

Section 5003, Pub. L. 99-198, title XVII, §1724, Dec. 23, 1985, 99 Stat. 1638, related to studies to be conducted by the Commission.

Section 5004, Pub. L. 99-198, title XVII, §1725, Dec. 23, 1985, 99 Stat. 1639, provided for annual reports to President and Congress.

Section 5005, Pub. L. 99-198, title XVII, §1726, Dec. 23, 1985, 99 Stat. 1639, provided for administrative operations of the Commission, member compensation, appointment and compensation of director and staff, and maintenance of records.

Section 5006, Pub. L. 99-198, title XVII, §1727, Dec. 23, 1985, 99 Stat. 1640, authorized appropriations to carry out chapter.

Section 5007, Pub. L. 99-198, title XVII, §1728, Dec. 23, 1985, 99 Stat. 1640, provided that this chapter and the Commission terminate five years after Dec. 23, 1985.

SHORT TITLE

Section 1721 of subtitle C (§§1721-1728) of title XVII of Pub. L. 99-198, as amended by Pub. L. 100-71, title V, §519(a)(1), July 11, 1987, 101 Stat. 475, provided that this subtitle, which enacted this chapter, could be cited as the "National Commission on Agriculture and Rural Development Policy Act of 1985".

CHAPTER 82—STATE AGRICULTURAL LOAN MEDIATION PROGRAMS

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5102.	Matching grants to States. <ul style="list-style-type: none"> (a) Matching grants. (b) Amount of grant. (c) Use of grant. (d) Penalty.
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CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in section 6995 of this title.

§ 5101. Qualifying States

(a) In general

A State is a qualifying State if the Secretary of Agriculture (hereinafter in this chapter referred to as the "Secretary") determines that the State has in effect a mediation program that meets the requirements of subsection (c) of this section.

(b) Determination by Secretary

Within 15 days after the Secretary receives from the Governor of a State a description of the mediation program of the State and a statement certifying that the State has met all of the requirements of subsection (c) of this section, the Secretary shall determine whether the State is a qualifying State.

(c) Requirements of State mediation programs

(1) Issues covered

To be certified as a qualifying State, the mediation program of the State must provide mediation services for the persons described in paragraph (2) who are involved in agricultural loans or agricultural loans and one or more of

the following issues under the jurisdiction of the Department of Agriculture:

- (A) Wetlands determinations.
- (B) Compliance with farm programs, including conservation programs.
- (C) Agricultural credit.
- (D) Rural water loan programs.
- (E) Grazing on National Forest System lands.
- (F) Pesticides.
- (G) Such other issues as the Secretary considers appropriate.

(2) Persons eligible for mediation

The persons referred to in paragraph (1) are producers, their creditors (if applicable), and other persons directly affected by actions of the Department of Agriculture.

(3) Certification conditions

The Secretary shall certify a State as a qualifying State with respect to the issues proposed to be covered by the mediation program of the State if the mediation program—

(A) provides for mediation services that, if decisions are reached, result in mediated, mutually agreeable decisions between the parties to the mediation;

(B) is authorized or administered by an agency of the State government or by the Governor of the State;

(C) provides for the training of mediators;

(D) provides that the mediation sessions shall be confidential;

(E) ensures, in the case of agricultural loans, that all lenders and borrowers of agricultural loans receive adequate notification of the mediation program; and

(F) ensures, in the case of other issues covered by the mediation program, that persons directly affected by actions of the Department of Agriculture receive adequate notification of the mediation program.

(Pub. L. 100-233, title V, §501, Jan. 6, 1988, 101 Stat. 1662; Pub. L. 100-399, title V, §501, Aug. 17, 1988, 102 Stat. 1005; Pub. L. 103-354, title II, §282(a), Oct. 13, 1994, 108 Stat. 3233.)

AMENDMENTS

1994—Subsec. (a). Pub. L. 103-354, §282(a)(1), substituted "a mediation program" for "an agricultural loan mediation program".

Subsec. (b). Pub. L. 103-354, §282(a)(2), struck out "agricultural loan" before "mediation program".

Subsec. (c). Pub. L. 103-354, §282(a)(3), added subsec. (c) and struck out heading and text of former subsec. (c). Text read as follows: "Within 15 days after the Secretary receives a description of a State agricultural loan mediation program, the Secretary shall certify the State as a qualifying State if the State program—

"(1) provides for mediation services to be provided to producers, and their creditors, that, if decisions are reached, result in mediated, mutually agreeable decisions between parties under an agricultural loan mediation program;

"(2) is authorized or administered by an agency of the State government or by the Governor of the State;

"(3) provides for the training of mediators;

"(4) provides that the mediation sessions shall be confidential; and

"(5) ensures that all lenders and borrowers of agricultural loans receive adequate notification of the mediation program."