

areas where area-wide plans are not offered, an expected yield determined in a manner consistent with those of area-wide plans); or

(ii) the average of the applicable yield data for the county (or area) for the most recent 5 years, excluding the highest and lowest observations, from the Risk Management Agency or the National Agricultural Statistics Service (or both) or, if sufficient county data is not available, such other data considered appropriate by the Secretary.

(5) Use a multiplier factor to establish maximum protection per acre (referred to as a “protection factor”) of not less than the higher of the level established on a program wide basis or 120 percent.

(6) Pay an indemnity based on the amount that the expected county revenue exceeds the actual county revenue, as applied to the individual coverage of the producer. Indemnities under the Stacked Income Protection Plan shall not include or overlap the amount of the deductible selected under paragraph (1).

(7) In all counties for which data are available, establish separate coverage levels for irrigated and nonirrigated practices.

**(c) Premium**

Notwithstanding section 1508(d) of this title, the premium for the Stacked Income Protection Plan shall—

(1) be sufficient to cover anticipated losses and a reasonable reserve; and

(2) include an amount for operating and administrative expenses established in accordance with section 1508(k)(4)(F) of this title.

**(d) Payment of portion of premium by corporation**

Subject to section 1508(e)(4) of this title, the amount of premium paid by the Corporation for all qualifying coverage levels of the Stacked Income Protection Plan shall be—

(1) 80 percent of the amount of the premium established under subsection (c) for the coverage level selected; and

(2) the amount determined under subsection (c)(2), subject to section 1508(k)(4)(F) of this title, for the coverage to cover administrative and operating expenses.

**(e) Relation to other coverages**

The Stacked Income Protection Plan is in addition to all other coverages available to producers of upland cotton.

**(f) Limitation**

Effective beginning with the 2019 crop year, a farm shall not be eligible for the Stacked Income Protection Plan for upland cotton for a crop year for which the farm is enrolled in coverage for seed cotton under—

(1) price loss coverage under section 9016 of this title; or

(2) agriculture risk coverage under section 9017 of this title.

(Feb. 16, 1938, ch. 30, title V, § 508B, as added Pub. L. 113–79, title XI, § 11017(a), Feb. 7, 2014, 128 Stat. 964; amended Pub. L. 115–123, div. F, § 60101(a)(10), Feb. 9, 2018, 132 Stat. 310.)

**Editorial Notes**

AMENDMENTS

2018—Subsec. (f). Pub. L. 115–123 added subsec. (f).

**§ 1508c. Peanut revenue crop insurance**

**(a) In general**

Effective beginning with the 2015 crop year, the Risk Management Agency and the Corporation shall make available to producers of peanuts a revenue crop insurance program for peanuts.

**(b) Effective price**

Subject to subsection (c), for purposes of the revenue crop insurance program and the multiperil crop insurance program under this subchapter, the effective price for peanuts shall be equal to the Rotterdam price index for peanuts or other appropriate price as determined by the Secretary, as adjusted to reflect the farmer stock price of peanuts in the United States.

**(c) Adjustments**

**(1) In general**

The effective price for peanuts established under subsection (b) may be adjusted by the Risk Management Agency and the Corporation to correct distortions.

**(2) Administration**

If an adjustment is made under paragraph (1), the Risk Management Agency and the Corporation shall—

(A) make the adjustment in an open and transparent manner; and

(B) submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the reasons for the adjustment.

(Feb. 16, 1938, ch. 30, title V, § 508C, as added Pub. L. 113–79, title XI, § 11018, Feb. 7, 2014, 128 Stat. 966.)

**§ 1508d. Coverage for forage and grazing**

Notwithstanding section 1508a of this title, and in addition to any other available coverage, for crops that can be both grazed and mechanically harvested on the same acres during the same growing season, producers shall be allowed to purchase separate policies for each intended use, as determined by the Corporation, and any indemnity paid under those policies for each intended use shall not be considered to be for the same loss for the purposes of section 1508(n) of this title.

(Feb. 16, 1938, ch. 30, title V, § 508D, as added Pub. L. 115–334, title XI, § 11109(b), Dec. 20, 2018, 132 Stat. 4923.)

**§ 1509. Exemption of indemnities from levy**

Claims for indemnities under this subchapter shall not be liable to attachment, levy, garnishment, or any other legal process before payment to the insured or to deduction on account of the indebtedness of the insured or the estate of the insured to the United States except claims of the United States or the Corporation arising under this subchapter.