

commodities, as determined appropriate by the Secretary, the export of which is hampered by an unfair trade practice. Where practicable, the report shall include a comparison of the average prices and costs of production for such commodities in the United States and in the importing countries for the previous crop year;

(2) in consultation with the agricultural technical advisory committees established under section 2155(c) of title 19, include in the compilation a priority ranking of those trade barriers identified in subsection (a) by commodity group;

(3) include in the compilation a list of actions undertaken to reduce or eliminate such trade barriers; and

(4) not later than January 15 of each year, make the compilation available to Congress, the agricultural policy advisory committee, and other interested parties.

(c) Meeting

The Secretary and the United States Trade Representative shall convene a meeting, at least once each year, of the Agricultural Policy Advisory Committee and the agricultural technical advisory committees to develop specific recommendations for actions to be taken by the Federal Government and private industry to—

(1) reduce or eliminate trade barriers or distortions identified in the annual reports required to be submitted under subsections (a) and (b); and

(2) expand United States agricultural export opportunities identified in such annual reports.

(Aug. 28, 1954, ch. 1041, title I, § 108, as added Pub. L. 101-624, title XV, § 1532, Nov. 28, 1990, 104 Stat. 3689; amended Pub. L. 102-237, title III, §§ 316-318, Dec. 13, 1991, 105 Stat. 1856, 1857; Pub. L. 104-127, title II, § 272, Apr. 4, 1996, 110 Stat. 976.)

AMENDMENTS

1996—Subsec. (b)(1)(B). Pub. L. 104-127 struck out “including fruits, vegetables, legumes, popcorn and ducks” after “agricultural commodities”.

1991—Pub. L. 102-237, § 316, made technical amendment to directory language of Pub. L. 101-624, § 1532, which enacted this section, resulting in no change in text.

Subsec. (b)(1)(B). Pub. L. 102-237, § 317, substituted a semicolon for period at end.

Subsec. (b)(4). Pub. L. 102-237, § 318, struck out “the trade assistance office authorized under section 504 of the Agricultural Trade Act of 1978 (as amended by section 201),” after “available to Congress,”.

§ 1749. Attaché educational program

The Administrator of the Foreign Agricultural Service shall establish a program within the Service that directs attachés of the Service who are reassigned from abroad to the United States, and other personnel of the Service, to visit and consult with producers and exporters of agricultural commodities and products and State officials throughout the United States concerning various methods to increase exports of United States agricultural commodities and products.

(Aug. 28, 1954, ch. 1041, title I, § 109, as added Pub. L. 101-624, title XV, § 1532, Nov. 28, 1990, 104 Stat.

3690; amended Pub. L. 102-237, title III, § 316, Dec. 13, 1991, 105 Stat. 1856.)

AMENDMENTS

1991—Pub. L. 102-237, § 316, made technical amendment to directory language of Pub. L. 101-624, § 1532, which enacted this section, resulting in no change in text.

CHAPTER 43—FOREIGN MARKET DEVELOPMENT

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SUBCHAPTER I—GENERAL PROVISIONS; AGRICULTURAL COUNSELORS AND AGRICULTURAL ATTACHÉS

§ 1761. Foreign markets; collection of information

For the purpose of encouraging and promoting the marketing of agricultural commodities of the United States and assisting American farmers, processors, distributors, and exporters to adjust their operations and practices to meet world conditions, the Secretary of Agriculture shall acquire information regarding the competition and demand for United States agricultural commodities, the marketing and distribution of such commodities in foreign countries and shall be responsible for the interpretation and dissemination of such information in the United States and shall make investigations abroad regarding the factors affecting and influencing the export of United States agricultural commodities, and shall conduct abroad any other activities including the demonstration of standards of quality for American agricultural commodities for which the Department of Agri-

culture now has or in the future may have such standards, as he deems necessary. Nothing contained herein shall be construed as prohibiting the Department of Agriculture from conducting abroad any activity for which authority now exists.

(Aug. 28, 1954, ch. 1041, title VI, § 601, 68 Stat. 908; Pub. L. 95-501, title III, § 301(3), Oct. 21, 1978, 92 Stat. 1688.)

AMENDMENTS

1978—Pub. L. 95-501 substituted “agricultural commodities” for “agricultural products” in four places and substituted “such commodities” for “said products”.

WORLD LIVESTOCK MARKET PRICE INFORMATION

Pub. L. 101-624, title XV, § 1545, Nov. 28, 1990, 104 Stat. 3695, directed Secretary of Agriculture to develop appropriate methodology for determining world price of livestock and livestock products, to gather and analyze appropriate price and cost of production information concerning such products in foreign countries for purpose of price discovery and to aid in sale of livestock and livestock products in foreign export markets, and to periodically publish such information, prior to repeal by Pub. L. 104-127, title II, § 273, Apr. 4, 1996, 110 Stat. 976.

IMPLEMENTATION OF 1978 AMENDMENT; REGULATIONS

Pub. L. 95-501, title VI, § 601, Oct. 21, 1978, 92 Stat. 1691, which required Secretary of Agriculture to implement provisions of Pub. L. 95-501 as expeditiously as possible, was omitted and a new section 601 of Pub. L. 95-501 added as part of the complete revision of Pub. L. 95-501 by Pub. L. 101-624, title XV, § 1531, Nov. 28, 1990, 104 Stat. 3668. See chapter 87 (§ 5601 et seq.) of this title.

§ 1762. Personnel

(a) Appointment

To effectuate the carrying out of the purposes of this subchapter, the Secretary of Agriculture is authorized to appoint such personnel as he determines to be necessary and, with the concurrence of the Secretary of State, to assign such personnel to service abroad.

(b) Titles; rank and privileges; appointments of Agricultural Counselors

Officers or employees assigned or appointed to posts abroad under this subchapter shall have the designation of Agricultural Counselor, Agricultural Attaché, or such other titles or designations that shall be agreed to by the Secretary of State and the Secretary of Agriculture, and shall be accorded the same rank and privileges as those of other counselors or attachés in United States embassies. An Agricultural Counselor shall be appointed in any nation—

(1) to which a substantial number of governments with which the United States competes directly for agricultural markets in such nation assign agricultural representatives with the diplomatic status of counselor or its equivalent; or

(2) in which—

(A) the potential is great for long-term expansion of a market for United States agricultural commodities, and

(B) competition with other nations for existing and potential agricultural markets is extremely intense.

Not less than ten Agricultural Counselors shall be appointed within three years after October 21, 1978.

(c) Attachment to diplomatic missions

Upon the request of the Secretary of Agriculture, the Secretary of State shall regularly and officially attach the officers or employees of the United States Department of Agriculture to the diplomatic mission of the United States in the country in which such officers or employees are to be assigned by the Secretary of Agriculture, and shall obtain for them diplomatic privileges and immunities equivalent to those enjoyed by Foreign Service personnel of comparable rank and salary.

(d) Assignment to United States

Any officer or employee appointed and assigned to a post abroad pursuant to this subchapter may, in the discretion of the Secretary of Agriculture, be assigned for duty in the continental United States, without regard to the civil service laws (and without reduction in grade if an appropriate position at the employee's grade is not available in any agency of the Department of Agriculture), for a period of not more than three years: *Provided*, That the total number of such employees assigned for duty in the continental United States under this provision shall not exceed fifteen at any one time: *Provided further*, That this Act shall not increase the number of persons employed at grade GS-16, GS-17, or GS-18.

(Aug. 28, 1954, ch. 1041, title VI, § 602(a)–(d), formerly § 602(a)–(c), (e), 68 Stat. 908, 909; amended June 28, 1955, ch. 189, § 12(c)(13), 69 Stat. 182; Pub. L. 89-106, § 4, Aug. 4, 1965, 79 Stat. 431; Pub. L. 94-449, Oct. 1, 1976, 90 Stat. 1500; renumbered § 602(a)–(d) and amended Pub. L. 95-501, title III, § 301(4), (5), title IV, § 401(3), (5), Oct. 21, 1978, 92 Stat. 1688, 1691.)

REFERENCES IN TEXT

This Act, referred to in subsec. (d), is act Aug. 28, 1954, ch. 1041, 68 Stat. 897, as amended, known as the Agricultural Act of 1954. For complete classification of this Act to the Code, see Short Title note set out under section 1741 of this title and Tables.

AMENDMENTS

1978—Subsec. (a). Pub. L. 95-501, § 301(4), substituted “this subchapter” for “this chapter”.

Subsec. (b). Pub. L. 95-501, § 301(5), inserted provisions relating to appointment of Agricultural Counselors and rank and privileges to be accorded such counselors or other officers or employees assigned abroad.

Subsecs. (d), (e). Pub. L. 95-501, §§ 301(4), 401(5), redesignated subsec. (e) as (d) and substituted “this subchapter” for “this chapter”. Former subsec. (d), relating to Presidential regulations, was redesignated section 606B of act Aug. 28, 1954, by section 401(3) of Pub. L. 95-501, which is classified to section 1766a of this title.

Subsec. (f). Pub. L. 95-501, § 401(3), redesignated subsec. (f), relating to language training for families of officers and employees assigned abroad, as section 606C of act Aug. 28, 1954, which is classified to section 1766b of this title.

1976—Subsec. (f). Pub. L. 94-449 added subsec. (f).

1965—Subsec. (e). Pub. L. 89-106 added subsec. (e).

1955—Subsec. (a). Act June 28, 1955, repealed provisions authorizing the Secretary of Agriculture to place not more than eight positions in grade 16 and two in

grade 17 of the General Schedule of the Classification Act of 1949.

EFFECTIVE DATE OF 1955 AMENDMENT

Amendment by act June 28, 1955, effective June 28, 1955, see section 13 of act of June 28, 1955.

REFERENCES IN OTHER LAWS TO GS-16, 17, OR 18 PAY RATES

References in laws to the rates of pay for GS-16, 17, or 18, or to maximum rates of pay under the General Schedule, to be considered references to rates payable under specified sections of Title 5, Government Organization and Employees, see section 529 [title I, § 101(c)(1)] of Pub. L. 101-509, set out in a note under section 5376 of Title 5.

EX. ORD. NO. 10624. REGULATIONS FOR DEPARTMENT OF AGRICULTURE PERSONNEL ABROAD

Ex. Ord. No. 10624, July 28, 1955, 20 F.R. 5445, as amended by Ex. Ord. No. 10903, Jan. 9, 1961, 26 F.R. 217; Ex. Ord. No. 11530, May 26, 1970, 35 F.R. 8335; Ex. Ord. No. 12292, Feb. 23, 1981, 46 F.R. 13967; Ex. Ord. No. 12608, Sept. 9, 1987, 52 F.R. 34617, provided:

By virtue of the authority vested in me by sections 605, 606B and 606D of Title VI of the Act of August 28, 1954, as amended, (7 U.S.C. 1765, 1766a, and 1766c), and by section 301 of title 3 of the United States Code, and as President of the United States, I hereby prescribe the following regulations relating to personnel of the Department of Agriculture assigned to service abroad:

SECTION 1. (a) The provisions of section 207 of the Foreign Service Act of 1980 (22 U.S.C. 3927) shall be applicable to the official activities of persons assigned abroad under authority of Title VI of the said act of August 28, 1954 [this chapter].

(b) The Secretary of Agriculture shall institute and maintain such measures consistent with the said Part II as may be necessary to insure that the official activities of persons assigned abroad under the said Title VI are carried on consonant with United States foreign-policy objectives as defined by the Secretary of State and are effectively coordinated with the activities of representatives of other United States agencies, under the leadership of the Chief of the United States Diplomatic Mission.

(c) Consistent with subsections (a) and (b) of this section, the Secretary of Agriculture shall issue instructions on agricultural matters to persons assigned abroad under authority of the said Title VI.

SEC. 2. In addition to rules and regulations pertaining to allowances and benefits otherwise applicable to personnel assigned abroad by the Secretary of Agriculture under Title VI of the Act of August 28, 1954 [this chapter], or other authority, there shall be applicable to such personnel the rules and regulations prescribed by the Secretary of State in pursuance of (1) so much of the authority vested in the President by subchapter III of chapter 59 of title 5 of the United States Code [section 5921 et seq. of Title 5, Government Organization and Employees], or by any amendment thereof as relates to quarters allowances or cost-of-living allowances, and (2) so much of the authority vested in the Secretary of State by chapter 9 of Title I of the Foreign Service Act of 1980 [section 4081 et seq. of Title 22, Foreign Relations and Intercourse], as relates to allowances and benefits under the said chapter 9 of Title I: *Provided*, (1) that the Secretary of State, upon request of the Secretary of Agriculture, may prescribe, within existing authority of law and when deemed necessary, special rules and regulations for such personnel; and (2) that the Secretary of Agriculture may, within the limitation of such rules and regulations, prescribe necessary implementing directions. The Secretary of Agriculture may designate employees of the Department of Agriculture to make specific determinations and take specific actions in the application of such rules and regulations to the activities of the Department of Agriculture.

SEC. 3. Such provisions in annual appropriation acts of the Department of State, including such acts hereafter enacted, facilitating the work of the Foreign Service of the United States as the Director of the Office of Management and Budget shall from time to time determine appropriate shall be applicable to activities authorized under Title VI of the said act of August 28, 1954 [this chapter].

This order shall be effective as of September 1, 1954.

§ 1763. Transferred

CODIFICATION

Section, act Aug. 28, 1954, ch. 1041, title VI, § 603, 68 Stat. 909, which related to allowances and benefits, was renumbered section 606D of act Aug. 28, 1954, by Pub. L. 95-501, title IV, § 401(3), Oct. 21, 1978, 92 Stat. 1691, and transferred to section 1766c of this title.

§ 1764. Reports and dispatches

(a) Availability to Department of State and interested Government agencies

The reports and dispatches prepared by the officers appointed or assigned under this subchapter shall be made available to the Department of State, and may be made available to other interested agencies of the Government, and the agricultural reports and dispatches and related information produced by officers of the Foreign Service shall be available to the Secretary of Agriculture.

(b) Office space, equipment, and administrative and clerical services

The Secretary of State is authorized upon request of the Secretary of Agriculture to provide office space, equipment, facilities, and such other administrative and clerical services as may be required for the personnel affected by this subchapter. The Secretary of Agriculture is authorized to reimburse or advance funds to the Secretary of State for such services.

(c) Agency services, personnel, and facilities

Upon the request of the Secretary of Agriculture, each Federal agency may make its services, personnel, and facilities available to officers and employees appointed and assigned to a post abroad under this subchapter in the performance of the functions of such officers and employees. The Secretary of Agriculture may reimburse or advance funds to any such agency for services, personnel, and facilities so made available.

(Aug. 28, 1954, ch. 1041, title VI, § 604, 68 Stat. 909; Pub. L. 95-501, title III, § 301(4), (6), Oct. 21, 1978, 92 Stat. 1688.)

AMENDMENTS

1978—Subsecs. (a), (b). Pub. L. 95-501, § 301(4), substituted “this subchapter” for “this chapter”.

Subsec. (c). Pub. L. 95-501, § 301(6), added subsec. (c).

§ 1765. Foreign service appropriations; applicability

Provisions in annual appropriation Acts of the Department of State facilitating the work of the Foreign Service of the United States shall be applicable under rules and regulations prescribed by the President or his designee to activities pursuant to this subchapter.

(Aug. 28, 1954, ch. 1041, title VI, § 605, 68 Stat. 909; Pub. L. 95-501, title III, § 301(4), Oct. 21, 1978, 92 Stat. 1688.)

AMENDMENTS

1978—Pub. L. 95-501 substituted “this subchapter” for “this chapter”.

SUBCHAPTER II—UNITED STATES
AGRICULTURAL TRADE OFFICES

§ 1765a. Agricultural Trade Offices

(a) Establishment

For the purpose of developing, maintaining, and expanding international markets for United States agricultural commodities, the Secretary of Agriculture, after consultation with the Secretary of State, shall establish not less than six nor more than twenty-five United States Agricultural Trade Offices in other nations.

(b) Administration

each¹ United States Agricultural Trade Office shall be directed and administered by an Agricultural Trade Officer who by reason of training, experience, and attainments is qualified to carry out the purposes of this subchapter. Such Officer shall be appointed by the Secretary of Agriculture.

(c) Appointment and compensation of officers

Each Agricultural Trade Officer may be appointed without regard to the provisions of title 5 governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5 relating to classification and General Schedule pay rates, except that no Agricultural Trade Officer (1) may be paid basic pay at a rate in excess of the maximum annual rate of basic pay payable for GS-17 of the General Schedule under section 5332 of such title, or (2) may be paid at a rate in excess of the highest rate paid to an Agricultural Counselor or Attaché, as the case may be, who is appointed under subchapter I of this chapter to the nation in which such Officer is to serve.

(d) Transmittal of information

Each Agricultural Trade Officer shall, through the Agricultural Counselor or Attaché or other senior representative of the Secretary of Agriculture in each nation in which the United States Agricultural Trade Office administered by such Officer exercises its functions, keep the Chief of the United States diplomatic mission fully and currently informed with respect to all activities and operations of such Office.

(e) Office functions and activities

Each Agricultural Trade Officer shall be responsible for the exercise of the functions of the United States Agricultural Trade Office, and shall have the authority to direct and supervise all personnel and activities thereof.

(f) Personnel; employment of local nationals

To carry out the functions of United States Agricultural Trade Offices, the Secretary of Agriculture may appoint such other personnel as the Secretary determines to be necessary and may, with the concurrence of the Secretary of State, assign such personnel abroad and employ local nationals for necessary professional and clerical help.

¹ So in original. Probably should be capitalized.

(g) Conflicts of interest

No employee of any United States Agricultural Trade Office may engage in any business, vocation, or other employment, or have other interests, that are inconsistent with official responsibilities.

(h) Diplomatic privileges and immunities

Upon the request of the Secretary of Agriculture, the Secretary of State shall request for Agricultural Trade Officers and personnel of United States Agricultural Trade Offices diplomatic privileges and immunities equivalent to those enjoyed by members of the Foreign Service of comparable rank and salary.

(Aug. 28, 1954, ch. 1041, title VI, § 605A, as added Pub. L. 95-501, title IV, § 401(1), Oct. 21, 1978, 92 Stat. 1688; amended Pub. L. 96-465, title II, § 2206(b)(1), Oct. 17, 1980, 94 Stat. 2162.)

AMENDMENTS

1980—Subsec. (h). Pub. L. 96-465 substituted “members of the Foreign Service” for “Foreign Service Personnel”.

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-465 effective Feb. 15, 1981, except as otherwise provided, see section 2403 of Pub. L. 96-465, set out as an Effective Date note under section 3901 of Title 22, Foreign Relations and Intercourse.

REFERENCES IN OTHER LAWS TO GS-16, 17, OR 18 PAY RATES

References in laws to the rates of pay for GS-16, 17, or 18, or to maximum rates of pay under the General Schedule, to be considered references to rates payable under specified sections of Title 5, Government Organization and Employees, see section 529 [title I, § 101(c)(1)] of Pub. L. 101-509, set out in a note under section 5376 of Title 5.

§ 1765b. Functions

The functions of each United States Agricultural Trade Office shall be to—

(1) increase the effectiveness of agricultural export promotion efforts through consolidation of activities, providing services and facilities for foreign buyers and United States trade representatives, and coordination of market development activities sponsored by the Department of Agriculture;

(2) establish goals by nation or region and agricultural commodity for developing, expanding, and maintaining markets for United States agricultural commodities;

(3) initiate programs to achieve the export marketing goals approved by the Department of Agriculture;

(4) maintain facilities for use by nonresident cooperators, private trade groups, and other individuals engaged in the import and export of United States agricultural commodities where the use of such facilities would aid in the conduct of market development activities, and cooperate, to the maximum extent practicable, with such cooperators, groups, and individuals to expand the level of United States agricultural exports;

(5) develop and maintain a current listing of trade, government, and other appropriate organizations for each agricultural commodity area and make such listing available to per-

sons with a bona fide interest in exporting or importing United States agricultural commodities;

(6) originate and provide assistance for exhibits, sales teams, and other functions for the promotion of United States agricultural commodities;

(7) provide practical assistance for the use of the programs under the Food for Peace Act [7 U.S.C. 1691 et seq.], the export credit sales program, the export incentives program, and related programs of the United States Government where use of such programs will serve as a market development tool for United States agriculture;

(8) supervise project agreements with United States cooperators, coordinate the activities of the United States Agricultural Trade Office with those of the cooperators, and submit annual recommendations to the Secretary of Agriculture on the efficacy of cooperator programs;

(9) publicize the services offered by the United States Agricultural Trade Office through advertisements in trade journals or by other appropriate means; and

(10) perform such other functions as the Secretary of Agriculture, in consultation with the Secretary of State, determines to be necessary and proper for achieving the purposes of this subchapter.

(Aug. 28, 1954, ch. 1041, title VI, § 605B, as added Pub. L. 95-501, title IV, § 401(1), Oct. 21, 1978, 92 Stat. 1689; amended Pub. L. 110-246, title III, § 3001(b)(1)(A), (2)(H), June 18, 2008, 122 Stat. 1820.)

REFERENCES IN TEXT

The Food for Peace Act, referred to in par. (7), is act July 10, 1954, ch. 469, 68 Stat. 454, which is classified principally 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.

AMENDMENTS

2008—Par. (7). 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.

§ 1765b-1. Omitted

CODIFICATION

Section, Pub. L. 95-501, title VI, § 602, Oct. 21, 1978, 92 Stat. 1691, which provided for an annual report on export promotion, was omitted as part of the complete revision of Pub. L. 95-501 by Pub. L. 101-624, title XV, § 1531, Nov. 28, 1990, 104 Stat. 3668. See chapter 87 (§ 5601 et seq.) of this title.

§ 1765c. Performance of functions in foreign localities

Each United States Agricultural Trade Office shall carry out its functions under section 1765b of this title in the nation where the United States Agricultural Trade Office is located and in such other nations as the Secretary of Agri-

culture, in consultation with the Secretary of State, may prescribe in order to carry out the purposes of this subchapter.

(Aug. 28, 1954, ch. 1041, title VI, § 605C, as added Pub. L. 95-501, title IV, § 401(1), Oct. 21, 1978, 92 Stat. 1690.)

§ 1765d. Acquisition of property

Upon the request of the Secretary of Agriculture, the Secretary of State may use the authorities contained in the Foreign Service Buildings Act, 1926 [22 U.S.C. 292 et seq.], to acquire sites and buildings, including living quarters, for the purpose of establishing United States Agricultural Trade Offices.

(Aug. 28, 1954, ch. 1041, title VI, § 605D, as added Pub. L. 95-501, title IV, § 401(1), Oct. 21, 1978, 92 Stat. 1690.)

REFERENCES IN TEXT

The Foreign Service Buildings Act, 1926, as amended, referred to in text, is act May 7, 1926, ch. 250, 44 Stat. 403, as amended, which is classified generally to chapter 8 (§ 292 et seq.) of Title 22, Foreign Relations and Intercourse. For complete classification of this Act to the Code, see section 299 of Title 22 and Tables.

§ 1765d-1. Repealed. Pub. L. 107-228, div. A, title II, § 213, Sept. 30, 2002, 116 Stat. 1365

Section, Pub. L. 106-387, § 1(a) [title VII, § 738], Oct. 28, 2000, 114 Stat. 1549, 1549A-34; Pub. L. 110-246, title III, § 3001(b)(1)(A), (2)(BB), June 18, 2008, 122 Stat. 1820, 1821, related to sale or disposal of foreign residences purchased by the United States for housing agricultural attachés.

§ 1765e. Location of offices

United States Agricultural Trade Offices shall be centrally located in the cities of assignment to facilitate foreign trade meetings and foreign trade reliance on such offices for assistance in marketing activities.

(Aug. 28, 1954, ch. 1041, title VI, § 605E, as added Pub. L. 95-501, title IV, § 401(1), Oct. 21, 1978, 92 Stat. 1690.)

§ 1765f. Availability of agency services, personnel, and facilities

Upon the request of the Secretary of Agriculture, each Federal agency may make its services, personnel, and facilities available to a United States Agricultural Trade Office in the performance of its functions. The Secretary of Agriculture may reimburse or advance funds to any such agency for services, personnel, and facilities so made available.

(Aug. 28, 1954, ch. 1041, title VI, § 605F, as added Pub. L. 95-501, title IV, § 401(1), Oct. 21, 1978, 92 Stat. 1690.)

§ 1765g. Availability of reports and dispatches

The provisions of section 1764(a) of this title shall apply with respect to personnel appointed and assigned under this subchapter.

(Aug. 28, 1954, ch. 1041, title VI, § 605G, as added Pub. L. 95-501, title IV, § 401(1), Oct. 21, 1978, 92 Stat. 1690.)

SUBCHAPTER III—REPRESENTATION ALLOWANCES, REGULATIONS, GENERAL PROVISIONS, AND AUTHORIZATION FOR APPROPRIATIONS

CODIFICATION

Provisions comprising this section were formerly classified to section 1762(d) of this title prior to redesignation by section 401(3) of Pub. L. 95-501.

§ 1765h. Representation allowance

Any Agricultural Trade Officer and the senior representative of the Secretary of Agriculture assigned to a nation under subchapter I of this chapter may, under regulations prescribed by the Secretary of Agriculture, be entitled to receive a representation allowance in an amount determined by considering (1) the extent to which such Agricultural Trade Officer or senior representative can effectively use such funds to further the purposes of this chapter, (2) travel and entertainment expenses customary in the private trade for persons of comparable rank and salary, and (3) customs and practices in the nation where such Agricultural Trade Officer or senior representative is assigned.

(Aug. 28, 1954, ch. 1041, title VI, § 606, as added Pub. L. 95-501, title IV, § 401(2), Oct. 21, 1978, 92 Stat. 1690.)

§ 1766. Rules and regulations; advance payment for rent and other service; funds for courtesies to foreign representatives

The Secretary of Agriculture may make rules and regulations necessary to carry out the purposes of this chapter and may cooperate with any Department or agency of the United States Government, State, Territory, or possession or any organization or person. In any foreign country where custom or practice requires payment in advance for rent or other service, such payment may be authorized by the Secretary of Agriculture. Funds available for the purposes of this chapter may be used for extending courtesies to representatives of foreign countries, when so provided in appropriation or other law.

(Aug. 28, 1954, ch. 1041, title VI, § 606A, formerly § 606, 68 Stat. 909; amended Aug. 3, 1956, ch. 950, § 8, 70 Stat. 1034; renumbered § 606A, Pub. L. 95-501, title IV, § 401(2), Oct. 21, 1978, 92 Stat. 1690.)

AMENDMENTS

1956—Act Aug. 3, 1956, inserted sentence relating to availability of funds for extending courtesies to representatives of foreign countries.

§ 1766a. Presidential regulations

The President shall prescribe regulations to insure that the official activities of persons assigned abroad under this chapter are carried on (1) consonant with United States foreign policy objectives as defined by the Secretary of State; (2) in accordance with instructions of the Secretary of Agriculture with respect to agricultural matters; and (3) in coordination with other representatives of the United States Government in each country, under the leadership of the Chief of the United States Diplomatic Mission.

(Aug. 28, 1954, ch. 1041, title VI, § 606B, formerly § 602(d), 68 Stat. 909; renumbered Pub. L. 95-501, title IV, § 401(3), Oct. 21, 1978, 92 Stat. 1691.)

§ 1766b. Language training for families of officers and employees assigned abroad

Effective October 1, 1976, the Secretary of Agriculture is authorized to provide appropriate orientation and language training to families of officers and employees of the Department of Agriculture in anticipation of an assignment abroad of such officers and employees or while abroad pursuant to this chapter or other authority: *Provided*, That the facilities of the George P. Shultz National Foreign Affairs Training Center or other Government facilities shall be used wherever practicable, and the Secretary may utilize foreign currencies generated under title I of the Food for Peace Act, as amended [7 U.S.C. 1701 et seq.], to carry out the purposes of this section in the foreign nations to which such officers, employees, and families are assigned. There are hereby authorized to be appropriated such sums, not to exceed \$50,000 annually, as may be necessary to carry out the purposes of this section: *Provided*, That for the fiscal year ending September 30, 1977, any appropriations available to the Secretary of Agriculture (not to exceed \$50,000) may be used to carry out the purposes of this section.

(Aug. 28, 1954, ch. 1041, title VI, § 606C, formerly § 602(f), as added Pub. L. 94-449, Oct. 1, 1976, 90 Stat. 1500; renumbered § 606C, and amended Pub. L. 95-501, title IV, § 401(3), (4), Oct. 21, 1978, 92 Stat. 1691; Pub. L. 96-470, title I, § 102(f), Oct. 19, 1980, 94 Stat. 2237; Pub. L. 107-132, § 1(b), Jan. 16, 2002, 115 Stat. 2412; Pub. L. 110-246, title III, § 3001(b)(1)(A), (2)(H), June 18, 2008, 122 Stat. 1820.)

REFERENCES IN TEXT

The Food for Peace Act, as amended, referred to in text, is act July 10, 1954, ch. 469, 68 Stat. 454, which is classified generally to chapter 41 (§ 1691 et seq.) of this title. Title I of the Act is classified to subchapter II (§ 1701 et seq.) of chapter 41 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.

CODIFICATION

Amendment by section 102(f) of Pub. L. 96-470 was executed to this section which is section 606C of act Aug. 28, 1954, instead of section 602(f) of act Aug. 28, 1954, as directed by section 102(f) of Pub. L. 96-470, as the probable intent of Congress, in view of the renumbering of section 602(f) of act Aug. 28, 1954 as section 606C of act Aug. 28, 1954 by section 401(3) of Pub. L. 95-501.

Provisions comprising this section were formerly classified to section 1762(f) of this title prior to redesignation by section 401(3) of Pub. L. 95-501.

AMENDMENTS

2008—Pub. L. 110-246 substituted “Food for Peace Act” for “Agricultural Trade Development and Assistance Act of 1954”.

2002—Pub. L. 107-132 substituted “George P. Shultz National Foreign Affairs Training Center” for “Foreign Service Institute”.

1980—Pub. L. 96-470 struck out provision requiring the Secretary of Agriculture to submit to the House Committee of Agriculture and the Senate Committee on Agriculture, Nutrition, and Forestry not later than

ninety days after the end of each fiscal year a detailed report showing activities carried out under the authority of this section during such fiscal year.

1978—Pub. L. 95-501, § 401(4), substituted “this section” for “this subsection” in four places. See Codification note above.

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.

AVAILABILITY OF FUNDS

Pub. L. 109-97, title VII, § 707, Nov. 10, 2005, 119 Stat. 2150, provided that: “Hereafter, not to exceed \$50,000 in each fiscal year of the funds appropriated by this or any other Appropriations Act to the Department of Agriculture (excluding the Forest Service) shall be available to provide appropriate orientation and language training pursuant to section 606C of the Act of August 28, 1954 (7 U.S.C. 1766b).”

Similar provisions were contained in the following prior appropriation acts:

Pub. L. 108-447, div. A, title VII, § 707, Dec. 8, 2004, 118 Stat. 2839.

Pub. L. 108-199, div. A, title VII, § 707, Jan. 23, 2004, 118 Stat. 32.

Pub. L. 108-7, div. A, title VII, § 707, Feb. 20, 2003, 117 Stat. 38.

Pub. L. 107—76, title VII, § 707, Nov. 28, 2001, 115 Stat. 732.

Pub. L. 106—387, § 1(a) [title VII, § 707], Oct. 28, 2000, 114 Stat. 1549, 1549A-29.

Pub. L. 106-78, title VII, § 707, Oct. 22, 1999, 113 Stat. 1161.

Pub. L. 105-277, div. A, § 101(a) [title VII, § 707], Oct. 21, 1998, 112 Stat. 2681, 2681-26.

Pub. L. 105-86, title VII, § 707, Nov. 18, 1997, 111 Stat. 2105.

Pub. L. 104-180, title VII, § 707, Aug. 6, 1996, 110 Stat. 1597.

Pub. L. 104-37, title VII, § 707, Oct. 21, 1995, 109 Stat. 329.

Pub. L. 103-330, title VII, § 707, Sept. 30, 1994, 108 Stat. 2467.

Pub. L. 103-111, title VII, § 708, Oct. 21, 1993, 107 Stat. 1078.

Pub. L. 102-341, title VII, § 708, Aug. 14, 1992, 106 Stat. 907.

Pub. L. 102-142, title VII, § 710, Oct. 28, 1991, 105 Stat. 912.

Pub. L. 101-506, title VI, § 610, Nov. 5, 1990, 104 Stat. 1347.

Pub. L. 101-161, title VI, § 610, Nov. 21, 1989, 103 Stat. 982.

Pub. L. 100-460, title VI, § 610, Oct. 1, 1988, 102 Stat. 2260.

Pub. L. 100-202, § 101(k) [title VI, § 610], Dec. 22, 1987, 101 Stat. 1329-322, 1329-354.

Pub. L. 99-500, § 101(a) [title VI, § 610], Oct. 18, 1986, 100 Stat. 1783, 1783-28, and Pub. L. 99-591, § 101(a) [title VI, § 610], Oct. 30, 1986, 100 Stat. 3341, 3341-28.

Pub. L. 99-190, § 101(a) [H.R. 3037, title VI, § 610], Dec. 19, 1985, 99 Stat. 1185; Pub. L. 100-202, § 106, Dec. 22, 1987, 101 Stat. 1329-433.

Pub. L. 97-370, title VI, § 610, Dec. 18, 1982, 96 Stat. 1810.

Pub. L. 97-103, title VI, § 610, Dec. 23, 1981, 95 Stat. 1488.

Pub. L. 96-528, title VI, § 610, Dec. 15, 1980, 94 Stat. 3117.

Pub. L. 96-108, title VI, § 609, Nov. 9, 1979, 93 Stat. 841.

Pub. L. 95-448, title VI, § 610, Oct. 11, 1978, 92 Stat. 1093.

Pub. L. 95-97, title VI, § 612, Aug. 12, 1977, 91 Stat. 829.

§ 1766c. Allowances and benefits

The Secretary of Agriculture may, under such rules and regulations as may be prescribed by

the President or his designee, provide to personnel appointed or assigned by the Secretary of Agriculture under this chapter or other authority allowance and benefits similar to those provided by chapter 9 of title I of the Foreign Service Act of 1980 [22 U.S.C. 4081 et seq.]. Leaves of absence for personnel under this chapter shall be on the same basis as is provided for the Foreign Service of the United States by subchapter I of chapter 63 of title 5.

(Aug. 28, 1954, ch. 1041, title VI, § 606D, formerly § 603, 68 Stat. 909; renumbered § 606D, Pub. L. 95-501, title IV, § 401(3), Oct. 21, 1978, 92 Stat. 1691; amended Pub. L. 96-465, title II, § 2206(b)(2), Oct. 17, 1980, 94 Stat. 2162.)

REFERENCES IN TEXT

The Foreign Service Act of 1980, referred to in text, is Pub. L. 96-465, Oct. 17, 1980, 94 Stat. 2071. Chapter 9 of title I of the Act is classified generally to subchapter IX (§ 4081 et seq.) of chapter 52 of Title 22, Foreign Relations and Intercourse. For complete classification of this Act to the Code, see Short Title note set out under section 3901 of Title 22 and Tables.

CODIFICATION

“Subchapter I of chapter 63 of title 5” substituted in text for “the Annual and Sick Leave Act of 1951” on authority of Pub. L. 89-554, § 7(b), Sept. 6, 1966, 80 Stat. 631, the first section of which enacted Title 5, Government Organization and Employees.

Section was formerly classified to section 1763 of this title.

AMENDMENTS

1980—Pub. L. 96-465 substituted “chapter 9 of title I of the Foreign Service Act of 1980” for “title IX of the Foreign Service Act of 1946”.

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-465 effective Feb. 15, 1981, except as otherwise provided, see section 2403 of Pub. L. 96-465, set out as an Effective Date note under section 3901 of Title 22, Foreign Relations and Intercourse.

§ 1767. Authorization of appropriations

(a) Unexpended balances

For the fiscal year 1955 so much of the Department of State and Department of Agriculture unexpended balances of appropriations, allocations, and other funds employed, held, used, available, or to be made available, in connection with the functions covered by this chapter as the Director of the Office of Management and Budget or the Congress by appropriation or other law shall determine shall be transferred to or established in accounts under the control of the Department of Agriculture, and there are hereby authorized to be established such additional accounts as may be necessary for this purpose.

(b) Annual appropriations

There are hereby authorized to be appropriated to the Department of Agriculture such amounts as may be necessary for the purpose of this chapter.

(c) Funds for 1955; expenditures

For the fiscal year 1955 funds which become available for the purposes of this chapter may be expended under the provisions of law, including current appropriation Acts, applicable to the

Department of State; *Provided*, That the provisions of section 961(d) of title 22 with respect to the source of payment for Foreign Service officers and employees shall not apply to personnel employed under this chapter. Obligations incurred by the Department of State prior to September 1, 1954, with respect to functions affected by this Act, shall be paid from appropriations available to the Department of State.

(Aug. 28, 1954, ch. 1041, title VI, § 607, 68 Stat. 909; 1970 Reorg. Plan No. 2, § 102, eff. July 1, 1970, 35 F.R. 7959, 84 Stat. 2085.)

REFERENCES IN TEXT

Section 961(d) of title 22, referred to in subsec. (c), was in the original “section 571(d) of the Foreign Service Act of 1946, as amended” and was repealed by section 2205(1) of the Foreign Service Act of 1980, Pub. L. 96-465, title II, Oct. 17, 1980, 94 Stat. 2159. The Foreign Service Act of 1980 is classified principally to chapter 52 (§ 3901 et seq.) of Title 22, Foreign Relations and Intercourse. Section 2401(c) of the 1980 Act (22 U.S.C. 4172(c)) provides in part that references in law to provisions of the Foreign Service Act of 1946 shall be deemed to include reference to the corresponding provisions of the 1980 Act. For provisions corresponding to section 571(d) of the 1946 Act, see section 503(b)(2) of the 1980 Act (22 U.S.C. 3983(b)(2)).

This Act, referred to in subsec. (c), is act Aug. 28, 1954, ch. 1041, 68 Stat. 897, as amended, known as the Agricultural Act of 1954. For complete classification of this Act to the Code, see Short Title note set out under section 1741 of this title and Tables.

TRANSFER OF FUNCTIONS

Functions vested by law (including reorganization plan) in Bureau of the Budget or Director of Bureau of the Budget transferred to President by section 101 of 1970 Reorg. Plan No. 2. Section 102 of 1970 Reorg. Plan No. 2, redesignated Bureau of the Budget as Office of Management and Budget and offices of Director, Deputy Director, and Assistant Directors of Bureau of the Budget as Director, Deputy Director, and Assistant Directors of Office of Management and Budget, respectively. Section 103 of 1970 Reorg. Plan No. 2, transferred records, property, personnel, and funds of Bureau of the Budget to Office of Management and Budget. See Part I of Reorganization Plan 2 of 1970, set out in the Appendix to Title 5, Government Organization and Employees.

§ 1768. Foreign Operations Administration unaffected

Nothing in this chapter shall be construed to affect personnel employed by or funds available to the Foreign Operations Administration or programs conducted under its authorities.

(Aug. 28, 1954, ch. 1041, title VI, § 608, 68 Stat. 910.)

TRANSFER OF FUNCTIONS

The Foreign Operations Administration was abolished by Ex. Ord. No. 10610 of May 9, 1955, and its functions and offices were transferred to the Department of State and to the Department of Defense, effective June 30, 1955.

§ 1769. “Agricultural commodity” defined

The term “agricultural commodity” as used in this chapter includes any agricultural commodity or product thereof.

(Aug. 28, 1954, ch. 1041, title VI, § 609, as added Pub. L. 95-501, title IV, § 401(6), Oct. 21, 1978, 92 Stat. 1691.)

CHAPTER 44—WOOL PROGRAM

§ 1781. Repealed. Pub. L. 103-130, § 4(a), Nov. 1, 1993, 107 Stat. 1369

Section, acts Aug. 28, 1954, ch. 1041, title VII, § 702, 68 Stat. 910; Sept. 29, 1977, Pub. L. 95-113, title III, § 301, 91 Stat. 921, declared encouragement of continued domestic production of wool to be policy of Congress.

SHORT TITLE

Act Aug. 28, 1954, ch. 1041, title VII, § 701, 68 Stat. 910, provided that title VII of act Aug. 28, 1954 (enacting this chapter) could be cited as the “National Wool Act of 1954”, prior to repeal by Pub. L. 103-130, § 3(a), Nov. 1, 1993, 107 Stat. 1369.

§§ 1782 to 1787. Repealed. Pub. L. 103-130, § 3(a), Nov. 1, 1993, 107 Stat. 1369

Section 1782, acts Aug. 28, 1954, ch. 1041, title VII, § 703, 68 Stat. 910; Aug. 28, 1958, Pub. L. 85-835, title IV, § 401, 72 Stat. 994; Aug. 8, 1961, Pub. L. 87-128, title I, § 151, 75 Stat. 306; Nov. 3, 1965, Pub. L. 89-321, title II, § 201, 79 Stat. 1188; Oct. 11, 1968, Pub. L. 90-559, § 1(3), 82 Stat. 996; Nov. 30, 1970, Pub. L. 91-524, title III, § 301(1)-(5), 84 Stat. 1362; Aug. 10, 1973, Pub. L. 93-86, § 1(7)(A), 87 Stat. 224; Sept. 29, 1977, Pub. L. 95-113, title III, § 302, 91 Stat. 921; Dec. 22, 1981, Pub. L. 97-98, title II, § 201, 95 Stat. 1221; Dec. 23, 1985, Pub. L. 99-198, title II, § 201, 99 Stat. 1378; Dec. 22, 1987, Pub. L. 100-203, title I, § 1104(f), 101 Stat. 1330-5; Nov. 28, 1990, Pub. L. 101-624, title II, § 201(a), 104 Stat. 3381; Aug. 10, 1993, Pub. L. 103-66, title I, § 1111(1), 107 Stat. 327; Nov. 1, 1993, Pub. L. 103-130, §§ 1, 4(b), 107 Stat. 1368, 1369, related to requirement that Secretary of Agriculture through the Commodity Credit Corporation make loans and payments to producers of wool and mohair.

Section 1783, acts Aug. 28, 1954, ch. 1041, title VII, § 704, 68 Stat. 911; Aug. 28, 1958, Pub. L. 85-835, title IV, § 402, 72 Stat. 995; Aug. 23, 1988, Pub. L. 100-418, title I, § 1214(v), 102 Stat. 1162; Nov. 5, 1990, Pub. L. 101-508, title I, § 1105(e), 104 Stat. 1388-6; Nov. 28, 1990, Pub. L. 101-624, title II, § 201(b), 104 Stat. 3381; Dec. 13, 1991, Pub. L. 102-237, title I, § 118(f), 105 Stat. 1842; Aug. 10, 1993, Pub. L. 103-66, title I, § 1111(2), 107 Stat. 327; Nov. 1, 1993, Pub. L. 103-130, § 2, 4(c), 107 Stat. 1368, 1369, related to determination of amount of payments based on use of payments, limitations on total amount of payments, regulations, and marketing assessments.

Section 1784, acts Aug. 28, 1954, ch. 1041, title VII, § 705, 68 Stat. 911; Aug. 28, 1958, Pub. L. 85-835, title IV, § 403, 72 Stat. 995; Aug. 23, 1988, Pub. L. 100-418, title I, § 1214(v), 102 Stat. 1162, related to reimbursement to Commodity Credit Corporation for expenditures in connection with payments to producers under this chapter.

Section 1785, acts Aug. 28, 1954, ch. 1041, title VII, § 706, 68 Stat. 912; Aug. 10, 1993, Pub. L. 103-66, title I, § 1111(3), 107 Stat. 327; Nov. 1, 1993, Pub. L. 103-130, § 4(d), 107 Stat. 1369, authorized Secretary of Agriculture to determine or approve amounts, terms, and conditions of wool and mohair program operations and declared such determinations to be final and conclusive.

Section 1786, act Aug. 28, 1954, ch. 1041, title VII, § 707, 68 Stat. 912, defined “marketing year” as used in this chapter.

Section 1787, acts Aug. 28, 1954, ch. 1041, title VII, § 708, 68 Stat. 912; Nov. 30, 1970, Pub. L. 91-524, title III, § 301(6), as added Aug. 10, 1973, Pub. L. 93-86, § 1(7)(B), 87 Stat. 224; amended Dec. 23, 1985, Pub. L. 99-198, title II, § 202, 99 Stat. 1378; Nov. 28, 1990, Pub. L. 101-624, title XIX, § 1989, 104 Stat. 3909; Dec. 13, 1991, Pub. L. 102-237, title VIII, § 810, 105 Stat. 1883, authorized Secretary of Agriculture to enter into agreements with, or to approve agreements entered into between, marketing cooperatives, trade associations, etc., for purpose of developing and conducting sales and advertising programs and for development and dissemination of information on product quality, production management, and marketing improvement.