

(2) agricultural commodities acquired by the Secretary or the Commodity Credit Corporation in the normal course of business and available for disposition.

(c) Barter by exporters of agricultural commodities

(1) Purpose

The Secretary or the Commodity Credit Corporation shall encourage exporters of agricultural commodities to barter such commodities for foreign products—

(A) to acquire such foreign products needed by such exporters; and

(B) to develop, maintain, or expand foreign markets for United States agricultural exports.

(2) Eligible activities

The Secretary or the Commodity Credit Corporation may provide eligible commodities to exporters to assist such exporters in barter transactions.

(3) Technical assistance

The Secretary or the Commodity Credit Corporation shall provide technical advice and assistance relating to the barter of agricultural commodities to any United States exporter who requests such advice or assistance.

(d) Transfer of foreign products to other Government agencies

The Secretary or the Commodity Credit Corporation may transfer any foreign products that the Secretary or such Corporation obtains through barter activities to other Government agencies if the Corporation receives assurances that it will receive full reimbursement from the agency within the same fiscal year in which such transfer occurs.

(e) Corporation authority not limited

Nothing contained in this section shall limit the authority of the Commodity Credit Corporation to acquire, hold, or dispose of such foreign materials as such Corporation determines appropriate in carrying out the functions and protecting the assets of the Corporation.

(f) Prohibited activities

The Secretary or the Commodity Credit Corporation shall take reasonable precautions to prevent the misuse of eligible commodities in a barter or exchange program, including activities that—

(1) displace or interfere with commercial sales of United States agricultural commodities that otherwise might be made;

(2) unduly disrupt world prices of agricultural commodities or the normal patterns of commercial trade with recipient countries; or

(3) permit the resale or transshipment of eligible commodities to countries other than the intended recipient country.

(Pub. L. 95-501, title II, §204, as added Pub. L. 101-624, title XV, §1531, Nov. 28, 1990, 104 Stat. 3676; amended Pub. L. 102-237, title III, §320, Dec. 13, 1991, 105 Stat. 1857.)

AMENDMENTS

1991—Subsec. (d). Pub. L. 102-237 amended heading and substituted “Government” for “government” in text.

§ 5625. Combination of programs

The Commodity Credit Corporation may carry out a program under which commercial export credit guarantees available under section 5622 of this title are combined with direct credits from the Commodity Credit Corporation under section 5621 of this title to reduce the effective rate of interest on export sales of agricultural commodities.

(Pub. L. 95-501, title II, §205, as added Pub. L. 101-624, title XV, §1531, Nov. 28, 1990, 104 Stat. 3677.)

PART B—IMPLEMENTATION

§ 5641. Funding levels

(a) Direct credit programs

The Commodity Credit Corporation may make available for each fiscal year such funds of the Commodity Credit Corporation as it determines necessary to carry out any direct credit program established under section 5621 of this title.

(b) Export credit guarantee programs

The Commodity Credit Corporation shall make available for each of fiscal years 1996 through 2012 credit guarantees under section 5622(a) of this title in an amount equal to but not more than the lesser of—

(1) \$5,500,000,000 in credit guarantees; or

(2) the sum of—

(A) the amount of credit guarantees that the Commodity Credit Corporation can make available using budget authority of \$40,000,000 for each fiscal year for the costs of the credit guarantees; and

(B) the amount of credit guarantees that the Commodity Credit Corporation can make available using unobligated budget authority for prior fiscal years.

(c) Market access programs

(1) In general

The Commodity Credit Corporation or the Secretary shall make available for market access activities authorized to be carried out by the Commodity Credit Corporation under section 5623 of this title—

(A) in addition to any funds that may be specifically appropriated to implement a market access program, not more than \$90,000,000 for fiscal year 2001, \$100,000,000 for fiscal year 2002, \$110,000,000 for fiscal year 2003, \$125,000,000 for fiscal year 2004, \$140,000,000 for fiscal year 2005, and \$200,000,000 for each of fiscal years 2008 through 2012, of the funds of, or an equal value of commodities owned by, the Commodity Credit Corporation; and

(B) any funds that may be specifically appropriated to carry out a market access program under section 5623 of this title.

(2) Program priorities

In providing any amount of funds made available under paragraph (1)(A) for any fiscal year that is in excess of the amount made available under paragraph (1)(A) for fiscal year 2001, the Secretary shall, to the maximum extent practicable—