

**For:** State and County Offices

**Payment Eligibility and Payment Limitations for Disaster Assistance Programs**

**Approved by:** Deputy Administrator, Farm Programs



**1 Disaster Assistance**

**A Background**

There are various crop and livestock disaster assistance programs currently underway for 2005 through 2007 crop year losses. The Food, Conservation, and Energy Act of 2008 includes additional crop and livestock disaster assistance programs that will be implemented for 2008 and subsequent years.

There are different payment eligibility and payment limitation requirements that apply to these programs depending on which year(s) the programs provide assistance. Assistance under NAP for 2008 and prior years is subject to Gross Revenue and “person” rules. Assistance and benefits under other programs for 2008 and prior years are subject to the \$2.5 million Adjusted Gross Income (AGI) and “person” rules. Then for 2009 and subsequent years, assistance and benefits under the same programs are subject to different AGI limitations and direct attribution for payment eligibility and payment limitation.

**B Purpose**

This notice provides:

- information on which rules and requirements are applicable to the respective programs
- a reference guide in Exhibit 1 for all crop disaster and livestock assistance programs.

**C County Office Action**

County Offices shall:

- use Exhibit 1 for reference on program requirements
- provide Exhibit 1 as reference guide to program participants.

<b>Disposal Date</b>	<b>Distribution:</b>
September 1, 2009	State Offices; State Offices relay to County Offices

**Payment Eligibility and Payment Limitations for Disaster Assistance Programs**

This is an example of the payment eligibility and payment limitations for Disaster Assistance Programs.

Program	Year(s)	Payment Eligibility		Annual Payment Limitation		Payment Limitation Control		
		Gross Revenue	AGI	Regulation	Amount	Regulation	Method	
SURE & ELAP	2008		\$2.5 million	7 CFR Part 1480	\$100,000 total for SURE, ELAP, LFP, and LIP	7 CFR Part 1400	"Person" as defined	
	2009 – 2011		\$500,000 Nonfarm AGI	7 CFR Part 1439		7 CFR Part 1400 as revised for 2009 forward	Direct attribution to person or legal entity	
LFP	2008		\$2.5 million	7 CFR Part 1439		7 CFR Part 1400	"Person" as defined	
	2009 – 2011		\$500,000 Nonfarm AGI			7 CFR Part 1400 as revised for 2009 forward	Direct attribution to person or legal entity	
LIP	2008		\$2.5 million			7 CFR Part 1400	"Person" as defined	
	2009 – 2011		\$500,000 Nonfarm AGI			7 CFR Part 1400 as revised for 2009 forward	Direct attribution to person or legal entity	
TAP	2008		\$2.5 million	7 CFR Part 783		\$100,000	7 CFR Part 1400	"Person" as defined
	2009 – 2011		\$500,000 Nonfarm AGI			\$100,000	7 CFR Part 1400 as revised fro 2009 forward	Direct attribution to person or legal entity
NAP	2008	\$2 million		7 CFR Part 1437	\$100,000	7 CFR Part 1400	"Person" as defined	
	2009 - forward		\$500,000 Nonfarm AGI		\$100,000	7 CFR Part 1400 as revised for 2009 forward	Direct attribution to person or legal entity	
CDP	2005 - 2007		\$2.5 million	7 CFR Part 760	\$80,000 total for all 3 years	7 CFR Part 1400	"Person" as defined	
LCP	2005 - 2007				\$80,000 total for all 3 years			
LIP	2005- 2007				\$80,000 total for all 3 years			