

1448, related to export certificate programs for 1986 through 1990 crops of wheat and feed grains.

EFFECTIVE DATE OF REPEAL

Repeal effective beginning with 1991 crop of an agricultural commodity, with provision for prior crops, see section 1171 of Pub. L. 101-624, set out as an Effective Date of 1990 Amendment note under section 1421 of this title.

§§ 1445c, 1445c-1. Repealed. Pub. L. 101-624, title VIII, § 806(1), Nov. 28, 1990, 104 Stat. 3475

Section 1445c, act Oct. 31, 1949, ch. 792, title I, §108, as added Sept. 29, 1977, Pub. L. 95-113, title VIII, §807, 91 Stat. 947, related to price support program for 1978 through 1981 crops of peanuts.

Section 1445c-1, act Oct. 31, 1949, ch. 792, title I, §108A, as added Dec. 22, 1981, Pub. L. 97-98, title VII, §705, 95 Stat. 1254, related to price support program for 1982 through 1985 crops of peanuts.

EFFECTIVE DATE OF REPEAL

Repeal effective beginning with 1991 crop of an agricultural commodity, with provision for prior crops, see section 1171 of Pub. L. 101-624, set out as an Effective Date of 1990 Amendment note under section 1421 of this title.

§ 1445c-2. Omitted

CODIFICATION

Section, act Oct. 31, 1949, ch. 792, title I, §108A, formerly §108B, as added Dec. 23, 1985, Pub. L. 99-198, title VII, §705, 99 Stat. 1439; amended Oct. 18, 1986, Pub. L. 99-500, §101(a) [title VI, §639], 100 Stat. 1783, 1783-35, and Oct. 30, 1986, Pub. L. 99-591, §101(a) [title VI, §639], 100 Stat. 3341, 3341-35; Nov. 10, 1986, Pub. L. 99-641, title II, §203, 100 Stat. 3563; Dec. 22, 1987, Pub. L. 100-203, title I, §1104(b), 101 Stat. 1330-4; renumbered §108A, Nov. 28, 1990, Pub. L. 101-624, title VIII, §806(2), 104 Stat. 3475; Dec. 13, 1991, Pub. L. 102-237, title I, §117(b)(1)(A), 105 Stat. 1841, related to price support, loans, purchases, and other operations, and national average quota support rate. See Effective and Termination Dates note below.

EFFECTIVE AND TERMINATION DATES

Pub. L. 99-198, title VII, §705, Dec. 23, 1985, 99 Stat. 1439, provided that this section is effective only for the 1986 through 1990 crops of peanuts.

§ 1445c-3. Repealed. Pub. L. 104-127, title I, § 171(b)(2)(E), Apr. 4, 1996, 110 Stat. 938

Section, act Oct. 31, 1949, ch. 792, title I, §108B, as added Nov. 28, 1990, Pub. L. 101-624, title VIII, §806(3), 104 Stat. 3475; amended Nov. 5, 1990, Pub. L. 101-508, title I, §1105(b), 104 Stat. 1388-3; Dec. 13, 1991, Pub. L. 102-237, title I, §117(b)(1)(B), 105 Stat. 1841; Aug. 10, 1993, Pub. L. 103-66, title I, §1109(a), 107 Stat. 325, related to price support program for 1991 through 1997 crops of peanuts.

§ 1445d. Special wheat acreage grazing and hay program for 1978 through 1990 crop years

Notwithstanding any other provision of law—

(a) Authorization for program; acreage designation; payment

The Secretary is authorized to administer a special wheat acreage grazing and hay program (hereinafter in this section referred to as the "special program") in each of the crop years 1978 through 1990. If a special program is implemented, a producer shall be permitted to designate, under such regulations as established by

the Secretary, a portion of the acreage on the farm intended to be planted to wheat, feed grains, or upland cotton for harvest, not in excess of 40 per centum thereof, or 50 acres, whichever is greater, which shall be planted to wheat (or some other commodity other than corn or grain sorghum) and used by the producer for grazing purposes or hay rather than for commercial grain production. A producer who elects to participate in the special program shall receive a payment as provided in subsection (c) of this section.

(b) Specific farm acreage

Any producer who elects to participate in the special program under this section shall designate the specific acreage on the farm which is to be used for the purposes set forth in subsection (a) of this section. No crop other than hay may be harvested from acreage included in the special program.

(c) Determination of payment

The Secretary shall pay the producer participating in the special program an amount determined by multiplying the farm program payment yield for wheat established for the farm, by the number of acres included in the special program, by a rate of payment determined by the Secretary to be fair and reasonable. The producer shall not be eligible for any other payment or price support on any portion of the acreage for the farm which the producer elects to include in the special program.

(d) Other acreage set-aside programs

Acreage included in the special program shall be in addition to any acreage included in any acreage set-aside, reduced acreage, or land diversion program otherwise provided for by law.

(e) Rules and regulations

The Secretary is authorized to issue such regulations as the Secretary determines necessary to carry out the provisions of this section.

(f) Commodity Credit Corporation

The Secretary shall carry out the special program through the Commodity Credit Corporation.

(Oct. 31, 1949, ch. 792, title I, §109, as added Pub. L. 95-113, title X, §1004, Sept. 29, 1977, 91 Stat. 950; amended Pub. L. 97-98, title XI, §1110, Dec. 22, 1981, 95 Stat. 1267; Pub. L. 99-198, title X, §1015, Dec. 23, 1985, 99 Stat. 1457.)

AMENDMENTS

1985—Subsec. (a). Pub. L. 99-198 substituted "1990" for "1985".

1981—Subsec. (a). Pub. L. 97-98, §1110(1), (2), substituted "1985" for "1981" and "If a special program is implemented" for "Under the special program".

Subsec. (d). Pub. L. 97-98, §1110(3), inserted " , reduced acreage, or land diversion".

EFFECTIVE DATE OF 1981 AMENDMENT

Amendment by Pub. L. 97-98 effective Dec. 22, 1981, see section 1801 of Pub. L. 97-98, set out as an Effective Date note under section 4301 of this title.

EFFECTIVE DATE

Section effective Oct. 1, 1977, see section 1901 of Pub. L. 95-113, set out as an Effective Date of 1977 Amendment note under section 1307 of this title.

§ 1445e. Farmer owned reserve program**(a) In general**

The Secretary shall formulate and administer a farmer owned reserve program under which producers of wheat and feed grains will be able to store wheat and feed grains when the commodities are in abundant supply, extend the time period for the orderly marketing of the commodities, and provide for adequate carry-over stocks to ensure a reliable supply of the commodities.

(b) Terms of program**(1) Price support loans**

In carrying out this program, the Secretary shall provide extended price support loans for wheat and feed grains. An extended loan shall only be made to a producer after the expiration of a 9-month price support loan (hereafter in this section referred to as the "original loan") made in accordance with this subchapter.

(2) Level of loans

Loans made under this section shall not be less than the then current level of support under the wheat and feed grain programs established under this subchapter.

(3) Other terms and conditions

The Secretary shall provide for—

(A) repayment of the extended price support loan 27 months from the date on which the original loan expired unless, at the discretion of the Secretary, the loan has been extended for one 6-month period;

(B) a rate of interest as provided under subsection (c); and

(C) payments to producers for storage as provided in subsection (d).

(4) Regional differences

The Secretary shall ensure that producers are afforded a fair and equitable opportunity to participate in the program established under this section, taking into account regional differences in the time of harvest.

(c) Interest charges**(1) Levying of interest**

The Secretary may charge interest on loans under this section whenever the price of wheat or feed grains is equal to or exceeds 105 percent of the then current established price for the commodity.

(2) 90-day period

If interest is levied on the loans under paragraph (1), the interest may be charged for a period of 90 days after the last day on which the price of wheat or feed grains was equal to or in excess of 105 percent of the established price for the commodities.

(3) Rate of interest

The rate of interest charged participants in this program shall not be less than the rate of interest charged by the Commodity Credit Corporation by the United States Treasury, except that the Secretary may waive or adjust the interest as the Secretary considers appropriate to effectuate the purposes of this section.

(d) Storage payments**(1) In general**

The Secretary shall provide storage payments to producers for storage of wheat or feed grains under the program established in this section in such amounts and under such conditions as the Secretary determines appropriate to encourage producers to participate in the program.

(2) Timing

The Secretary shall make storage payments available to participants in this program at the end of each quarter.

(3) Duration

The Secretary shall cease making storage payments whenever the price of wheat or feed grains is equal to or exceeds 95 percent of the then current established price for the commodities, and for any 90-day period immediately following the last day on which the price of wheat or feed grains was equal to or in excess of 95 percent of the then current established price for the commodities.

(e) Emergencies

Notwithstanding any other provision of law, the Secretary may require producers to repay loans made under this section, plus accrued interest and such other charges as may be required by regulation prior to the maturity date thereof, if the Secretary determines that emergency conditions exist that require that the commodity be made available in the market to meet urgent domestic or international needs and the Secretary reports the determination and the reasons for the determination to the President, the Committee on Agriculture of the House of Representatives, and the Committee on Agriculture, Nutrition, and Forestry of the Senate at least 14 days before taking the action.

(f) Quantity of commodities in program

The Secretary may establish maximum quantities of wheat and feed grains that may receive loans and storage payments under this program as follows:

(1) The maximum quantities of wheat may not be established at less than 300 million bushels, nor more than 450 million bushels.

(2) The maximum quantities of feed grains may not be established at less than 600 million bushels, nor more than 900 million bushels.

(g) Announcement of program**(1) Time of announcement**

The Secretary shall announce the terms and conditions of the producer storage program for a crop of wheat and feed grains by—

(A) in the case of wheat, December 15 of the year in which the crop of wheat was harvested; and

(B) in the case of feed grains, March 15 of the year following the year in which the crop of corn was harvested.

(2) Discretionary entry

The Secretary may make extended loans available to producers of wheat or feed grains if—

(A) the Secretary determines that the average market price for wheat or corn, re-