

**§ 1450. Repealed. Aug. 28, 1954, ch. 1041, title II, § 203(b), 68 Stat. 899**

Section, acts Mar. 31, 1950, ch. 81, § 5, 64 Stat. 42; Jan. 30, 1954, ch. 2, § 5(a), 68 Stat. 7, provided that for the crop year of 1951 and thereafter, no price support would be available for Irish potatoes unless marketing quotas were in effect.

**SUBCHAPTER IV—ACREAGE BASE AND YIELD SYSTEM**

**§§ 1461 to 1469. Omitted**

**Editorial Notes**

**CODIFICATION**

Sections 1461 to 1469 were omitted pursuant to section 1469 which provided that this subchapter was to be effective only for the 1991 through 1997 program crops.

Section 1461, act Oct. 31, 1949, ch. 792, title V, § 501, as added Pub. L. 99-198, title X, § 1031, Dec. 23, 1985, 99 Stat. 1460; amended Pub. L. 101-624, title XI, § 1101, Nov. 28, 1990, 104 Stat. 3491, related to purpose of subchapter to prescribe system for establishing crop acreage bases and program payment yields for wheat, feed grains, upland cotton, and rice programs.

A prior section 1461, act Oct. 31, 1949, ch. 792, title V, § 501, as added July 12, 1951, ch. 223, 65 Stat. 119; amended Mar. 16, 1954, ch. 98, 68 Stat. 28, provided for powers, duties, and guaranties of Secretary of Labor as part of a program for recruiting agricultural workers from Mexico for employment up to December 31, 1964.

Section 1462, act Oct. 31, 1949, ch. 792, title V, § 502, as added Pub. L. 99-198, title X, § 1031, Dec. 23, 1985, 99 Stat. 1461; amended Pub. L. 101-624, title XI, § 1101, Nov. 28, 1990, 104 Stat. 3491, defined terms for this subchapter.

A prior section 1462, act Oct. 31, 1949, ch. 792, title V, § 502, as added July 12, 1951, ch. 223, 65 Stat. 119; amended Aug. 9, 1955, ch. 679, § 2, 69 Stat. 615; Oct. 3, 1961, Pub. L. 87-345, § 1, 75 Stat. 761, related to liabilities and guaranties of employers as part of a program for recruiting agricultural workers from Mexico for employment up to December 31, 1964.

Section 1463, act Oct. 31, 1949, ch. 792, title V, § 503, as added Pub. L. 99-198, title X, § 1031, Dec. 23, 1985, 99 Stat. 1461; amended Pub. L. 100-387, title III, § 302(a), Aug. 11, 1988, 102 Stat. 947; Pub. L. 101-81, § 2, Aug. 14, 1989, 103 Stat. 563; Pub. L. 101-624, title XI, § 1101, Nov. 28, 1990, 104 Stat. 3491; Pub. L. 102-237, title I, § 112(a), (b), Dec. 13, 1991, 105 Stat. 1836; Pub. L. 103-66, title I, § 1101(b)(2)(A), Aug. 10, 1993, 107 Stat. 314, established crop acreage bases for each program crop.

A prior section 1463, act Oct. 31, 1949, ch. 792, title V, § 503, as added July 12, 1951, ch. 223, 65 Stat. 120; amended Aug. 9, 1955, ch. 679, § 3, 69 Stat. 615; Oct. 3, 1961, Pub. L. 87-345, § 2, 75 Stat. 761, related to certification of need for workers, consultation with employers and workers, and posting of information as part of a program for recruiting agricultural workers from Mexico for employment up to December 31, 1964.

A prior section 1463a, act Oct. 31, 1949, ch. 792, title V, § 504, as added Oct. 3, 1961, Pub. L. 87-345, § 3, 75 Stat. 761, restricted duration and nature of employment as part of a program for recruiting agricultural workers from Mexico for employment up to December 31, 1964.

Section 1464, act Oct. 31, 1949, ch. 792, title V, § 504, as added Pub. L. 99-198, title X, § 1031, Dec. 23, 1985, 99 Stat. 1461; amended Pub. L. 99-253, § 4, Feb. 28, 1986, 100 Stat. 37; Pub. L. 99-260, § 8, Mar. 20, 1986, 100 Stat. 51; Pub. L. 100-387, title III, § 301(a)(1), Aug. 11, 1988, 102 Stat. 945; Pub. L. 101-81, § 1, Aug. 14, 1989, 103 Stat. 563; Pub. L. 101-82, title VI, § 603(a), Aug. 14, 1989, 103 Stat. 587; Pub. L. 101-239, title I, § 1002(a), Dec. 19, 1989, 103 Stat. 2106; Pub. L. 101-624, title XI, § 1101, Nov. 28, 1990, 104 Stat. 3494; Pub. L. 102-237, title I, § 112(c), Dec. 13, 1991, 105 Stat. 1837, provided for planting flexibility.

A prior section 1464, act Oct. 31, 1949, ch. 792, title V, § 505, formerly § 504, as added July 12, 1951, ch. 223, 65

Stat. 120, and renumbered Oct. 3, 1961, Pub. L. 87-345, § 3, 75 Stat. 761, related to workers subject to immigration laws, dispensed with need of penalty bond, and provided for effect of use of "wetback" labor as part of a program for recruiting agricultural workers from Mexico for employment up to December 31, 1964.

Section 1465, act Oct. 31, 1949, ch. 792, title V, § 505, as added Pub. L. 99-198, title X, § 1031, Dec. 23, 1985, 99 Stat. 1462; amended Pub. L. 101-624, title XI, § 1101, Nov. 28, 1990, 104 Stat. 3495; Pub. L. 103-66, title I, § 1101(b)(2)(B), Aug. 10, 1993, 107 Stat. 314, provided for farm program payment yields.

A prior section 1465, act Oct. 31, 1949, ch. 792, title V, § 506(c), formerly § 505(c), as added July 12, 1951, ch. 223, 65 Stat. 121, and renumbered Oct. 3, 1961, Pub. L. 87-345, § 3, 75 Stat. 761, provided for an exemption from a head tax as part of a program for recruiting agricultural workers from Mexico for employment up to December 31, 1964.

A prior section 1465a, act Oct. 31, 1949, ch. 792, title V, § 506(d), as added Oct. 3, 1961, Pub. L. 87-345, § 4, 75 Stat. 761, provided for illness or disability tax as part of a program for recruiting agricultural workers from Mexico for employment up to December 31, 1964.

Section 1466, act Oct. 31, 1949, ch. 792, title V, § 506, as added Pub. L. 99-198, title X, § 1031, Dec. 23, 1985, 99 Stat. 1463; amended Pub. L. 99-260, § 3, Mar. 20, 1986, 100 Stat. 48; Pub. L. 100-203, title I, § 1109, Dec. 22, 1987, 101 Stat. 1330-6; Pub. L. 101-220, § 11(a), Dec. 12, 1989, 103 Stat. 1882; Pub. L. 101-624, title XI, § 1101, Nov. 28, 1990, 104 Stat. 3497, provided for planting and production history of farms.

A prior section 1466, act Oct. 31, 1949, ch. 792, title V, § 507, formerly § 506, as added July 12, 1951, ch. 223, 65 Stat. 121; renumbered § 507, Oct. 3, 1961, Pub. L. 87-345, § 3, 75 Stat. 761, related to utilization of Federal and State agencies by Secretary of Labor as part of a program for recruiting agricultural workers from Mexico for employment up to December 31, 1964.

Section 1467, act Oct. 31, 1949, ch. 792, title V, § 507, as added Pub. L. 99-198, title X, § 1031, Dec. 23, 1985, 99 Stat. 1463; amended Pub. L. 101-624, title XI, § 1101, Nov. 28, 1990, 104 Stat. 3497, provided for establishment of bases and yields by county committees.

A prior section 1467, act Oct. 31, 1949, ch. 792, title V, § 508, formerly § 507, as added July 12, 1951, ch. 223, 65 Stat. 121; renumbered § 508 and amended Oct. 3, 1961, Pub. L. 87-345, §§ 3, 5, 75 Stat. 761, defined "agricultural employment" and "employer" for purposes of the program for recruiting agricultural workers from Mexico for employment up to December 31, 1964.

Section 1468, act Oct. 31, 1949, ch. 792, title V, § 508, as added Pub. L. 99-198, title X, § 1031, Dec. 23, 1985, 99 Stat. 1464; amended Pub. L. 101-624, title XI, § 1101, Nov. 28, 1990, 104 Stat. 3497, provided for administrative appeals procedure.

A prior section 1468, act Oct. 31, 1949, ch. 792, title V, § 509, formerly § 508, as added July 12, 1951, ch. 223, 65 Stat. 121; renumbered § 509, Oct. 3, 1961, Pub. L. 87-345, § 3, 75 Stat. 761, related to importation of workers from other foreign countries with regard to a program of recruiting agricultural workers from Mexico for employment up to December 31, 1964.

Section 1469, act Oct. 31, 1949, ch. 792, title V, § 509, as added Pub. L. 99-198, title X, § 1031, Dec. 23, 1985, 99 Stat. 1464; amended Pub. L. 101-624, title XI, § 1101, Nov. 28, 1990, 104 Stat. 3497; Pub. L. 103-66, title I, § 1101(b)(2)(C), Aug. 10, 1993, 107 Stat. 314, provided that subchapter was to be effective only for the 1991 through 1997 program crops.

A prior section 509, formerly 508, of act Oct. 31, 1949, was formerly classified to section 1468 of this title. See note set out above.

**SUBCHAPTER V—EMERGENCY LIVESTOCK FEED ASSISTANCE ACT OF 1988**

**§ 1471. Definitions**

As used in this subchapter:

(1) The term “livestock producer” means—

(A) a person that is actively engaged in farming and that receives a substantial amount of total income from the production of grain or livestock, as determined by the Secretary, that is—

(i) an established producer or husbander of livestock or a dairy producer who is a citizen of, or legal resident alien in, the United States; or

(ii) a farm cooperative, private domestic corporation, partnership, or joint operation in which a majority interest is held by members, stockholders, or partners who are citizens of, or legal resident aliens in, the United States, if such cooperative, corporation, partnership, or joint operation is engaged in livestock production or husbandry, or dairy production; or

(B) Any<sup>1</sup> of the following entities that is actively engaged in livestock production or husbandry, or dairy production—

(i) any Indian tribe (as defined in section 5304(b) of title 25);<sup>2</sup>

(ii) any Indian organization or entity chartered under the Act of June 18, 1934 (48 Stat. 984, chapter 576; 25 U.S.C. 461 et seq.),<sup>2</sup> commonly known as the “Indian Reorganization Act”;

(iii) any tribal organization (as defined in section 5304(c) of title 25);<sup>2</sup> or

(iv) any economic enterprise (as defined in section 1452(e) of title 25);

(2) The term “livestock” means cattle, elk, reindeer, bison, horses, deer, sheep, goats, swine, poultry (including egg-producing poultry), llamas, alpacas, live fish, crawfish, and other animals that—

(A) are part of a foundation herd (including producing dairy cattle) or offspring; or

(B) are purchased as part of a normal operation and not to obtain additional benefits under this subchapter.

(3) The term “State” means any State of the United States, the Commonwealth of Puerto Rico, the Virgin Islands, or Guam.

(4) The term “feed”, for the purposes of emergency feed assistance, means any type of feed (including feed grain, oilseed meal, premix or mixed feed, liquid or dry supplemental feed, roughage, pasture, or forage) that—

(A) best suits the livestock producer’s operation; and

(B) is consistent with acceptable feed practices.

(5) The term “area” includes any Indian reservation (as defined in section 1985(e)(1)(D)(ii) of this title).

(Oct. 31, 1949, ch. 792, title VI, §602, as added Pub. L. 100-387, title I, §101(a), Aug. 11, 1988, 102 Stat. 926; amended Pub. L. 108-447, div. A, title VII, §785(b)(1), Dec. 8, 2004, 118 Stat. 2850; Pub. L. 109-97, title VII, §784(b)(1), Nov. 10, 2005, 119 Stat. 2162; Pub. L. 115-334, title XII, §12104, Dec. 20, 2018, 132 Stat. 4942.)

<sup>1</sup> So in original. Probably should not be capitalized.

<sup>2</sup> See References in Text note below.

## Editorial Notes

### REFERENCES IN TEXT

Section 5304 of title 25, referred to in par. (1)(B)(i), (iii), has been amended, and subsecs. (b) and (c) of section 5304 no longer define the terms “Indian tribe” and “tribal organization”. However, such terms are defined elsewhere in that section.

Act of June 18, 1934, referred to in par. (1)(B)(ii), is act June 18, 1934, ch. 576, 48 Stat. 984, popularly known as the Indian Reorganization Act, which was classified generally to subchapter V (§461 et seq.) of chapter 14 of Title 25, Indians, prior to editorial reclassification as chapter 45 (§5101 et seq.) of Title 25. For complete classification of this Act to the Code, see Short Title note set out under section 5101 of Title 25 and Tables.

Section 1985(e)(1)(D)(ii) of this title, referred to in par. (5), was redesignated section 1985(e)(1)(A)(ii) of this title by Pub. L. 104-127, title VI, §638(3)(A)(ii), Apr. 4, 1996, 110 Stat. 1096.

### AMENDMENTS

2018—Par. (2). Pub. L. 115-334 substituted “llamas, alpacas, live fish, crawfish, and other animals that” for “fish used for food, and other animals designated by the Secretary (at the Secretary’s sole discretion) that” in introductory provisions.

2005—Par. (2). Pub. L. 109-97, in introductory provisions, inserted “horses, deer,” after “bison,” and struck out “equine animals used for food or in the production of food,” before “fish”.

2004—Par. (2). Pub. L. 108-447 inserted “elk, reindeer, bison,” after “means cattle,” in introductory provisions.

### Statutory Notes and Related Subsidiaries

#### EFFECTIVE DATE OF 2005 AMENDMENT

Pub. L. 109-97, title VII, §784(c), Nov. 10, 2005, 119 Stat. 2163, provided that:

“(1) IN GENERAL.—This section [amending this section and section 1472 of this title and enacting provisions set out as a note under this section] and the amendments made by this section apply to losses resulting from a disaster that occurs on or after July 28, 2005.

“(2) PRIOR LOSSES.—This section and the amendments made by this section do not apply to losses resulting from a disaster that occurred before July 28, 2005.”

#### 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.

#### SHORT TITLE

For short title of title VI of act Oct. 31, 1949, ch. 792, which enacted this subchapter, as the “Emergency Livestock Feed Assistance Act of 1988”, see Short Title of 1988 Amendment note set out under section 1421 of this title.

#### INCLUSION OF HORSES AND DEER WITHIN DEFINITION OF “LIVESTOCK”

Pub. L. 109-97, title VII, §784(a), Nov. 10, 2005, 119 Stat. 2162, provided that: “In carrying out a livestock assistance, compensation, or feed program, the Secretary of Agriculture shall include horses and deer within the definition of ‘livestock’ covered by the program.”

#### 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.

#### § 1471a. Emergency livestock assistance

(a) The Secretary shall provide emergency feed assistance under this subchapter for the preservation and maintenance of livestock in any State or area of a State where, because of disease, insect infestation, flood, drought, fire, hurricane, earthquake, storm, hot weather, or other natural disaster, the Secretary determines that a livestock emergency exists.

(b)(1) The Secretary shall provide emergency feed assistance under this subchapter for the preservation and maintenance of livestock, to livestock producers that—

(A) conduct farming, ranching, or aquaculture operations in any county contiguous to a county where the Secretary has determined, under subsection (a), that a livestock emergency exists, and

(B) are otherwise eligible for assistance under this subchapter.

(2) The Secretary shall accept applications for assistance under this subsection from producers that are affected by the livestock emergency at any time during the eight-month period beginning on the date on which the Secretary determines that such emergency exists in the other county.

(Oct. 31, 1949, ch. 792, title VI, §603, as added Pub. L. 100-387, title I, §101(a), Aug. 11, 1988, 102 Stat. 927.)

#### Statutory Notes and Related Subsidiaries

##### 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.

#### § 1471b. Determination of need for assistance

##### (a) Determination and request by Governor or county committee

(1) Whenever the Governor of a State determines that a livestock emergency due to a nat-

ural disaster exists in the State, or a county committee established under section 590h(b) of title 16 determines that such an emergency exists in the county, the Governor or county committee may submit a request for a determination by the Secretary of a livestock emergency in such State or county and for emergency livestock feed assistance under this subchapter.

(2) The request of a Governor or county committee for a livestock emergency determination and for emergency livestock feed assistance shall include, to the extent feasible, recommendations to the Secretary of those options that will most fully use feed available through local sources.

##### (b) Consideration for assistance without request

The Secretary may consider a State, county, or area in a State for a livestock emergency determination and emergency livestock feed assistance under this subchapter whether or not a request for assistance is submitted, as described in subsection (a).

##### (c) Prompt action by Secretary

The Secretary shall act on requests for determinations under subsection (a) and make final determinations on whether a livestock emergency exists in any State, county, or area, under regulations that ensure thorough and prompt action (not later than 30 days after receipt of any such request) and provide for appropriate notification procedures.

##### (d) Eligibility under prior programs; availability of other programs

Notwithstanding the preceding provisions of this section, any State, county, or area determined eligible, due to drought or related conditions in 1988, for the emergency feed program or emergency feed assistance program conducted prior to the effective date of this subchapter shall continue to be eligible for such programs and may be eligible for other programs under this subchapter for such drought or related condition. As soon as practicable after the effective date of this subchapter, the Secretary shall determine whether any of the programs described in section 1471d of this title, other than the emergency feed program under section 1471d(a)(4) of this title and the emergency feed assistance program under section 1471d(a)(2) of this title, or in section 1471e of this title should be made available in such State, county, or area. If the Secretary makes such determination, the Secretary shall make such programs immediately available to livestock producers in the State, county, or area.

(Oct. 31, 1949, ch. 792, title VI, §604, as added Pub. L. 100-387, title I, §101(a), Aug. 11, 1988, 102 Stat. 927.)

#### Editorial Notes

##### REFERENCES IN TEXT

The effective date of this subchapter, referred to in subsec. (d), is 15 days after Aug. 11, 1988, the effective date of section 101(a) of Pub. L. 100-387. See section 101(c) of Pub. L. 100-387, set out as a note under section 1427 of this title.