

(3) Administrative expenses

Funds made available to carry out this section may be used to pay the administrative expenses of the Department of Agriculture or any other Federal agency assisting in the implementation of this section.

(4) Purchase of commodities

Of the funds made available to carry out this section, not more than 10 percent shall be used to purchase agricultural commodities described in subsection (a)(2).

(Pub. L. 107–171, title III, §3107, May 13, 2002, 116 Stat. 295; Pub. L. 110–246, title III, §§3001(b)(1)(A), (2)(G), 3106, June 18, 2008, 122 Stat. 1820, 1833; Pub. L. 113–79, title III, §3204, Feb. 7, 2014, 128 Stat. 780; Pub. L. 115–334, title III, §3309, Dec. 20, 2018, 132 Stat. 4622.)

CODIFICATION

Section was enacted as part of the Farm Security and Rural Investment Act of 2002, and not as part of the Food for Peace Act which comprises this chapter.

AMENDMENTS

2018—Subsec. (a). Pub. L. 115–334, §3309(1), inserted dash after “that” and par. (1) designation before “is produced” and added par. (2).

Subsec. (c)(2)(A)(vi), (vii). Pub. L. 115–334, §3309(2), added cl. (vi) and redesignated former cl. (vi) as (vii).

Subsec. (f)(1)(E) to (G). Pub. L. 115–334, §3309(3), added subpar. (E) and redesignated former subpars. (E) and (F) as (F) and (G), respectively.

Subsec. (l)(2). Pub. L. 115–334, §3309(4)(A), substituted “2023” for “2018”.

Subsec. (l)(4). Pub. L. 115–334, §3309(4)(B), added par. (4).

2014—Subsec. (d). Pub. L. 113–79, §3204(b), struck out “to” after “shall” in introductory provisions.

Subsec. (l)(2). Pub. L. 113–79, §3204(a), substituted “2018” for “2012”.

2008—Subsecs. (b), (c)(2)(B). Pub. L. 110–246, §3106(1), substituted “Secretary” for “President” in introductory provisions.

Subsec. (d). Pub. L. 110–246, §3106(2), substituted “The Secretary shall” for “The President shall designate 1 or more Federal agencies” in introductory provisions.

Subsec. (f)(1). Pub. L. 110–246, §3106(1), substituted “Secretary” for “President” in introductory provisions.

Subsec. (f)(2). Pub. L. 110–246, §3106(3), substituted “Secretary” for “implementing agency” in introductory provisions.

Subsecs. (h), (i). Pub. L. 110–246, §3106(1), substituted “Secretary” for “President” wherever appearing.

Subsec. (k). Pub. L. 110–246, §3001(b)(1)(A), (2)(G), made technical amendment to reference in original act which appears in text as reference to section 1733(a) of this title.

Subsec. (l)(1). Pub. L. 110–246, §3106(4)(A), added par. (1) and struck out former par. (1). Prior to amendment, text read as follows: “Of the funds of the Commodity Credit Corporation, the Secretary shall use \$100,000,000 for fiscal year 2003 to carry out this section.”

Pub. L. 110–246, §3106(1), substituted “Secretary” for “President”.

Subsec. (l)(2). Pub. L. 110–246, §3106(4)(B), substituted “2008 through 2012” for “2004 through 2007”.

Subsec. (l)(3). Pub. L. 110–246, §3106(4)(C), substituted “the Department of Agriculture or any other Federal agency assisting” for “any Federal agency implementing or assisting”.

CHANGE OF NAME

Committee on International Relations of House of Representatives changed to Committee on Foreign Af-

fairs of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007.

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.

IMPLEMENTATION OF SECTION 3107 OF THE FARM SECURITY AND RURAL INVESTMENT ACT OF 2002, RELATING TO FOOD FOR EDUCATION AND CHILD NUTRITION

Memorandum of President of the United States, Mar. 11, 2003, 68 F.R. 12569, provided:

Memorandum for the Secretary of Agriculture

Effective upon the publication of this memorandum in the Federal Register, there is established the program relating to food for education and child nutrition authorized by subsection 3107(b) of the Farm Security and Rural Investment Act of 2002 (Public Law 107–171) (7 U.S.C. 1736o–1 [1736o–1]). Pursuant to subsection 3107(d) of the Act, the Department of Agriculture is designated to take actions specified in that subsection. The authorities and duties of the President under section 3107 (except the authority to designate under 3107(d)) are delegated to the Secretary of Agriculture.

In the implementation of a program for which section 3107 provides, the Secretary of Agriculture shall consult as appropriate with the Food Policy Assistance Council established by section 3 of Executive Order 12752 of February 25, 1991, as amended [7 U.S.C. 1691 note], and such heads of Federal departments and agencies as the Secretary determines appropriate.

You are authorized and directed to publish this memorandum in the Federal Register.

GEORGE W. BUSH.

§ 1736p. Trade policy declaration

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

(1) be the premier supplier of agricultural and food products to world markets and expand exports of high value products;

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

(3) cooperate fully in all efforts to negotiate with foreign countries further reductions in tariff and nontariff barriers to trade, including sanitary and phytosanitary measures and trade-distorting subsidies;

(4) aggressively counter unfair foreign trade practices as a means of encouraging fairer trade;

(5) remove foreign policy constraints to maximize United States economic interests through agricultural trade; and

(6) provide for consideration of United States agricultural trade interests in the design of national fiscal and monetary policy that may foster continued strength in the value of the dollar.

(Pub. L. 99–198, title XI, §1121, Dec. 23, 1985, 99 Stat. 1480; Pub. L. 104–127, title II, §267, Apr. 4, 1996, 110 Stat. 974.)

CODIFICATION

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.

AMENDMENTS

1996—Pub. L. 104–127 struck out subsec. (a) which stated congressional findings regarding United States agricultural export policy, struck out subsec. designa-

tion “(b)”, and substituted pars. (1) to (4) for former pars. (1) to (4) which read as follows:

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

“(2) support the principle of free trade and the promotion of fairer trade in agricultural commodities and their products;

“(3) cooperate fully in all efforts to negotiate with foreign countries reductions in current barriers to fair trade;

“(4) counter aggressively unfair foreign trade practices using all available means, including export restitution, export bonus programs, and, if necessary, restrictions on United States imports of foreign agricultural commodities and their products, as a means to encourage fairer trade;”.

§ 1736q. Repealed. Pub. L. 104-127, title II, § 268, Apr. 4, 1996, 110 Stat. 975

Section, Pub. L. 99-198, title XI, §1122, Dec. 23, 1985, 99 Stat. 1480, related to liberalization of agricultural trade policy.

§ 1736r. Trade negotiations policy

(a) Findings

Congress finds that—

(1) on a level playing field, United States producers are the most competitive suppliers of agricultural products in the world;

(2) exports of United States agricultural products accounted for \$54,000,000,000 in 1995, contributing a net \$24,000,000,000 to the merchandise trade balance of the United States and supporting approximately 1,000,000 jobs;

(3) increased agricultural exports are critical to the future of the farm, rural, and overall United States economy, but the opportunities for increased agricultural exports are limited by the unfair subsidies of the competitors of the United States, and a variety of tariff and nontariff barriers to highly competitive United States agricultural products;

(4) international negotiations can play a key role in breaking down barriers to United States agricultural exports;

(5) the Uruguay Round Agreement on Agriculture made significant progress in the attainment of increased market access opportunities for United States exports of agricultural products, for the first time—

(A) restraining foreign trade-distorting domestic support and export subsidy programs; and

(B) developing common rules for the application of sanitary and phytosanitary restrictions;

that should result in increased exports of United States agricultural products, jobs, and income growth in the United States;

(6) the Uruguay Round Agreement on Agriculture did not succeed in completely eliminating trade distorting domestic support and export subsidies by—

(A) allowing the European Union to continue unreasonable levels of spending on export subsidies; and

(B) failing to discipline monopolistic state trading entities, such as the Canadian Wheat Board, that use nontransparent and discriminatory pricing as a hidden de facto export subsidy;

(7) during the period 1996 through 2002, there will be several opportunities for the United States to negotiate fairer trade in agricultural products, including further negotiations under the World Trade Organization, and steps toward possible free trade agreements of the Americas and Asian-Pacific Economic Cooperation (APEC); and

(8) the United States should aggressively use these opportunities to achieve more open and fair opportunities for trade in agricultural products.

(b) Goals of the United States in agricultural trade negotiations

The objectives of the United States with respect to future negotiations on agricultural trade include—

(1) increasing opportunities for United States exports of agricultural products by eliminating tariff and nontariff barriers to trade;

(2) leveling the playing field for United States producers of agricultural products by limiting per unit domestic production supports to levels that are no greater than those available in the United States;

(3) ending the practice of export dumping by eliminating all trade distorting export subsidies and disciplining state trading entities so that they do not (except in cases of bona fide food aid) sell in foreign markets at prices below domestic market prices or prices below their full costs of acquiring and delivering agricultural products to the foreign markets; and

(4) encouraging government policies that avoid price-depressing surpluses.

(Pub. L. 99-198, title XI, §1123, Dec. 23, 1985, 99 Stat. 1481; Pub. L. 104-127, title II, §269, Apr. 4, 1996, 110 Stat. 975.)

CODIFICATION

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.

AMENDMENTS

1996—Pub. L. 104-127 amended section generally, substituting present provisions for provisions relating to initiation and pursuit of agricultural trade consultations among major agricultural producing countries, providing for sense of Congress concerning objectives of such consultations, and requiring annual reports by Secretary of Agriculture on progress of such consultations.

AGRICULTURAL TRADE NEGOTIATING OBJECTIVES AND CONSULTATIONS WITH CONGRESS

Pub. L. 106-200, title IV, § 409, May 18, 2000, 114 Stat. 295, provided that:

“(a) FINDINGS.—Congress finds that—

“(1) United States agriculture contributes positively to the United States balance of trade and United States agricultural exports support in excess of 1,000,000 United States jobs;

“(2) United States agriculture competes successfully worldwide despite the fact that United States producers are at a competitive disadvantage because of the trade distorting support and subsidy practices of other countries and despite the fact that significant tariff and nontariff barriers exist to United States exports; and

“(3) a successful conclusion of the current World Trade Organization agricultural negotiations is criti-