

tion of producers, each member of the association with respect to benefits due to such member of the association.

(c) Receipt of other disaster payments

No person may receive benefits under this subchapter attributable to lost production of a feed commodity due to a natural disaster in 1988 to the extent that such person receives a disaster payment under the Disaster Assistance Act of 1988 on such lost production.

(d) Total combined payment and benefits limitation

Each person otherwise eligible for a livestock emergency benefit under this subchapter in 1988 shall be subject to the combined payment and benefits limitation established under section 211(c) of the Disaster Assistance Act of 1988.

(Oct. 31, 1949, ch. 792, title VI, § 609, as added Pub. L. 100-387, title I, § 101(a), Aug. 11, 1988, 102 Stat. 930; amended Pub. L. 110-234, title I, § 1603(g)(2), May 22, 2008, 122 Stat. 1011; Pub. L. 110-246, § 4(a), title I, § 1603(g)(2), June 18, 2008, 122 Stat. 1664, 1739; Pub. L. 113-79, title I, § 1609(b)(1), Feb. 7, 2014, 128 Stat. 709.)

REFERENCES IN TEXT

Section 1308 of this title (before the amendment made by section 1603(a) of the Food, Conservation, and Energy Act of 2008), referred to in subsec. (b)(1), probably means section 1308 of this title before the amendment made by section 1603(b)(3)(A) of that Act, Pub. L. 110-246, which struck out provisions in section 1308 of this title relating to issuance of regulations defining the term “person”.

The Disaster Assistance Act of 1988, referred to in subsecs. (c) and (d), is Pub. L. 100-387, Aug. 11, 1988, 102 Stat. 924. Section 211(c) of that act is set out as a note under section 1421 of this title. For complete classification of this Act to the Code, see Short Title of 1988 Amendment note set out under section 1421 of this title and Tables.

CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 made identical amendments to this section. The amendments by Pub. L. 110-234 were repealed by section 4(a) of Pub. L. 110-246.

AMENDMENTS

2014—Subsec. (b)(1). Pub. L. 113-79, § 1609(b)(1), amended language inserted by Pub. L. 110-246, § 1603(g)(2). See 2008 Amendment note below.

2008—Subsec. (b)(1). Pub. L. 110-246, § 1603(g)(2), as amended by Pub. L. 113-79, § 1609(b)(1), inserted “(before the amendment made by section 1603(a) of the Food, Conservation, and Energy Act of 2008)” after “section 1308 of this title”.

EFFECTIVE DATE OF 2014 AMENDMENT

Pub. L. 113-79, title I, § 1609(b)(2), Feb. 7, 2014, 128 Stat. 709, provided that: “This subsection [amending this section, sections 1524 and 8204 of this title, section 2106a of Title 16, Conservation, and section 2401 of Title 19, Customs Duties] and the amendments made by this subsection take effect as if included in the Food, Conservation, and Energy Act of 2008 (Public Law 110-246; 122 Stat. 1651 [see Effective Date of 2008 Amendment note below]).”

EFFECTIVE DATE OF 2008 AMENDMENT

Amendment of this section and repeal of Pub. L. 110-234 by Pub. L. 110-246 effective May 22, 2008, the date of enactment of Pub. L. 110-234, see section 4 of Pub. L. 110-246, set out as an Effective Date note under section 8701 of this title.

EFFECTIVE DATE

Section effective 15 days after Aug. 11, 1988, with subsecs. (c) and (d) of this section applicable only with respect to any livestock emergency in 1988, see section 101(c) of Pub. L. 100-387, set out as an Effective and Termination Dates of 1988 Amendment note under section 1427 of this title.

INAPPLICABILITY OF SECTION

Section inapplicable to 2014 through 2018 crops of covered commodities, cotton, and sugar and inapplicable to milk during period beginning Feb. 7, 2014, through Dec. 31, 2018, see section 9092(b)(12) of this title.

Section inapplicable to 2008 through 2012 crops of covered commodities, peanuts, and sugar and inapplicable to milk during period beginning June 18, 2008, through Dec. 31, 2012, see section 8782(b)(12) of this title.

Section inapplicable to 2002 through 2007 crops of covered commodities, peanuts, and sugar and inapplicable to milk during period beginning May 13, 2002, through Dec. 31, 2007, see section 7992(b)(12) of this title.

Section inapplicable to 1996 through 2002 crops of loan commodities, peanuts, and sugar and inapplicable to milk during period beginning Apr. 4, 1996, and ending Dec. 31, 2002, see section 7301(b)(1)(L) of this title.

§ 1471h. Ineligibility

(a) Any person that has qualifying gross revenues in excess of \$2,500,000 annually, as determined by the Secretary, shall not be eligible to receive any livestock emergency benefits under this subchapter.

(b) For purposes of this section, the term “qualifying gross revenue” means—

(1) if a majority of the person’s annual income is received from farming and ranching operations, the gross revenue from the person’s farming and ranching operations; and

(2) if less than a majority of the person’s annual income is received from farming and ranching operations, the person’s gross revenue from all sources.

(Oct. 31, 1949, ch. 792, title VI, § 610, as added Pub. L. 100-387, title I, § 101(a), Aug. 11, 1988, 102 Stat. 931.)

EFFECTIVE DATE

Section effective 15 days after Aug. 11, 1988, see section 101(c)(1) of Pub. L. 100-387, set out as an Effective and Termination Dates of 1988 Amendment note under section 1427 of this title.

INAPPLICABILITY OF SECTION

Section inapplicable to 2014 through 2018 crops of covered commodities, cotton, and sugar and inapplicable to milk during period beginning Feb. 7, 2014, through Dec. 31, 2018, see section 9092(b)(12) of this title.

Section inapplicable to 2008 through 2012 crops of covered commodities, peanuts, and sugar and inapplicable to milk during period beginning June 18, 2008, through Dec. 31, 2012, see section 8782(b)(12) of this title.

Section inapplicable to 2002 through 2007 crops of covered commodities, peanuts, and sugar and inapplicable to milk during period beginning May 13, 2002, through Dec. 31, 2007, see section 7992(b)(12) of this title.

Section inapplicable to 1996 through 2002 crops of loan commodities, peanuts, and sugar and inapplicable to milk during period beginning Apr. 4, 1996, and ending Dec. 31, 2002, see section 7301(b)(1)(L) of this title.

§ 1471i. Administration

(a) Regulations

The Commodity Credit Corporation shall issue regulations to carry out this subchapter.

(b) Processing and decisions to be made as quickly as practicable

Such regulations shall establish procedures to ensure that the request for assistance by a Governor or county committee under section 1471b of this title, and individual applications of livestock producers under section 1471c of this title for assistance, are processed and decisions thereon are made as quickly as practicable.

(c) Indigenous plants not considered feed on hand

For purposes of this subchapter, indigenous plants available to a livestock producer but not normally consumed by livestock as feed, such as cactus, may not be considered as feed on hand for such producers.

(Oct. 31, 1949, ch. 792, title VI, §611, as added Pub. L. 100-387, title I, §101(a), Aug. 11, 1988, 102 Stat. 931.)

EFFECTIVE DATE

Section effective 15 days after Aug. 11, 1988, see section 101(c)(1) of Pub. L. 100-387, set out as an Effective and Termination Dates of 1988 Amendment note under section 1427 of this title.

INAPPLICABILITY OF SECTION

Section inapplicable to 2014 through 2018 crops of covered commodities, cotton, and sugar and inapplicable to milk during period beginning Feb. 7, 2014, through Dec. 31, 2018, see section 9092(b)(12) of this title.

Section inapplicable to 2008 through 2012 crops of covered commodities, peanuts, and sugar and inapplicable to milk during period beginning June 18, 2008, through Dec. 31, 2012, see section 8782(b)(12) of this title.

Section inapplicable to 2002 through 2007 crops of covered commodities, peanuts, and sugar and inapplicable to milk during period beginning May 13, 2002, through Dec. 31, 2007, see section 7992(b)(12) of this title.

Section inapplicable to 1996 through 2002 crops of loan commodities, peanuts, and sugar and inapplicable to milk during period beginning Apr. 4, 1996, and ending Dec. 31, 2002, see section 7301(b)(1)(L) of this title.

§ 1471j. Penalties

A person that disposes of any feed made available to a livestock producer under this subchapter other than as authorized by the Secretary shall be (1) subject to a civil penalty equal to the market value of the feed involved, to be recovered by the Secretary in a civil suit brought for that purpose, and (2) guilty of a misdemeanor and, on conviction thereof, subject to a fine of not more than \$1,000, or imprisonment for not more than one year, or both.

(Oct. 31, 1949, ch. 792, title VI, §612, as added Pub. L. 100-387, title I, §101(a), Aug. 11, 1988, 102 Stat. 931.)

EFFECTIVE DATE

Section effective 15 days after Aug. 11, 1988, see section 101(c)(1) of Pub. L. 100-387, set out as an Effective and Termination Dates of 1988 Amendment note under section 1427 of this title.

INAPPLICABILITY OF SECTION

Section inapplicable to 2014 through 2018 crops of covered commodities, cotton, and sugar and inapplicable to milk during period beginning Feb. 7, 2014, through Dec. 31, 2018, see section 9092(b)(12) of this title.

Section inapplicable to 2008 through 2012 crops of covered commodities, peanuts, and sugar and inapplicable

to milk during period beginning June 18, 2008, through Dec. 31, 2012, see section 8782(b)(12) of this title.

Section inapplicable to 2002 through 2007 crops of covered commodities, peanuts, and sugar and inapplicable to milk during period beginning May 13, 2002, through Dec. 31, 2007, see section 7992(b)(12) of this title.

Section inapplicable to 1996 through 2002 crops of loan commodities, peanuts, and sugar and inapplicable to milk during period beginning Apr. 4, 1996, and ending Dec. 31, 2002, see section 7301(b)(1)(L) of this title.

§ 1472. Assistance for livestock producers

(a) Definition of livestock

In this section, the term “livestock” includes elk, reindeer, bison, horses, and deer.

(b) Availability of assistance

In such amounts as are provided in advance in appropriation Acts, the Secretary of Agriculture may provide assistance to dairy and other livestock producers to cover economic losses incurred by such producers in connection with the production of livestock.

(c) Types of assistance

The assistance provided to livestock producers may be in the following forms:

(1) Indemnity payments to livestock producers who incur livestock mortality losses.

(2) Livestock feed assistance to livestock producers affected by shortages of feed.

(3) Compensation for sudden increases in production costs.

(4) Such other assistance, and for such other economic losses, as the Secretary considers appropriate.

(d) Limitations

The Secretary may not use the funds of the Commodity Credit Corporation to provide assistance under this section.

(e) Authorization of appropriations

There is authorized to be appropriated to the Secretary such sums as may be necessary to carry out this section.

(Pub. L. 107-171, title X, §10104, May 13, 2002, 116 Stat. 488; Pub. L. 108-447, div. A, title VII, §785(b)(2), Dec. 8, 2004, 118 Stat. 2850; Pub. L. 109-97, title VII, §784(b)(3), Nov. 10, 2005, 119 Stat. 2162.)

CODIFICATION

Section was enacted as part of the Farm Security and Rural Investment Act of 2002, and not as part of the Emergency Livestock Feed Assistance Act of 1988 which comprises this subchapter or as part of the Agricultural Act of 1949 which is classified principally to this chapter. For complete classification of the 1949 Act to the Code, see Short Title note set out under section 1421 of this title and Tables.

AMENDMENTS

2005—Subsec. (a). Pub. L. 109-97 substituted “bison, horses, and deer” for “and bison”.

2004—Pub. L. 108-447 added subsec. (a) and redesignated former subsecs. (a) to (d) as (b) to (e), respectively.

EFFECTIVE DATE OF 2005 AMENDMENT

Amendment by Pub. L. 109-97 applicable to losses resulting from a disaster that occurs on or after July 28, 2005, and inapplicable to losses resulting from a disaster that occurs before such date, see section 784(c) of