

for agricultural, forestry, or timber production purposes as determined by the Secretary under regulations to be prescribed by the Secretary;

(2) the term “foreign government” means any government other than the Federal Government or any government of a State or a political subdivision of a State;

(3) the term “foreign person” means—

(A) any individual—

(i) who is not a citizen or national of the United States;

(ii) who is not a citizen of the Northern Mariana Islands or the Trust Territory of the Pacific Islands; or

(iii) who is not lawfully admitted to the United States for permanent residence, or paroled into the United States, under the Immigration and Nationality Act [8 U.S.C. 1101 et seq.];

(B) any person, other than an individual or a government, which is created or organized under the laws of a foreign government or which has its principal place of business located outside of all the States;

(C) any person, other than an individual or a government—

(i) which is created or organized under the laws of any State; and

(ii) in which, as determined by the Secretary under regulations which the Secretary shall prescribe, a significant interest or substantial control is directly or indirectly held—

(I) by any individual referred to in subparagraph (A);

(II) by any person referred to in subparagraph (B);

(III) by any foreign government; or

(IV) by any combination of such individuals, persons, or governments; and

(D) any foreign government;

(4) the term “person” includes any individual, corporation, company, association, firm, partnership, society, joint stock company, trust, estate, or any other legal entity;

(5) the term “Secretary” means the Secretary of Agriculture; and

(6) the term “State” means any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Northern Mariana Islands, Guam, the Virgin Islands, American Samoa, the Trust Territory of the Pacific Islands, or any other territory or possession of the United States.

(Pub. L. 95-460, §9, Oct. 14, 1978, 92 Stat. 1266.)

REFERENCES IN TEXT

The Immigration and Nationality Act, referred to in par. (3)(A)(iii), is act June 27, 1952, ch. 477, 66 Stat. 163, as amended, which is classified principally to chapter 12 (§1101 et seq.) of Title 8, Aliens and Nationality. For complete classification of this Act to the Code, see Short Title note set out under section 1101 of Title 8 and Tables.

TERMINATION OF TRUST TERRITORY OF THE PACIFIC ISLANDS

For termination of Trust Territory of the Pacific Islands, see note set out preceding section 1681 of Title 48, Territories and Insular Possessions.

CHAPTER 67—IMPLEMENTATION OF INTERNATIONAL SUGAR AGREEMENT, 1977

Sec.	Definitions.
3601.	Implementation of Agreement.
3603.	Delegation of powers and duties.
3604.	Criminal offenses.
3605, 3606.	Repealed.

§ 3601. Definitions

For purposes of this chapter—

(1) The term “Agreement” means the International Sugar Agreement, 1977, signed at New York City on December 9, 1977.

(2) The term “sugar” has the same meaning as is given to such term in paragraph (12) of Article 2 of the Agreement.

(3) The term “entry” means entry, or withdrawal from warehouse, for consumption in the customs territory of the United States.

(Pub. L. 96-236, §1, Apr. 22, 1980, 94 Stat. 336.)

§ 3602. Implementation of Agreement

On and after the entering into force of the Agreement with respect to the United States, and for such period before January 1, 1985, as the Agreement remains in force, the President may, in order to carry out and enforce the provisions of the Agreement—

(1) regulate the entry of sugar by appropriate means, including, but not limited to—

(A) the imposition of limitations on the entry of sugar which is the product of foreign countries, territories, or areas not members of the International Sugar Organization, and

(B) the prohibition of the entry of any shipment or quantity of sugar not accompanied by a valid certificate of contribution or such other documentation as may be required under the Agreement;

(2) require of appropriate persons the keeping of such records, statistics, and other information, and the submission of such reports, relating to the entry, distribution, prices, and consumption of sugar and alternative sweeteners as he may from time to time prescribe; and

(3) take such other action, and issue and enforce such rules or regulations, as he may consider necessary or appropriate in order to implement the rights and obligations of the United States under the Agreement.

(Pub. L. 96-236, §2, Apr. 22, 1980, 94 Stat. 336; Pub. L. 97-446, title I, §153, Jan. 12, 1983, 96 Stat. 2344.)

AMENDMENTS

1983—Pub. L. 97-446 substituted “1985” for “1983”.

ELIMINATION OF SUGAR QUOTA ALLOCATION OF PANAMA

Pub. L. 101-167, title V, §562, Nov. 21, 1989, 103 Stat. 1241, provided that:

“(a) IN GENERAL.—Notwithstanding any other provision of law, no sugars, sirups, or molasses that are products of Panama may be imported into the United States after the date of enactment of this Act [Nov. 21, 1989] during any period for which a limitation is imposed by authorities provided under any other law on the total quantity of sugars, sirups, and molasses that may be imported into the United States: *Provided*, That such products may be imported after the beginning of

the last week of any quota year if the President certifies that for the entire duration of the quota year, freedom of the press and other constitutional guarantees, including due process of law, have been restored to the Panamanian people.

“(b) REALLOCATION OF QUOTA AMOUNTS.—For any quota year for which the President does not certify for the entire duration of the quota year, freedom of the press and all other constitutional guarantees, including due process of law, have been restored to the Panamanian people, no later than the last week of such quota year, the United States Trade Representative shall re-allocate among other foreign countries (but, primarily, among beneficiary countries of the Caribbean Basin Initiative and Bolivia) the quantity of sugar, sirup, and molasses products of Panama that could have been imported into the United States before the date of enactment of this Act [Nov. 21, 1989] under any limitation imposed by other law on the total quantity of sugars, sirups, and molasses that may be imported into the United States during any period: *Provided*, That no one country may receive more than 20 per centum of such reallocation.

“(c) CERTIFICATION.—The provisions of subsections (a) and (b), and the amendments made by subsection (c) of section 571 of the Foreign Operations, Export Financing, and Related Programs, Appropriations Act, 1988 [section 101(e) [title V, §571] of Pub. L. 100-202, formerly set out below], shall cease to apply if the President certifies to Congress pursuant to section 561(a) of this Act [section 561(a) of Pub. L. 101-167, which is set out as a note under section 2151 of Title 22, Foreign Relations and Intercourse].”

Similar provisions were contained in the following prior appropriation acts:

Pub. L. 100-461, title V, §565, Oct. 1, 1988, 102 Stat. 2268-42.

Pub. L. 100-202, §101(e) [title V, §571], Dec. 22, 1987, 101 Stat. 1329-131, 1329-175.

EX. ORD. NO. 12224. IMPLEMENTATION OF THE INTERNATIONAL SUGAR AGREEMENT

Ex. Ord. No. 12224, July 1, 1980, 45 F.R. 45243, provided: By the authority vested in me as President of the United States of America by an Act providing for the Implementation of the International Sugar Agreement, 1977, and for Other Purposes (P.L. 96-236; 94 Stat. 336) [this chapter] and Section 301 of Title 3 of the United States Code, it is hereby ordered as follows:

1-101. The functions vested in the President by Public Law 96-236 (94 Stat. 336) are delegated to the United States Trade Representative.

1-102. In carrying out the functions delegated to him, the United States Trade Representative shall consult with the Secretary of Agriculture and the Secretary of State. The United States Trade Representative may, with the consent of the head of another Executive agency, redelegate some or all of those functions to the head of such agency.

1-103. This Order is effective July 1, 1980.

JIMMY CARTER.

§ 3603. Delegation of powers and duties

The President may exercise any power or duty conferred on him by this chapter through such agencies or offices of the United States as he shall designate. Such agencies or offices shall issue such regulations as they determine are necessary to implement this chapter.

(Pub. L. 96-236, §3, Apr. 22, 1980, 94 Stat. 336.)

§ 3604. Criminal offenses

Any person who—

- (1) knowingly fails to keep any information, or to submit any report, required under section 3602 of this title;

- (2) submits any report under section 3602 of this title knowing that the report or any part thereof is false; or

- (3) knowingly violates any rule or regulation issued to carry out this chapter;

is guilty of an offense and upon conviction thereof is punishable by a fine of not more than \$1,000.

(Pub. L. 96-236, §4, Apr. 22, 1980, 94 Stat. 337.)

§ 3605. Repealed. Pub. L. 105-277, div. G, subdiv. B, title XXII, §2219(a)(5), Oct. 21, 1998, 112 Stat. 2681-817

Section, Pub. L. 96-236, §5, Apr. 22, 1980, 94 Stat. 337, provided for reports to Congress.

§ 3606. Repealed. Pub. L. 105-362, title I, §101(g), Nov. 10, 1998, 112 Stat. 3281

Section, Pub. L. 96-236, §6, Apr. 22, 1980, 94 Stat. 337, related to protection of interests of United States consumers.

CHAPTER 68—AGRICULTURAL SUBTERMINAL FACILITIES

Sec.	
3701.	Congressional findings and declarations.
3702.	Definitions.
3703.	State and regional plans.

§ 3701. Congressional findings and declarations

Congress finds and declares that—

- (1) an adequate system for the efficient transient storage and movement of bulk agricultural commodities is essential to the overall success of the agricultural industry of the Nation, the development of rural areas of the Nation, and the economic stability of the Nation;

- (2) the movement and storage of bulk agricultural commodities has been seriously and repeatedly impeded by shortages of transient storage facilities, adequate rail rolling stock, and the deterioration of many railroad track beds and rural highways throughout the United States;

- (3) the efficient movement and storage of bulk agricultural commodities may be achieved and facilitated by the joint location at strategic points throughout the United States of transient storage facilities and multimodal terminal facilities constructed especially for the efficient shipment and receipt of agricultural commodities; and

- (4) the location of such facilities must be carefully planned to assure maximum benefits to producers of agricultural commodities and unprocessed agricultural products and utilization of the most efficient means of transporting bulk agricultural commodities for domestic and export markets.

(Pub. L. 96-358, §2, Sept. 25, 1980, 94 Stat. 1184.)

EFFECTIVE DATE

Section 6 of Pub. L. 96-358 provided that: “The provisions of this Act [enacting this chapter and amending section 1932 of this title] shall become effective October 1, 1980.”

SHORT TITLE

Section 1 of Pub. L. 96-358 provided: “That this Act [enacting this chapter and amending section 1932 of