

(i) Authority to temporarily adjust repayment rates**(1) Adjustment authority**

In the event of a severe disruption to marketing, transportation, or related infrastructure, the Secretary may modify the repayment rate otherwise applicable under this section for marketing assistance loans under section 9031 of this title for a loan commodity.

(2) Duration

Any adjustment made under paragraph (1) in the repayment rate for marketing assistance loans for a loan commodity shall be in effect on a short-term and temporary basis, as determined by the Secretary.

(Pub. L. 113–79, title I, §1204, Feb. 7, 2014, 128 Stat. 676; Pub. L. 115–334, title I, §§1201(b), 1202(b), Dec. 20, 2018, 132 Stat. 4509, 4510.)

AMENDMENTS

2018—Subsec. (e)(2)(B). Pub. L. 115–334, §1201(b)(1), substituted “2024” for “2019” in introductory provisions.

Subsec. (g). Pub. L. 115–334, §1201(b)(2), substituted “2023” for “2018”.

Subsec. (h)(1). Pub. L. 115–334, §1202(b), substituted “subsection (a)(20) or (b)(20), as applicable, of section 9032” for “section 9032(a)(20)”.

§ 9035. Loan deficiency payments**(a) Availability of loan deficiency payments****(1) In general**

Except as provided in subsection (d), the Secretary may make loan deficiency payments available to producers on a farm that, although eligible to obtain a marketing assistance loan under section 9031 of this title with respect to a loan commodity, agree to forgo obtaining the loan for the commodity in return for loan deficiency payments under this section.

(2) Unshorn pelts, hay, and silage**(A) Marketing assistance loans**

Subject to subparagraph (B), nongraded wool in the form of unshorn pelts and hay and silage derived from a loan commodity are not eligible for a marketing assistance loan under section 9031 of this title.

(B) Loan deficiency payment

Effective for each of the 2014 through 2023 crop years, the Secretary may make loan deficiency payments available under this section to producers on a farm that produce unshorn pelts or hay and silage derived from a loan commodity.

(b) Computation

A loan deficiency payment for a loan commodity or commodity referred to in subsection (a)(2) shall be equal to the product obtained by multiplying—

(1) the payment rate determined under subsection (c) for the commodity; by

(2) the quantity of the commodity produced by the eligible producers, excluding any quantity for which the producers obtain a marketing assistance loan under section 9031 of this title.

(c) Payment rate**(1) In general**

In the case of a loan commodity, the payment rate shall be the amount by which—

(A) the loan rate established under section 9032 of this title for the loan commodity; exceeds

(B) the rate at which a marketing assistance loan for the loan commodity may be repaid under section 9034 of this title.

(2) Unshorn pelts

In the case of unshorn pelts, the payment rate shall be the amount by which—

(A) the loan rate established under section 9032 of this title for ungraded wool; exceeds

(B) the rate at which a marketing assistance loan for ungraded wool may be repaid under section 9034 of this title.

(3) Hay and silage

In the case of hay or silage derived from a loan commodity, the payment rate shall be the amount by which—

(A) the loan rate established under section 9032 of this title for the loan commodity from which the hay or silage is derived; exceeds

(B) the rate at which a marketing assistance loan for the loan commodity may be repaid under section 9034 of this title.

(d) Exception for extra long staple cotton

This section shall not apply with respect to extra long staple cotton.

(e) Effective date for payment rate determination

The Secretary shall determine the amount of the loan deficiency payment to be made under this section to the producers on a farm with respect to a quantity of a loan commodity or commodity referred to in subsection (a)(2) using the payment rate in effect under subsection (c) as of the date the producers request the payment.

(Pub. L. 113–79, title I, §1205, Feb. 7, 2014, 128 Stat. 679; Pub. L. 115–334, title I, §1201(c)(1), Dec. 20, 2018, 132 Stat. 4509.)

AMENDMENTS

2018—Subsec. (a)(2)(B). Pub. L. 115–334 substituted “2023” for “2018”.

§ 9036. Payments in lieu of loan deficiency payments for grazed acreage**(a) Eligible producers****(1) In general**

Effective for each of the 2014 through 2023 crop years, in the case of a producer that would be eligible for a loan deficiency payment under section 9035 of this title for wheat, barley, or oats, but that elects to use acreage planted to the wheat, barley, or oats for the grazing of livestock, the Secretary shall make a payment to the producer under this section if the producer enters into an agreement with the Secretary to forgo any other harvesting of the wheat, barley, or oats on that acreage.

(2) Grazing of triticale acreage

Effective for each of the 2014 through 2023 crop years, with respect to a producer on a