

(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.)

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.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 5101 of this title.

§ 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 2005.

(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.)

AMENDMENTS

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.
(a) Development of plan.
(b) Agreement.

Sec.
5214. Reorganization evaluation.
5215, 5216. Repealed.

PART B—FOREIGN AGRICULTURAL SERVICE

5231 to 5233. Repealed.
5234. Cooperator organizations.
 (a) Sense of Congress.
 (b) Commodities for cooperator organizations.
 (c) Relation to funds.
 (d) Conflicts of interest.
 (e) Evaluation.
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

(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 Agricultural Trade Development and Assistance Act of 1954 (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 4¹ of the Food for Peace Act of 1966 (7 U.S.C. 1707a), the Agricultural Trade Development and Assistance Act of 1954 (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.)

REFERENCES IN TEXT

The Agricultural Trade Development and Assistance Act of 1954, referred to in pars. (8) and (9), is act July 10, 1954, ch. 469, 68 Stat. 454, as amended, 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.

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, 1736o, 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

¹ See References in Text note below.