

**Commodity Credit Corporation, USDA**

**§ 1416.1**

person of payments for cost-share practices or easements for the purpose of obtaining a payment to which a person would otherwise not be entitled.

(c) A participant who succeeds to the responsibilities under this part shall report in writing to the Department any interest of any kind in enrolled land that is held by a predecessor or any lender. A failure of full disclosure will be considered a scheme or device under this section.

**§ 1415.20 Confidentiality.**

The release of appraisal information shall be disclosed at the discretion of USDA in accordance with applicable law.

**PART 1416—2006 EMERGENCY AGRICULTURAL DISASTER ASSISTANCE PROGRAMS**

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**Subpart I—2005 Catfish Grant Program**

- 1416.800 General.
- AUTHORITY: Title III, Pub. L. 109-234, 120 Stat. 474; 16 U.S.C. 3801, note.
- SOURCE: 72 FR 6437, Feb. 12, 2007, unless otherwise noted.

**Subpart A—General Provisions for 2006 Emergency Agricultural Disaster Assistance Programs**

**§ 1416.1 Applicability.**

(a) This part establishes the terms and conditions under which the following programs will be administered

## § 1416.2

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under Title III of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 for producers affected by the 2005 hurricanes listed in § 1416.2:

- (1) Livestock Compensation Program (LCP);
- (2) Livestock Indemnity Program II (LIP II);
- (3) Citrus Disaster Program (Citrus Disaster);
- (4) Fruit and Vegetable Disaster Program (Fruit and Vegetable Disaster);
- (5) Tropical Fruit Disaster Program (Tropical Fruit);
- (6) Nursery Disaster Program (Nursery);
- (7) 2005 Hurricane Tree Assistance Program (Hurricane TAP);
- (8) Catfish Grant Program (Catfish Grants).

(b) The amount that may be expended for payments under subparts B through I of this part shall not exceed the amounts authorized in Title III of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006.

(c) To be eligible for payments under these programs, producers must comply with all applicable provisions under subparts B through I of this part.

### **§ 1416.2 Eligible counties, hurricanes, and disaster periods.**

(a) Except as provided in paragraph (c) of this section, the Commodity Credit Corporation (CCC) will provide assistance under the programs listed in § 1416.1 to eligible producers who have suffered certain losses due to 2005 hurricanes Katrina, Ophelia, Rita, or Wilma, or a related condition, in the counties provided in paragraph (d) of this section. CCC funds for the programs in subparts B through I of this

part are made available under the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006.

(b) The “Disaster Period” is the time period in which losses occurred that may be considered eligible for the programs under subparts B, C, H and I of this part.

(c) The Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 provides that no producer receives duplicative payments under the programs in subparts B through I of this part and any other Federal program for the same loss. Under the regulations at 7 CFR part 760, Subpart E, eligible livestock owners and contract growers were provided benefits for certain livestock deaths that occurred as a result of 2005 hurricanes Dennis, Katrina, Ophelia, Rita, or Wilma in many of the same counties as provided in paragraph (d) of this section. The benefits provided under 7 CFR part 760, Subpart E, are significantly greater than the benefits to be provided under Subpart C of this part. Accordingly, to ensure the statutory requirement that no producer receives duplicative payments under the program in Subpart C of this section and any other Federal program for the same loss, eligible livestock under the program in Subpart C of this section shall be limited to catfish and crawfish in any county listed in paragraph (d) of this section that was an eligible county under 7 CFR 760.101.

(d) Counties are eligible for emergency disaster assistance under this Act if they received a Presidential designation or Secretarial declaration or are counties contiguous to such counties. Accordingly, the following counties are eligible: