

vert, or expand land, plant, buildings, equipment, facilities, or machinery.

**(4) Review or audit**

The Secretary may conduct such review or audit of the records of a domestic user under this subsection as the Secretary determines necessary to carry out this subsection.

**(5) Improper use of assistance**

If the Secretary determines, after a review or audit of the records of the domestic user, that economic adjustment assistance under this subsection was not used for the purposes specified in paragraph (3), the domestic user shall be—

(A) liable for the repayment of the assistance to the Secretary, plus interest, as determined by the Secretary; and

(B) ineligible to receive assistance under this subsection for a period of 1 year following the determination of the Secretary.

(Pub. L. 113–79, title I, §1207, Feb. 7, 2014, 128 Stat. 682; Pub. L. 115–334, title I, §1203(b), Dec. 20, 2018, 132 Stat. 4510.)

**Editorial Notes**

REFERENCES IN TEXT

The Harmonized Tariff Schedule, referred to in subsecs. (a)(6)(D) and (b)(2)(C)(iv), is not set out in the Code. See Publication of Harmonized Tariff Schedule note set out under section 1202 of Title 19, Customs Duties.

AMENDMENTS

2018—Subsec. (c). Pub. L. 115–334 substituted “Economic adjustment assistance for textile mills” for “Economic adjustment assistance to users of upland cotton” in heading.

**§ 9038. Special competitive provisions for extra long staple cotton**

**(a) Competitiveness program**

Notwithstanding any other provision of law, during the period beginning on February 7, 2014, through July 31, 2026, the Secretary shall carry out a program—

(1) to maintain and expand the domestic use of extra long staple cotton produced in the United States;

(2) to increase exports of extra long staple cotton produced in the United States; and

(3) to ensure that extra long staple cotton produced in the United States remains competitive in world markets.

**(b) Payments under program; trigger**

Under the program, the Secretary shall make payments available under this section whenever—

(1) for a consecutive 4-week period, the world market price for the lowest priced competing growth of extra long staple cotton (adjusted to United States quality and location and for other factors affecting the competitiveness of such cotton), as determined by the Secretary, is below the prevailing United States price for a competing growth of extra long staple cotton; and

(2) the lowest priced competing growth of extra long staple cotton (adjusted to United

States quality and location and for other factors affecting the competitiveness of such cotton), as determined by the Secretary, is less than 113 percent of the loan rate for extra long staple cotton.

**(c) Eligible recipients**

The Secretary shall make payments available under this section to domestic users of extra long staple cotton produced in the United States and exporters of extra long staple cotton produced in the United States that enter into an agreement with the Commodity Credit Corporation to participate in the program under this section.

**(d) Payment amount**

Payments under this section shall be based on the amount of the difference in the prices referred to in subsection (b)(1) during the fourth week of the consecutive 4-week period multiplied by the amount of documented purchases by domestic users and sales for export by exporters made in the week following such a consecutive 4-week period.

(Pub. L. 113–79, title I, §1208, Feb. 7, 2014, 128 Stat. 684; Pub. L. 115–334, title I, §1204, Dec. 20, 2018, 132 Stat. 4510; Pub. L. 118–158, div. D, §4101(c)(2), Dec. 21, 2024, 138 Stat. 1768.)

**Editorial Notes**

AMENDMENTS

2024—Subsec. (a). Pub. L. 118–158 substituted “2026” for “2024” in introductory provisions.

2018—Subsec. (a). Pub. L. 115–334, §1204(a), substituted “2024” for “2019” in introductory provisions.

Subsec. (b)(2). Pub. L. 115–334, §1204(b), substituted “113 percent” for “134 percent”.

**Statutory Notes and Related Subsidiaries**

EFFECTIVE DATE OF 2024 AMENDMENT

Amendment by Pub. L. 118–158 to be applied and administered as if enacted on Sept. 30, 2024, see section 4101(g) of Pub. L. 118–158, set out in an Extension of Agricultural Programs note under section 9001 of this title.

**§ 9039. Availability of recourse loans for high moisture feed grains and seed cotton**

**(a) High moisture feed grains**

**(1) Definition of high moisture state**

In this subsection, the term “high moisture state” means corn or grain sorghum having a moisture content in excess of Commodity Credit Corporation standards for marketing assistance loans made by the Secretary under section 9031 of this title.

**(2) Recourse loans available**

For each of the 2014 through 2023 crops of corn and grain sorghum, the Secretary shall make available recourse loans, as determined by the Secretary, to producers on a farm that—

(A) normally harvest all or a portion of their crop of corn or grain sorghum in a high moisture state;

(B) present—

(i) certified scale tickets from an inspected, certified commercial scale, in-