

Editorial Notes

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. designation “(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 Repealed.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 elimi-

nating 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.)

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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.