

the agricultural producer or owner of agricultural land.

(5) Condition of other programs

The participation of the agricultural producer or owner of agricultural land in, or receipt of any benefit under, any program administered by the Secretary may not be conditioned on the consent of the agricultural producer or owner of agricultural land under paragraph (4)(C).

(6) Waiver of privilege or protection

The disclosure of information under paragraph (2) shall not constitute a waiver of any applicable privilege or protection under Federal law, including trade secret protection.

(Pub. L. 110-234, title I, §1619, May 22, 2008, 122 Stat. 1022; Pub. L. 110-246, §4(a), title I, §1619, June 18, 2008, 122 Stat. 1664, 1750.)

Editorial Notes

CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 enacted identical sections. Pub. L. 110-234 was repealed by section 4(a) of Pub. L. 110-246.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Enactment 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 a note under section 8701 of this title.

§ 8792. Geographically disadvantaged farmers and ranchers

(a) Definitions

In this section:

(1) Agricultural commodity

The term “agricultural commodity” has the meaning given the term in section 5602 of this title.

(2) Geographically disadvantaged farmer or rancher

The term “geographically disadvantaged farmer or rancher” has the meaning given the term in section 10906(a) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 2204 note; Public Law 107-171).

(b) Authorization

Subject to the availability of funds under subsection (d), the Secretary may provide geographically disadvantaged farmers or ranchers direct reimbursement payments for activities described in subsection (c).

(c) Transportation

(1) In general

Subject to paragraphs (2) and (3), the Secretary may provide direct reimbursement payments to a geographically disadvantaged farmer or rancher to transport an agricultural commodity, or inputs used to produce an agricultural commodity, during a fiscal year.

(2) Proof of eligibility

To be eligible to receive assistance under paragraph (1), a geographically disadvantaged

farmer or rancher shall demonstrate to the Secretary that transportation of the agricultural commodity or inputs occurred over a distance of more than 30 miles, as determined by the Secretary.

(3) Amount

(A) In general

Subject to paragraph (2), the amount of direct reimbursement payments made to a geographically disadvantaged farmer or rancher under this section for a fiscal year shall equal the product obtained by multiplying—

(i) the amount of costs incurred by the geographically disadvantaged farmer or rancher for transportation of the agricultural commodity or inputs during the fiscal year; and

(ii)(I) the percentage of the allowance for that fiscal year under section 5941 of title 5 for Federal employees stationed in Alaska and Hawaii; or

(II) in the case of an insular area (as defined in section 3103 of this title), a comparable percentage of the allowance for the fiscal year, as determined by the Secretary.

(B) Limitation

The total amount of direct reimbursement payments provided by the Secretary under this section shall not exceed \$15,000,000 for a fiscal year.

(d) Authorization of appropriations

There are authorized to be appropriated such sums as are necessary to carry out this section for fiscal year 2009 and each succeeding fiscal year.

(Pub. L. 110-234, title I, §1621, May 22, 2008, 122 Stat. 1024; Pub. L. 110-246, §4(a), title I, §1621, June 18, 2008, 122 Stat. 1664, 1752; Pub. L. 113-79, title I, §1606, Feb. 7, 2014, 128 Stat. 708.)

Editorial Notes

CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 enacted identical sections. Pub. L. 110-234 was repealed by section 4(a) of Pub. L. 110-246.

AMENDMENTS

2014—Subsec. (d). Pub. L. 113-79 substituted “fiscal year 2009 and each succeeding fiscal year” for “each of fiscal years 2009 through 2012”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Enactment 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 a note under section 8701 of this title.

§ 8793. Implementation

The Secretary shall make available to the Farm Service Agency to carry out this chapter \$50,000,000.

(Pub. L. 110-234, title I, §1622, May 22, 2008, 122 Stat. 1025; Pub. L. 110-246, §4(a), title I, §1622, June 18, 2008, 122 Stat. 1664, 1753.)