

(e) The Deputy Administrator can deny or adjust claims in those instances in which the party seeking relief was affiliated with or related to the owner of the livestock if it is determined by the Deputy Administrator that such action is consistent with the purposes of this subpart and may take such action as is deemed appropriate to avoid overlap with relief available under other subparts in this part.

(f) In no instance, unless otherwise approved by the Deputy Administrator, will the amount to be expended under this program exceed \$10 million.

### Subpart F—2000 Flood Compensation Act

SOURCE: 65 FR 65716, Nov. 2, 2000, unless otherwise noted.

#### § 1439.501 Applicability.

This subpart sets forth the terms and conditions applicable to the 2000 Flood Compensation Program (FCP). Benefits will be provided to eligible producers in the United States but only in counties approved under the 1998 FCP (provided for in regulations of this part contained in the 7 CFR, parts 1200 to 1599, edition revised as of January 1, 2000), where long-term flooding occurred, and that were subsequently approved by the Deputy Administrator for Farm Programs as eligible counties.

#### § 1439.502 Administration.

This subpart shall be administered as set forth in § 1439.2, except as provided for in this subpart.

#### § 1439.503 Definitions.

Except as otherwise indicated, terms in this part shall have the same meanings as those defined in 7 CFR 1439.3 and 718.2. To the extent that the definitions in this section differ from the definitions in 7 CFR 1439.3 and 718.2, the definitions in this section apply rather than the definitions in 7 CFR 1439.3 and 718.2.

*Application* means the Form CCC-454, Flood Compensation Program Application. The CCC-454 is available at county FSA offices.

*Covered land* means:

- (1) Land that:

- (i) Was unusable for agricultural production during 2000 crop year as the result of flooding;

- (ii) Was used for agricultural production during at least 1 of the 1992 through 1999 crop years;

- (iii) Is a contiguous parcel of land of at least 1 acre;

- (iv) Is located in a county in which producers were eligible for assistance under the 1998 Flood Compensation Program;

- (v) Was not planted during FY 2000; and

- (vi) Meets all other conditions of eligibility.

(2) The term “covered land” excludes any land with respect to which a producer is insured, enrolled, or assisted during the 2000 crop year under:

- (i) A policy or plan of insurance authorized under the Federal Crop Insurance Act (7 U.S.C. 1501 *et seq.*);

- (ii) The noninsured crop assistance program operated under section 196 of the Agricultural Market Transition Act (7 U.S.C. 7333);

- (iii) Any crop disaster program established for the 2000 crop year;

- (iv) The conservation reserve program established under subchapter B of chapter 1 of subtitle D of the Food Security Act of 1985 (16 U.S.C. 3831 *et seq.*);

- (v) The wetlands reserve program established under subchapter C of chapter 1 of subtitle D of the Food Security Act of 1985 (16 U.S.C. 3837 *et seq.*);

- (vi) Any emergency watershed protection program or Federal easement program that prohibits crop production or grazing; or

- (vii) Any other Federal or State water storage program, as determined by the Secretary.

*FCP* means the Flood Compensation Program provided for in this part.

*FY 2000* means the period from October 1, 1999 through September 30, 2000.

*NASS* means The National Agricultural Statistics Service.

#### § 1439.504 Application process.

- (a) Producers must submit a completed application prior to the close of business on December 15, 2000, or other such later date as established and announced by the Deputy Administrator. The application and any supporting documentation shall be submitted to