committee shall permit authorized repre-
sentatives of the Department of Agri-
culture and the General Accounting Of-

(b) The affected manufacturer or any
other person who furnishes information to
the Deputy Administrator for the
purposes of enabling such manufac-
turer to receive an indemnity payment
under this subpart shall maintain any
books, records, and accounts sup-
porting any information so furnished
for 3 years following the end of the
year during which the application for
payment was filed. The affected manu-
ufacturer or any other person who fur-
nishes such information to the Deputy
Administrator shall permit authorized
representatives of the Department of
Agriculture and the General Account-
ing Office, during regular business
hours, to inspect, examine, and make
copies of such books, records, and ac-
counts.

§ 760.31 Assignment.

No assignment shall be made of any
indemnity payment due or to come due
under the regulations in this subpart.
Any assignment or attempted assign-
ment of any indemnity payment due or
to come due under this subpart shall be
null and void.

§ 760.32 Instructions and forms.
The Deputy Administrator shall
cause to be prepared such forms and in-
structions as are necessary for car-
rying out the regulations in this sub-
part. Affected farmers and manufactur-
ers may obtain information necessary
to make application for a dairy indem-
nity payment from the county FSA of-
close. Form FSA–373—Application for
Indemnity Payment, is available at the
county ASC office.

[43 FR 10535, Mar. 14, 1978, as amended at 47
FR 24689, June 8, 1982]

§ 760.33 Availability of funds.

(a) Payment of indemnity claims will
be contingent upon the availability of
FSA funds to pay such claims. Claims
will be, to the extent practicable with-
in funding limits, paid from available
funds, on a first-come, first-paid basis,
based on the date FSA approves the ap-
plication, until funds available in that
fiscal year have been expended.

(b) DIPP claims received in a fiscal
year after all available funds have been
expended will not receive payment for
such claims.

[75 FR 41367, July 16, 2010]

Subpart B—General Provisions for
Supplemental Agricultural Dis-
aster Assistance Programs

SOURCE: 74 FR 31571, July 2, 2009, unless
otherwise noted.

§ 760.101 Applicability.

(a) This subpart establishes general
conditions for this subpart and sub-
parts C through H of this part and ap-
plies only to those subparts. Subparts
C through H cover the following pro-
grams provided for in the “2008 Farm
Bill” (Pub. L. 110–246):

(1) Emergency Assistance for Live-
stock, Honey Bees, and Farm-Raised
Fish Program (ELAP);

(2) Livestock Forage Disaster Pro-
gram (LFP);

(3) Livestock Indemnity Payments
Program (LIP);

(4) Supplemental Revenue Assistance
Payments Program (SURE); and

(5) Tree Assistance Program (TAP).

(b) To be eligible for payments under
these programs, participants must
comply with all provisions under this
subpart and the relevant particular
subpart for that program. All other
provisions of law also apply.

§ 760.102 Administration of ELAP,
LFP, LIP, SURE, and TAP.

(a) The programs in subparts C
through H of this part will be adminis-
tered under the general supervision and
direction of the Administrator, Farm
Service Agency (FSA), and the Deputy
Administrator for Farm Programs,
FSA (who is referred to as the “Deputy
Administrator” in this part).

(b) FSA representatives do not have
authority to modify or waive any of
the provisions of the regulations of this
part as amended or supplemented, ex-
cept as specified in paragraph (e) of
this section.