

and administration of the mediation program within the State.

**(2) Maximum amount**

The Secretary shall not pay more than \$500,000 per year to a single State under subsection (a).

**(c) Use of grant**

**(1) In general**

Each State that receives an amount paid under subsection (a) shall use that amount only for the operation and administration of the mediation program of the State with respect to which the amount was paid.

**(2) Operation and administration expenses**

For purposes of paragraph (1), operation and administration expenses for which a grant may be used include—

- (A) salaries;
- (B) reasonable fees and costs of mediators;
- (C) office rent and expenses, such as utilities and equipment rental;
- (D) office supplies;
- (E) administrative costs, such as workers' compensation, liability insurance, the employer's share of Social Security, and necessary travel;
- (F) education and training;
- (G) security systems necessary to ensure the confidentiality of mediation sessions and records of mediation sessions;
- (H) costs associated with publicity and promotion of the mediation program;
- (I) preparation of the parties for mediation; and
- (J) financial advisory and counseling services for parties requesting mediation.

**(d) Penalty**

If the Secretary determines that a State has not complied with subsection (c), such State shall not be eligible for additional financial assistance under this chapter.

(Pub. L. 100-233, title V, § 502, Jan. 6, 1988, 101 Stat. 1663; Pub. L. 102-554, § 22, Oct. 28, 1992, 106 Stat. 4161; Pub. L. 103-354, title II, § 282(f)(1)(A), Oct. 13, 1994, 108 Stat. 3235; Pub. L. 106-472, title III, § 306(b), Nov. 9, 2000, 114 Stat. 2072.)

**Editorial Notes**

AMENDMENTS

2000—Subsec. (c). Pub. L. 106-472 designated existing provisions as par. (1), inserted heading, and added par. (2).

1994—Subsecs. (a), (b)(1), (c). Pub. L. 103-354 struck out "agricultural loan" before "mediation program".

1992—Subsec. (b)(1). Pub. L. 102-554, § 22(1), substituted "70" for "50".

Subsec. (c). Pub. L. 102-554, § 22(2), inserted before period at end "with respect to which the amount was paid".

**§ 5103. Participation of Federal agencies**

**(a) Duties of Secretary of Agriculture**

**(1) In general**

The Secretary, with respect to each program or agency under the jurisdiction of the Secretary—

- (A) shall prescribe rules requiring each such program or agency to participate in

good faith in any State mediation program certified under section 5101 of this title;

(B) shall participate in mediation programs certified under section 5101 of this title; and

(C) shall—

(i) cooperate in good faith with requests for information or analysis of information made in the course of mediation under any mediation program certified under section 5101 of this title; and

(ii) if applicable, present and explore debt restructuring proposals advanced in the course of such mediation.

**(2) Nonbinding on Secretary**

The Secretary shall not be bound by any determination made in a program described in section 5101 of this title if the Secretary has not agreed to such determination.

**(b) Duties of Farm Credit Administration**

The Farm Credit Administration shall prescribe rules requiring the institutions of the Farm Credit System—

(1) to cooperate in good faith with requests for information or analysis of information made in the course of mediation under any mediation program described in section 5101 of this title; and

(2) to present and explore debt restructuring proposals advanced in the course of such mediation.

(Pub. L. 100-233, title V, § 503, Jan. 6, 1988, 101 Stat. 1663; Pub. L. 100-399, title V, § 502, Aug. 17, 1988, 102 Stat. 1005; Pub. L. 103-354, title II, § 282(b), Oct. 13, 1994, 108 Stat. 3234.)

**Editorial Notes**

AMENDMENTS

1994—Subsec. (a)(1). Pub. L. 103-354, § 282(b)(2), in introductory provisions inserted "or agency" after "each program" and struck out "that makes, guarantees, or insures agricultural loans" after "of the Secretary".

Subsec. (a)(1)(A). Pub. L. 103-354, § 282(b)(1), (3), inserted "or agency" after "such program", struck out "agricultural loan" after "any State", and inserted "certified under section 5101 of this title" after "mediation program".

Subsec. (a)(1)(B). Pub. L. 103-354, § 282(b)(1), (4), struck out "effective beginning on January 6, 1988," after "shall", and "agricultural loan" after "participate in", and inserted "certified under section 5101 of this title" after "mediation programs".

Subsec. (a)(1)(C)(i). Pub. L. 103-354, § 282(b)(1), (5)(A), struck out "agricultural loan" before "mediation program" and substituted "certified under" for "described in".

Subsec. (a)(1)(C)(ii). Pub. L. 103-354, § 282(b)(5)(B), inserted "if applicable," before "present".

Subsec. (b)(1). Pub. L. 103-354, § 282(b)(1), struck out "agricultural loan" before "mediation program".

1988—Subsec. (a)(1)(B). Pub. L. 100-399, § 502(a), inserted "effective beginning" before "on".

Subsec. (a)(2). Pub. L. 100-399, § 502(b), substituted "section 5101 of this title" for "paragraph (1)".

**Statutory Notes and Related Subsidiaries**

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.)

**Editorial Notes**

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 2 years after December 20, 2018, the Secretary shall submit to Congress a report describing—

- (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;
- (3) the steps being taken to ensure that State mediation programs receive timely funding under this chapter; and
- (4) 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; Pub. L. 115-334, title V, §5402(b), Dec. 20, 2018, 132 Stat. 4675.)

**Editorial Notes**

AMENDMENTS

2018—Pub. L. 115-334 amended section generally. Prior to amendment, section required a report related to mediation programs no later than Jan. 1, 1998.

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 2023.

(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; Pub. L. 115-334, title V, §5402(c), Dec. 20, 2018, 132 Stat. 4675.)

**Editorial Notes**

AMENDMENTS

- 2018—Pub. L. 115-334 substituted “2023” for “2018”.
- 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