

EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by Pub. L. 100-399 effective as if enacted immediately after enactment of Pub. L. 100-233, which was approved Jan. 6, 1988, see section 1001(a) of Pub. L. 100-399, set out as a note under section 2002 of Title 12, Banks and Banking.

§ 5104. Regulations

The Secretary and the Farm Credit Administration shall prescribe such regulations as may be necessary to carry out this chapter. The regulations prescribed by the Secretary shall require qualifying States to adequately train mediators to address all of the issues covered by the mediation program of the State.

(Pub. L. 100-233, title V, §504, Jan. 6, 1988, 101 Stat. 1664; Pub. L. 103-354, title II, §282(c), Oct. 13, 1994, 108 Stat. 3235.)

AMENDMENTS

1994—Pub. L. 103-354 in first sentence substituted “The” for “Within 150 days after January 6, 1988, the” and inserted at end “The regulations prescribed by the Secretary shall require qualifying States to adequately train mediators to address all of the issues covered by the mediation program of the State.”

§ 5105. Report

Not later than January 1, 1998, the Secretary of Agriculture shall report to Congress on—

- (1) the effectiveness of the State mediation programs receiving matching grants under this chapter;
- (2) recommendations for improving the delivery of mediation services to producers; and
- (3) the savings to the States as a result of having a mediation program.

(Pub. L. 100-233, title V, §505, Jan. 6, 1988, 101 Stat. 1664; Pub. L. 103-354, title II, §282(d), (f)(1), Oct. 13, 1994, 108 Stat. 3235.)

AMENDMENTS

1994—Pub. L. 103-354 in introductory provisions substituted “1998” for “1990”, in par. (1) struck out “agricultural loan” before “mediation programs”, and in par. (3) substituted “a mediation” for “an agricultural loan mediation”.

§ 5106. Authorization of appropriations

There are authorized to be appropriated to carry out this chapter \$7,500,000 for each of the fiscal years 1988 through 2018.

(Pub. L. 100-233, title V, §506, Jan. 6, 1988, 101 Stat. 1664; Pub. L. 101-624, title XVIII, §1853, Nov. 28, 1990, 104 Stat. 3837; Pub. L. 103-354, title II, §282(e), Oct. 13, 1994, 108 Stat. 3235; Pub. L. 106-472, title III, §306(c), Nov. 9, 2000, 114 Stat. 2073; Pub. L. 109-17, §1, June 29, 2005, 119 Stat. 339; Pub. L. 111-233, §2, Aug. 16, 2010, 124 Stat. 2493; Pub. L. 113-79, title V, §5401, Feb. 7, 2014, 128 Stat. 840.)

AMENDMENTS

- 2014—Pub. L. 113-79 substituted “2018” for “2015”.
- 2010—Pub. L. 111-233 substituted “2015” for “2010”.
- 2005—Pub. L. 109-17 substituted “2010” for “2005”.
- 2000—Pub. L. 106-472 substituted “2005” for “2000”.
- 1994—Pub. L. 103-354 substituted “2000” for “1995”.
- 1990—Pub. L. 101-624 substituted “1995” for “1991”.

CHAPTER 83—AGRICULTURAL COMPETITIVENESS AND TRADE

SUBCHAPTER I—FINDINGS, POLICY, AND PURPOSE

- Sec.
- 5201. Findings.
- 5202. Policy.
- 5203. Purpose.

SUBCHAPTER II—AGRICULTURAL TRADE INITIATIVES

PART A—GENERAL PROVISIONS

- 5211, 5212. Repealed.
- 5213. Joint development assistance agreements with certain trading partners.
- 5214. Reorganization evaluation.
- 5215, 5216. Repealed.

PART B—FOREIGN AGRICULTURAL SERVICE

- 5231 to 5233. Repealed.
- 5234. Cooperator organizations.
- 5235. Authorization of additional appropriations.

SUBCHAPTER I—FINDINGS, POLICY, AND PURPOSE

§ 5201. Findings

Congress finds that—

- (1) United States agricultural exports have declined by more than 36 percent since 1981, from \$43,800,000,000 in 1981 to \$27,900,000,000 in 1987;
- (2) the United States share of the world market for agricultural commodities and products has dropped by 20 percent during the last 6 years;
- (3) for the first time in 15 years, the United States incurred monthly agricultural trade deficits in 1986;
- (4) the loss of \$1,000,000,000 in United States agricultural exports causes the loss of 35,000 agricultural jobs and the loss of 60,000 non-agricultural jobs;
- (5) the loss of agricultural exports threatens family farms and the economic well-being of rural communities in the United States;
- (6) factors contributing to the loss of United States agricultural exports include changes in world agricultural markets such as—
 - (A) the addition of new exporting nations;
 - (B) innovations in agricultural technology;
 - (C) increased use of export subsidies designed to lower the price of commodities on the world market;
 - (D) the existence of barriers to agricultural trade;
 - (E) the slowdown in the growth of world food demand in the 1980’s due to cyclical economic factors, including currency fluctuations and a debt-related slowdown in the economic growth of agricultural markets in certain developing countries; and
 - (F) the rapid buildup of surplus stocks as a consequence of favorable weather for agricultural production during the 1980’s;
- (7) increasing the volume and value of exports is important to the financial well-being of the farm sector in the United States and to increasing farm income in the United States;
- (8) in order to increase agricultural exports and improve prices for farmers and ranchers in

the United States, it is necessary that all agricultural export programs of the United States be used in an expeditious manner, including programs established under the Food for Peace Act (7 U.S.C. 1691 et seq.), the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.), and section 416 of the Agricultural Act of 1949 (7 U.S.C. 1431);

(9) greater use should be made by the Secretary of Agriculture of the authorities established under section 4¹ of the Food for Peace Act of 1966 (7 U.S.C. 1707a), the Food for Peace Act (7 U.S.C. 1691 et seq.), section 416 of the Agricultural Act of 1949 (7 U.S.C. 1431), and the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.) to provide intermediate credit financing and other assistance for the establishment of facilities in importing countries to—

(A) improve the handling, marketing, processing, storage, and distribution of imported agricultural commodities and products; and

(B) increase livestock production to enhance the demand for United States feed grains;

(10) food aid and export assistance programs in developing countries stimulate economic activity which causes incomes to rise, and, as incomes rise, diets improve and the demand for and ability to purchase food increases;

(11) private voluntary organizations and cooperatives are important and successful partners in our food aid and development programs; and

(12) in addition to meeting humanitarian needs, food aid used in sales and barter programs by private voluntary organizations and cooperatives—

(A) provides communities with health care, credit systems, and tools for development; and

(B) establishes the infrastructure that is essential to the expansion of markets for United States agricultural commodities and products.

(Pub. L. 100-418, title IV, §4101, Aug. 23, 1988, 102 Stat. 1388; Pub. L. 110-246, title III, §3001(b)(1)(A), (2)(J), June 18, 2008, 122 Stat. 1820.)

REFERENCES IN TEXT

The Food for Peace Act, referred to in pars. (8) and (9), is act July 10, 1954, ch. 469, 68 Stat. 454, which is classified generally to chapter 41 (§1691 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1691 of this title and Tables.

The Commodity Credit Corporation Charter Act, referred to in pars. (8) and (9), is act June 29, 1948, ch. 704, 62 Stat. 1070, as amended, which is classified generally to subchapter II (§714 et seq.) of chapter 15 of Title 15, Commerce and Trade. For complete classification of this Act to the Code, see Short Title note set out under section 714 of Title 15 and Tables.

Section 4 of the Food for Peace Act of 1966 (7 U.S.C. 1707a), referred to in par. (9), was repealed by Pub. L. 101-624, title XV, §1574, Nov. 28, 1990, 104 Stat. 3702. See subchapter II (§5621 et seq.) of chapter 87 of this title.

¹ See References in Text note below.

AMENDMENTS

2008—Pars. (8), (9). Pub. L. 110-246 substituted “Food for Peace Act” for “Agricultural Trade Development and Assistance Act of 1954”.

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.

SHORT TITLE

Pub. L. 100-418, title IV, §4001, Aug. 23, 1988, 102 Stat. 1388, provided that: “This title [enacting this chapter, section 2112 of Title 16, Conservation, and sections 1401, 1402, and 1403 of Title 21, Food and Drugs, amending sections 608c, 608e-1, 626, 1704, 1707a, 1726, 1736o, 1736s, 1736t, 1736v, 1736x, 1736bb, and 1736bb-3 to 1736bb-6 of this title, section 713a-14 of Title 15, Commerce and Trade, and section 620 of Title 21, and enacting provisions set out as notes under sections 624, 1431, 1446, 1691, and 1736t of this title and section 1401 of Title 21] may be cited as the ‘Agricultural Competitiveness and Trade Act of 1988.’”

§ 5202. Policy

It is the policy of the United States—

(1) to provide, through all possible means, agricultural commodities and products for export at competitive prices, with full assurance of quality and reliability of supply;

(2) to support the principle of free trade and the promotion of fair trade in agricultural commodities and products;

(3) to support fully the negotiating objectives set forth in section 2901(b) of title 19 to eliminate or reduce substantially constraints on fair and open trade in agricultural commodities and products;

(4) to use statutory authority to counter unfair foreign trade practices and to use all available means, including export promotion programs, and, if necessary, restrictions on United States imports of agricultural commodities and products, in order to encourage fair and open trade; and

(5) to provide for increased representation of United States agricultural trade interests in the formulation of national fiscal and monetary policy affecting trade.

(Pub. L. 100-418, title IV, §4102, Aug. 23, 1988, 102 Stat. 1390.)

§ 5203. Purpose

It is the purpose of this chapter—

(1) to increase the effectiveness of the Department of Agriculture in agricultural trade policy formulation and implementation and in assisting United States agricultural producers to participate in international agricultural trade, by strengthening the operations of the Department of Agriculture; and

(2) to improve the competitiveness of United States agricultural commodities and products in the world market.

(Pub. L. 100-418, title IV, §4103, Aug. 23, 1988, 102 Stat. 1390.)