

**§ 407.17**

**7 CFR Ch. IV (1-1-03 Edition)**

(d) The payment is equal to the payment calculation factor multiplied by your policy protection for each insured crop practice and type specified on the actuarial documents.

(e) The payment will not be recalculated even though the NASS yield may be subsequently revised.

**4. Program Dates**

| State and county   | Cancellation and termination dates | Contract change date |
|--|------------------------------------|----------------------|
| Jackson, Victoria, Goliad, Bee, Live Oak, McMullen, La Salle, and Dimmit Counties, Texas and all Texas counties lying south thereof.   | February 15 .....                  | November 30.         |
| Alabama; Arizona; Arkansas; California; Florida; Georgia; Louisiana; Mississippi; Nevada; North Carolina; South Carolina; and El Paso, Hudspeth, Culberson, Reeves, Loving, Winkler, Ector, Upton, Reagan, Sterling, Coke, Tom Green, Concho, McCulloch, San Saba, Mills, Hamilton, Bosque, Johnson, Tarrant, Wise, and Cooke Counties, Texas, and all Texas counties lying south and east thereof to and including Maverick, Zavala, Frio, Atascosa, Karnes, De Witt, Lavaca, Colorado, Wharton, and Matagorda Counties, Texas. | February 28 .....                  | November 30.         |
| All other Texas counties and all other States .....  | March 15 .....                     | November.            |
| All other Texas counties and all other states. ....  | March 15 .....                     | November 30.         |

**§ 407.17 Group risk plan for wheat.**

The provisions of the Group Risk Plan for Wheat for the 2000 and succeeding crop years are as follows:

**1. Definitions**

*Harvest.* Combining or threshing the wheat for grain.

*NASS yield.* The yield calculated by dividing the NASS estimate of the wheat production in the county, by the NASS estimate of the acres of wheat in the county, as specified in the actuarial documents. The actuarial documents will specify whether the harvested or planted acreage is used to calculate the yield used to establish the expected county yield and calculate indemnities.

*Planted acreage.* Land in which the wheat seed has been planted by a machine appropriate for the insured crop and planting method, at the correct depth, into a seedbed that has been properly prepared for the planting method and production practice. Land on which seed is initially spread onto the soil surface by any method and which subsequently is mechanically incorporated into the soil in a timely manner and at the proper depth, will also be considered planted.

**2. Crop Insured**

The insured crop will be all wheat:

- (a) Grown on insurable acreage in the county or counties listed in the accepted application;
- (b) Properly planted and reported by the acreage reporting date;
- (c) Planted with the intent to be harvested as grain; and
- (d) Not planted into an established grass or legume, interplanted with another crop, or planted as a nurse crop, unless seeded at the normal rate and intended for harvest as grain.

**3. Payment**

- (a) A payment will be made only if the payment yield for the insured crop year is less than your trigger yield.
- (b) Payment yields will be determined prior to April 1 following the crop year.
- (c) We will issue any payment to you prior to the May 1 immediately following our determination of the payment yield.
- (d) The payment is equal to the payment calculation factor multiplied by your policy protection for each insured crop practice and type specified in the actuarial documents.
- (e) The payment will not be recalculated even though the NASS yield may be subsequently revised.

| State and county   | Cancellation and termination dates | Contract change date |
|--|------------------------------------|----------------------|
| All Colorado counties except Alamosa, Conejos, Costilla, Rio Grande, and Saguache; all Montana counties except Daniels and Sheridan Counties; all South Dakota counties except Corson, Walworth, Edmonds, Faulk, Spink, Beadle, Kingsbury, Miner, McCook, Turner, and Yankton Counties and all South Dakota counties east thereof; all Wyoming counties except Big Horn, Fremont, Hot Springs, Park, and Washakie Counties; and all other states except Alaska, Arizona, California, Maine, Minnesota, Nevada, New Hampshire, North Dakota, Utah, and Vermont. | September 30 .....                 | June 30.             |
| Arizona; California; Nevada; and Utah .....  | October 31 .....                   | June 30.             |

| State and county  | Cancellation and termination dates | Contract change date |
|---|------------------------------------|----------------------|
| Alaska; Alamosa, Conejos, Costilla, Rio Grande, and Saguache Counties, Colorado; Maine; Minnesota; Daniels and Sheridan Counties, Montana; New Hampshire; North Dakota; Corson, Walworth, Edmunds, Faulk, Spink, Beadle, Kingsbury, Miner, McCook, Turner, and Yankton Counties South Dakota, and all South Dakota counties east thereof; Vermont; and Big Horn, Fremont, Hot Springs, Park, and Washakie Counties, Wyoming.. | March 15 .....                     | November 30.         |

**PARTS 408–411 [RESERVED]**

**PART 412—PUBLIC INFORMATION—FREEDOM OF INFORMATION**

Sec.

- 412.1 General statement.
- 412.2 Public inspection and copying.
- 412.3 Index.
- 412.4 Requests for records.
- 412.5 Appeals.
- 412.6 Timing of responses to requests.

AUTHORITY: 5 U.S.C. 552 and 7 U.S.C. 1506.

SOURCE: 62 FR 67694, Dec. 30, 1997, unless otherwise noted.

**§ 412.1 General statement.**

This part is issued in accordance with the regulations of the Secretary of Agriculture published at 7 CFR 1.1–1.23, and appendix A, implementing the Freedom of Information Act (5 U.S.C. 552). The Secretary’s regulations, as implemented by this part, and the Risk Management Agency (RMA) govern availability of records of the Federal Crop Insurance Corporation (FCIC) as administration of the crop insurance program for FCIC.

**§ 412.2 Public inspection and copying.**

(a) Members of the public may request access to the information specified in § 412.2(d) for inspection and copying.

(b) To obtain access to specified information, the public should submit a written request, in accordance with 7 CFR 1.6, to the Appeals, Litigation and Legal Liaison Staff, Risk Management Agency, United States Department of Agriculture, 1400 Independence Avenue, SW, STOP 0807, room 6618–S, Washington, DC 20250–0807, from 9:00 a.m.—4:00 pm., EDT Monday through Friday, except holidays.

(c) When the information requested is not located at the office of the Appeals, Litigation and Legal Liaison Staff, the

Appeals, Litigation and Legal Liaison Staff will direct the request to the appropriate office where the information can be obtained. The requester will be informed that the request has been forwarded to the appropriate office.

(d) FCIC will make available for inspection and copying, unless otherwise exempt from publication under sections 552(a)(2)(C) and 552(b):

- (1) Final opinions, including concurring and dissenting opinions and orders made in the adjudication of cases; and
- (2) Those statements of policy and interpretations that have been adopted by FCIC and RMA and are not published in the FEDERAL REGISTER; and
- (3) Administrative staff manuals and instructions to staff that affect a member of the public.

**§ 412.3 Index.**

5 U.S.C. 552(a)(2) requires that each agency publish, or otherwise make available, a current index of all materials available for public inspection and copying. RMA and FCIC will maintain a current index providing identifying information for the public as to any material issued, adopted, or promulgated by the Agency since July 4, 1967, and required by section 552(a)(2). Pursuant to the Freedom of Information Act provisions, RMA and FCIC have determined that in view of the small number of public requests for such index, publication of such an index would be unnecessary and impracticable. Copies of the index will be available upon request in person or by mail at the address stated in § 412.2(b).

**§ 412.4 Requests for records.**

The Director of the Appeals, Litigation and Legal Liaison staff, RMA located at the above stated address, is