

UNITED STATES DEPARTMENT OF AGRICULTURE

Farm Service Agency
Washington, DC 20250

**2001 and 2002 Crop Disaster Program
5-DAP**

Amendment 12

Approved by: Deputy Administrator, Farm Programs



Amendment Transmittal

A Reasons for Amendment

Subparagraph 15 A was amended to replace the term “crop years 2003 and 2004” with the term “linkage years”.

Subparagraph 15 C was revised to incorporate the provisions of Notice DAP-191 regarding the determination of linkage years.

Subparagraph 15 D has been removed because it is obsolete.

Page Control Chart		
TC	Text	Exhibit
	2-1, 2-2 2-2.5, 2-2.6	

Part 2 Conditions of Receiving Assistance

15 Linkage Requirement

A Rule

As a condition of receiving 2001 or 2002 disaster benefits on an insurable crop that is not insured, or on a noninsurable crop that is not covered by NAP, producers are required to purchase insurance, or NAP as applicable, on that crop for the linkage years according to the following table.

IF the producer is requesting disaster benefits on...	THEN for the linkage years listed in subparagraph 15 C, the producer is required to purchase...
an insurable crop	a plan of federal crop insurance coverage providing a level of coverage greater than the level available under catastrophic risk protection.
a noninsurable crop	NAP coverage, including filing the required paperwork and paying the administrative fee.

If a 2001 or 2002 crop receiving disaster benefits is insured or is covered by NAP, the linkage requirement is not applicable.

If benefits are requested on a 2001/2002:

- NAP crop and crop insurance becomes available for this crop in a linkage year, the producer is required to purchase crop insurance at a level of coverage greater than the level available under catastrophic risk coverage for this crop
- insured crop and crop insurance is **not** available for this crop in a linkage year, the producer is required to purchase NAP coverage, including filing the required paperwork and paying the administrative fee.

Note: Crops for which RMA introduces a pilot crop insurance program will be considered insured crops for CDP linkage requirements.

If this requirement is not met, the producer will be required to refund all 2001 or 2002 crop disaster benefits received, plus interest, for the crop or crops for which the producer failed to meet the linkage requirements.

The linkage requirement applies to the producer's interest in the crop (specifically receiving benefits) in the county where the crop was physically planted or prevented planted.

15 Linkage Requirement (Continued)

A Rule (Continued)

Producers shall complete CCC-566 at the time of application acknowledging the crop insurance and/or NAP linkage requirement.

*--Example 1

Administrative County A covers 2 physical counties (County A and County B). An approved applicant physically grew an uninsured commodity only in County A during the disaster year. Crop insurance linkage applies to County A. The producer is not required to purchase insurance for County B.

Example 2

Administrative County A covers 2 physical counties (County A and County B). An approved applicant physically grew an uninsured commodity in both counties. Crop insurance linkage applies to both County A and County B.

Example 3

An approved applicant grew an uninsured commodity in County A, and also grew the same commodity in County B during the disaster year. County A and County B are separate administrative counties. The producer received CDP assistance for a loss only in County A. Crop insurance linkage applies to County A.

B Linkage Within a Pay Group

Linkage will apply to each crop, type, intended use, and planting period, if applicable, listed on the approved application.

Example 1

If dry edible kidney, navy, and pinto beans are in the same pay group, but the producer only grew navy and pinto beans during the disaster year, then linkage would:

- apply to navy and pinto beans
- **not** apply to kidney beans.

However, the producer may have to purchase a dry edible bean policy to obtain coverage on navy and pinto beans. That policy may also cover kidney beans since it is part of the same RMA pay group, even though FSA linkage would not be applicable to that type.--*

15 Linkage Requirement (Continued)

B Linkage Within a Pay Group (Continued)

Example 2

If a producer grew dry edible kidney, navy, and pinto beans (same pay group), during the disaster year, but only had a loss on pinto beans, linkage would apply to all 3 types of beans. The productions from all 3 types of beans are required to be included on the disaster application.

Example 3

If there are 4 planting periods established for a crop and the producer experiences a loss during planting period 2, linkage will apply only to planting period 2.

*--C Linkage Years

If the sales closing date for 2004 crop insurance or NAP coverage occurred **after March 1, 2004**, linkage will be met by obtaining coverage in either of the following:

- 2003 and 2004 crop years
- 2004 and 2005 crop years.

If the sales closing date for 2004 crop insurance or NAP coverage occurred **on or before March 1, 2004**, CDP participants may meet linkage requirements by obtaining coverage for any 1 of the following 2 consecutive crop years:

- 2003 and 2004
- 2004 and 2005
- 2005 and 2006.

The CDP participant may use 2003 as 1 of the 2 required linkage years only if coverage was obtained for either NAP or crop insurance.

Note: 2003 **cannot** be used as a linkage year if the producer did not plant the crop.--*

D NAP Coverage

To meet the linkage requirement for noninsurable commodities, as provided in subparagraph B, the producer must:

- file CCC-471 and pay the applicable administrative fee
- complete all required paperwork (acreage reports, production records, etc.).

Note: The payment of a NAP administrative fee alone, without completing the required program paperwork throughout the insurable year, will not meet the linkage requirement.

15 Linkage Requirement (Continued)

E Other Federal Crop Insurance Coverage

RMA established several types of other policies, including but not limited to pilots, GRP, GRIP, and crop revenue coverage. These policies offered by companies reinsured by RMA will meet the linkage requirement if a level greater than CAT is purchased. Most policies offer a CAT level along with additional levels.

All levels of AGR policies will meet the linkage requirement.

Plans purchased by special Written Agreements will meet the linkage requirement if the specified coverage is above the CAT level.

See subparagraph 7 B for the definition of insured crops.