

tively, of this section, was executed to subsecs. (b), (c), (f), and (g), respectively, of this section, to reflect the probable intent of Congress and the intervening amendment by Pub. L. 104-66 which struck out subsec. (b) and redesignated subsecs. (c) to (h) as (b) to (g), respectively. See 1995 Amendment note below.

Subsec. (a)(1). Pub. L. 104-127, §216(1)(A), inserted “or private entity that enters into an agreement under subchapter II of this chapter” after “importing country”.

Subsec. (a)(2). Pub. L. 104-127, §216(1)(B), inserted at end “Resulting contracts may contain such terms and conditions as the Secretary determines are necessary and appropriate.”

Subsec. (b)(1)(A), (2)(A). Pub. L. 104-127, §216(2), inserted “importer or” before “importing country”.

Subsec. (c)(2). Pub. L. 104-127, §216(3)(A), added par. (2) and struck out heading and text of former par. (2). Text read as follows: “No purchase of agricultural commodities from private stocks or purchase of ocean transportation services by the United States Government shall be financed under subchapters III and III-A of this chapter unless such purchases are made on the basis of full and open competition utilizing such procedures as are determined necessary and appropriate by the Administrator.”

Subsec. (c)(4). Pub. L. 104-127, §216(3)(B), struck out heading and text of par. (4). Text read as follows: “Notwithstanding any provision of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.) or other similar provisions relating to the making or performance of Federal Government contracts, the Administrator may procure ocean transportation services under this chapter under such full and open competitive procedures as the Administrator determines are necessary and appropriate.”

Subsec. (f)(2)(D). Pub. L. 104-127, §216(4), added subpar. (D).

Subsec. (g). Pub. L. 104-127, §216(5), struck out heading and text of subsec. (g). Text read as follows: “On World Food Day, October 16 of each year, the President shall submit to the appropriate committees of Congress a report, prepared with the assistance of the Secretary and the Administrator, assessing progress towards food security in each country receiving United States Government food assistance. Special emphasis should be given in such report to the nutritional status of the poorest populations in such countries.”

1995—Subsecs. (b) to (h). Pub. L. 104-66 redesignated subsecs. (c) to (h) as (b) to (g), respectively, and struck out former subsec. (b) which required reporting of agricultural commodity or ocean transportation supplier fees.

1991—Subsec. (b)(1). Pub. L. 102-237, §329, struck out “or agricultural commodity donated” after “ocean transportation financed”.

Subsec. (c)(1)(A). Pub. L. 102-237, §324, substituted “subchapter II of this chapter” for “this section”.

Subsec. (c)(1)(C). Pub. L. 102-237, §325, struck out “other” before “foreign government”.

Subsec. (c)(2)(B), (3). Pub. L. 102-237, §319, inserted “subchapter II of” before “this chapter”.

Subsec. (c)(4). Pub. L. 102-237, §328(a), inserted “provides or” after “in which such person” and substituted “of a person” for “if the person is”.

Subsec. (d)(3). Pub. L. 102-237, §328(b), struck out “other” before “foreign government”.

Subsec. (d)(4). Pub. L. 102-237, §332, substituted “the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.)” for “the Federal Property Act of 1949, as amended.”

1990—Pub. L. 101-624 amended section generally, substituting present provisions for provisions which established an Advisory Committee to survey the general policies relating to the administration of this chapter, including implementation of self-help provisions, uses to be made of foreign currencies, amount of currencies to be reserved in sales agreements for loans to private industry, rates of exchange, interest rates, and terms under which dollar credit sales are made.

Subsec. (c)(4). Pub. L. 101-508 substituted “providing ocean transportation or” for “providing ocean”.

1975—Pub. L. 94-161 inserted “, or their designees (who shall be members of such committees or, in the case of members from the executive branch, who shall have been confirmed by the Senate)” in first sentence.

1968—Pub. L. 90-436 struck out provisions that the vice chairman and one ranking minority member of the specified House committees and the next ranking majority member and one ranking minority member of the specified Senate committees be members of the Advisory Committee, and inserted provisions requiring the Advisory Committee to meet not less than four times during each calendar year and setting forth the order of precedence at such meetings.

EFFECTIVE DATE OF 2008 AMENDMENT

Amendment by Pub. L. 110-246 effective May 22, 2008, see section 4(b) of Pub. L. 110-246, set out as an Effective Date note under section 8701 of this title.

EFFECTIVE DATE OF 1990 AMENDMENTS

Amendment by Pub. L. 101-624 effective Jan. 1, 1991, see section 1513 of Pub. L. 101-624, set out as a note under section 1691 of this title.

Amendment by Pub. L. 101-508 effective Nov. 29, 1990, see section 1301 of Pub. L. 101-508, set out as an Effective Date note under section 940d of this title.

EFFECTIVE DATE

Section effective Jan. 1, 1967, see section 5 of Pub. L. 89-808, set out as an Effective Date of 1966 Amendment note under section 1691 of this title.

PREPARATION OF ANNUAL REPORT

For provisions requiring Food Assistance Policy Council to prepare annual report pursuant to subsec. (g)(1) [now (f)(1)] of this section, see Ex. Ord. No. 12752, §3(c), Feb. 25, 1991, 56 F.R. 8256, set out as a note under section 1691 of this title.

§ 1736b. Expiration date

No agreements to finance sales or to provide other assistance under this chapter shall be entered into after December 31, 2012.

(July 10, 1954, ch. 469, title IV, §408, as added Pub. L. 89-808, §2(E), Nov. 11, 1966, 80 Stat. 1537; amended Pub. L. 94-161, title II, §211, Dec. 20, 1975, 89 Stat. 854; Pub. L. 95-88, title II, §213, Aug. 3, 1977, 91 Stat. 551; Pub. L. 95-113, title XII, §1207, Sept. 29, 1977, 91 Stat. 957; Pub. L. 96-470, title II, §213, Oct. 19, 1980, 94 Stat. 2246; Pub. L. 97-98, title XII, §1215, Dec. 22, 1981, 95 Stat. 1282; Pub. L. 99-83, title X, §1006, Aug. 8, 1985, 99 Stat. 271; Pub. L. 101-624, title XV, §1512, Nov. 28, 1990, 104 Stat. 3653; Pub. L. 104-127, title II, §217, Apr. 4, 1996, 110 Stat. 957; Pub. L. 107-171, title III, §3012, May 13, 2002, 116 Stat. 284; Pub. L. 110-246, title III, §3019, June 18, 2008, 122 Stat. 1828.)

PRIOR PROVISIONS

Provisions covering the termination date for agreements to finance sales under subchapter II and programs of assistance under subchapter III were covered by section 1736c of this title prior to amendment of that section by Pub. L. 101-624, and by sections 1709, 1724 of this title prior to the amendment of those sections by Pub. L. 89-808.

AMENDMENTS

2008—Pub. L. 110-246 substituted “2012” for “2007”.

2002—Pub. L. 107-171 substituted “2007” for “2002”.

1996—Pub. L. 104-127 substituted “2002” for “1995”.

1990—Pub. L. 101-624 amended section generally, substituting present provisions for provisions relating to Presidential reports to Congress concerning activities carried out under this chapter, a global assessment of

food production and needs and planned programming of food assistance, and a comparative cross-country evaluation of programs conducted under portions of this chapter, provisions requiring the Secretary to issue revised regulations governing operations of subchapter II of this chapter, and provisions relating to the delivery of bagged commodities.

1985—Subsec. (b). Pub. L. 99-83 inserted reference to subchapter III in two places.

1981—Subsec. (a). Pub. L. 97-98 substituted “February 15” for “April 1”.

1980—Subsec. (b). Pub. L. 96-470 struck out requirement that the President submit a report not later than March 31 of each year.

1977—Subsec. (b). Pub. L. 95-88 substituted provisions that, not later than September 30 of each year, the President submit to the Congress a report containing a global assessment of food production and needs and setting forth planned programming of food assistance under subchapter II of this chapter for the coming fiscal year, and that, not later than December 31, March 31, and June 30 of each year, the President submit a report to the Congress showing the current status of planned programming of food assistance under subchapter II of this chapter for the current fiscal year, for provisions that, in his presentation to the Congress of planned programming of food assistance for each fiscal year, the President include a global assessment of food production and needs, self-help steps which are being taken by food-short countries under section 1709(a) of this title, steps which are being taken to encourage other countries to increase their participation in food assistance or the financing of food assistance, and the relationship between food assistance provided to each country under this chapter and other foreign assistance provided to such country by the United States and other donors.

Subsec. (c). Pub. L. 95-88 substituted provisions that, beginning Oct. 1, 1978, and at each five-year interval thereafter, the President submit to the Congress a comparative cross-country evaluation of programs conducted under subchapters I, III, and III-A of this chapter, and that such evaluations cover no fewer than five countries sampled from the developing regions (Asia, Africa, Latin America, and Caribbean), and assess the nutritional and other impacts, achievements, problems, and future prospects for programs thereunder, for provisions that, not later than November 1 of each calendar year the President submit to the House Committee on Agriculture, the House Committee on International Relations, the Senate Committee on Agriculture and Forestry, and the Senate Committee on Foreign Relations a revised global assessment of food production and needs, and revised planned programming of food assistance for the current fiscal year, to reflect, to the maximum extent feasible, the actual availability of commodities for food assistance.

Subsecs. (d), (e). Pub. L. 95-113 added subsecs. (d) and (e).

1975—Pub. L. 94-161 designated existing provisions as subsec. (a), substituted “fiscal” for “calendar” in first sentence, and added subsecs. (b) and (c).

EFFECTIVE DATE OF 2008 AMENDMENT

Amendment by Pub. L. 110-246 effective May 22, 2008, see section 4(b) of Pub. L. 110-246, set out as an Effective Date note under section 8701 of this title.

EFFECTIVE DATE OF 1990 AMENDMENT

Amendment by Pub. L. 101-624 effective Jan. 1, 1991, see section 1513 of Pub. L. 101-624, set out as a note under section 1691 of this title.

EFFECTIVE DATE OF 1985 AMENDMENT

Amendment by Pub. L. 99-83 effective Oct. 1, 1985, see section 1301 of Pub. L. 99-83, set out as a note under section 2151-1 of Title 22, Foreign Relations and Intercourse.

EFFECTIVE DATE OF 1981 AMENDMENT

Amendment by Pub. L. 97-98 effective Dec. 22, 1981, see section 1801 of Pub. L. 97-98, set out as an Effective Date note under section 4301 of this title.

EFFECTIVE DATE OF 1977 AMENDMENTS

Amendment by Pub. L. 95-113 effective Oct. 1, 1977, see section 1901 of Pub. L. 95-113, set out as a note under section 1307 of this title.

Amendment by Pub. L. 95-88 effective Oct. 1, 1977, see section 215 of Pub. L. 95-88, set out as a note under section 1702 of this title.

EFFECTIVE DATE

Section effective Jan. 1, 1967, see section 5 of Pub. L. 89-808, set out as an Effective Date of 1966 Amendment note under section 1691 of this title.

§§ 1736c, 1736d. Repealed. Pub. L. 104-127, title II, § 218, 219, Apr. 4, 1996, 110 Stat. 957

Section 1736c, act July 10, 1954, ch. 469, title IV, § 409, as added Nov. 11, 1966, Pub. L. 89-808, §2(E), 80 Stat. 1537; amended July 29, 1968, Pub. L. 90-436, §1, 82 Stat. 450; Nov. 30, 1970, Pub. L. 91-524, title VII, §701, 84 Stat. 1379; Aug. 10, 1973, Pub. L. 93-86, §1(26), 87 Stat. 237; Sept. 29, 1977, Pub. L. 95-113, title XII, §1208, 91 Stat. 957; Dec. 22, 1981, Pub. L. 97-98, title XII, §1216, 95 Stat. 1282; Dec. 23, 1985, Pub. L. 99-198, title XI, §1105, 99 Stat. 1466; Nov. 28, 1990, Pub. L. 101-624, title XV, §1512, 104 Stat. 3653; Dec. 13, 1991, Pub. L. 102-237, title III, §322, 105 Stat. 1857, required promulgation of regulations to implement chapter not later than 180 days after Nov. 28, 1990.

Section 1736d, act July 10, 1954, ch. 469, title IV, § 410, as added Nov. 11, 1966, Pub. L. 89-808, §2(E), 80 Stat. 1538; amended Nov. 28, 1990, Pub. L. 101-624, title XV, §1512, 104 Stat. 3653; Dec. 13, 1991, Pub. L. 102-237, title III, §322, 105 Stat. 1857, provided for independent evaluation of programs under subchapters II, III, and III-A of this chapter and report to Congress.

§ 1736e. Debt forgiveness

(a) Authority

The President, taking into account the financial resources of a country, may waive payments of principal and interest that such country would otherwise be required to make to the Commodity Credit Corporation under dollar sales agreements under subchapter II of this chapter if—

(1) that country is a least developed country; and

(2) either—

(A) an International Monetary Fund standby agreement is in effect with respect to that country;

(B) a structural adjustment program of the International Bank for Reconstruction and Development or of the International Development Association is in effect with respect to that country;

(C) a structural adjustment facility, enhanced structural adjustment facility, or similar supervised arrangement with the International Monetary Fund is in effect with respect to that country; or

(D) even though such an agreement, program, facility, or arrangement is not in effect, the country is pursuing national economic policy reforms that would promote democratic, market-oriented, and long term economic development.

(b) Request for debt relief by President

The President may provide debt relief under subsection (a) of this section only if a notifica-