(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.)

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)''.

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.)

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 January 1, 1998, the Secretary of Agriculture shall report to Congress on—

(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; and

(3) 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.)

AMENDMENTS

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 2015.

(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.)

AMENDMENTS

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

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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

(F) the rapid buildup of surplus stocks as a consequence of favorable weather for agricultural production during the 1980's;

(7) increasing the volume and value of exports is important to the financial well-being of the farm sector in the United States and to increasing farm income in the United States;

(8) in order to increase agricultural exports and improve prices for farmers and ranchers in the United States, it is necessary that all agricultural export programs of the United States be used in an expeditious manner, including programs established under the Food for Peace Act (7 U.S.C. 1691 et seq.), the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.), and section 416 of the Agricultural Act of 1949 (7 U.S.C. 1431);

(9) greater use should be made by the Secretary of Agriculture of the authorities established under section 4[1] of the Food for Peace Act of 1966 (7 U.S.C. 1707a), the Food for Peace Act (7 U.S.C. 1691 et seq.), section 416 of the Agricultural Act of 1949 (7 U.S.C. 1431), and the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.) to provide intermediate credit financing and other assistance for the establishment of facilities in importing countries to—

(A) improve the handling, marketing, processing, storage, and distribution of imported agricultural commodities and products; and

(B) increase livestock production to enhance the demand for United States feed grains;

(10) food aid and export assistance programs in developing countries stimulate economic activity which causes incomes to rise, and, as incomes rise, diets improve and the demand for and ability to purchase food increases;

(11) private voluntary organizations and cooperatives are important and successful partners in our food aid and development programs; and

(12) in addition to meeting humanitarian needs, food aid used in sales and barter programs by private voluntary organizations and cooperatives—

(A) provides communities with health care, credit systems, and tools for development; and

(B) establishes the infrastructure that is essential to the expansion of markets for United States agricultural commodities and products.

(Pub. L. 100–418, title IV, § 4101, Aug. 23, 1988, 102 Stat. 1388; Pub. L. 110–246, title III, § 3001(b)(1)(A), (2)(J), June 18, 2008, 122 Stat. 1820.)

REFERENCES IN TEXT

The Food for Peace Act, referred to in pars. (8) and (9), is act July 10, 1954, ch. 469, 68 Stat. 454, which is classified generally to chapter 41 (§ 1691 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1691 of this title and Tables.

The Commodity Credit Corporation Charter Act, referred to in pars. (8) and (9), is act June 29, 1948, ch. 704, 62 Stat. 1070, as amended, which is classified generally to subchapter II (§ 714 et seq.) of chapter 15 of Title 15, Commerce and Trade. For complete classification of this Act to the Code, see Short Title note set out under section 714 of Title 15 and Tables.

Section 4 of the Food for Peace Act of 1966 (7 U.S.C. 1707a), referred to in par. (9), was repealed by Pub. L. 101–624, title XV, § 1574, Nov. 28, 1990, 104 Stat. 3702. See subchapter II (§ 5621 et seq.) of chapter 87 of this title.

AMENDMENTS

2008—Pars. (8), (9). Pub. L. 110–246 substituted ''Food for Peace Act'' for ''Agricultural Trade Development and Assistance Act of 1954''.

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.

SHORT TITLE

Section 4001 of title IV of Pub. L. 100–418 provided that: ''This title [enacting this chapter, section 2112 of Title 16, Conservation, and sections 1401, 1402, and 1403 of Title 21, Food and Drugs, amending sections 608c, 608e–1, 626, 1704, 1707a, 1726, 1736*o*, 1736s, 1736t, 1736v, 1736x, 1736bb, and 1736bb–3 to 1736bb–6 of this title, section 713a–14 of Title 15, Commerce and Trade, and section 620 of Title 21, and enacting provisions set out as notes under sections 624, 1431, 1446, 1691, and 1736t of this title and section 1401 of Title 21] may be cited as the 'Agricultural Competitiveness and Trade Act of 1988'.''

§ 5202. Policy

It is the policy of the United States—

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

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

(3) to support fully the negotiating objectives set forth in section 2901(b) of title 19 to eliminate or reduce substantially constraints on fair and open trade in agricultural commodities and products;

[1] See References in Text note below.

(4) to use statutory authority to counter unfair foreign trade practices and to use all available means, including export promotion programs, and, if necessary, restrictions on United States imports of agricultural commodities and products, in order to encourage fair and open trade; and

(5) to provide for increased representation of United States agricultural trade interests in the formulation of national fiscal and monetary policy affecting trade.

(Pub. L. 100–418, title IV, § 4102, Aug. 23, 1988, 102 Stat. 1390.)

§ 5203. Purpose

It is the purpose of this chapter—

(1) to increase the effectiveness of the Department of Agriculture in agricultural trade policy formulation and implementation and in assisting United States agricultural producers to participate in international agricultural trade, by strengthening the operations of the Department of Agriculture; and

(2) to improve the competitiveness of United States agricultural commodities and products in the world market.

(Pub. L. 100–418, title IV, § 4103, Aug. 23, 1988, 102 Stat. 1390.)

SUBCHAPTER II—AGRICULTURAL TRADE INITIATIVES

PART A—GENERAL PROVISIONS

§§ 5211, 5212. Repealed. Pub. L. 101–624, title XV, § 1571, Nov. 28, 1990, 104 Stat. 3702

Section 5211, Pub. L. 100–418, title IV, § 4201, Aug. 23, 1988, 102 Stat. 1390, related to annual reports by Secretary of Agriculture on long-term agricultural trade strategy. See section 5711 of this title.

Section 5212, Pub. L. 100–418, title IV, § 4202, Aug. 23, 1988, 102 Stat. 1391, directed Secretary of Agriculture to provide technical services to United States Trade Representative on matters concerning agricultural trade. See section 5675 of this title.

§ 5213. Joint development assistance agreements with certain trading partners

(a) Development of plan

With respect to any country that has a substantial positive trade balance with the United States, the Secretary of Agriculture, in consultation with the Secretary of State and (through the Secretary of State) representatives of such country, may develop an appropriate plan under which that country would purchase United States agricultural commodities or products for use in development activities in developing countries. In developing such plan, the Secretary of Agriculture shall take into consideration the agricultural economy of such country, the nature and extent of such country's programs to assist developing countries, and other relevant factors. The Secretary of Agriculture shall submit each such plan to the President as soon as practicable.

(b) Agreement

The President may enter into an agreement with any country that has a positive trade balance with the United States under which that country would purchase United States agricultural commodities or products for use in agreed-on development activities in developing countries.

(Pub. L. 100–418, title IV, § 4203, Aug. 23, 1988, 102 Stat. 1392.)

§ 5214. Reorganization evaluation

The Secretary of Agriculture shall evaluate the reorganization proposal recommended by the National Commission on Agricultural Trade and Export Policy and other proposals to improve management of international trade activities of the Department of Agriculture. To assist the Secretary in the evaluation, the Secretary shall appoint a private sector advisory committee of not less than 4 members, who shall be appointed from among individuals representing farm and commodity organizations, market development cooperators, and agribusiness. Not later than April 30, 1989, the Secretary shall report the findings of the evaluation to Congress, together with the views and recommendations of the private sector advisory committee.

(Pub. L. 100–418, title IV, § 4204, Aug. 23, 1988, 102 Stat. 1392.)

§§ 5215, 5216. Repealed. Pub. L. 101–624, title XV, § 1571, Nov. 28, 1990, 104 Stat. 3702

Section 5215, Pub. L. 100–418, title IV, § 4205, Aug. 23, 1988, 102 Stat. 1392, authorized Secretary of Agriculture to contract with individuals for services to be performed outside United States. See section 5673 of this title.

Section 5216, Pub. L. 100–418, title IV, § 4206, Aug. 23, 1988, 102 Stat. 1392, provided for establishment of a trade assistance office within Foreign Agricultural Service.

PART B—FOREIGN AGRICULTURAL SERVICE

§§ 5231 to 5233. Repealed. Pub. L. 101–624, title XV, § 1571, Nov. 28, 1990, 104 Stat. 3702

Section 5231, Pub. L. 100–418, title IV, § 4211, Aug. 23, 1988, 102 Stat. 1393, provided for staffing of Foreign Agricultural Service. See section 5694 of this title.

Section 5232, Pub. L. 100–418, title IV, § 4212, Aug. 23, 1988, 102 Stat. 1394, provided for an agricultural attaché educational program. See section 1749 of this title.

Section 5233, Pub. L. 100–418, title IV, § 4213, Aug. 23, 1988, 102 Stat. 1394, provided for the allocation of agricultural attaché resource time.

§ 5234. Cooperator organizations

(a) Sense of Congress

It is the sense of Congress that the foreign market development cooperator program of the Service, and the activities of individual foreign market cooperator organizations, have been among the most successful and cost-effective means to expand United States agricultural exports. Congress affirms its support for the program and the activities of the cooperator organizations. The Administrator and the private sector should work together to ensure that the program, and the activities of cooperator organizations, are expanded in the future.

(b) Commodities for cooperator organizations

The Secretary of Agriculture may make available to cooperator organizations agricultural

commodities owned by the Commodity Credit Corporation, for use by such cooperators in projects designed to expand markets for United States agricultural commodities and products.

(c) Relation to funds

Commodities made available to cooperator organizations under this section shall be in addition to, and not in lieu of, funds appropriated for market development activities of such cooperator organizations.

(d) Conflicts of interest

The Secretary shall take appropriate action to prevent conflicts of interest among cooperator organizations participating in the cooperator program.

(e) Evaluation

It is the sense of Congress that the Secretary should establish a consistent, objective means for the evaluation of cooperator programs.

(Pub. L. 100–418, title IV, § 4214, Aug. 23, 1988, 102 Stat. 1394.)

§ 5235. Authorization of additional appropriations

There are authorized to be appropriated for the Service, in addition to any sums otherwise authorized to be appropriated by any provision of law other than this section, $20,000,000 for each of the fiscal years 1988, 1989, and 1990 for market development activities, including—

(1) expansion of the agricultural attache service;

(2) expansion of international trade policy activities of the Service;

(3) enhancement of the Service worldwide market information system;

(4) increasing the number of trade shows and exhibitions conducted by the Service and upgrading the quality of United States representation at trade shows and exhibitions; and

(5) developing markets for value-added beef, pork, and poultry products.

(Pub. L. 100–418, title IV, § 4215, Aug. 23, 1988, 102 Stat. 1395.)

CHAPTER 84—NATIONAL NUTRITION MONITORING AND RELATED RESEARCH

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SUBCHAPTER III—DIETARY GUIDANCE

5341. Establishment of dietary guidelines.
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§ 5301. Congressional statement of purposes

The purposes of this chapter are to—

(1) make more effective use of Federal and State expenditures for nutrition monitoring, and enhance the performance and benefits of current Federal nutrition monitoring and related research activities;

(2) establish and facilitate the timely implementation of a coordinated National Nutrition Monitoring and Related Research Program, and thereby provide a scientific basis for the maintenance and improvement of the nutritional status of the people of the United States and the nutritional quality (including, but not limited to, nutritive and nonnutritive content) of food consumed in the United States;

(3) establish and implement a comprehensive plan for the National Nutrition Monitoring and Related Research Program to assess, on a continuing basis, the dietary and nutritional status of the people of the United States and the trends with respect to such status, the state of the art with respect to nutrition monitoring and related research, future monitoring and related research priorities, and the relevant policy implications;

(4) establish and improve the quality of national nutritional and health status data and related data bases and networks, and stimulate research necessary to develop uniform indicators, standards, methodologies, technologies, and procedures for nutrition monitoring;

(5) establish a central Federal focus for the coordination, management, and direction of Federal nutrition monitoring activities;

(6) establish mechanisms for addressing the nutrition monitoring needs of Federal, State, and local governments, the private sector, scientific and engineering communities, health care professionals, and the public in support of the foregoing purposes; and

(7) provide for the conduct of such scientific research and development as may be necessary or appropriate in support of such purposes.

(Pub. L. 101–445, § 2, Oct. 22, 1990, 104 Stat. 1034.)

SHORT TITLE

Section 1 of Pub. L. 101–445 provided that: ''This Act [enacting this chapter] may be cited as the 'National Nutrition Monitoring and Related Research Act of 1990'.''

§ 5302. Definitions

As used in this chapter—

(1) the term ''comprehensive plan'' means the comprehensive plan prepared under section 5313 of this title;

(2) the term ''coordinated program'' means the National Nutrition Monitoring and Related Research Program established by section 5311(a) of this title;

(3) the terms ''Interagency Board for Nutrition Monitoring and Related Research'' and