract growers, for eligible livestock deaths in excess of normal mortality that occurred in the calendar year for which benefits are being requested as a direct result of an eligible adverse weather event, including losses because of hurricanes, floods, blizzards, disease, wildfires, extreme heat, and extreme cold. Eligible livestock deaths must have occurred:

- on or after January 1, 2008, and before October 1, 2011
- in the calendar year for which benefits are being requested.

Note: Because feed can be purchased or otherwise obtained in the event of a drought, drought is not an eligible adverse weather event except when anthrax, as a related condition that occurs as a result of drought, results in the death of eligible livestock.

B Source of Authority

LIP will be administered using funds from the Agricultural Disaster Relief Trust Fund established under section 902 of the Trade Act of 1974, as amended by the 2008 Farm Bill under Titles XII and XV of the Food, Conservation, and Energy Act of 2008, Pub. L 110-246.

The regulations for LIP are provided in 7 CFR Part 760, Subparts B and E.

C Public Information

Follow instructions in 2-INFO for providing information about LIP.

D Modifying Provisions

Provisions in this handbook shall **not** be revised without prior approval from the National Office. Requests for revisions shall be addressed to the Livestock Assistance Program Manager, through DAFP.

21 General Information (Continued)**E Forms**

Forms, worksheets, applications and other documents other than those provided in this handbook or issued by the National Office shall not be required for implementing LIP.

Any document that collects data from a participant, regardless of whether the participant's signature is required:

- is subject to the Privacy Act and information collection procedures
- requires clearance by the following offices:
 - National Office program area
 - MSD
 - OMB.

F Related Handbooks

See Part 1 for handbooks related to LIP.

22 Responsibilities**A STC Responsibilities**

Within the authorities and limitations in this handbook and 7 CFR Part 760, Subparts B and E, STC's shall:

- direct the administration of LIP
- ensure that FSA State and County Offices follow LIP provisions
- thoroughly document all actions taken in the STC minutes
- handle appeals according to 1-APP

22 Responsibilities (Continued)

A STC Responsibilities (Continued)

- require reviews be conducted by DD according to subparagraph 75 D to ensure that County Offices comply with LIP provisions

Note: STC may establish additional reviews to ensure that LIP is administered according to these provisions.

- take any oversight actions necessary to ensure that IPIA provisions are met to prevent County Offices from issuing any improper payments according to subparagraph 43 F
- establish normal mortality rates for each livestock kind/type and weight range according to subparagraph 41 I
- establish eligibility criteria for livestock deaths because of extreme heat and extreme cold according to subparagraph 41 A.

Important: STC shall ensure that COC thoroughly documents each case to ensure that:

- in fact the cause of loss was because of extreme heat or extreme cold
- management decisions were not the cause of loss
- the extreme heat or extreme cold was such an abnormality that it could reasonably cause the deaths.

B SED Responsibilities

Within the authorities and limitations in this handbook and 7 CFR Part 760, Subparts B and E, SED's shall:

- ensure that County Offices follow LIP provisions
- handle appeals according to 1-APP
- ensure that DD conducts reviews according to subparagraph A

Note: SED may establish additional reviews to ensure that LIP is administered according to these provisions.

- ensure that **all** County Offices publicize LIP provisions according to subparagraph D
- immediately notify the National Office Livestock Assistance Program Manager of software problems, incomplete or incorrect procedures, specific problems, or findings
- take any oversight actions necessary according to subparagraph 43 F to ensure that IPIA provisions are met to prevent County Offices from issuing any improper payments.

22 Responsibilities (Continued)

C DD Responsibilities

Within the authorities and limitations in this handbook and 7 CFR Part 760, Subparts B and E, DD's shall:

- ensure that COC's and CED's follow LIP provisions
- conduct reviews according to subparagraph 75 D, and any additional reviews established by STC or SED according to subparagraph A and B
- provide SED with report of reviews conducted according to subparagraph 75 D
- take any oversight actions necessary to ensure that IPIA provisions are met to prevent County Offices from issuing any improper payments according to subparagraph 43 F
- closely monitor the number of third party certifications approved by COC according to subparagraph 73 G

Important: If the number of participants using third party certifications is excessive when compared to surrounding counties, DD shall take all necessary action to ensure that the claimed losses are reasonable and that the provision is not being abused.

- ensure that County Offices publicize program provisions according to subparagraph D.

D COC Responsibilities

Within the authorities and limitations in this handbook and 7 CFR Part 760, Subparts B and E, COC's shall:

- fully comply with all LIP provisions
- ensure that CED fully complies with all LIP provisions
- review, approve and/or disapprove, and document in the COC minutes all third party certifications according to subparagraph 73 G

Important: COC shall **not** delegate authority to review third party certifications to CED or PT's.

22 Responsibilities (Continued)

D COC Responsibilities (Continued)

- provide DD with a monthly written report of all reviews of third party certifications according to subparagraph 73 G
- act on completed FSA-914's for LIP according to paragraph 75
- handle appeals according to 1-APP
- thoroughly document all actions taken in the COC minutes

Important: All the following **must** be thoroughly documented for all LIP program determinations made by COC:

- all factors reviewed or considered
 - all documentation reviewed
 - references to applicable handbooks, notices, and regulations
 - all sources of information obtained for review or consideration.
- take any oversight actions necessary to ensure that IPIA provisions are met to prevent County Offices from issuing any improper payments according to subparagraph 43 F
 - ensure that producers receive complete and accurate program information

Note: Program information may be provided through the following:

- program leaflets, newsletters, and print media
 - meetings
 - radio, television, and video
 - County Office visits.
- ensure that LIP general provisions and other important items are publicized as soon as possible after information is received from the National Office, including but not limited to, the following:
 - notice of loss and application for payment deadlines
 - payment limitation and attribution
 - eligible livestock
 - basic participant eligibility criteria
 - general data required to complete application.

Note: The LIP Fact Sheet may be used to provide some of the information in this subparagraph. The fact sheet is available online at <http://disaster.fsa.usda.gov>.

22 Responsibilities (Continued)

E CED Responsibilities

Within the authorities and limitations in this handbook and 7 CFR Part 760, Subparts B and E, CED's shall:

- fully comply with all LIP provisions
- ensure that County Office employees fully comply with all LIP provisions
- act on completed FSA-914's for LIP according to paragraph 75

Note: CED may delegate approval authority to program technicians for routine cases where proof of death is provided according to subparagraph 73 E. Document all delegations in COC minutes.

program technicians shall **not** be delegated authority to:

- disapprove any FSA-914
- approve any FSA-914 where contemporaneous record or third party certification is used to prove loss.
- ensure that all program and payment eligibility requirements have been met by producers before issuing any payment to ensure that IPIA provisions are met

Note: See subparagraph 43 F for additional information.

- handle appeals according to 1-APP
- ensure that producers receive complete and accurate program information
- immediately notify SED, through DD, of software problems and incomplete or incorrect procedures
- ensure that all participants receive a copy of Exhibit 7 when they file an application according to paragraph 76
- ensure that general provisions and other important items are publicized according to subparagraph D and copies are retained in the County Office.

22 Responsibilities (Continued)**F Program Technician Responsibilities**

Within the authorities and limitations in this handbook and 7 CFR Part 760, Subparts B and E, the program technician shall:

- fully comply with all LIP provisions
- immediately notify CED of software problems and incomplete or incorrect procedures
- ensure that producers receive complete and accurate program information
- ensure that all participants receive a copy of Exhibit 7 when they file an application according to paragraph 76
- ensure that all program and payment eligibility requirements have been met by producers before issuing any payment to ensure that IPIA provisions are met.

Note: See subparagraph 43 F for additional information.

23 Definitions for LIP**A Definitions**

The following definitions apply to LIP. The definitions provided in other parts of this handbook do **not** apply to LIP.

Adult beef bull means a male beef breed bovine animal that was at least 2 years old and used for breeding purposes before it died.

Adult beef cow means a female beef breed bovine animal that had delivered 1 or more offspring before dying. A first-time bred beef heifer shall also be considered an adult beef cow if it was pregnant at the time it died.

Adult buffalo/beefalo bull means a male animal of those breeds that was at least 2 years old and used for breeding purposes before it died.

Adult buffalo/beefalo cow means a female animal of those breeds that had delivered 1 or more offspring before dying. A first-time bred buffalo or beefalo heifer shall also be considered an adult buffalo/beefalo cow if it was pregnant at the time it died.

Adult dairy bull means a male dairy breed bovine animal at least 2 years old and used primarily for breeding dairy cows before it died.

Adult dairy cow means a female bovine dairy breed animal used for the purpose of providing milk for human consumption that had delivered 1 or more offspring before dying. A first-time bred dairy heifer shall also be considered an adult dairy cow if it was pregnant when it died.

Adverse weather means damaging weather events, including, but not limited to, hurricanes, floods, blizzards, disease, wildfires, extreme heat, and extreme cold.

Agricultural operation means a farming operation.

Application means the "Livestock Indemnity Program" form.

23 Definitions for LIP (Continued)**A Definitions (Continued)**

Buck means male goat.

Commercial use means used in the operation of a business activity engaged in as a means of livelihood for profit by the eligible producer.

Contract means, with respect to contracts for the handling of livestock, a written agreement between a livestock owner and another individual or entity setting the specific terms, conditions, and obligations of the parties involved about the production of livestock or livestock products.

Deputy Administer or DAFP means the Deputy Administer for Farm Programs, Farm Service Agency, U.S. Department of Agriculture or the designee.

Eligible livestock owner means one who assumes the production and market risks associated with the agricultural production of livestock and who had legal ownership of the eligible livestock for which benefits are being requested on the day the livestock died and under conditions in which no contract grower could have been eligible for benefits with respect to the livestock and is citizen of, or legal resident alien in, the United States. A partnership of citizens of the United States who owned the eligible livestock on the day the livestock died will be considered eligible livestock owners. A corporation, limited liability corporation, or other farm organizational structure organized under State law that owned the eligible livestock on the day the livestock died will be considered eligible livestock owners. Any Native American tribe (as defined in section 4(b) of the Indian Self-Determination and Education Assistance Act (Pub. L. 93-638, 88 Stat. 2003)); any Native American organization or entity chartered under the Indian Reorganization Act; any tribal organization chartered under the Indian Self-Determination and Education Assistance Act; and any economic enterprise under the Indian Financing Act of 1974 may be considered an eligible livestock owner so long as they meet the terms of the definition.

23 Definitions for LIP (Continued)**A Definitions (Continued)**

Eligible livestock contract grower means a person, other than the livestock owner, who possessed an independent financial interest in the eligible livestock or products derived from such livestock, as defined and limited by the terms and conditions of a contractual written agreement with the livestock owner on the day the livestock died, and is a citizen of, or legal resident alien in, the United States. A partnership of citizens of the United States who possessed an independent financial interest, but not as owner, in the eligible livestock or products derived from such livestock on the day the livestock died will be considered an eligible livestock contract grower. A corporation, limited liability corporation, or other farm organizational structure organized under State law that possessed an independent financial interest, but not as owner, in the eligible livestock or products derived from such livestock on the day the livestock died will be considered an eligible livestock contract grower. Any Native American tribe (as defined in the Indian Self-Determination and Education Assistance Act, section 4(b) (Pub. L. 93-638, 88 Stat. 2003)); any Native American organization or entity chartered under the Indian Reorganization Act; any tribal organization chartered under the Indian Self-Determination and Education Assistance Act; and any economic enterprise under the Indian Financing Act of 1974 may be considered an eligible livestock contract grower so long as they meet the terms of the definition.

Equine animal means a domesticated horse, mule, or donkey.

Ewe means a female sheep.

Farming operation means a business enterprise engaged in producing agricultural products.

FSA means the Farm Service Agency.

Goat means a domesticated ruminant mammal of the genus *Capra*, including Angora goats. Goats will be further defined by sex (bucks and nannies) and age (kids).

Improper payment, as defined by OMB, is any payment that should **not** have been issued or was issued in an incorrect amount under statutory, contractual, administrative, or other legally applicable requirement.

23 Definitions for LIP (Continued)

A Definitions (Continued)

Ineligible livestock means any of the following:

- any animal produced or maintained for reasons other than commercial use as part of a farming operation, as determined by FSA, including, but not limited to, recreational purposes, such as pleasure, hunting, pets, roping, or for show
- all wild free roaming animals, as determined by FSA
- any animal not meeting the definition of eligible livestock, as determined by FSA
- any animal owned or cash-leased by an ineligible livestock owner or contract grower
- all animals that died under all of the following conditions:
 - more than 60 calendar days from the end of the eligible adverse weather event
 - because of something other than an eligible adverse weather event
 - in a calendar year other than the calendar year for which benefits are being requested
 - before January 1, 2008, or after October 1, 2011.

23 Definitions for LIP (Continued)**A Definitions (Continued)**

Kid means a goat less than 1 year old.

Lamb means a sheep less than 1 year old.

Livestock owner means one having legal ownership of the livestock for which benefits are being requested on the day such livestock died and under conditions in which no contract grower could have been eligible for benefits with respect to the livestock.

Nanny means a female goat.

Non-adult beef cattle means a beef breed bovine animal that does not meet the definition of adult beef cow or bull. Non-adult beef cattle are further delineated by weight categories of either less than 400 pounds or 400 pounds or more at the time they died.

Non-adult buffalo or beefalo means an animal of those breeds that does not meet the definition of adult buffalo/beefalo cow or bull. Non-adult buffalo or beefalo are further delineated by weight categories of either less than 400 pounds or 400 pounds or more at the time of death.

Non-adult dairy cattle means a dairy breed bovine animal, of a breed used for the purpose of providing milk for human consumption, that do not meet the definition of adult dairy cow or bull. Non-adult dairy cattle are further delineated by weight categories of either less than 400 pounds or 400 pounds or 400 pound or more at the time they died.

Normal mortality means the numerical amount, computed by a percentage, as established by the FSA STC, of expected livestock deaths, by category, that normally occurs during a calendar year for a producer.

23 Definitions for LIP (Continued)

A Definitions (Continued)

Poultry means domesticated chickens, turkeys, ducks, and geese. Poultry are further delineated by sex, age, and purpose of production or production as determined by FSA.

Ram means a male sheep.

Secretary means the Secretary of Agriculture or a designee of the Secretary.

Sheep means a domesticated, ruminant mammal of the genus Ovis. Sheep are further defined by sex (ram and ewes) and age (lambs) for purposes of dividing into categories for loss calculations.

STC, State Office, COC, or County Office means the respective FSA committee or office.

Swine means a domesticated omnivorous pig, hog, and boar. Swine are further delineated by sex and weight as determined by FSA for loss calculations.

United States means all 50 states of the United States, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and the District of Columbia.

24-39 (Reserved)

Section 2 Policy and Procedure

40 Signup Period

A 2008-2009 LIP Signup

Livestock owners or contract growers who suffered livestock losses during 2008 and 2009 can signup for LIP beginning July 13, 2009.

Livestock owners or contract growers who suffered livestock losses during calendar year 2008 shall provide a notice of loss and file an application for payment in their administrative County Office no later than September 13, 2009.

Livestock owners or contract growers who suffered livestock losses during January 1, 2009, through July 12, 2009, shall provide a notice of loss no later than September 13, 2009, and an application for payment must be filed no later than January 30, 2010.

Livestock owners or contract growers who suffered livestock losses during July 13, 2009, through December 31, 2009, shall file:

- a notice of loss no later than 30 calendar days of when the loss of livestock is apparent to the participant
- an application for payment no later than January 30, 2010.

Note: For notice of loss, complete FSA-914, Parts A and B.
For application for payment, complete FSA-914, Parts C through H.

Important: There are **no** late-filed provisions for LIP. FSA shall not refuse to accept a producers request to file FSA-914. However, FSA-914's submitted by participants after the end of the applicable filing date shall be disapproved because they were not filed during the application period.

The application period for LIP is a matter of general applicability to all participants; therefore, disapproval of FSA-914's filed after the end of the applicable application period is not appealable.

40 Sigup Period (Continued)**B 2010-2011 LIP Signup**

For 2010 and subsequent years losses, livestock owners and contract growers that suffer a loss of livestock shall file:

- a notice of loss the earlier of the following dates:
 - 30 calendar days of when the loss of livestock is apparent to the participant
 - 30 calendar days after the end of the calendar year in which the loss of livestock occurred
- an application for payment no later than 30 calendar days after the end of the calendar year in which the loss of livestock occurred.

Important: There are **no** late-filed provisions for LIP. FSA shall not refuse to accept a producer's request to file FSA-914. However, FSA-914 submitted by participants after the end of the applicable filing date shall be disapproved because they were not filed during the application period.

The application period for LIP is a matter of general applicability to all participants; therefore, disapproval of FSA-914's filed after the end of the applicable application period is not appealable.

41 Eligibility Criteria

A Eligible Adverse Weather Event

To be considered eligible to receive benefits under LIP, livestock **must** have died in excess of normal mortality as a direct result of an eligible adverse weather event:

- on or after January 1, 2008, and before October 1, 2011, and
- no later than 60 calendar days from the ending date of the applicable eligible adverse weather event, and
- in the calendar year for which benefits are being requested.

Exception: Drought is **not** an eligible adverse weather event **except** when associated with anthrax, a condition that occurs because of drought and results in the death of eligible livestock.

State Offices are responsible for establishing eligibility criteria for livestock deaths because of extreme heat and extreme cold. STC shall ensure that COC thoroughly documents each case to ensure that:

- in fact the cause of loss was because of extreme heat or extreme cold
- management decisions were not the cause of loss
- the extreme heat or extreme cold was such an abnormality that it could reasonably cause the deaths.

Livestock deaths because of insufficient or contaminated water or feed during a drought are considered to be the result of management decisions and are not eligible for LIP.

Exception: Drought is **not** an eligible adverse weather event **except** when associated with anthrax, a condition that occurs because of drought and results in the death of eligible livestock.

Participants that apply for livestock deaths that are caused by disease are required to provide documentation to support how disease was accelerated or exacerbated by an eligible adverse weather event before COC approves the LIP application.

Note: Livestock losses that are not weather related are not eligible for LIP.

41 Eligibility Criteria (Continued)

B Eligible Livestock for Owners

To be eligible livestock for owners under LIP, the livestock must meet all of the following:

- been owned by an eligible livestock owner on the day the livestock died
- been maintained for commercial use as part of a farming operation on the day the livestock died
- died as a direct result of an eligible adverse weather event:
 - on or after January 1, 2008, but before October 1, 2011, and
 - no later than 60 calendar days from the ending date of the applicable eligible adverse weather event, but before October 1, 2011, and
 - in the calendar year for which benefits are being requested
- before dying, not have been produced or maintained for reasons other than commercial use as part of a farming operation, such as but not limited to, recreational purposes, pleasure, hunting, roping, pets, or for show
- been 1 of the following, as defined in paragraph 23:
 - adult or non-adult beef cattle
 - adult or non-adult beefalo
 - adult or non-adult buffalo
 - adult or non-adult dairy cattle
 - elk
 - alpacas
 - deer
 - emus
 - equine animals
 - goats
 - llamas
 - poultry, including egg-producing poultry
 - reindeer
 - sheep
 - swine

Important: If an animal was pregnant at the time of death, only the pregnant animal that died is eligible for payment under LIP. The unborn animal is **not** considered eligible livestock under LIP.

41 Eligibility Criteria (Continued)

B Eligible Livestock for Owners (Continued)

See paragraph:

- 23 for definitions of eligible livestock, commercial use, and farming operation
- 42 for further delineation of eligible livestock by payment rate.

C Eligibility for Newborn or Stillborn Animals

Animals that were born at a normal full-term or near full-term shall qualify for LIP if both of the following apply:

- the death was the direct cause of the eligible adverse weather event
- the birth produced a fully developed carcass that normally would have survived under normal weather conditions.

Note: Animals that died before they reached full-term or near full-term and would not normally survive under normal conditions do not qualify for LIP benefits.

41 Eligibility Criteria (Continued)

D Eligible Livestock for Contract Growers

To be eligible livestock for contract growers under LIP, the livestock must meet all of the following:

- been in the possession of an eligible contract grower on the day the livestock died
- been maintained for commercial use as part of a farming operation on the day the livestock died
- died because of an eligible adverse weather event:
 - on or after January 1, 2008, but before October 1, 2011, and
 - no later than 60 calendar days from the ending date of the applicable eligible adverse weather event, but before October 1, 2011, and
 - in the calendar year benefits are being requested.
- been 1 of the following, as defined in paragraph 23:
 - poultry, including egg-producing poultry
 - swine.

See paragraph:

- 23 for definitions of eligible livestock, commercial use, and farming operation
- 42 for further delineation of eligible livestock by payment rate.

Note: The contract grower **shall** provide a copy of the grower contract to the administrative FSA County Office to prove that the participant had possession of the livestock on the day the livestock died.

41 Eligibility Criteria (Continued)

E Ineligible Livestock

Animals **not** eligible for LIP include, but are not limited to, the following:

- livestock produced or maintained for reasons other than commercial use as part of a farming operation, including, but not limited to, recreational purposes, such as:
 - consumption by owner
 - hunting
 - pets
 - pleasure
 - roping
 - show

Example 1: Sam Smith owns 5 horses, 2 beef steers, and 3 goats. Mr. Smith maintains the horses for pleasure riding and fox hunting, and maintains the goats as pets for his children. He maintains the beef steers to be consumed by his family. Accordingly, Mr. Smith does not maintain any of the livestock for commercial use as part of a farming operation. All of the animals died because of a blizzard, an eligible adverse weather event.

Because none of Mr. Smith's livestock is maintained for commercial use as part of a farming operation, the animals are **not** eligible livestock for LIP purposes.

Example 2: Joe Johnson owns 5 horses which he uses to pull hansom cabs in the tourist district of the local city. The hansom cabs are Mr. Johnson's business activity he engages in as a means of livelihood for profit.

However, because the horses are not maintained as part of a farming operation, they are not eligible livestock for LIP purposes.

Example 3: Jane Black owns and raises a deer herd. Mrs. Black sells the does to a local food market to be processed into meat products. She sells the bucks to hunting preserves nationwide.

Mrs. Black is in the business of selling deer, including the bucks that are sold to hunting preserves, as a means of livelihood for profit; therefore, the deer are maintained for commercial use. However, they also must be maintained as part of a farming operation.

The County Office must determine whether Mrs. Black's deer business, including the bucks, is a farming operation. Mrs. Black must provide evidence to satisfy COC or CED that the deer are part of a farming operation. One indicator of being a farming operation would be whether Mrs. Black files taxes as a farming operation. The County Office cannot request Mrs. Black to provide a copy of her tax records; however, COC or CED may ask Mrs. Black how she files her taxes for the operation.

41 Eligibility Criteria (Continued)

E Ineligible Livestock (Continued)

- ostriches
- pheasants
- quail
- stillborn livestock, except as provided in subparagraph C
- unborn livestock

Example: A pregnant adult beef cow died before the birth of the calf. Only the pregnant cow may be considered eligible for payment. The unborn calf is **not** eligible livestock.

- yaks
- any wild free roaming livestock, including equine and deer
- any animals not included in subparagraph A
- all animals that died:
 - before January 1, 2008, or after October 1, 2011
 - in a calendar year other than the calendar year for which benefits are being requested.

Important: Contact the National Office Livestock Assistance Program Manager, through the State Office, when the reason for livestock death is questionable.

41 Eligibility Criteria (Continued)**F Eligible Livestock Owners**

An eligible livestock owner for LIP is one who assumes the production and market risks associated with the agricultural production of livestock and meets all of the following:

- had legal ownership of the eligible livestock for which benefits are being requested on the day the livestock died, and under conditions in which no contract grower could have been eligible for benefits with respect to the animal
- is an individual or entity that is a:
 - citizen of the United States
 - resident alien

Note: Resident alien means “lawful alien”.

 - partnership of citizens of the United States
 - corporation, limited liability corporation, or other farm organizational structure organized under State law
 - any Native American tribe as defined in the Indian Self-Determination and Education Assistance Act
 - any Native American organization or entity chartered under the Indian Reorganization Act
 - any economic enterprise under the Indian Financing Act of 1974.

An individual or entity that did **not** have legal ownership of the livestock on the day the livestock died is **not** an eligible livestock owner for LIP benefits.

41 Eligibility Criteria (Continued)

G Eligible Livestock Contract Growers

An eligible livestock contract grower for LIP is one, other than the livestock owner, who meets **all** of the following:

- possessed an independent financial interest in eligible livestock according to subparagraph D, or products derived from such livestock, as defined by a written agreement with the owner of eligible livestock, setting specific terms, conditions, and obligations of the parties involved about the production of livestock on the day the livestock died
- suffered a loss of income as a direct result of the death of specific eligible livestock subject to the terms, conditions, and obligations of the written contract with the owner of the specific livestock

Note: The contract grower **shall** provide a copy of the grower contract to the FSA administrative County Office.

- is an individual or entity that is a:
 - citizen of the United States
 - resident alien

Note: Resident alien means “lawful alien”.
 - partnership of citizens of the United States
 - corporation, limited liability corporation, or other farm organizational structure organized under State law
 - any Native American tribe as defined in the Indian Self-Determination and Education Assistance Act
 - any Native American organization or entity chartered under the Indian Reorganization Act
 - any economic enterprise under the Indian Financing Act of 1974.

An individual or entity that did **not** have legal ownership of the livestock on the day the livestock died is **not** an eligible livestock owner for LIP benefits.

41 Eligibility Criteria (Continued)

H Deceased Individuals and Dissolved Entities

Authority to sign contracts, applications, and other documents on behalf of an eligible participant who is now a deceased individual or is a dissolved entity may vary according to State law. If an eligible livestock owner or livestock contract grower is now a deceased individual or a dissolved entity, then an authorized representative of the deceased individual or dissolved entity may sign FSA-914 provided the authorized representative has authority to enter into a contract for the deceased individual or dissolved entity.

Important: Proof of authority to sign for the eligible deceased individual or dissolved entity must be on file in the County Office before the representative is allowed to sign FSA-914 for the participant. Proof of authority includes any of the following:

- court order
- document approved by the OGC Regional Attorney
- letter from Secretary of State.

FSA-325 is:

- only used when it is requested that a payment earned by a deceased, missing, or incompetent program participant be issued in a name other than that of the deceased, missing, or declared incompetent program participant
- not applicable for determining who may file a program application for a deceased, incompetent, or missing individual.

State Office shall consult with the OGC Regional Attorney on the following types of cases:

- documentation submitted does **not** clearly establish authority to enter into a contract or application on behalf of the deceased individual, closed estate, or dissolved entity
- application from and request for issuing payments to heirs of a deceased individual without documentation provided that establishes authority to enter into a contract or application on behalf of the deceased individual.

If a participant is now a dissolved general partnership or joint venture, all members of the general partnership or joint venture at the time of dissolution, or their duly authorized representatives **must** sign the FSA-914.

Note: Only one FSA-914 will be submitted for payment for the general partnership or joint venture; however, all members **must** sign FSA-914.

See paragraph 43 for making payments to deceased individuals, closed estates, and dissolved entities.

41 Eligibility Criteria (Continued)

I Establishing Normal Mortality Rates

LIP compensates eligible livestock producers for eligible livestock death losses that occur in excess of normal mortality because of eligible adverse weather events during the calendar year.

Eligible livestock for payment for a specific kind/type and weight range of livestock will be determined by multiplying the normal mortality rate for the specific kind/type and weight range of livestock by the number of livestock of that specific kind/type and weight range in inventory at the time of the eligible adverse weather event and subtracting the result from the number of eligible livestock lost because of the eligible adverse weather event.

Example: Producer A owned 100 head of adult beef cattle on the beginning date of adverse weather event.

- normal mortality is 2 percent
- 5 head were lost
- $100 \text{ head} \times 2 \text{ percent} = 2$ (loss threshold)
- $5 \text{ head lost} - 2 \text{ (loss threshold)} = 3$ head adult beef cattle eligible for payment.

STC's shall establish, on a State-by-State basis, normal mortality rates for each livestock kind/type and weight range listed in subparagraph 42 D, by obtaining recommendations from applicable:

- State livestock organizations
- State Cooperative Extension Service
- other knowledgeable and credible sources.

Normal mortality rates will generally **not** be established for different geographic locations within a State. However, if STC can document that existing conditions or circumstances within a specific geographic location within the State would result in substantially higher mortality rates than the rest of the State, STC may establish separate normal mortality rates for that specific geographic location within the State.

Example: The counties in which Interstate 10 crosses through and that are south of Interstate 10 are known to be marsh country. Because of predators, the normal mortality rates for livestock in these counties are significantly higher than for the counties in the rest of the State. STC determined that the marsh country counties shall have normal mortality rates established separately from the counties in the remainder of the State.

If sufficient documentation is **not** available within your State from the sources listed in this subparagraph to establish normal mortality rates, STC's shall obtain documentation from contiguous STC's that have established livestock normal mortality rates from recommendations received from the sources listed in this subparagraph for the livestock listed in subparagraph 42 D.

41 Eligibility Criteria (Continued)

I Establishing Normal Mortality Rates (Continued)

STC's shall:

- document recommendations and determinations of normal mortality rates in STC minutes
- attach copies of documentation used to determine normal mortality rates to applicable STC minutes.

If documentation is **not** available for establishing normal mortality rates from sources listed within your State or contiguous States, STC's shall establish normal mortality rates using the national normal mortality rates in Exhibit 8.

STC's shall:

- document in STC minutes that normal mortality rates were established using national normal mortality rates in Exhibit 8 and the reasons why national normal mortality rates were used
- attach copies of Exhibit 8 to applicable STC minutes.

STC's shall ensure that normal mortality rates are:

- established for all livestock kinds/types and weight ranges listed in subparagraph 42 D no later than COB, **July 13, 2009**
- loaded into the normal mortality rate table no later than **July 20, 2009**.

42 Payment Rates, Limitations, and Reductions

A Funding

Because LIP is fully funded, a national factor is not applicable. Payments may be issued only after regulations are published in the Federal Register.

B 2008 Payment Limitation

For 2008, no “person”, as defined and determined under the provisions in 7 CFR Part 1400, as in effect for 2008, may receive more than \$100,000 total under LIP, Emergency Assistance for Livestock, Honey Bees and Farm-Raised Fish Program, Livestock Forage Disaster Program, and Supplemental Revenue Assistance Payment Program combined.

Determine “persons” according to 1-PL for 2008.

If a “person” determination for the participant for 2008 has:

- already been made for 2008 for which FSA-914 is submitted, use the same “person” determination for LIP purposes
- **not** been made for 2008 for which FSA-914 is submitted, COC shall:
 - obtain CCC-502 from the participant
 - make a “person” determination and notify participant according to 1-PL.

Notes: Actively engaged and cash-rent tenant provisions do **not** apply.

The amount of any payment for which a participant may be eligible under LIP, ELAP, LFP, and SURE may be reduced by any amount received by the participant for the same or any similar loss from a different source.

42 Payment Rates, Limitations, and Reductions (Continued)**C 2009 and Subsequent Years Payment Limitation**

For 2009 and subsequent years, no person or legal entity, (excluding a joint venture or general partnership), as determined by the rules in 7 CFR Part 1400, may receive, directly or indirectly, more than \$100,000 per program year total under ELAP, LFP, LIP, and SURE combined. For this purpose, both indirect and direct benefits are counted by attribution. In the case of a legal entity, the same payment is attributed to the direct payee in the full amount and those that have an indirect interest to the amount of the interest.

A determination of “persons” as defined by rules in effect for 2008 and prior years is not required for 2009 and subsequent years. However, a CCC-901 will be required for legal entities to determine individual members of legal entities for direct attribution purposes.

Note: Direct attribution provisions in 4-PL apply for 2009 and subsequent years.

D 2008 AGI Provisions

In applying the limitation on average AGI for 2008, an individual or entity is ineligible for payment under LIP if the individual’s or entity’s average AGI exceeds \$2.5 million for 2007, 2006, and 2005 under the provisions in 7 CFR Part 1400 in effect for 2008.

Note: The AGI provisions of 1-PL are applicable for 2008 LIP.

E 2009 and Subsequent Years AGI Provisions

For 2009 through 2011, the average AGI limitation provisions in 7 CFR Part 1400 relating to persons or legal entities, excluding joint ventures and general partnerships, with an average adjusted gross nonfarm income as defined in 7 CFR 1400.3 that exceeds \$500,000 will not be eligible for benefits under LIP.

Note: The AGI provisions of 4-PL are applicable for 2009 and subsequent years.

42 Payment Rates, Limitations, and Reductions (Continued)

D Payment Rates for Eligible Livestock for Livestock Owners

LIP provides separate payment rates for eligible livestock owners and eligible contract growers. See subparagraph E for payment rates for eligible livestock contract growers.

Payment rates for livestock owners are based on 75 percent of a fair market value, as determined by FSA, for the specific livestock category. The following table provides LIP per head payment rates, by livestock category, for eligible livestock owners.

Kind	Type	Weight Range	2008 Payment Per Head	2009 Payment Per Head
Alpacas			\$262.50	\$262.50
Beef	Non-Adult	Less than 400 pounds	\$343.83	\$319.44
	Non-Adult	400 pounds or more	\$487.04	\$463.41
	Adult	Cow	\$681.62	\$694.98
		Bull	\$886.11	\$903.48
Dairy	Non Adult	Less than 400 pounds	\$345.00	\$366.09
		400 pounds or more	\$690.00	\$732.19
	Adult	Cow	\$1,380.00	\$1,464.38
		Bull	\$1,380.00	\$1,464.38
Buffalo/ Beefalo	Non Adult	Less than 400 pounds	\$326.64	\$303.47
		400 pounds or more	\$462.68	\$440.24
	Adult	Cow	\$600.00	\$611.76
		Bull	\$1,125.00	\$1,147.05
Swine	Boars/Sows	Over 450 pounds	\$124.20	\$114.98
	Sows/Boars/Barrows/Gilts	151 to 450 pounds	\$74.62	\$75.44
	Lightweight Barrows/Gilts	50 to 150 pounds	\$56.18	\$52.59
	Feeder Pigs	Under 50 pounds	\$37.75	\$29.74
Sheep	Rams		TBD	TBD
	Ewes		TBD	TBD
	Lambs		TBD	TBD
Goats	Bucks		\$73.66	\$65.28
	Does		\$73.66	\$65.28
	Slaughter Goats/Kids		\$47.36	\$48.56
Chickens	Layers/Roasters		\$10.45	\$13.66
	Broilers/Pullets		\$1.81	\$1.92
	Chicks		\$0.19	\$0.20
Turkeys	Toms/Fryers/Roasters		\$10.24	\$12.30
	Poults		\$0.99	\$1.08
Ducks	Ducks		\$2.73	\$3.33
	Ducklings		\$0.44	\$0.53
Geese	Goose		\$11.88	\$21.05
	Gosling		\$2.50	\$4.42
Deer			\$412.50	\$412.50
Elk			\$572.59	\$572.59
Emus			\$150.00	\$150.00
Equine			\$637.50	\$637.50
Llamas			\$210.00	\$210.00
Reindeer			\$412.50	\$412.50

42 **Payment Rates, Limitations, and Reductions (Continued)**

E Payment Rates for Eligible Livestock for Livestock Contract Growers

LIP provides separate payment rates for eligible livestock owners and eligible contract growers. See subparagraph D for payment rates for eligible livestock owners.

Payment rates for livestock contract growers are based on 75 percent of the average income loss sustained, as determined by FSA, by the contract grower with respect to the dead livestock. The following table provides per head payment rates, by livestock category, for eligible livestock contract growers.

Kind	Type	Weight Range	2008 Payment Per Head	2009 Payment Per Head
Chickens	Layers/Roasters		\$0.63	\$0.82
	Broilers/Pullets		\$0.20	\$0.21
Turkeys	Toms/Fryers/Roasters		\$1.13	\$1.35
Ducks	Ducks		\$0.30	\$0.37
Geese	Goose		\$1.31	\$2.32
Swine	Boars/Sows	Over 450 pounds	\$51.04	\$47.25
	Sows/Boars/Barrows/Gilts	151 to 450 pounds	\$11.21	\$11.33
	Lightweight Barrows/Gilts	50 to 150 pounds	\$8.44	\$7.90
	Feeder Pigs	Under 50 pounds	\$4.29	\$3.38

42 Payment Rates, Limitations, and Reductions (Continued)

F Payment Reductions for Livestock Owners

Pub. L. 110-246 provides that payments for LIP shall be reduced by any amount received by the participant for the same or any similar loss from a different source.

Therefore, LIP payment amounts for eligible livestock owners shall be reduced by the amount the participant received for the specific livestock under any other source for the same or similar loss.

42 Payment Rates, Limitations, and Reductions (Continued)**G Payment Reduction for Contract Growers**

Pub. L. 110-246 provides that payments for LIP shall be reduced by any amount received by the participant for the same loss or any similar loss.

Some contract growers received monetary compensation from their contractor for the loss of income suffered from the death of livestock under contract.

Some eligible livestock contract growers under LIP may have received payments for dead poultry or swine from their contractor for the loss of income from the dead poultry or swine.

LIP payments will be reduced by the amount the contract grower received from their contractor for the loss of income from the adverse weather event.

Example 1: Bill Smith is an eligible contract grower of roaster chickens for the All American Chicken Company for the 2008 calendar year. Mr. Smith suffered an eligible loss (death) of 5,000 chickens under contract as a direct result of a hurricane. The All American Chicken Company gave Mr. Smith \$300 for the loss of income he suffered because of the loss of the chickens. Mr. Smith's 2008 LIP calculated payment amount for the 5,000 chickens is \$500, before any reduction. However, the 2008 LIP payment for the chickens will be reduced to \$200 because of the \$300 received from the contractor for the loss of income from the loss of the chickens because of the adverse weather event.

Example 2: Jane Brown is an eligible contract grower of roaster chickens for the All American Chicken Company for the 2008 calendar year. She was also the owner of 100 adult beef cows. Mrs. Brown suffered an eligible loss (death) of 5,000 chickens under contract and 5 adult beef cows as a direct result of an eligible adverse weather event in 2008. The All American Chicken Company gave Mrs. Brown \$2,000 for the loss of income she suffered because of the loss of the chickens. Mrs. Brown's calculated payment amount for the 5,000 chickens is \$600, before any reduction, and \$650 for the 5 adult beef cows. The 2008 LIP payment for the chickens will be reduced to zero because of the \$2,000 received from the contractor. However, the 2008 LIP payment of \$650 for the eligible beef cows is not reduced.

43 General Payment Information

A Assignments and Offsets

For LIP, County Offices shall:

- accept assignments according to 63-FI
- apply offsets according to 58-FI.

B Issuing Payments to Deceased Individuals, Closed Estates, and Dissolved Entities

LIP payments for FSA-914’s involving deceased individuals, closed estates, or dissolved entities shall be made according to the following, provided all other eligibility requirements are met.

IF the participant is...	AND FSA-914 is signed by an authorized representative of the...	THEN payments shall be issued...
an individual who died before FSA-914 was filed	deceased according to subparagraph 41 H	to any of the following, as applicable, using the ID number of the participant: <ul style="list-style-type: none"> • the deceased individual • the individual’s estate • the heirs, based on OGC determination, according to 1-CM, Part 26.
an estate that closed before FSA-914 was filed	estate according to subparagraph 41 H	
an entity that dissolved before FSA-914 was filed	dissolved entity according to subparagraph 41 H	using the ID number of the participant.
an individual who dies, is declared incompetent, or is missing after filing FSA-914		to eligible payees executing FSA-325 according to 1-CM, paragraph 779.

Note: FSA-325 is only used when it is requested that a payment earned by a deceased, missing, or incompetent program participant be issued in a name other than that of the deceased, missing, or declared incompetent program participant.

43 General Payment Information (Continued)

C 2008 Payment Eligibility Requirements

A participant must meet all the following for 2008 calendar year losses before a payment shall be issued:

- CCC-502 on file and “person” determination according to 1-PL
- AD-1026 on file according to 6-CP
- not be in violation of fraud provisions, including FCIC fraud provisions, according to 1-CM and 3-PL
- compliance with:
 - average AGI provisions according to 1-PL
 - controlled substance provisions according to 1-CM.

Note: See subparagraph:

- 42 B for more information about CCC-502
- E for more information about AD-1026.

County Offices shall record determinations for the applicable criteria in the web-based eligibility system according to 3-PL.

43 General Payment Information (Continued)**D 2009 and Subsequent Years Payment Eligibility Requirements**

A participant must meet all the following for 2009 and subsequent calendar year losses before a payment shall be issued:

- CCC-901 on file for legal entities according to 4-PL
- AD-1026 on file according to 6-CP
- not be in violation of fraud provisions, including FCIC fraud provisions, according to 1-CM and 3-PL (Rev. 1)
- compliance with:
 - average AGI provisions according to 4-PL
 - controlled substance provisions according to 1-CM.

Note: See subparagraph:

- 42 C for more information about CCC-901
- E for more information about AD-1026.

County Offices shall record determinations for the applicable criteria in the web-based eligibility system according to 3-PL (Rev. 1).

43 General Payment Information (Continued)**E Conservation Compliance Provisions**

AD-1026 applicable to the year for which LIP benefits are requested must be on file for the participant and affiliates, if applicable, according to 6-CP.

If AD-1026 applicable for the year for which LIP benefits are requested is:

- already on file for the participant, and affiliates, if applicable, it is not necessary to obtain a new AD-1026 for LIP
- not on file for the participant, and affiliates, if applicable, County Office shall obtain a completed AD-1026 applicable to the year for which LIP benefits are requested.

If a new AD-1026 is required to be filed, payments may be issued to eligible participants upon signing AD-1026, item 12. It is not necessary to withhold payments pending NRCS highly erodible land or wetland determinations. The continuous certification statement on AD-1026 requires participants to refund program payments if an NRCS determination results in the discovery of a HELC/WC violation.

F Prevention of Improper Payments

IPIA requires Federal agencies to evaluate programs to determine whether internal controls are sufficient to prevent improper payments. County Offices shall take all steps necessary to ensure that program and payment eligibility requirements have been met before issuing any payments.

G Definition of Improper Payment

OMB defines an improper payment as any payment that should **not** have been issued or was issued in an incorrect amount under statutory, contractual, administrative, or other legally applicable requirement.

44-70 (Reserved)

71 Applying for Benefits

A Application Process

To apply for LIP, the participant must provide a notice of loss in the FSA administrative County Office the earlier of the following:

- 30 calendar days of when the loss of livestock was apparent to the participant
- 30 calendar days after the end of the calendar year in which the loss of livestock occurred.

For 2008 calendar year livestock death losses and 2009 calendar year livestock death losses that occurred before July 13, 2009, the participant must provide a notice of loss in the FSA administrative County Office by no later than September 13, 2009.

A notice of loss is part of the application process. Multiple notices of loss may be filed during the calendar year as livestock deaths occur because of multiple adverse weather events. Producers that suffer multiple livestock losses during the calendar year may file multiple notices of loss and multiple applications for payment.

Applications for payment are completed on a calendar year basis. Other documentation is required for a complete application.

Note: If livestock deaths are caused by multiple adverse weather events that occur during the calendar year, livestock deaths shall be reported and a notice of loss filed for each separate eligible adverse weather event. Each eligible adverse weather event will be sequentially numbered in the notice of loss section of the application.

Example: The following adverse weather events occurred in County A:

- Winter Storms: March 27, 2009, through March 30, 2009
- Excessive Moisture: August 15, 2009, through August 21, 2009.

Producer A suffered livestock losses because of winter storms and excessive moisture during the calendar year. Five adult beef cows died as a direct result of the winter storm that occurred during March 27, 2009, through March 30, 2009. Producer A telephones County A and reports the loss of five adult beef cows. The winter storm is recorded as adverse weather event number 1 on the notice of loss. Producer A lost 4 non adult beef cows because of excessive moisture during August 15, 2009, through August 21, 2009. Producer A faxed a notice of loss to County A. Excessive moisture is recorded as adverse weather event number 2 on the notice of loss.

On December 1, Producer A files an application for payment, reviews the notice of loss, and signs the application for payment.

72 Notice of Loss

A Filing Notice of Loss

Participants must file a notice of loss on FSA-914, Parts A and B, in their administrative County Office the earlier of:

- 30 calendar days of when the loss of livestock was apparent to the participant, or
- 30 calendar days after the end of the calendar year in which the loss of livestock occurred.

For 2008 calendar year livestock death losses and 2009 calendar year livestock death losses that occurred before July 13, 2009, the participant must provide a notice of loss on FSA-914 in the FSA administrative County Office by no later than September 13, 2009.

A notice of loss may be filed by the participant or participant's representative by 1 of the following alternative methods:

- telephone
- facsimile
- e-mail.

Note: The participant is not required to sign the notice of loss if 1 of the alternative methods is used. However, the employee accepting the "notice of loss" shall enter the method by which the "notice of loss" was filed in FSA-914, Item 8A if the participant or participant's representative did not sign.

Example: Producer A lost 5 adult beef cows as the result of a blizzard on January 15, 2009. Producer A telephones County Office on January 25, 2009, and reports that he/she lost 5 adult beef cows because of a blizzard that occurred on January 15, 2009. County Office enters "phone" in Item 8A as the method for which the "Notice of Loss" was reported.

Producer A lost 6 adult beef cows as the result of a flood that occurred on May 15, 2009. Producer A e-mails County Office on May 31, 2009, and reports he/she lost 6 adult beef cows because of a flood that occurred on May 15, County Office enters "e-mail" in Item 8A as the method for which the subsequent "Notice of Loss" was reported.

73 Application for Payment

A Filing Application for Payment

To apply for LIP benefits, eligible livestock owners and livestock contract growers shall file a manual application for payment on FSA-914, according to paragraph 76, in **their administrative County Office** until the automated software becomes available. When the automated software becomes available, then an automated application for payment shall be filed.

Note: A minor child is eligible to file FSA-914, if all eligibility requirements are met.

In addition to the notice of loss required in paragraph 72, eligible livestock owners and contract growers that suffer livestock losses shall file an application for payment no later than either of the following:

- 30 calendar days after the end of the calendar year in which the loss of livestock occurred
- September 13, 2009, for livestock losses that occurred during calendar year 2008.

For 2008 calendar year livestock losses, the livestock owner or contract growers must complete an application for payment no later than September 13, 2009. However, for 2009 and subsequent years, if an eligible livestock owner or contract grower suffers eligible livestock losses because of an eligible adverse weather event, the **eligible livestock owner or contract grower shall be encouraged** to complete an application for payment within 30 calendar days of when the loss was apparent; however, the application for payment must be completed no later than 30 calendar days after the end of the calendar year of when the loss occurred.

For 2008 calendar year livestock losses, the application for payment must be signed and dated by the participant by September 13, 2009, to be considered timely filed. For 2009 and subsequent calendar year livestock losses, the application for payment must be signed and dated by the participant no later than 30 calendar days after the end of the calendar year of when the loss occurred. There are **no** late-filed provisions for LIP (**paragraph 40**).

Note: A notice of loss must be on file for an application for payment to be filed.

State and County Offices shall not use unapproved forms, worksheets, applications, or other documents to obtain or collect the data required from participants to complete FSA-914 (subparagraph 21 E).

FSA-914's for LIP will be based on the following:

- administrative county (physical location county)
- calendar year
- participant.

At any point when 1 of these items is different, it will require a separate FSA-914 to be filed.

73 Application for Payment (Continued)

A Filing Application for Payment (Continued)

Producers can file multiple applications for payment within 1 calendar year.

FSA-914's shall be filed by eligible livestock owners and contract growers in **their administrative County Office**. The administrative County Office is the County Office designated by FSA to:

- handle official records
- issue payment to eligible livestock producers
- make determinations.

A livestock owner or contract grower's administrative County Office is generally the County Office where the livestock owner or contract grower's farm records are maintained. FSA has provisions in 2-CM and 3-CM that will allow farms to be transferred to other counties; therefore, some farms may be administratively located in a county where the farm is not physically located.

LIP applications will be filed in the farm's administrative county.

When a participant has a percentage share interest in a livestock operation with an associated producer that is physically located in the same county, which is the administrative county, in the same calendar year, the eligible livestock for each participant shall be listed on separate FSA-914's based on each participant's share in the livestock operation.

Example: Jane Jones has the following livestock interests in Castro County, Texas, for calendar year 2008. Livestock were lost because of eligible adverse weather events:

50-50 share owner of a beef cattle herd with Bill Green. Jane Jones and Bill Green, as individuals, each have a 50 percent interest in 100 head of beef cattle; 10 adult beef cows were lost because of adverse weather.

The following two FSA-914's would be filed in Castro County, Texas, for calendar year 2008, assuming all participants file an application for the eligible livestock and none of the participants have any other livestock interests:

- one FSA-914 for Jane Jones of 5 eligible adult beef cows from the operation she shares with Bill Green.
- one FSA-914 for Bill Green of 5 adult beef cows from the operation he shares with Jane Jones.

73 Application for Payment (Continued)**A Filing Application for Payment (Continued)**

When, in the same calendar year, a participant has a percentage share interest with different associated producers in multiple livestock operations that are physically located in the same county, which is the administrative county, the eligible livestock for each participant shall be listed on separate FSA-914's based on each participant's share.

Example: Sammy Smith has the following livestock interests in Motley County, Texas, which suffered an eligible adverse weather event for calendar year 2009.

- 50-50 share owner of a beef cattle herd with Bill Brown. Sammy Smith and Bill Brown, as individuals, each have a 50 percent interest in 100 head of beef cattle; 10 adult beef cows were lost because of adverse weather.
- 75-25 share owner of a beef cattle herd with Martha Green; Sammy Smith and Martha Green jointly own the beef cattle as individuals on 75-25 percent share; 20 adult beef cows were lost because of adverse weather.
- 25-50-25 share owner of a beef cattle herd with Bob Black and Mike White. Sammy Smith, Bob Black, and Mike White have a 25-50-25 percent interest, respectively, in the 300 beef cattle; 25 adult beef cows were lost because of adverse weather after normal mortality.

73 Application for Payment (Continued)**A Filing Application for Payment (Continued)**

The following five FSA-914's would be filed in Motley County, Texas, the administrative county for calendar year 2009, assuming all participants file FSA-914 for the eligible livestock, and none of the participants have any other livestock interests:

- one FSA-914 for Sammy Smith that includes **all** of the following:
 - 26 adult beef cows which includes:
 - 5 eligible adult beef adult cows from the operation with Bill Brown
 - 15 eligible adult beef cows from the operation with Martha Green
 - 6 adult beef cows from the operation with Bob Black and Mike White
- one FSA-914 for Bill Brown of 5 eligible adult beef cows from the operation he shares with Sammy Smith
- one FSA-914 for Martha Green of 5 eligible adult beef cows from the operation she shares with Sammy Smith
- one FSA-914 for Bob Black of 13 eligible adult beef cows from the operation he shares with Sammy Smith and Mike White

Note: Mr. White and Mr. Smith agreed to allow Mr. Black to claim 1 extra adult beef cow.

- one FSA-914 for Mike White of 6 eligible adult beef cows from the operation he shares with Sammy Smith and Bob Black.

73 Application for Payment (Continued)**B Signing and Certifying FSA-914**

When signing FSA-914, item 25A, the participant is:

- applying for LIP benefits for the participant listed on FSA-914, item 5
- certifying **all** of the following:
 - information provided on FSA-914 is true and correct
 - claimed livestock died during the calendar year and as a direct result of an eligible adverse weather event
 - livestock claimed on FSA-914 are eligible livestock according to subparagraph 41 B or D, as applicable
 - the physical location of the:
 - claimed livestock on the day they died
 - participant's current livestock inventory
 - the names of all other producers that had an interest in the claimed livestock
 - all supporting documentation provided are true and correct copies of the transaction reported
- authorizing FSA officials to:
 - enter upon, inspect, and verify all applicable livestock, and livestock deaths, in which the participant has an interest for the purpose of confirming the accuracy of the information provided
 - review, verify, and authenticate all information provided on FSA-914 and supporting documents provided
 - contact other agencies, organizations, or facilities to verify data provided by a participant or third party from such agencies, organizations, or facilities
- acknowledging that:
 - failure to provide information requested by FSA is cause for disapproval of FSA-914
 - providing a false certification to FSA is cause for disapproval of FSA-914, and is punishable by imprisonment, fines, and other penalties.

73 Application for Payment (Continued)**B Signing and Certifying FSA-914 (Continued)**

Note: Participants who receive assistance must keep records and supporting documentation for 3 years following the end of the year in which the application for payment was filed.

C Signature Requirements

All participants' signatures **must** be received no later than:

- September 13, 2009, for 2008 calendar year applications for payment
- 30 calendar days after the end of the calendar year in which the loss of livestock occurred for 2009 and subsequent calendar years applications for payment.

Neither STC nor COC has authority to approve late-filed FSA-914.

Follow 1-CM for signature requirements.

Important: 1-CM, Part 25 provides signature requirements for general partnerships. County Offices shall see 1-CM for signature requirements for general partnerships.

Notes: General partnerships must have a permanent tax ID number to receive any FSA payment. FSA payments shall not be issued to the individual members of a general partnership.

FSA payments may be issued to:

- a joint venture with a permanent tax ID number
- the individual members of a joint venture, using the individual member's ID numbers, when the joint venture does not have a permanent tax ID number.

D Printing and Reviewing Automated FSA-914

Once the automated system becomes available, all manual FSA-914's shall be loaded into the automated system. After all information is entered into the automated system, County Offices shall:

- print an automated FSA-914
- attach the manual FSA-914 to the automated FSA-914
- conduct a second party review of all data on the automated FSA-914 to ensure that all data is the same on both the manual and automated FSA-914.

73 Application for Payment (Continued)

D Printing and Reviewing Automated FSA-914 (Continued)

Important: The individual conducting the second party review shall not be the same individual who entered the data into the automated system.

E Proof of Death

When FSA-914 is submitted, participants must provide **verifiable** documentation of livestock deaths claimed on FSA-914. Adequate documentation must be provided that proves the death of eligible livestock occurred as a direct result of an eligible adverse weather event in the calendar year for which benefits are being requestd.

The documentation must provide sufficient data that identifies the quantity and the livestock kind/type and weight range. Documents providing verifiable evidence may include, but are not limited to, any or a combination of the following:

- rendering truck receipts or certificates
- FEMA records
- National Guard records
- veterinary records
- records assembled for tax purposes
- private insurance documents
- written contracts
- bank or other loan documents
- purchase records
- productions records
- property tax records.

Note: In addition, livestock contract growers must provide a copy of their grower contract.

73 Application for Payment (Continued)

F Producer Records

If adequate verifiable proof of death records documentation is not available, the participant may provide reliable records, in conjunction with verifiable beginning and ending inventory records, as proof of death.

See subparagraph H for verifiable documentation of inventory.

Reliable records may include, but are not limited to:

- contemporaneous producer records existing at the time of the event
- picture(s) with a date
- brand inspection records
- dairy herd improvement records
- other similar reliable documents.

73 Application for Payment (Continued)

G Third Party Certifications

If a participant is unable to provide verifiable or reliable records as proof of death according to subparagraphs E or F, the participant may use a third party certification as proof of death.

County Office and COC general knowledge of adverse weather in the area is **not** acceptable as third party certification under any circumstance.

COC shall provide a written monthly report to DD indicating the number of third party certifications reviewed and approved/disapproved.

Third party certification of livestock deaths may be accepted **only when all** of the following are met:

- livestock owner or contract grower, as applicable:
 - completes FSA-926 according to paragraph 74 and certifies to **all** of the following:
 - no other form of proof of death is available
 - number of livestock, by category, in inventory when the deaths occurred
 - physical location of livestock, by category, in inventory when the deaths occurred
 - provides verifiable documentation that supports the reasonableness of the number of livestock in inventory when the deaths occurred, as certified by participant according to subparagraph H

Important: See subparagraph H for verifiable documentation of inventory.

- third party completes and certifies on FSA-926 according to paragraph 74 to **all** of the following:
 - specific details about how the third party has knowledge of the animal deaths
 - the affiliation of the third party

Note: The third party must be an independent source who is **not affiliated** with the farming operation such as a hired hand and is not a “family member” defined as a person whom a member in the farming operation or their spouse is related as lineal ancestor, lineal descendant, sibling, or spouse.

- telephone number and address of the third party
- number and kind/type and weight range of participant’s livestock that died because of the eligible adverse weather event
- any other details necessary for COC and DD to determine that the certification is acceptable.

73 Application for Payment (Continued)

G Third Party Certifications (Continued)

COC reviews the participant's and third party's certification on FSA-926 and determines all of the following:

- documents provided as evidence of livestock inventory are acceptable
- livestock inventory is reasonable based on documents provided
- claimed losses are reasonable
- third party is a reliable source in a position to have knowledge of loss
- certifications of participant and third party meet all requirements.

Important: COC shall approve or disapprove the participant and third party certifications when review is complete, and document review in the COC minutes.

Example: Jane Doe completes FSA-914 certifying 15 head of adult beef cows and 25 non-adult beef cattle under 400 pounds died because of adverse weather.

Mrs. Doe completes FSA-926 indicating she has no proof of death of the cows and calves because they all drowned when a flash flood covered parts of their pastures, and none of the carcasses were ever located.

Mrs. Doe signs and dates FSA-926 indicating no proof of death is available because the livestock claimed on FSA-914 drowned, and no carcasses were ever located. She also certifies on FSA-926 that when the flash flood occurred she had 200 head of adult beef cows and 180 head of non-adult beef cattle under 400 pounds in the pasture where the deaths occurred. As evidence of the beginning inventory, Mrs. Doe submits copies of bank loan documents for the purchase of 180 beef cows, purchase receipts for a total of 193 beef cows, and veterinary records indicating she had 185 beef calves wormed in July 2008. Mrs. Doe certifies on FSA-926 that she cannot locate the purchase receipts for the remaining 7 head of beef cows; however, she purchased them at the local county livestock auction in May 2007. Mrs. Doe certifies on FSA-926 that all the beef cows and calves in inventory when the animals drowned were physically located in fields 5, 6, and 7 on tract 1093 of FSN 458 in Jefferson County.

Mike Green, Mrs. Doe's neighbor, completes FSA-926 certifying that he has knowledge of the livestock deaths claimed by Mrs. Doe because his cattle are located in the pasture adjacent to Mrs. Does', and he witnessed the flash flood cover the area, and cattle being drowned before they could be safely rescued. After reviewing FSA-914, Mr. Green certifies on FSA-926 that he believes the information provided on FSA-914 is true and correct.

73 Application for Payment (Continued)

G Third Party Certifications (Continued)

COC reviews Mrs. Doe's FSA-914, and FSA-926 provided by Mrs. Doe and Mr. Green, and the documents provided by Mrs. Doe to support the beginning inventory numbers. Based on the information provided, COC requests Mrs. Doe contact the local livestock auction company where the beef cows were purchased and request a copy of the purchase report or receipts.

After obtaining a purchase report from the local auction company indicating Mrs. Doe did purchase 7 beef cows in May 2007, COC determines the evidence of livestock inventory at time of the livestock deaths, and claimed livestock deaths are reasonable based on the information provided on FSA-926 and according to subparagraph H.

COC signs, dates, and approves FSA-926 provided by Mrs. Doe and Mr. Green, and documents the review in the COC minutes during the meeting in which Mrs. Doe's FSA-914 is approved by COC.

73 Application for Payment (Continued)

H Proof and Reasonableness of Livestock Inventory

Livestock owners and livestock contract growers that cannot provide verifiable documentation of proof of death according to subparagraph E must provide verifiable documentation of their livestock inventory when the deaths occurred according to this subparagraph.

Documents that may provide verifiable evidence of livestock inventory include, but are **not** limited to, any or a combination of the following:

- veterinary records
- canceled check documentation
- balance sheets
- inventory records used for tax purposes
- loan records
- bank statements
- farm credit balance sheets
- property tax records
- brand inspection records
- sales and purchase receipts
- private insurance documents
- chattel inspections.

Important: Previous FSA or FSA livestock program documents that were subject to spot check, such as 2005-2007 LCP:

- may provide the number of certain animal types that may be used as a starting point for determining the livestock inventory when the deaths occurred
- shall **not** be used as the **only** source of evidence of livestock inventory.

73 Application for Payment (Continued)

H Proof and Reasonableness of Livestock Inventory (Continued)

Example: John Brown certified to 125 head of adult beef cows on his FSA-approved 2007 LCP application. The 125 head of adult beef cows certified on the 2007 LCP application may be used in combination with purchase and sales reports, birth and death records, and other verifiable documents providing evidence of beef cattle for Mr. Brown to determine the beef cattle inventory when the deaths occurred. However, the 2007 LCP application data by itself is **not** sufficient evidence of livestock inventory when the deaths occurred in 2009.

Note: None of the documents listed in this subparagraph, by themselves, may be sufficient evidence to determine the reasonableness of the number of livestock in inventory when the deaths occurred. COC's shall ensure that the documents submitted by participants provide verifiable evidence that supports the reasonableness of the number of livestock inventory when the deaths occurred, as certified by the participant.

COC's shall determine the reasonableness of the livestock inventory and claimed losses using the following guidelines, when appropriate, for calving, farrowing, and kidding:

- 90 percent calving rate
- 103 to 105 percent for sheep
- 150 to 180 percent kidding rate
- 8.5 pigs per litter farrowing rate.

Example: A participant reports a livestock inventory of 150 beef cows, 5 beef bulls, and 155 beef calves when the deaths occurred. The normal calving rate would yield 135 (150 times 90 percent) calves. Based on the normal calving rate, 155 calves for 150 cows does not appear reasonable. COC should question the livestock inventory if it is not supported by verifiable documentation.

73 Application for Payment (Continued)

I Supporting Documents

All supporting documents must be completed by the participant and on file in the County Office:

- no later than 30 calendar days after the end of the calendar year for which benefits are requested
- before FSA-914 may be approved.

Supporting documents include, but may not be limited to, the following:

- CCC-901 applicable for 2009 and subsequent years
- AD-1026 applicable for 2008, 2009, 2010, 2011
- CCC-526 or other acceptable document according to 1-PL to determine compliance with average AGI provisions for 2008
- CCC-926 or other acceptable document according to 4-PL to determine compliance with average AGI provisions for 2009 and subsequent years
- proof of death documentation
- copy of contract growers contracts.

74 FSA-926, Livestock Indemnity Program Third Party Certification

A Completing FSA-926

Complete FSA-926 according to the following table:

Item No.	Instruction
1	Enter State and County Code. This is the administrative County Office where the participant’s farm records are maintained.
2	Enter the calendar year the livestock deaths occurred. Note: If the deaths occurred in 2 different calendar years as a result of the same adverse weather event, a separate certification must be filed for each calendar year to include only the livestock lost during the calendar year.
3	Enter County Office name and address. This is the administrative County Office where the participant’s farm records are maintained.
Part A – Livestock Producer Information	
4	Enter the participant’s name and address, including city, State and ZIP code.
Part B – Livestock Producer Certification of Livestock and Losses	
5	Enter the adverse weather event(s) number from FSA-914, Item 12.
6	Enter “YES” if the producer in Item 4 is a contract grower. Otherwise, enter “NO”.
7	Enter livestock kind/type and weight range for which loss occurred, for which no other proof of death is available. An entry in this field is always required when there is a loss in a particular kind/type and weight range of livestock for which no other proof of death is available. Note: Livestock by kind, type, and weight range can be obtained from the local FSA office or LIP Fact Sheet located at https://disaster.fsa.usda.gov .

74 FSA-926, Livestock Indemnity Program Third Party Certification (Continued)

A Completing FSA-926 (Continued)

Item No.	Instruction
8	Enter the total number of livestock, by kind/type and weight range, in inventory at the time the loss occurred for which no other form of proof of death is available.
9	Enter the physical location of livestock in inventory when deaths occurred. Include the name of the county where the livestock were located when the deaths occurred. Example: Jones County, Texas, farm 100
10	Enter the type of documentation provided to support reasonableness of livestock in inventory when deaths occurred. Type of records may include but is not limited to: <ul style="list-style-type: none"> • veterinary records • loan records • farm credit balance sheets • property tax records.
Part C - Livestock Producer Certification	
11A	Participant or representative of participant signs to indicate that livestock losses have occurred because of an eligible adverse weather event, that no other form of proof of death is available, the number livestock in Item 8 were in inventory when the loss occurred, the livestock in inventory were physically located as described in Item 9, and all other information provided is true and correct.
11B	Signatory in Item 11A shall enter their title/relationship when signing in the representative capacity. Note: If a participant/applicant is not signing in the representative capacity, this field should be left blank. If a participant/applicant is signing on behalf of themselves, it is acceptable to write "self"; however, it is not necessary.
11C	Participant or participant's representative enters signature date.

74 FSA-926, Livestock Indemnity Program Third Party Certification (Continued)

A Completing FSA-926 (Continued)

Item No.	Instruction
Part D – Third Party Certification Information	
12	Enter the name and address including city, State, and ZIP code of the third party.
13	Enter the telephone number of the third party.
14	<p>Enter the affiliation of the third party to the participant. Third party is an independent source such as veterinarian, neighbor or other.</p> <p>Note: Third party must be an independent source who is not affiliated with the farming operation such as a hired hand or family member.</p>
Part E – Third Party – Specific Details of Livestock Deaths	
15	<p>Enter specific details about how the third party has knowledge of the animal deaths.</p> <p>Written details should be specific about the knowledge of the animal deaths and could include pictures or other documentation, if available.</p> <p>Written details should also include dates of adverse weather event, type of adverse weather event, physical location of third party relevant to the location of the participant’s livestock that were lost or participant’s farm.</p>
Part F –Third Party – Certification of Livestock Deaths	
16	<p>Enter the livestock kind/type and weight range of the participant’s livestock that died because of an eligible adverse weather event that the third party has knowledge of.</p> <p>Note: Livestock kind/type and weight range can be obtained from the local FSA office or LIP Fact Sheet located at https://disaster.fsa.usda.gov.</p>
17	Enter the number of livestock lost because of an eligible adverse weather event, for the specific kind/type and weight range entered in Item 16, that the third party has knowledge of.

74 FSA-926, Livestock Indemnity Program Third Party Certification (Continued)

A Completing FSA-926 (Continued)

Item No.	Instruction
Part G – Third Party Certification of Other Details	
18	Enter any other relevant details related to the livestock deaths the third party is certifying to.
Part H – Third Party Signature Certification	
19A through 19B	After reading the certification, third party signs and dates.
Part I - County Committee Determination	
20 through 24	COC shall review the participant’s and third party’s certification and document their determination by checking “YES” or “NO” to each of the questions in Part I. If “NO”, is checked for any of the questions, COC shall explain their determination in Item 25.
25	Enter explanations from Items 20 through 24.
26	Enter COC signature. Note: Only COC can “approve” or “disapprove” a third party certification.
27	Enter date of COC action.
28	Enter a check in “approved” or “disapproved” box.

74 FSA-926, Livestock Indemnity Program Third Party Certification (Continued)

B Example of FSA-926 (Continued)

FSA -926 (Proposal 2)		Page 3 of 3
PART I – COUNTY COMMITTEE DETERMINATION		
	YES	NO
20. Documents provided as evidence of livestock inventory are acceptable. If NO, explain in Item 25.		
21. Livestock inventory is reasonable based on documents provided. If NO, explain in Item 25.		
22. Claimed livestock losses are reasonable. If NO, explain in Item 25.		
23. Third party is a reliable source in a position to have knowledge of loss. If NO, explain in Item 25.		
24. Certification of participant and third party meet all requirements. If NO, explain in Item 25.		
25. Comment		
26. COC Signature	27. Date (MM-DD-YYYY)	28. Determination <input type="checkbox"/> Approved <input type="checkbox"/> Disapproved

75 Acting on FSA-914

A Approving FSA-914

COC or CED must act on all completed and signed FSA-914's submitted.

Exception: Only COC has authority to act on (approve or disapprove) FSA-914's submitted that use producer records or third party certification as proof of loss.

Note: CED may delegate approval authority to program technicians for routine cases where proof of death is provided according to subparagraph 73 E. Delegation must be documented in the COC minutes.

Program technicians shall **not** be delegated authority to:

- disapprove any FSA-914
- approve any FSA-914 where producer records or third party certification is used to prove loss.

Important: DD review of initial applications must be completed according to subparagraph D before applications may be approved or disapproved.

FSA-914 shall be approved or disapproved as certified by the participant. When more than 1 type of livestock is claimed, FSA-914 shall be approved or disapproved based on all livestock claimed. However, COC does have authority to make adjustments to certain information reported on FSA-914 when documentation warrants making adjustments.

Example: Jim Brown files FSA-914 that includes 10 adult beef cows reported in Item 16 lost because of adverse weather that meet the livestock eligibility requirements and 5 horses lost because of adverse weather that do not meet the livestock eligibility requirements. In this case, COC can enter "0" in Item 19, "COC Adjusted Number of Lost Due to Adverse Weather" field of FSA-914 for horses and then approve FSA-914 for the 10 eligible adult beef cows. Jim Brown would be provided appeal rights according to 1-APP for the 5 horses not paid.

75 Acting on FSA-914 (Continued)**A Approving FSA-914 (Continued)**

Before approving FSA-914, COC or CED **must**:

- ensure that **all** program eligibility requirements are met
- be satisfied with **all** the following:
 - claimed livestock deaths occurred:
 - because of an adverse weather event, and
 - on or after January 1, 2008, and before October 1, 2011, and
 - in the calendar year benefits are being requested
 - reasonableness of the claimed livestock deaths
 - proof of death provided is verifiable
 - documentation of livestock inventory when the deaths occurred, if applicable, is verifiable
 - third party certifications, if applicable, meet all requirements according to subparagraph 73 G
 - all signature requirements are met.

Note: See subparagraph B when:

- COC or CED questions any data provided by participant
- disapproving FSA-914.

75 Acting on FSA-914 (Continued)

B Disapproving FSA-914

COC or CED must act on all completed and signed FSA-914's submitted. See subparagraph A when approving FSA-914.

Exception: Only COC has authority to act on (approve or disapprove) FSA-914's submitted that use producer records or third party certification as proof of loss.

Note: Program technicians shall **not** be delegated authority to disapprove FSA-914's.

Important: DD review of initial applications must be completed according to subparagraph D before applications may be approved or disapproved.

FSA-914 shall be approved or disapproved as certified by the participant. When more than 1 type of livestock is claimed, FSA-914 shall be approved or disapproved based on all livestock claimed. However, COC does have authority to make adjustments to certain information reported on FSA-914 when documentation warrants making adjustments.

Example: Jim Brown files FSA-914 that includes 10 adult beef cows reported in Item 16 lost because of adverse weather that meet the livestock eligibility requirements and 5 horses lost because of adverse weather that do not meet the livestock eligibility requirements. In this case, COC can enter "0" in Item 19, "COC Adjusted Number of Lost Due to Adverse Weather" field of FSA-914 for horses and then approve FSA-914 for the 10 eligible adult beef cows. Jim Brown would be provided appeal rights according to 1-APP for the 5 horses not paid.

If it is determined that any information provided on FSA-914 is not reasonable or is questionable, additional verifiable documentation or evidence shall be requested from the participant to support the data provided. Other agencies, organizations, or facilities may also be contacted to verify information provided by participants.

Important: See subparagraph C when contacting other agencies, organizations, or facilities to verify information provided by participants.

Exception: COC shall **not** require tax records; however, participant may voluntarily provide tax records.

75 Acting on FSA-914 (Continued)

B Disapproving FSA-914 (Continued)

If all program eligibility requirements are **not** met, or it is determined that the information on FSA-914, or any additional supporting documentation provided by the participant, is **not** accurate or reasonable, then the following actions shall be taken:

- disapprove FSA-914
- notify participant of disapproval
- provide participant applicable appeal rights according to 1-APP
- thoroughly document reason for disapproval in the COC minutes.

C Verifying Data With Other Agencies, Organizations, or Facilities

When contacting agencies, organizations, or facilities to verify data provided by a participant or third party, the County Office shall be specific in the information requested. The request should include, but is not limited to, the following:

- participant's name and address
- animal kind and type
- reason the request is being made
- information that is being requested.

75 Acting on FSA-914 (Continued)

D DD Review and Report of Initial FSA-914's

DD shall review the first five FSA-914's before approval where:

- proof of death is provided according to subparagraph 73 F, before COC or CED may approve any such FSA-914
- third party certification is used to prove death according to subparagraph 73 G, before COC may approve any such FSA-914.

Note: Only COC is authorized to act on FSA-914's where third party certification is used to prove loss.

The review shall include ensuring that:

- separate FSA-914's are submitted by participant and administrative county
- signature requirements, including power of attorney, are met
- proof of death is provided and verifiable, according to subparagraph 73 G, when applicable
- third party certifications, if applicable, meet all requirements according to subparagraph 73 G
- no State or County Office developed forms, worksheets, applications, or other documents are being used to obtain or collect the data required from participants
- supporting data required for payment eligibility is properly completed and on file, such as CCC-901, CCC-926, CCC-502, AD-1026, and accurate subsidiary and SCIMS data.

75 Acting on FSA-914 (Continued)

D DD Review and Report of Initial FSA-914's (Continued)

Within 10 workdays of completing the review, DD shall provide a written report to SED describing the review findings, including a list of errors discovered, proposed corrective action, and the overall status of implementing LIP in the County Office.

DD review of the initial FSA-914's and supporting documentation submitted is critical to ensuring that LIP is being administered according to the procedures provided in this handbook and the regulations in 7 CFR Part 760, Subparts B and E.

Reviewing the initial FSA-914's and supporting documentation in a timely manner:

- identifies possible weaknesses in the administration of the program that may be resolved by additional training, clarified procedures, or modified software
- prevents numerous participants from being impacted by erroneous administration of the program
- allows corrections to be made in a timely manner before erroneous payments are issued.

76 FSA-914, Livestock Indemnity Program Application

A Completing Manual FSA-914

Complete FSA-914 according to the following table.

Item No.	Instruction
1	Enter State and County Code. This is the administrative County Office where the producer's farm records are maintained.
2	Enter the calendar year the livestock deaths occurred. Note: If the deaths occurred in 2 different calendar years as a result of the same adverse weather event, a separate application must be filed for each calendar year to include only the livestock lost during the calendar year.
3	Enter County Office Name. This is the administrative County Office where the producer's farm records are maintained.
4	Enter the application number. Note: This is an automated system assigned number.
Part A - Producer Information	
5	Enter the producer's name and address.
Part B - Notice of Loss	
6	Enter the later of the following: <ul style="list-style-type: none"> • date(s) the livestock died • date(s) the livestock loss was apparent to the producer. <p>Notes: A number should be assigned to each date of occurrence/when loss was apparent. This number will be used to tie the adverse weather event(s) entered in Item 7 to the date of occurrence/when loss was apparent.</p> <p>Example: For a freeze and blizzard that occurred on March 1, 2008, and hurricane that occurred on August 1, 2008, Item 6 should be completed as follows:</p> <p style="margin-left: 40px;"><u>Item 6:</u></p> <ol style="list-style-type: none"> 1. March 1, 2008 2. August 1, 2008 <p>Multiple dates may be entered if livestock deaths resulted from more than 1 eligible adverse weather event during the calendar year. Dates can be a range of dates.</p>

76 FSA-914, Livestock Indemnity Program Application (Continued)

A Completing Manual FSA-914 (Continued)

Item No.	Instruction								
7	<p>Enter the eligible adverse weather event(s) that caused the livestock deaths.</p> <p>Notes: Enter the number from date of occurrence/when loss was apparent from Item 6 that corresponds with the adverse weather event.</p> <p>Example: For a freeze and blizzard that occurred on March 1, 2008, and hurricane that occurred on August 1, 2008, Item 6 and Item 7 should be completed as follows:</p> <table data-bbox="690 688 1209 871"> <tr> <td style="text-align: center;"><u>Item 6:</u></td> <td style="text-align: center;"><u>Item 7:</u></td> </tr> <tr> <td style="text-align: center;">1. March 1, 2008</td> <td style="text-align: center;">1. Freeze</td> </tr> <tr> <td style="text-align: center;">2. August 1, 2008</td> <td style="text-align: center;">1. Blizzard</td> </tr> <tr> <td></td> <td style="text-align: center;">2. Hurricane</td> </tr> </table> <p>Multiple adverse weather events may be entered if more than 1 eligible adverse weather event resulted in the loss of eligible livestock during the calendar year.</p>	<u>Item 6:</u>	<u>Item 7:</u>	1. March 1, 2008	1. Freeze	2. August 1, 2008	1. Blizzard		2. Hurricane
<u>Item 6:</u>	<u>Item 7:</u>								
1. March 1, 2008	1. Freeze								
2. August 1, 2008	1. Blizzard								
	2. Hurricane								

76 FSA-914, Livestock Indemnity Program Application (Continued)

A Completing Manual FSA-914 (Continued)

Item No.	Instruction
8A	<p>Producer or representative of producer may sign to indicate that livestock losses have occurred because of the adverse weather event(s) listed in Item 7 and the losses occurred or were apparent to the producer on the date(s) listed in Item 6.</p> <p>Producer or producer representative may also file a “notice of loss” with the administrative County Office by 1 of the following alternative methods:</p> <ul style="list-style-type: none"> • telephone • facsimile • e-mail. <p>Enter the method by which the “notice of loss” was filed with the administrative County Office if the producer or producer’s representative did not sign in Item 8A.</p> <p>Note: Multiple “Notices of Loss” may be filed during the calendar year if multiple adverse weather events resulted in livestock losses during the calendar year.</p> <p>Example: Producer A lost 5 adult beef cows as the result of a blizzard on January 15, 2009. Producer A phones County Office on January 25, 2009, and reports that he/she lost 5 adult beef cows because of a blizzard that occurred on January 15, 2009. County Office enters “phone” in Item 8A as the method for which the “Notice of Loss” was reported.</p> <p>Producer A lost 6 adult beef cows as the result of a flood that occurred on May 15, 2009. Producer A e-mails County Office on May 31, 2009, and reports he/she lost 6 adult beef cows because of a flood that occurred on May 15, 2009. County Office enters “e-mail” in Item 8A as the method for which the subsequent “Notice of Loss” was reported.</p>

76 FSA-914, Livestock Indemnity Program Application (Continued)

A Completing Manual FSA-914 (Continued)

Item No.	Instruction
8B	<p>Signatory in Item 8A shall enter their title/relationship when signing in the representative capacity.</p> <p>If a producer/applicant is not signing in the representative capacity, this field should be left blank. If a producer/applicant is signing on behalf of themselves, it is acceptable to write "self"; however, it is not necessary.</p>
8C	<p>Producer or producer's representative enters date they signed "Notice of Loss" or County Office employee enters date producer or producer's representative reported "Notice of Loss" using 1 of the alternative methods in Item 8A.</p>
Part C - Livestock Location and Associated Producer Information	
9	<p>Enter the physical location of claimed livestock at the time they died for the adverse weather event. Include the name of the County where the claimed livestock were physically located at the time they died.</p> <p>Example: Jones County, Texas, Farm 100.</p>
10	<p>Enter the current physical location of the livestock in inventory.</p> <p>Example: Jones County, Texas, Farm 100.</p>
11	<p>Enter associated producers who had an ownership or contract grower share in the livestock and indicate their share.</p>
Part D - Livestock Losses by Kind and Type	
12	<p>Enter the corresponding number associated to the date of occurrence entered in Item 6 that applies to the loss of livestock to be entered in Item 14.</p>
13	<p>Enter "YES" if the producer in Item 5 is a contract grower. Otherwise, enter "NO".</p>

76 FSA-914, Livestock Indemnity Program Application (Continued)

A Completing Manual FSA-914 (Continued)

Item No.	Instruction
14	<p>Enter livestock kind, type, and weight range for which loss occurred.</p> <p>If livestock in a previously recorded livestock kind/type and weight has changed to a new weight range, and a loss has occurred to the livestock in the new weight range, enter the original and new livestock kind/type and weight range as follows on the same line:</p> <p>Non-adult beef cattle under 400 lbs. (original) Non-adult beef cattle 400 lbs. or more (new).</p> <p>Note: Losses occurring for the non-adult beef cattle 400 lbs. or more (new) would be recorded in Item 16. An entry would not be entered Item 15.</p> <p>An entry in this field is always required when there is a loss in a particular kind, type, and weight range of livestock.</p> <p>Note: Livestock by kind, type, and weight range can be obtained from the local FSA office or LIP Fact Sheet located at http://disaster.fsa.usda.gov.</p>

76 FSA-914, Livestock Indemnity Program Application (Continued)

A Completing Manual FSA-914 (Continued)

Item No.	Instruction
15	<p>Enter the total number of eligible livestock listed in Item 14 in inventory on the beginning date of the adverse weather event referenced in Item 12 when 1 of the following apply.</p> <ul style="list-style-type: none"> <li data-bbox="428 512 1463 611">• The loss being reported is the first loss of livestock incurred for the particular kind/type, and weight range of livestock listed in Item 14 for the adverse weather event date referenced in Item 12. <p>Example: Producer A lost 10 head of adult beef cows out of the 100 head of adult beef cows in inventory because of a hurricane on May 1, 2009. The producer had not previously incurred a loss of adult beef cows in inventory for this particular kind, type, and weight range of livestock because of an eligible adverse weather event. Producer A would enter 100 as inventory in Item 15.</p> <ul style="list-style-type: none"> <li data-bbox="428 953 1463 1125">• Additional livestock are purchased for a particular kind/type and weight range of livestock after the first loss of livestock for that particular kind/type and weight range of livestock has been incurred, and the additional purchased livestock have incurred a loss because of an eligible adverse weather event date. <p>Example: Producer A lost 10 head of adult beef cows out of the 100 head of adult beef cows in inventory because of a hurricane on May 1, 2009. The producer had not previously incurred a loss of adult beef cows in inventory for that particular kind, type, and weight range of livestock because of an eligible adverse weather event. Producer A would enter 100 as inventory in Item 15 for adverse weather event date number 1.</p> <p>On May 15, 2009, Producer A purchases 100 additional head of adult beef cows. On June 1, 2009, Producer A lost 10 head of adult beef cows because of a flood. Producer A would enter 100 as inventory in Item 15 for adverse weather event date number 2 on FSA-914.</p>

76 FSA-914, Livestock Indemnity Program Application (Continued)

A Completing Manual FSA-914 (Continued)

Item No.	Instruction
15 (ctnd)	<p>Notes: Do not record an entry in Item 15 for a particular type/kind and weight range of livestock when subsequent losses occur within a particular kind/type and weight range for which inventory has already been reported on FSA-914.</p> <p>Example: Producer A initially reports 100 head of adult beef cows in inventory in FSA-914, Item 15 on May 1, 2009. Producer A reports that he lost 10 head because of flooding on May 1, 2009.</p> <p>On June 1, 2009, Producer A, reports that he lost an additional 5 head of adult beef cows because of a hurricane. Producer A will not record an entry in FSA-914, Item 15. The producer will only enter the 5 head of adult beef cows lost in FSA-914, Item 16 for the additional 5 head lost because of the hurricane.</p> <p>If a producer does not have a 100 percent ownership or contract grower share interest in a particular kind/type and weight range of livestock that was lost because of an eligible adverse weather event, the livestock for which the producer does not have a 100 percent ownership or contract grower share shall be prorated based on the producer's percent share interest.</p> <p>Example: Producer A has a 100 percent ownership share in 200 head of adult beef cows located on farm 1 and a 50 percent ownership share in 200 head of adult beef cows located on farm 2.</p> <p>10 adult beef cows are lost because of an eligible adverse weather event on farm 1 and 10 adult beef cows are lost because of the same eligible adverse weather event on farm 2.</p> <p>Determine the number of eligible livestock to be entered as inventory in Item 15 for Producer A according to the following:</p> <p>200 head x 100 percent share = 200 head 200 head x 50 percent share = 100 head</p> <p>200 head + 100 head = 300 head (number of inventory to enter for Producer A in Item 15).</p>

76 FSA-914, Livestock Indemnity Program Application (Continued)

A Completing Manual FSA-914 (Continued)

Item No.	Instruction
16	<p>Enter the number of head of livestock by kind/type and weight range that died because of the adverse weather event referenced in Item 12.</p> <p>An entry in this field is always required when there is a loss in a particular kind, type, and weight range of livestock.</p> <p>Notes: Livestock must have died on or after January 1, 2008, and before October 1, 2011, but no later than 60 calendar days from the ending date of the adverse weather event(s) in Item 7. The livestock must have also died during the calendar year for which benefits are being requested.</p> <p>If a producer does not have a 100 percent ownership or contract grower share interest in a particular kind/type and weight range of livestock that was lost because of an eligible adverse weather event, the livestock for which the producer does not have a 100 percent ownership or contract grower share shall be prorated based on the producer's percent share interest.</p> <p>Example 1: Producer A has a 100 percent ownership share in 200 head of adult beef cows located on farm 1 and a 50 percent ownership share in 200 head of adult beef cows located on farm 2.</p> <p>10 adult beef cows are lost because of an eligible adverse weather event on farm 1 and 10 adult beef cows are lost because of the same eligible adverse weather event on farm 2. Determine the number of eligible livestock to be entered as lost in Item 16 for Producer A according to the following:</p> <p>10 head lost x 100 percent share = 10 head 10 head lost x 50 percent share = 5 head</p> <p>10 head lost + 5 head lost = 15 head (number of adult beef cows lost to enter for Producer A in Item 16).</p>

76 FSA-914, Livestock Indemnity Program Application (Continued)

A Completing Manual FSA-914 (Continued)

Item No.	Instruction
17	Enter the number of livestock that died because of normal mortality on or before the adverse weather event referenced in Item 12.
18	<p>COC shall enter the adjusted inventory, if applicable.</p> <p>Notes: An entry is only required when COC determines an inventory different than the inventory certified to by the producer.</p> <p>The producer shall be provided applicable appeal rights according to 1-APP if an entry is entered in Item 18.</p>
19	<p>COC shall enter the adjusted number of livestock lost because of an eligible adverse weather event, if applicable.</p> <p>Notes: An entry is only required when COC determines the number of eligible livestock lost because of an eligible adverse weather event is different than the number of livestock certified to by the producer as lost due to the eligible adverse weather event.</p> <p>The producer shall be provided applicable appeal rights according to 1-APP if an entry is entered in Item 19.</p>
20	<p>COC shall enter the adjusted number of livestock lost because of normal mortality, if applicable.</p> <p>Notes: An entry is only required when COC determines the number of livestock lost because of normal mortality is different than the number of livestock certified to by the producer as lost because of normal mortality.</p> <p>The producer shall be provided applicable appeal rights according to 1-APP if an entry is entered in Item 20.</p>

76 FSA-914, Livestock Indemnity Program Application (Continued)

A Completing Manual FSA-914 (Continued)

Item No.	Instruction
Part E - Documentation of Beginning Inventory	
21	<p>Enter the type of supporting documentation provided by the producer to verify beginning inventory.</p> <p>Note: Refer to subparagraph 73 H for examples of acceptable documentation that may provide verifiable evidence of livestock beginning inventory.</p>
Part F - Documentation to Verify Livestock Losses	
22	<p>Enter the type of documentation provided by the producer to verify livestock losses.</p> <p>Note: Refer to paragraph 73 for acceptable documentation for verifying livestock losses.</p>
Part G - Similar Loss/Contract Growers	
23	<p>Enter the amount of monetary compensation received by the producer from their contractor for the loss of income suffered from the death of the livestock under contract (for contract growers only).</p>
24	<p>Enter amount of compensation received from other disaster assistance programs for the same livestock losses.</p>
Part H - Producer Certification	
25A through 25C	<p>After reading the certification, producer or producer's representative signs and dates.</p> <p>Signatory in Item 25A shall enter their title/relationship when signing in the representative capacity.</p> <p>If a producer/applicant is not signing in the representative capacity, this field should be left blank. If a producer/applicant is signing on behalf of themselves, it is acceptable to write "self"; however, it is not necessary.</p>
Part I - County Committee Determination	
26	<p>Enter COC signature.</p>
27	<p>Enter date of COC action.</p>
28	<p>Enter a check in approved or disapproved box.</p> <p>Important: FSA-914 shall be approved or disapproved as certified by the producer after applicable COC adjustment fields are completed.</p>

76 FSA-914, Livestock Indemnity Program Application (Continued)

B Example of FSA-914

This form is available electronically.

<p>FSA-914 (07-09-09)</p> <p style="text-align: center;">U.S. DEPARTMENT OF AGRICULTURE Commodity Credit Corporation</p> <p style="text-align: center;">LIVESTOCK INDEMNITY PROGRAM Application</p>	<p>1. State and County Code</p>	<p>2. Calendar Year</p>
	<p>3. County Office Name</p>	<p>4. Application Number</p>

NOTE: *The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a - as amended). The authority for requesting the information identified on this form is the Food, Conservation, and Energy Act of 2008 (Pub. L. 110-246). The information will be used to determine eligibility for program benefits. The information collected on this form may be disclosed to other Federal, State, Local government agencies, Tribal agencies, and nongovernmental entities that have been authorized access to the information by statute or regulation and/or as described in applicable Routine Uses identified in the System of Records Notice for USDA/FSA-2, Farm Records File (Automated). Providing the requested information is voluntary. However, failure to furnish the requested information will result in a determination of ineligibility for program benefits.*

This information collection is exempted from the Paperwork Reduction Act as it is required for the administration of the Food, Conservation, and Energy Act of 2008 (see Pub. L. 110-246, Title I, Subtitle F-Administration).

*The provisions of criminal and civil fraud, privacy and other statutes may be applicable to the information provided. **RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.***

PART A – PRODUCER INFORMATION

5. Producer's Name and Address (City, State and Zip Code)

PART B – NOTICE OF LOSS

6. Date(s) of Occurrence/When Loss Was Apparent

7. Adverse Weather Event(s)

8. I am reporting that I have incurred livestock losses due to the adverse weather event(s) listed in Item 7 and the losses occurred or were apparent to me on the date(s) listed in Item 6.

A. Producer's Signature (By)	B. Title/Relationship of the Individual Signing in the Representative Capacity	C. Date (MM-DD-YYYY)
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PART C – LIVESTOCK LOCATION AND ASSOCIATED PRODUCER INFORMATION

9. Where were the claimed livestock physically located at the time they died? (Include County name, farm number etc.)

10. Where is the current physical location of the livestock in inventory?

11. Associated Producers (List all other producers that have an ownership share of any livestock listed in Item 14 and indicate their share).

PART D - LIVESTOCK INFORMATION

12. Adverse Weather Event Date Number	13. Contract Grower		14. Livestock Kind/Type and Weight Range	15. Inventory on Date of Adverse Weather Event	16. Number Of Death Losses Due To Adverse Weather Event	17. Number Lost Due To Normal Mortality	COC USE ONLY		
	Yes	No					18. Adjusted Inventory	19. Adjusted Number Lost Due to Adverse Weather	20. Adjusted Number Lost Due to Normal Mortality

76 FSA-914, Livestock Indemnity Program Application (Continued)

B Example of FSA-914 (Continued)

FSA-914 (07-09-09)		Page 2 of 2
PART E – DOCUMENTATION OF BEGINNING INVENTORY		
21. List the document(s) provided to verify beginning inventory. Attach copies of documents	Number of Livestock	
Example: Receipt from Harry's Sale Barn for purchase of 25 feeder pigs on November 10, 2007	25	
A.		
B.		
C.		
D.		
PART F – DOCUMENTATION TO VERIFY LIVESTOCK LOSSES		
22. List the document(s) provided to verify livestock losses. Attach copies of documents.	Number of Livestock	
Example: Rendering receipt for pick up of 10 pigs March 12, 2007	10	
A.		
B.		
C.		
D.		
PART G – SIMILAR LOSS/CONTRACT GROWERS		
23. Other Compensation (Contract Growers): \$		
24. Reduction: \$		
PART H – PRODUCER CERTIFICATION		
<p>Payments under the Livestock Indemnity Program will be made with respect to certain livestock deaths that occurred as a direct result of an eligible adverse weather event, except drought, and including anthrax. Each producer must file a separate form FSA-914 to be eligible to receive program benefits. By signing this application, the producer:</p> <ul style="list-style-type: none"> • Agrees to provide FSA any documentation it requires to determine eligibility that verifies and supports all information provided, including the producer's certification, and understands the application may be disapproved if they fail to provide any such information requested by FSA; • Authorizes FSA, at any time, with or without their presence, to enter upon, inspect and verify all livestock, livestock deaths, and acreage in which they have an interest; • Agrees to comply with, and acknowledges they are subject to, all the regulations governing the program and understands that instructions and assistance are available for completing this form; • Authorizes FSA to obtain from third parties, such as, but not limited to, other government agencies, individuals, auction barns, contractors or processors, feed vendors, veterinarian services, and rendering services, records or other evidence that substantiates the information provided on this application or any supporting documentation provided. <p>I certify that:</p> <ul style="list-style-type: none"> • If applying as an individual, that I am a citizen of the United States or a resident alien; if applying as a partnership, the members of the partnership are citizens of the United States; or if applying as a corporation, limited liability corporation, or other farm organizational structure, the entity is organized under State law; • On the day livestock died, I owned or was a contract grower of all livestock entered on this application and physically maintained control of all such livestock on that date on my farm for commercial use as part of my farming operation; • All livestock entered as losses on this application died during the calendar year in Item 2 as a direct result of an eligible adverse weather event(s) no later than 60 days from the ending dates of such adverse weather event(s) provided in Item 7 in the county provided in Item 9, and that all losses occurred on or after January 1, 2008, and before October 1, 2011; • All livestock entered on this application meet all the livestock eligibility criteria provided in 7 CFR Part 760 Subpart E, including being maintained for commercial use as part of my farming operation; • I understand that this application may be disapproved if information or evidence provided is false or in error, and that other sanctions or penalties could apply; and • All information on this application and all supporting documents I provided is true and correct. 		
25A. Producer's Signature (By)	25B. Title/Relationship of the Individual Signing in the Representative Capacity	25C. Date (MM-DD-YYYY)
PART I – COUNTY COMMITTEE DETERMINATION		
26. COC or Designee Signature	27. Date (MM-DD-YYYY)	28. Determination
		<input type="checkbox"/> Approved <input type="checkbox"/> Disapproved
<small>The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape etc) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of Discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, D. C. 20250-9410, or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.</small>		

Reports, Forms, Abbreviations, and Delegations of Authority

Reports

None

Forms

This table lists all forms referenced in this handbook.

Number	Title	Display Reference	Reference
AD-1026	Highly Erodible Land Conservation (HELC) and Wetland Conservation (WC) Certification		45, 73, 75
CCC-257	Schedule of Deposit		1
CCC-502	Farm Operating Plan for Payment Eligibility Review		42, 45, 75
CCC-526	Payment Eligibility Average Adjusted Gross Income Certification		73
CCC-901	Members Information 2009 and Subsequent Years		75
CCC-926	Average Adjusted Gross Income (AGI) Statement		75
FSA-325	Application for Payment of Amounts Due Persons Who Have Died, Disappeared, or Have Been Declared Incompetent		41, 45
FSA-770 LIP	2005/2006/2007 Livestock Indemnity Program Checklist		45, 73
FSA-901	2005/2006/2007 Livestock Compensation Program		42, 73
FSA-914	Livestock Indemnity Program Application	76	22, 40, 41, 42, 45, 72, 73, 75, Ex. 7
FSA-926	Livestock Indemnity Program Third Party Certification	74	73

Reports, Forms, Abbreviations, and Redelegations of Authority (Continued)

Abbreviations Not Listed in 1-CM

The following abbreviations are not listed in 1-CM.

Approved Abbreviation	Term	Reference
ELAP	Honey Bees and Farm-Raised Fish Program	42
IPIA	Improper Payments Information Act of 2002	22
LCP	Livestock Compensation Program	73
LFP	Livestock Forage Disaster Program	42
SURE	Supplemental Revenue Assistance Payment Program	42

Re delegations of Authority

For LIP, CED may delegate authority to program technicians to approve only routine FSA-914's where proof of death is provided.

Important: Program technicians shall **not** be delegated authority to:

- disapprove any FSA-914
- approve any FSA-914 where third party certification is used as proof of loss.

Definitions of Terms Used in This Handbook

This handbook provides policy and procedures for multiple programs. Definitions of terms may vary for each program; therefore, the definitions of terms applicable to each program are in the part of this handbook that provides the policy for the applicable program.

Producer Notification of Spot Checks of LIP

Applicants for LIP shall be provided the following information at the time the application for payment is filed.

The Farm Service Agency (FSA) will be conducting spot checks of Livestock Indemnity Program (LIP) applications submitted by producers. All data provided on the application, and all supporting data provided by the producer is subject to spot check and verification by FSA. Inaccurate producer certification or data, or failure to provide verifiable data to support certifications, may result in denial or refund of program benefits, plus interest. In addition, provisions of criminal and civil fraud statues may be applied.

Data that may be spot checked includes, but are not limited to, the following:

1. Number/kind/type/weight range of livestock claimed on FSA-914.
2. Number of livestock in inventory before and after the eligible adverse weather events.
3. Verification of documents used as proof of death of livestock claimed on FSA-914.
4. Verification of cause of death of livestock claimed on FSA-914.
5. Ownership of livestock claimed on FSA-914.
6. Verification that livestock were maintained for commercial use as part of a farming operation.
7. Compliance with average Adjusted Gross Income provisions.
8. Verification of monetary compensation received from contractors for contract growers.

Documents and information that may be requested or provided to verify producer certifications include but are not limited to the following:

1. Copies of purchase receipts for livestock claimed.
2. Copies of sale receipts of livestock.
3. Copies of corporate charter or bylaws, partnership agreements, trust agreement, last will and testament, estate documents, court orders of appointment or other documents providing evidence of authority to act on behalf of another.
4. Documents providing evidence that livestock claimed were maintained for commercial use as part of a farming operation.
5. Copies of tax records indicating a farming operation.
6. Certifications from tax accountants.
7. Copies of veterinary records.
8. Copies of loan documents, settlement sheets, and bank records.

National Normal Mortality Rate Table

This table provides the national normal mortality rates.

Kind	Type	Weight Range	Normal Mortality
Alpaca			5 percent
Beef	Nonadult	Less than 400 pounds.	5 percent
		400 pounds or more.	5 percent
	Adult	Cow	1.5 percent
		Bull	1.5 percent
Buffalo/Beefalo	Nonadult	Less than 400 pounds.	5 percent
		400 pounds or more.	5 percent
	Adult	Cow	1.5 percent
		Bull	1.5 percent
Chickens	Layers/Roasters		2.5 percent
	Broilers/Pullets		2.5 percent
	Chicks		5 percent
Dairy	Nonadult	Less than 400 pounds.	5 percent
		400 pounds or more.	5 percent
	Adult	Cow	1.5 percent
		Bull	1.5 percent
Deer			1/
Ducks	Ducks		6.5 percent
	Ducklings		10 percent
Elk			2.2 percent
Emus			1/
Equine			2.5 percent
Geese	Goose		6.5 percent
	Gosling		10 percent
Goats	Bucks		5 percent
	Nannies		5 percent
	Slaughter Goats/Kids		10 percent
Llamas			5 percent
Reindeer			1/
Sheep	Rams		4 percent
	Ewes		4 percent
	Lambs		10.7 percent
Swine	Sows/Boars	Over 450 pounds.	3 percent
	Sows/Boars/Barrows/Gilts	151 to 450 pounds.	3 percent
	Lightweight Barrows/Gilts	50 to 150 pounds.	3 percent
	Feeder Pigs	Under 50 pounds.	10 percent
Turkeys	Toms/Fryers/Roasters		6.5 percent
	Poults		10 percent

1/ National rate is **not** available.

