

Accordingly, applicants who elect to receive SBA physical disaster loans for dwelling and/or household content losses may also file for FmHA or its successor agency under Public Law 103-354 EM loan assistance in disaster areas declared by the President or the Secretary of Agriculture or FmHA or its successor agency under Public Law 103-354 Administrator. An EM loan will *not* be approved until it is determined the requirements of § 1945.163(d) of subpart D of this part will be met. When an EM loan is approved, the FmHA or its successor agency under Public Law 103-354 County Office will notify the SBA Disaster Area Office, pursuant to paragraph (a)(4)(ii) of § 1945.183 of subpart D of this part.

(c) *How SBA disaster loans are made available.* SBA disaster loans are available in counties:

(1) Named by the FEMA under a major disaster or emergency declaration by the President; for physical loss and/or economic injury disaster loans.

(2) Declared by the SBA Administrator for physical loss and economic injury disaster loans.

(3) Designated by the Secretary of Agriculture for Agri-dependent businesses.

(d) *Notification of SBA disaster areas.* The SBA Central (National) Office will notify the FmHA or its successor agency under Public Law 103-354 National Office when its disaster loan program is made available. The FmHA or its successor agency under Public Law 103-354 National Office will notify State Directors, by memorandum, of the SBA disaster areas; and State Directors will notify the appropriate County Supervisor(s) in writing.

§ 1945.27 Relationship between FCIC and FmHA or its successor agency under Public Law 103-354.

(a) *General.* Exhibit A of FmHA Instruction 2000-N (available in any FmHA or its successor agency under Public Law 103-354 office) is a Memorandum of Understanding between FCIC and FmHA or its successor agency under Public Law 103-354. This Memorandum of Understanding is intended to assist in maintaining and improving the working relationship between the FCIC and the FmHA or its

successor agency under Public Law 103-354 by providing encouragement to regular and FmHA or its successor agency under Public Law 103-354 EM loan borrowers to use Federal All-Risk Crop Insurance, where available; assist FmHA or its successor agency under Public Law 103-354 borrowers to obtain All-Risk Crop Insurance or other agricultural commodity insurance coverage; and exchange information essential to the elimination of duplicating compensatory disaster benefits from the FCIC and FmHA or its successor agency under Public Law 103-354 for the same disaster losses.

(b) *Annual meeting with FCIC.* FmHA or its successor agency under Public Law 103-354 State Directors will meet with FCIC Field Operations Office Directors at least once each year to review the Memorandum of Understanding and rededicate their efforts and those of their respective agency employees to comply with the agreements contained in the Memorandum of Understanding.

(c) *Contact after EM actual loss loans are made available.* After each disaster, when EM loans are made available, State Directors are *required* to promptly contact the FCIC Field Operations Office Director to review the Memorandum of Understanding and agree on how each agency will fulfill its responsibilities in dealing with the disaster situation.

(d) *Notification to County Offices.* State Directors *will* provide instructions for actions to be taken by County Supervisors in maintaining a good relationship with FCIC Insurance Representatives.

§ 1945.28 Relationship between ASCS and FmHA or its successor agency under Public Law 103-354.

Exhibit A of FmHA Instruction 2000-JJ (a copy of which is available in any FmHA or its successor agency under Public Law 103-354 office) is a Memorandum of Understanding between ASCS and FmHA or its successor agency under Public Law 103-354. This Memorandum of Understanding is intended to assist in maintaining and improving the working relationship between the ASCS and the FmHA or its successor agency under Public Law 103-

354 by coordinating certain ASCS disaster programs with the FmHA or its successor agency under Public Law 103-354 EM loan program. It specifically identifies the administrative responsibilities of FmHA or its successor agency under Public Law 103-354 County Supervisors and ASCS County Executive Directors concerning disaster benefits.

§ 1945.29 [Reserved]

§ 1945.30 FmHA or its successor agency under Public Law 103-354 Emergency Loan Support Teams (ELST).

(a) *Use of ELSTs.* ELSTs are to be used when a disaster warrants immediate attention by FmHA or its successor agency under Public Law 103-354 in implementing the EM loan program. Also, ELSTs are used when unusually large numbers of EM loan applications are received and personnel from other areas are required to be temporarily assigned to assist in rendering prompt service to the affected area(s).

(b) *State Office ELST.* Each State Director shall form an ELST to be deployed, when needed, in areas affected by a major disaster, Presidential emergency, or a natural disaster. ELSTs shall assist the State Directors in expediting the making of EM loans to disaster victims.

(1) State Directors shall use the ELSTs formed in their State(s) and all other FmHA or its successor agency under Public Law 103-354 personnel within their State(s), as the need arises, in making EM loans. If additional help is needed beyond that available in the State, including the use of overtime, temporary personnel, and/or private contractors, the State Director shall advise the National Office of these needs and request outside assistance.

(2) Upon request from a State Director, the Assistant Administrator, Farmer Programs, will consider detailing ELSTs from other States to assist in the making of EM loans.

(3) State ELSTs will consist of a team leader and team members, selected by the State Director.

(i) The State ELST can include Farmer Programs Specialists, County and Assistant County Supervisors, Pro-

gram Review Assistants, County Office Assistants, and County Office Clerks.

(ii) So that no one person or County Office unit bears an unfair burden, State team members will be changed from time to time.

(iii) Team members will provide training in EM loan making and EM loan servicing to all County Office employees.

(iv) District Directors are responsible for notifying the State Director of any need to change a team member within their district.

(4) State ELSTs will be trained as follows:

(i) The National Office will hold training meetings or workshops for ELST leaders as needed; and

(ii) State ELST leaders will be responsible for training and keeping the State team and all other State personnel currently informed on all phases of EM loans.

(5) State Directors will issue a State supplement establishing an ELST for the State(s) under their jurisdiction. This supplement will name the team leader and all members. A copy of this supplement will be sent to the National Office, Attention: Director, Emergency Designation Staff.

(c) *National Office ELST leaders.* The National Office has established a cadre of ELST team leaders.

(1) National Office team leaders will be used as follows:

(i) Training of FmHA or its successor agency under Public Law 103-354 field personnel, other USDA personnel, and temporary personnel in the making of EM loans:

(ii) Assisting State Directors in the organization and expediting of assistance to eligible disaster victims; and

(iii) Leading ELSTs in areas with an unusually large volume of EM loan applications.

(2) Upon request from a State Director, the Assistant Administrator, Farmer Programs, will consider detailing one or more National Office team leaders to assist in the training of personnel and organizing of EM loan processing activities.