

of this chapter applicable to plans shall be applicable to amendments to plans.”

§ 4915. Separability

If any provision of this chapter or the application thereof to any person or circumstances is held invalid, the validity of the remainder of this chapter and the application of such provision to other persons and circumstances shall not be affected thereby.

(Pub. L. 99-198, title XVI, § 1656, Dec. 23, 1985, 99 Stat. 1630.)

§ 4916. Authorization of appropriations

There are authorized to be appropriated such sums as are necessary to carry out the provisions of this chapter, except that the funds so appropriated shall not be available for the payment of any expenses or expenditures of the Board in administering any provision of any plan issued under authority of this chapter.

(Pub. L. 99-198, title XVI, § 1657, Dec. 23, 1985, 99 Stat. 1630.)

CHAPTER 81—NATIONAL COMMISSION ON AGRICULTURE AND RURAL DEVELOPMENT POLICY

§§ 5001 to 5007. Omitted

CODIFICATION

Sections 5001 to 5007 were omitted pursuant to section 5007 which provided that this chapter and the National Commission on Agriculture and Rural Development Policy established by this chapter terminated 5 years after Dec. 23, 1985.

Section 5001, Pub. L. 99-198, title XVII, § 1722, Dec. 23, 1985, 99 Stat. 1637; Pub. L. 100-71, title V, § 519(a)(2), July 11, 1987, 101 Stat. 475, defined “Commission”, “Governor”, and “State”.

Section 5002, Pub. L. 99-198, title XVII, § 1723, Dec. 23, 1985, 99 Stat. 1637; Pub. L. 100-71, title V, § 519(a)(2), July 11, 1987, 101 Stat. 475, provided for establishment of the Commission, appointment of its members by President, election of Chairman, and meetings of the Commission.

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

Sec.
5101. Qualifying States.

Sec.
5102. Matching grants to States.
5103. Participation of Federal agencies.
5104. Regulations.
5105. Report.
5106. Authorization of appropriations.

§ 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

(A) In general

To be certified as a qualifying State, the mediation program of the State must provide mediation services to persons described in paragraph (2) that are involved in agricultural loans (regardless of whether the loans are made or guaranteed by the Secretary or made by a third party).

(B) Other issues

The mediation program of a qualifying State may provide mediation services to persons described in paragraph (2) that are involved in one or more of the following issues under the jurisdiction of the Department of Agriculture:

- (i) Wetlands determinations.
- (ii) Compliance with farm programs, including conservation programs.
- (iii) Agricultural credit.
- (iv) Rural water loan programs.
- (v) Grazing on National Forest System land.
- (vi) Pesticides.
- (vii) Such other issues as the Secretary considers appropriate.

(2) Persons eligible for mediation

(A) In general

Subject to subparagraph (B), the persons referred to in paragraph (1) include—

- (i) agricultural producers;
- (ii) creditors of producers (as applicable); and
- (iii) persons directly affected by actions of the Department of Agriculture.

(B) Voluntary participation

(i) In general

Subject to clause (ii) and section 5103 of this title, a person may not be compelled to participate in mediation services provided under this Act.

(ii) State laws

Clause (i) shall not affect a State law requiring mediation before foreclosure on agricultural land or property.