

For: State and County Offices

**Late-Filed Notice of Loss or Late-Filed CCC-471
Related to Temporary Shutdown Because of Federal Funding**

Approved by: Deputy Administrator, Farm Programs



1 Overview

A Background

On October 1, 2013, FSA offices were closed due to a lapse in federal government funding. Funding was enacted and offices reopened on October 17, 2013.

During the temporary closure of FSA offices, some producers may have needed to file either a notice of loss or CCC-471.

Federal regulations at 7 CFR § 718.10 state that whenever a due date or date prescribed for performance falls on a Saturday, Sunday, national holiday, or State holiday on which the FSA office is closed, or any other day on which the office is not open for the transaction of business during normal working hours, the time for taking required action is extended to the close of business on the next working day. In case the action required to be taken may be performed by mailing, the action shall be considered to be taken within the prescribed period if the mailing is postmarked by midnight of such next working day.

1-NAP contains policy for processing a late-filed notice of loss and a late-filed CCC-471.

B Purpose

This notice provides additional guidance to offices for processing a notice of loss and CCC-471 that would have been due between October 1 and October 17, 2013, from participants or persons who wanted to obtain NAP coverage during the temporary shutdown.

Disposal Date	Distribution
December 1, 2013	State Offices; State Offices relay to County Offices

Notice NAP-157

2 Late-Filed Notice of Loss and Late-Filed CCC-471 Due During Temporary Shutdown

A Processing a Notice of Loss Due Between October 1 and October 17, 2013

Follow 1-NAP, paragraphs 202 and 401, as applicable, for procedure concerning notices of loss. All provisions of these paragraphs apply to all notices of loss except as otherwise provided in this notice.

If a notice of loss would have been due from a NAP participant to FSA sometime between October 1 and October 17, 2013, that notice of loss will be considered validly filed if actually submitted and filed with FSA by the date prescribed by either 1-NAP, subparagraph 202 C or subparagraph 401 B, as applicable.

Note: If the original due date occurred between October 1 and October 17, 2013, the due date is moved to the close of business the next business day, October 17, 2013.

Late-filed notice of loss provisions in 1-NAP, subparagraph 401 C will apply for those notices of loss filed after October 17, 2013. In the event a notice of loss filed by November 1, 2013, cannot meet the requirements of 1-NAP, subparagraph 401 C, COC may submit an appropriate recommendation for relief to DAFP through STC.

Note: Current handbook procedure requires late-filed notices of loss to be denied if they are filed at a time when CCC cannot verify the loss according to 1-NAP, subparagraph 401 C. This exception is only being offered for those cases where the notice of loss could not be filed due to the temporary shutdown.

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2 Late-Filed Notice of Loss and Late-Filed CCC-471 Due During Temporary Shutdown (Continued)

B Processing Late-filed CCC-471 Due Between October 1 and October 17, 2013

Follow 1-NAP, paragraph 23, for procedure on processing CCC-471. All provisions of paragraph 23 apply to CCC-471 except as otherwise provided in this notice.

If a closing date for CCC-471 occurs anytime between October 1 and October 17, 2013, the closing date is close of business October 17, 2013.

All other provisions of 1-NAP, paragraph 23 apply to CCC-471 including subparagraph 23 E, which delegates authority to COC for accepting late-filed 471's within 30 calendar days of the application closing date.

Notes: Under law, the coverage period cannot begin earlier than 30 calendar days following the actual filing date of CCC-471. This notice does **not** change the legal authority for the beginning of NAP coverage.

If the original closing date occurred between October 1 and October 17, 2013, State Office administrative users can change the status of crops that were added after the original application closing date using State Office override functionality according to 1-NAP, paragraph 1544.

3 Action

A State Office Action

State Offices will ensure that County Offices:

- are immediately informed of the contents of this notice
- take action, when applicable, according to this notice.

B County Office Action

County Offices will:

- process notices of loss and CCC-471 according to 1-NAP and this notice, where applicable
- respond to inquiries about notices of loss and CCC-471 based on handbook procedure and this notice, as applicable.