

**§ 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; 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 was classified principally to chapter 56 (§4601 et seq.) of Title 50, War and National Defense, prior to repeal by Pub. L. 115-232, div. A, title XVII, §1766(a), Aug. 13, 2018, 132 Stat. 2232, except for sections 11A, 11B, and 11C thereof (50 U.S.C. 4611, 4612, 4613).

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 Repealed.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 Repealed.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.

**§ 1736dd. International food security technical assistance**

**(a) Definition of international food security**

In this section, the term “international food security” means access by any person at any time to food and nutrition that is sufficient for a healthy and productive life.

**(b) Collection of information**

The Secretary of Agriculture (referred to in this section as the “Secretary”) shall compile information from appropriate mission areas of the Department of Agriculture (including the Food, Nutrition, and Consumer Services mission area) relating to the improvement of international food security.

**(c) Public availability**

To benefit programs for the improvement of international food security, the Secretary shall organize the information described in subsection (b) and make the information available in a format suitable for—

(1) public education; and

(2) use by—

(A) a Federal, State, or local agency;

(B) an agency or instrumentality of the government of a foreign country;

(C) a domestic or international organization, including a domestic or international nongovernmental organization; and

(D) an intergovernmental organization.

**(d) Technical assistance**

On request by an entity described in subsection (c)(2), the Secretary may provide technical assistance to the entity to implement a program for the improvement of international food security.

**(e) Program priority**

In carrying out this section, the Secretary shall give priority to programs relating to the development of food and nutrition safety net systems with a focus on food insecure countries.

**(f) Authorization of appropriations**

There is authorized to be appropriated to carry out this section \$1,000,000 for each of fiscal years 2019 through 2023.

(Pub. L. 101-624, title XV, § 1543B, as added Pub. L. 115-334, title III, § 3308, Dec. 20, 2018, 132 Stat. 4621.)

CODIFICATION

Section was enacted as part of the Food, Agriculture, Conservation, and Trade Act of 1990, and not as part of the Food for Peace Act which comprises this chapter.

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 section 1342 of title 31 or 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 technical assistance between the United States and such countries to assist in—

(A) increasing food production and distribution; and

(B) improving the effectiveness of the farming and marketing operations of agricultural producers in those countries;

(2) use United States agricultural producers, agriculturalists, colleges and universities (including historically black colleges and universities, land grant colleges or universities, and foundations maintained by colleges or universities), private agribusinesses, private organizations (including grassroots organizations with an established and demonstrated capac-

ity to carry out such a bilateral exchange program), private corporations, employees or staff of a State cooperative institution (as such term is defined in paragraph 18 of section 3103 of this title, except that subparagraphs (E), (F), and (G) of such paragraph shall not apply), and nonprofit farm organizations to work in conjunction with agricultural producers and farm organizations in those countries, on a voluntary basis—

(A) to improve agricultural and agribusiness operations and agricultural systems in those countries, including improving—

(i) animal care and health;

(ii) field crop cultivation;

(iii) fruit and vegetable growing;

(iv) livestock operations;

(v) food processing and packaging;

(vi) farm credit;

(vii) marketing;

(viii) inputs<sup>1</sup>

(ix) agricultural education and extension;

(x) selection of seed varieties and plant stocks;

(xi) knowledge of insecticide and sanitation procedures to prevent crop destruction;

(xii) use and maintenance of agricultural equipment and irrigation systems; and

(xiii) selection of fertilizers and methods of soils treatment; and

(B) to strengthen cooperatives and other agricultural groups in those countries;

(3) transfer the knowledge and expertise of United States agricultural producers and businesses, on an individual basis, to those countries while enhancing the democratic process by supporting private and public agriculturally related organizations that request and support technical assistance activities through cash and in-kind services;

(4) to the maximum extent practicable, make grants to or enter into contracts or other cooperative agreements with private voluntary organizations, cooperatives, land grant universities, private agribusiness, or nonprofit farm organizations to carry out this section (except that any such contract or other agreement may obligate the United States to make outlays only to the extent that the budget authority for such outlays is available under subsection (d) or has otherwise been provided in advance in appropriation Acts);

(5) coordinate programs established under this section with other foreign assistance programs and activities carried out by the United States; and

(6) to the extent that local currencies can be used to meet the costs of a program established under this section, augment funds of the United States that are available for such a program through the use, within the country in which the program is being conducted, of—

(A) foreign currencies that accrue from the sale of agricultural commodities and products under this chapter; and

<sup>1</sup> So in original. Probably should be followed by a semicolon.