

§ 1736y. Contract sanctity and producer embargo protection

It is hereby declared to be the policy of the United States—

- (1) to foster and encourage the export of agricultural commodities and the products of such commodities;
- (2) not to restrict or limit the export of such commodities and products except under the most compelling circumstances;
- (3) that any prohibition or limitation on the export of such commodities or products should be imposed only in time of a national emergency declared by the President under the Export Administration Act [50 U.S.C. 4601 et seq.]; and
- (4) that contracts for the export of such commodities or products entered into before the imposition of any prohibition or limitation on the export of such commodities or products should not be abrogated.

(Pub. L. 99-198, title XI, § 1133(a), Dec. 23, 1985, 99 Stat. 1489.)

REFERENCES IN TEXT

The Export Administration Act, referred to in par. (3), probably means the Export Administration Act of 1979, Pub. L. 96-72, Sept. 29, 1979, 93 Stat. 503, which is classified principally to chapter 56 (§4601 et seq.) of Title 50, War and National Defense. For complete classification of this Act to the Code, see Tables.

CODIFICATION

Section is comprised of section 1133(a) of Pub. L. 99-198. Section 1133(b) of Pub. L. 99-198 amended section 1736j of this title.

Section was enacted as part of the Food Security Act of 1985, and not as part of the Food for Peace Act which comprises this chapter.

§§ 1736z, 1736aa. Repealed. Pub. L. 101-624, title XV, § 1572(3), Nov. 28, 1990, 104 Stat. 3702

Section 1736z, Pub. L. 99-198, title XI, § 1162, Dec. 23, 1985, 99 Stat. 1499, provided for a regular assessment of certain projects and activities administered by the Secretary and Department of Agriculture.

Section 1736aa, Pub. L. 99-198, title XI, § 1167(d), Dec. 23, 1985, 99 Stat. 1503, provided for barter by exporters of agricultural commodities and products for foreign products needed by exporters.

§§ 1736bb to 1736bb-6. Repealed. Pub. L. 104-127, title II, § 271(a), Apr. 4, 1996, 110 Stat. 976

Section 1736bb, Pub. L. 100-202, § 1, Dec. 22, 1987, 101 Stat. 1329-445; Pub. L. 100-418, title IV, § 4610(b), Aug. 23, 1988, 102 Stat. 1411, related to establishment of agricultural aid and trade missions.

Section 1736bb-1, Pub. L. 100-202, § 2, Dec. 22, 1987, 101 Stat. 1329-445, related to required and additional missions and eligible countries.

Section 1736bb-2, Pub. L. 100-202, § 3, Dec. 22, 1987, 101 Stat. 1329-446, related to functions of members of missions to eligible countries.

Section 1736bb-3, Pub. L. 100-202, § 4, Dec. 22, 1987, 101 Stat. 1329-446; Pub. L. 100-418, title IV, § 4610(b), Aug. 23, 1988, 102 Stat. 1411, related to mission reports.

Section 1736bb-4, Pub. L. 100-202, § 5, Dec. 22, 1987, 101 Stat. 1329-446; Pub. L. 100-418, title IV, § 4610(b), Aug. 23, 1988, 102 Stat. 1411, related to quarterly progress reports on implementing recommendations of missions.

Section 1736bb-5, Pub. L. 100-202, § 6, Dec. 22, 1987, 101 Stat. 1329-447; Pub. L. 100-418, title IV, § 4610(b), Aug. 23, 1988, 102 Stat. 1411, related to authorization of appropriations.

Section 1736bb-6, Pub. L. 100-202, § 7, Dec. 22, 1987, 101 Stat. 1329-447; Pub. L. 100-418, title IV, § 4610(b), Aug. 23, 1988, 102 Stat. 1411; Pub. L. 101-624, title XV, § 1515(b), Nov. 28, 1990, 104 Stat. 3663; Pub. L. 102-237, title III, § 307, Dec. 13, 1991, 105 Stat. 1856, provided definitions for former sections 1736bb to 1736bb-6.

INAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT TO AGRICULTURAL AID AND TRADE MISSIONS

Pub. L. 100-277, § 7, Apr. 4, 1988, 102 Stat. 69, provided that any agricultural aid and trade mission established under this section and any other activity under sections 1736bb to 1736bb-6 of this title were not to be considered advisory committee for purposes of Federal Advisory Committee Act, 5 App. U.S.C., prior to repeal by Pub. L. 104-127, title II, § 271(b), Apr. 4, 1996, 110 Stat. 976.

§ 1736cc. Repealed. Pub. L. 101-624, title XV, § 1577, Nov. 28, 1990, 104 Stat. 3702

Section, Pub. L. 101-220, § 13, Dec. 12, 1989, 103 Stat. 1884, prohibited duty drawback claims by exporters who used certain export promotion programs.

SUBCHAPTER V—FARMER-TO-FARMER PROGRAM

§ 1737. John Ogonowski and Doug Bereuter Farmer-to-Farmer Program

(a) Definitions

In this section:

(1) Caribbean Basin country

The term “Caribbean Basin country” means a country eligible for designation as a beneficiary country under section 2702 of title 19.

(2) Emerging market

The term “emerging market” means a country that the Secretary determines—

(A) is taking steps toward a market-oriented economy through the food, agriculture, or rural business sectors of the economy of the country; and

(B) has the potential to provide a viable and significant market for United States agricultural commodities or products of United States agricultural commodities.

(3) Middle income country

The term “middle income country” means a country that has developed economically to the point at which the country does not receive bilateral development assistance from the United States.

(4) Sub-Saharan African country

The term “sub-Saharan African country” has the meaning given the term in section 3706 of title 19.

(b) Provision

Notwithstanding any other provision of law, to further assist developing countries, middle-income countries, emerging markets, sub-Saharan African countries, and Caribbean Basin countries to increase farm production and farmer incomes, the President may—

(1) establish and administer a program, to be known as the “John Ogonowski and Doug Bereuter Farmer-to-Farmer Program”, of farmer-to-farmer assistance between the United States and such countries to assist in—

(A) increasing food production and distribution; and