

(f) Payment limitations**(1) Definitions of legal entity and person**

In this subsection, the terms “legal entity” and “person” have the meaning given those terms in section 1001(a) of the Food Security Act of 1985 (7 U.S.C. 1308(a)).

(2) Amount

The total amount of disaster assistance payments received, directly or indirectly, by a person or legal entity (excluding a joint venture or general partnership) under subsection (c) may not exceed \$125,000 for any crop year.

(3) Direct attribution

Subsections (e) and (f) of section 1001 of the Food Security Act of 1985 (7 U.S.C. 1308) or any successor provisions relating to direct attribution shall apply with respect to assistance provided under this section.

(Pub. L. 113-79, title I, §1501, Feb. 7, 2014, 128 Stat. 697; Pub. L. 115-123, div. B, title I, §20101(a)–(d), Feb. 9, 2018, 132 Stat. 68, 69; Pub. L. 115-334, title I, §1501(a)–(c)(1), (d), (e), title XII, §12306(h), Dec. 20, 2018, 132 Stat. 4522, 4523, 4970.)

Editorial Notes

REFERENCES IN TEXT

The Food Security Act of 1985, referred to in subsec. (c)(3)(A)(ii), is Pub. L. 99-198, Dec. 23, 1985, 99 Stat. 1354. Subchapter B of chapter 1 of subtitle D of title XII is classified generally to subpart B (§3831 et seq.) of part I of subchapter IV of chapter 58 of Title 16, Conservation. For complete classification of this Act to the Code, see Short Title of 1985 Amendment note set out under section 1281 of this title and Tables.

AMENDMENTS

2018—Subsec. (a)(1). Pub. L. 115-334, §12306(h)(1)(B), added par. (1). Former par. (1) redesignated (2).

Subsec. (a)(1)(B)(iii) to (v). Pub. L. 115-334, §1501(a), added cl. (iii) and redesignated former cls. (iii) and (iv) as (iv) and (v), respectively.

Subsec. (a)(2) to (5). Pub. L. 115-334, §12306(h)(1)(A), redesignated pars. (1) to (4) as (2) to (5), respectively.

Subsec. (b)(1). Pub. L. 115-123, §20101(a)(1), inserted “sold livestock for a reduced sale price, or both” after “normal mortality,” in introductory provisions.

Subsec. (b)(1)(B). Pub. L. 115-334, §1501(b)(1)(B), substituted “cold, on the condition that in the case of the death loss of unweaned livestock due to that adverse weather, the Secretary may disregard any management practice, vaccination protocol, or lack of vaccination by the eligible producer on a farm; or” for “cold.”

Subsec. (b)(1)(C). Pub. L. 115-334, §1501(b)(1)(A), (C), added subpar. (C).

Subsec. (b)(2). Pub. L. 115-123, §20101(a)(2), substituted “affected livestock, as determined by the Secretary, on, as applicable—” for “applicable livestock on the day before the date of death of the livestock, as determined by the Secretary.” and added subpars. (A) and (B).

Subsec. (b)(4). Pub. L. 115-334, §1501(b)(2), inserted heading.

Pub. L. 115-123, §20101(a)(3), added par. (4).

Subsec. (d)(1). Pub. L. 115-123, §20101(b), struck out “not more than \$20,000,000 of” before “the funds of the Commodity Credit Corporation”.

Subsec. (d)(2). Pub. L. 115-334, §1501(c)(1), inserted “, including inspections of cattle tick fever” before period at end.

Subsec. (d)(4). Pub. L. 115-334, §12306(h)(2), added par. (4).

Subsec. (e)(3). Pub. L. 115-334, §1501(d)(1), substituted “paragraphs (4) and (5)” for “paragraph (4)” in introductory provisions.

Subsec. (e)(4)(B), (C). Pub. L. 115-123, §20101(c), (d)(1), substituted “1,000 acres” for “500 acres” in subpar. (C), redesignated subpar. (C) as (B), and struck out former subpar. (B). Prior to amendment, text of subpar. (B) read as follows: “The total amount of payments received, directly or indirectly, by a person or legal entity (excluding a joint venture or general partnership) under this subsection may not exceed \$125,000 for any crop year, or an equivalent value in tree seedlings.”

Subsec. (e)(5). Pub. L. 115-334, §1501(d)(2), added par. (5).

Subsec. (f)(2). Pub. L. 115-334, §1501(e), substituted “subsection (c)” for “this section (excluding payments received under subsections (b) and (e))”.

Pub. L. 115-123, §20101(d)(2), substituted “subsections (b) and (e)” for “subsection (e)”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2018 AMENDMENT

Pub. L. 115-334, title I, §1501(c)(2), Dec. 20, 2018, 132 Stat. 4522, provided that: “The amendment made by paragraph (1) [amending this section] shall apply to inspections of cattle tick fever conducted on or after the date of enactment of this Act [Dec. 20, 2018].”

Pub. L. 115-123, div. B, title I, §20101(e), Feb. 9, 2018, 132 Stat. 69, provided that: “Section 1501 of the Agricultural Act of 2014 (7 U.S.C. 9081), as amended by this section, shall apply with respect to losses described in such section 1501 incurred on or after January 1, 2017.”

SUBCHAPTER V—ADMINISTRATION

§ 9091. Administration generally**(a) Use of Commodity Credit Corporation**

The Secretary shall use the funds, facilities, and authorities of the Commodity Credit Corporation to carry out this chapter.

(b) Determinations by Secretary

A determination made by the Secretary under this chapter shall be final and conclusive.

(c) Regulations**(1) In general**

Except as otherwise provided in this subsection, not later than 90 days after February 7, 2014, the Secretary and the Commodity Credit Corporation, as appropriate, shall promulgate such regulations as are necessary to implement this chapter and the amendments made by this chapter.

(2) Procedure

The promulgation of the regulations and administration of this chapter and the amendments made by this chapter, sections 11003 and 11017, title I of the Agriculture Improvement Act of 2018 and the amendments made by that title, and section 10109 of that Act shall be made without regard to—

(A) the notice and comment provisions of section 553 of title 5; and

(B) chapter 35 of title 44 (commonly known as the “Paperwork Reduction Act”).

(3) Congressional review of agency rulemaking

In carrying out this subsection, the Secretary shall use the authority provided under section 808 of title 5.

(d) Adjustment authority related to trade agreements compliance**(1) Required determination; adjustment**

If the Secretary determines that expenditures under this chapter that are subject to

the total allowable domestic support levels under the Uruguay Round Agreements (as defined in section 3501 of title 19) will exceed such allowable levels for any applicable reporting period, the Secretary shall, to the maximum extent practicable, make adjustments in the amount of such expenditures during that period to ensure that such expenditures do not exceed the allowable levels.

(2) Congressional notification

Before making any adjustment under paragraph (1), the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing the determination made under that paragraph and the extent of the adjustment to be made.

(Pub. L. 113-79, title I, §1601, Feb. 7, 2014, 128 Stat. 704; Pub. L. 115-334, title I, §1701, Dec. 20, 2018, 132 Stat. 4525.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this title”, meaning title I of Pub. L. 113-79, Feb. 7, 2014, 128 Stat. 658, which is classified principally to this chapter. For complete classification of title I to the Code, see Tables.

Sections 11003 and 11017, referred to in subsec. (c)(2), mean sections 11003 and 11017 of Pub. L. 113-79, which enacted section 1508b of this title, amended section 1508 of this title and enacted provisions set out as a note under section 1508 of this title.

The Agriculture Improvement Act of 2018, referred to in subsec. (c)(2), is Pub. L. 115-334, Dec. 20, 2018, 132 Stat. 4490. Title I of the Act enacted section 9071 of this title, amended sections 608c, 1308, 1308-3a, 1359bb, 1359ll, 4504, 4553, 7272, 7333, 8737, 8772, 9011 to 9017, 9031, 9032, 9034 to 9039, 9051 to 9060, 9081, 9091, 9092, and 9097 of this title, repealed sections 9019 and 9071 of this title, and enacted provisions set out as notes under sections 608c, 1308, 1308-3a, 6932, 9051, 9052, and 9081 of this title and section 6101 of Title 31, Money and Finance. For complete classification of this Act to the Code, see Short Title of 2018 Amendment note set out under section 9001 of this title and Tables.

Section 10109 of that Act, referred to in subsec. (c)(2), means section 10109 of Pub. L. 115-334, title X, Dec. 20, 2018, 132 Stat. 4906. Subsecs. (a) to (c) of section 10109 are not classified to the Code. Subsec. (d) of section 10109 amended section 2276 of this title.

AMENDMENTS

2018—Subsec. (c)(2). Pub. L. 115-334, §1701(1), substituted “this chapter, sections 11003 and 11017, title I of the Agriculture Improvement Act of 2018 and the amendments made by that title, and section 10109 of that Act” for “this chapter and sections 11003 and 11017” in introductory provisions.

Subsec. (c)(2)(C). Pub. L. 115-334, §1701(2)-(4), struck out subpar. (C) which read as follows: “the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rule-making.”

§ 9092. Suspension of permanent price support authority

(a) Agricultural Adjustment Act of 1938

The following provisions of the Agricultural Adjustment Act of 1938 [7 U.S.C. 1281 et seq.] shall not be applicable to the 2014 through 2023

crops of covered commodities (as defined in section 9011 of this title), cotton, and sugar and shall not be applicable to milk during the period beginning on February 7, 2014, through December 31, 2023:

(1) Parts II through V of subtitle B of title III (7 U.S.C. 1326 et seq.) [7 U.S.C. 1321 et seq., 1331 et seq., 1341 et seq., 1351].

(2) In the case of upland cotton, section 377 (7 U.S.C. 1377).

(3) Subtitle D of title III (7 U.S.C. 1379a et seq.).

(4) Title IV (7 U.S.C. 1401 et seq.).

(b) Agricultural Act of 1949

The following provisions of the Agricultural Act of 1949 [7 U.S.C. 1421 et seq.] shall not be applicable to the 2014 through 2023 crops of covered commodities (as defined in section 9011 of this title), cotton, and sugar and shall not be applicable to milk during the period beginning on February 7, 2014, and through December 31, 2023:

(1) Section 101 (7 U.S.C. 1441).

(2) Section 103(a) (7 U.S.C. 1444(a)).

(3) Section 105 (7 U.S.C. 1444b).

(4) Section 107 (7 U.S.C. 1445a).

(5) Section 110 (7 U.S.C. 1445e).

(6) Section 112 (7 U.S.C. 1445g).

(7) Section 115 (7 U.S.C. 1445k).

(8) Section 201 (7 U.S.C. 1446).

(9) Title III (7 U.S.C. 1447 et seq.).

(10) Title IV (7 U.S.C. 1421 et seq.), other than sections 404, 412, and 416 (7 U.S.C. 1424, 1429, and 1431).

(11) Title V (7 U.S.C. 1461 et seq.).

(12) Title VI (7 U.S.C. 1471 et seq.).

(c) Suspension of certain quota provisions

The joint resolution entitled “A joint resolution relating to corn and wheat marketing quotas under the Agricultural Adjustment Act of 1938, as amended”, approved May 26, 1941 (7 U.S.C. 1330 and 1340), shall not be applicable to the crops of wheat planted for harvest in the calendar years 2014 through 2023.

(Pub. L. 113-79, title I, §1602, Feb. 7, 2014, 128 Stat. 705; Pub. L. 115-334, title I, §1702, Dec. 20, 2018, 132 Stat. 4525.)

Editorial Notes

REFERENCES IN TEXT

The Agricultural Adjustment Act of 1938, referred to in subsec. (a), is act Feb. 16, 1938, ch. 30, 52 Stat. 31, which is classified principally to chapter 35 (§1281 et seq.) of this title. Parts II through V of subtitle B of title III of the Act are classified generally to subparts II (§1321 et seq.), III (§1331 et seq.), IV (§1341 et seq.), and V (§1351, which was omitted from the Code), respectively, of part B of subchapter II of chapter 35 of this title. Subtitle D of title III of the Act is classified generally to part D (§1379a et seq.) of subchapter II of chapter 35 of this title. Title IV of the Act was classified generally to subchapter III (§1401 et seq.) of chapter 35 of this title, and was omitted from the Code. For complete classification of this Act to the Code, see section 1281 of this title and Tables.

The Agricultural Act of 1949, referred to in subsec. (b), is act Oct. 31, 1949, ch. 792, 63 Stat. 1051, which is classified principally to chapter 35A (§1421 et seq.) of this title. Title III of the Act is classified generally to sections 1447 to 1449 of this title. Title IV of the Act is classified principally to subchapter I (§1421 et seq.) of chapter 35A of this title. Title V of the Act, which was