

**§§ 1736z, 1736aa. Repealed. Pub. L. 101-624, title XV, § 1572(3), Nov. 28, 1990, 104 Stat. 3702**

Section 1736z, Pub. L. 99-198, title XI, §1162, Dec. 23, 1985, 99 Stat. 1499, provided for a regular assessment of certain projects and activities administered by the Secretary and Department of Agriculture.

Section 1736aa, Pub. L. 99-198, title XI, §1167(d), Dec. 23, 1985, 99 Stat. 1503, provided for barter by exporters of agricultural commodities and products for foreign products needed by exporters.

**§§ 1736bb to 1736bb-6. Repealed. Pub. L. 104-127, title II, § 271(a), Apr. 4, 1996, 110 Stat. 976**

Section 1736bb, Pub. L. 100-202, §1, Dec. 22, 1987, 101 Stat. 1329-445; Pub. L. 100-418, title IV, §4610(b), Aug. 23, 1988, 102 Stat. 1411, related to establishment of agricultural aid and trade missions.

Section 1736bb-1, Pub. L. 100-202, §2, Dec. 22, 1987, 101 Stat. 1329-445, related to required and additional missions and eligible countries.

Section 1736bb-2, Pub. L. 100-202, §3, Dec. 22, 1987, 101 Stat. 1329-446, related to functions of members of missions to eligible countries.

Section 1736bb-3, Pub. L. 100-202, §4, Dec. 22, 1987, 101 Stat. 1329-446; Pub. L. 100-418, title IV, §4610(b), Aug. 23, 1988, 102 Stat. 1411, related to mission reports.

Section 1736bb-4, Pub. L. 100-202, §5, Dec. 22, 1987, 101 Stat. 1329-446; Pub. L. 100-418, title IV, §4610(b), Aug. 23, 1988, 102 Stat. 1411, related to quarterly progress reports on implementing recommendations of missions.

Section 1736bb-5, Pub. L. 100-202, §6, Dec. 22, 1987, 101 Stat. 1329-447; Pub. L. 100-418, title IV, §4610(b), Aug. 23, 1988, 102 Stat. 1411, related to authorization of appropriations.

Section 1736bb-6, Pub. L. 100-202, §7, Dec. 22, 1987, 101 Stat. 1329-447; Pub. L. 100-418, title IV, §4610(b), Aug. 23, 1988, 102 Stat. 1411; Pub. L. 101-624, title XV, §1515(b), Nov. 28, 1990, 104 Stat. 3663; Pub. L. 102-237, title III, §307, Dec. 13, 1991, 105 Stat. 1856, provided definitions for former sections 1736bb to 1736bb-6.

**Statutory Notes and Related Subsidiaries**

**INAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT TO AGRICULTURAL AID AND TRADE MISSIONS**

Pub. L. 100-277, §7, Apr. 4, 1988, 102 Stat. 69, provided that any agricultural aid and trade mission established under this section and any other activity under sections 1736bb to 1736bb-6 of this title were not to be considered advisory committee for purposes of Federal Advisory Committee Act, see 5 U.S.C. 1001 et seq., prior to repeal by Pub. L. 104-127, title II, §271(b), Apr. 4, 1996, 110 Stat. 976.

**§ 1736cc. Repealed. Pub. L. 101-624, title XV, § 1577, Nov. 28, 1990, 104 Stat. 3702**

Section, Pub. L. 101-220, §13, Dec. 12, 1989, 103 Stat. 1884, prohibited duty drawback claims by exporters who used certain export promotion programs.

**§ 1736dd. International food security technical assistance**

**(a) Definition of international food security**

In this section, the term “international food security” means access by any person at any time to food and nutrition that is sufficient for a healthy and productive life.

**(b) Collection of information**

The Secretary of Agriculture (referred to in this section as the “Secretary”) shall compile information from appropriate mission areas of the Department of Agriculture (including the Food, Nutrition, and Consumer Services mission

area) relating to the improvement of international food security.

**(c) Public availability**

To benefit programs for the improvement of international food security, the Secretary shall organize the information described in subsection (b) and make the information available in a format suitable for—

- (1) public education; and
- (2) use by—

- (A) a Federal, State, or local agency;
- (B) an agency or instrumentality of the government of a foreign country;
- (C) a domestic or international organization, including a domestic or international nongovernmental organization; and
- (D) an intergovernmental organization.

**(d) Technical assistance**

On request by an entity described in subsection (c)(2), the Secretary may provide technical assistance to the entity to implement a program for the improvement of international food security.

**(e) Program priority**

In carrying out this section, the Secretary shall give priority to programs relating to the development of food and nutrition safety net systems with a focus on food insecure countries.

**(f) Authorization of appropriations**

There is authorized to be appropriated to carry out this section \$1,000,000 for each of fiscal years 2019 through 2023.

(Pub. L. 101-624, title XV, §1543B, as added Pub. L. 115-334, title III, §3308, Dec. 20, 2018, 132 Stat. 4621.)

**Editorial Notes**

**CODIFICATION**

Section was enacted as part of the Food, Agriculture, Conservation, and Trade Act of 1990, and not as part of the Food for Peace Act which comprises this chapter.

**SUBCHAPTER V—FARMER-TO-FARMER PROGRAM**

**§ 1737. John Ogonowski and Doug Bereuter Farmer-to-Farmer Program**

**(a) Definitions**

In this section:

**(1) Caribbean Basin country**

The term “Caribbean Basin country” means a country eligible for designation as a beneficiary country under section 2702 of title 19.

**(2) Emerging market**

The term “emerging market” means a country that the Secretary determines—

- (A) is taking steps toward a market-oriented economy through the food, agriculture, or rural business sectors of the economy of the country; and
- (B) has the potential to provide a viable and significant market for United States agricultural commodities or products of United States agricultural commodities.

(B) has the potential to provide a viable and significant market for United States agricultural commodities or products of United States agricultural commodities.

**(3) Middle income country**

The term “middle income country” means a country that has developed economically to

the point at which the country does not receive bilateral development assistance from the United States.

**(4) Sub-Saharan African country**

The term “sub-Saharan African country” has the meaning given the term in section 3706 of title 19.

**(b) Provision**

Notwithstanding section 1342 of title 31 or any other provision of law, to further assist developing countries, middle-income countries, emerging markets, sub-Saharan African countries, and Caribbean Basin countries to increase farm production and farmer incomes, the President may—

(1) establish and administer a program, to be known as the “John Ogonowski and Doug Beuter Farmer-to-Farmer Program”, of farmer-to-farmer technical assistance between the United States and such countries to assist in—

(A) increasing food production and distribution; and

(B) improving the effectiveness of the farming and marketing operations of agricultural producers in those countries;

(2) use United States agricultural producers, agriculturalists, colleges and universities (including historically black colleges and universities, land grant colleges or universities, and foundations maintained by colleges or universities), private agribusinesses, private organizations (including grassroots organizations with an established and demonstrated capacity to carry out such a bilateral exchange program), private corporations, employees or staff of a State cooperative institution (as such term is defined in paragraph 18 of section 3103 of this title, except that subparagraphs (E), (F), and (G) of such paragraph shall not apply), and nonprofit farm organizations to work in conjunction with agricultural producers and farm organizations in those countries, on a voluntary basis—

(A) to improve agricultural and agribusiness operations and agricultural systems in those countries, including improving—

- (i) animal care and health;
- (ii) field crop cultivation;
- (iii) fruit and vegetable growing;
- (iv) livestock operations;
- (v) food processing and packaging;
- (vi) farm credit;
- (vii) marketing;
- (viii) inputs<sup>1</sup>
- (ix) agricultural education and extension;
- (x) selection of seed varieties and plant stocks;
- (xi) knowledge of insecticide and sanitation procedures to prevent crop destruction;
- (xii) use and maintenance of agricultural equipment and irrigation systems; and
- (xiii) selection of fertilizers and methods of soils treatment; and

(B) to strengthen cooperatives and other agricultural groups in those countries;

(3) transfer the knowledge and expertise of United States agricultural producers and businesses, on an individual basis, to those countries while enhancing the democratic process by supporting private and public agriculturally related organizations that request and support technical assistance activities through cash and in-kind services;

(4) to the maximum extent practicable, make grants to or enter into contracts or other cooperative agreements with private voluntary organizations, cooperatives, land grant universities, private agribusiness, or nonprofit farm organizations to carry out this section (except that any such contract or other agreement may obligate the United States to make outlays only to the extent that the budget authority for such outlays is available under subsection (d) or has otherwise been provided in advance in appropriation Acts);

(5) coordinate programs established under this section with other foreign assistance programs and activities carried out by the United States; and

(6) to the extent that local currencies can be used to meet the costs of a program established under this section, augment funds of the United States that are available for such a program through the use, within the country in which the program is being conducted, of—

(A) foreign currencies that accrue from the sale of agricultural commodities and products under this chapter; and

(B) local currencies generated from other types of foreign assistance activities.

**(c) Special emphasis on sub-Saharan African and Caribbean Basin countries**

**(1) Findings**

Congress finds that—

(A) agricultural producers in sub-Saharan African and Caribbean Basin countries need training in agricultural techniques that are appropriate for the majority of eligible agricultural producers in those countries, including training in—

- (i) standard growing practices;
- (ii) insecticide and sanitation procedures; and
- (iii) other agricultural methods that will produce increased yields of more nutritious and healthful crops;

(B) agricultural producers in the United States (including African-American agricultural producers) and banking and insurance professionals have agribusiness expertise that would be invaluable for agricultural producers in sub-Saharan African and Caribbean Basin countries;

(C) a commitment by the United States is appropriate to support the development of a comprehensive agricultural skills training program for those agricultural producers that focuses on—

- (i) improving knowledge of insecticide and sanitation procedures to prevent crop destruction;
- (ii) teaching modern agricultural techniques that would facilitate a continual analysis of crop production, including—

<sup>1</sup> So in original. Probably should be followed by a semicolon.

(I) the identification and development of standard growing practices; and

(II) the establishment of systems for recordkeeping;

(iii) the use and maintenance of agricultural equipment that is appropriate for the majority of eligible agricultural producers in sub-Saharan African or Caribbean Basin countries;

(iv) the expansion of small agricultural operations into agribusiness enterprises by increasing access to credit for agricultural producers through—

(I) the development and use of village banking systems; and

(II) the use of agricultural risk insurance pilot products; and

(v) marketing crop yields to prospective purchasers (including businesses and individuals) for local needs and export; and

(D) programs that promote the exchange of agricultural knowledge and expertise through the exchange of American and foreign agricultural producers have been effective in promoting improved agricultural techniques and food security and the extension of additional resources to such farmer-to-farmer exchanges is warranted.

**(2) Goals for programs carried out in sub-Saharan African and Caribbean Basin countries**

The goals of programs carried out under this section in sub-Saharan African and Caribbean Basin countries shall be—

(A) to expand small agricultural operations in those countries into agribusiness enterprises by increasing access to credit for agricultural producers through—

(i) the development and use of village banking systems; and

(ii) the use of agricultural risk insurance pilot products;

(B) to provide training to agricultural producers in those countries that will—

(i) enhance local food security; and

(ii) help mitigate and alleviate hunger;

(C) to provide training to agricultural producers in those countries in groups to encourage participants to share and pass on to other agricultural producers in the home communities of the participants, the information and skills obtained from the training, rather than merely retaining the information and skills for the personal enrichment of the participants; and

(D) to maximize the number of beneficiaries of the programs in sub-Saharan African and Caribbean Basin countries.

**(d) Minimum funding**

Notwithstanding any other provision of law, in addition to any funds that may be specifically appropriated to carry out this section, not less than the greater of \$10,000,000 or 0.5 percent of the amounts made available for each of fiscal years 2008 through 2013, and not less than the greater of \$15,000,000 or 0.6 percent of the amounts made available for each of fiscal years 2014 through 2023, to carry out this chapter shall

be used to carry out programs under this section, with—

(1) not less than 0.2 percent to be used for programs in developing countries; and

(2) not less than 0.1 percent to be used for programs in sub-Saharan African and Caribbean Basin countries.

**(e) Authorization of appropriations**

**(1) In general**

There are authorized to be appropriated for each of fiscal years 2008 through 2023 to carry out the programs under this section—

(A) \$10,000,000 for sub-Saharan African and Caribbean Basin countries; and

(B) \$5,000,000 for other developing or middle-income countries or emerging markets not described in subparagraph (A).

**(2) Administrative costs**

Not more than 5 percent of the funds made available for a fiscal year under paragraph (1) may be used to pay administrative costs incurred in carrying out programs in sub-Saharan African and Caribbean Basin countries.

**(f) Grant program to create new partners and innovation**

**(1) In general**

The Administrator of the Agency for International Development shall develop a grant program to be carried out in fiscal years 2019 through 2023 to facilitate new and innovative partnerships and activities under this subchapter.

**(2) Use of funds**

A grant recipient under this subsection shall use funds received under this subsection to—

(A) prioritize new implementing partners;

(B) develop innovative volunteer models;

(C) develop, improve, or maintain strategic partnerships with other United States development programs; and

(D) expand the footprint and impact of the programs and activities under this subchapter, and diversity among program participants, including land-grant colleges and universities and cooperative extension services (as such terms are defined in section 3103 of this title).

(July 10, 1954, ch. 469, title V, §501, as added Pub. L. 101-624, title XV, § 1512, Nov. 28, 1990, 104 Stat. 3656; amended Pub. L. 102-237, title III, § 301, Dec. 13, 1991, 105 Stat. 1855; Pub. L. 104-127, title II, §§ 224, 277(c)(1), Apr. 4, 1996, 110 Stat. 959, 979; Pub. L. 107-76, title VII, § 777, Nov. 28, 2001, 115 Stat. 747; Pub. L. 107-171, title III, § 3014, May 13, 2002, 116 Stat. 285; Pub. L. 108-447, div. A, title VII, § 769, Dec. 8, 2004, 118 Stat. 2848; Pub. L. 110-246, title III, § 3024, June 18, 2008, 122 Stat. 1830; Pub. L. 113-79, title III, § 3014(a), Feb. 7, 2014, 128 Stat. 778; Pub. L. 115-334, title III, § 3116, Dec. 20, 2018, 132 Stat. 4607.)

**Editorial Notes**

AMENDMENTS

2018—Subsec. (b). Pub. L. 115-334, § 3116(1)(A), inserted “section 1342 of title 31 or” after “Notwithstanding” in introductory provisions.

Subsec. (b)(1). Pub. L. 115-334, § 3116(1)(B), inserted “technical” before “assistance” in introductory provisions.

Subsec. (b)(2). Pub. L. 115-334, §3116(1)(C)(i), in introductory provisions, inserted “employees or staff of a State cooperative institution (as such term is defined in paragraph 18 of section 3103 of this title, except that subparagraphs (E), (F), and (G) of such paragraph shall not apply),” after “private corporations,”.

Subsec. (b)(2)(A)(viii). Pub. L. 115-334, §3116(1)(C)(ii)(I), struck out “; and” at end.

Subsec. (b)(2)(A)(ix) to (xiii). Pub. L. 115-334, §3116(1)(C)(ii)(II), added cls. (ix) to (xiii) and struck out former cl. (ix) which read as follows: “agricultural extension; and”.

Subsecs. (d), (e)(1). Pub. L. 115-334, §3116(2), (3), in introductory provisions, substituted “2023” for “2018”.

Subsec. (f). Pub. L. 115-334, §3116(4), added subsec. (f). 2014—Subsec. (d). Pub. L. 113-79, §3014(a)(1), substituted “2013, and not less than the greater of \$15,000,000 or 0.6 percent of the amounts made available for each of fiscal years 2014 through 2018,” for “2012” in introductory provisions.

Subsec. (e)(1). Pub. L. 113-79, §3014(a)(2), substituted “2018” for “2012” in introductory provisions.

2008—Subsec. (d). Pub. L. 110-246, §3024(a), in introductory provisions, substituted “not less than the greater of \$10,000,000 or” for “not less than” and “2008 through 2012” for “2002 through 2007”.

Subsec. (e)(1). Pub. L. 110-246, §3024(b), added par. (1) and struck out former par. (1). Prior to amendment, text read as follows: “There is authorized to be appropriated to carry out programs under this section in sub-Saharan African and Caribbean Basin countries \$10,000,000 for each of fiscal years 2002 through 2007.”

2004—Pub. L. 108-447, §769(2), inserted “and Doug Bereuter” after “John Ogonowski” in section catchline.

Subsec. (b)(1). Pub. L. 108-447, §769(1), inserted “and Doug Bereuter” after “John Ogonowski” in introductory provisions.

2002—Pub. L. 107-171 reenacted section catchline without change and amended text generally, substituting, in subsec. (a), provisions relating to definitions for general provisions, in subsec. (b), provisions authorizing the President to administer the program for provisions relating to definitions, in subsec. (c), provisions relating to special emphasis on sub-Saharan African and Caribbean Basin countries for provisions relating to minimum funding, in subsec. (d), provisions relating to minimum funding for provisions relating to designation of program, and adding subsec. (e) relating to authorization of appropriations.

2001—Pub. L. 107-76, §777(1), inserted “John Ogonowski” before “Farmer-to-Farmer Program” in section catchline.

Subsec. (d). Pub. L. 107-76, §777(2), added subsec. (d). 1996—Subsec. (a). Pub. L. 104-127, §277(c)(1)(A), substituted “emerging markets” for “emerging democracies” in introductory provisions.

Subsec. (a)(6). Pub. L. 104-127, §224(1), added par. (6) and struck out former par. (6) which read as follows: “to the extent practicable, augment the funds available for programs established under this section through the use of foreign currencies that accrue from the sale of agricultural commodities under this chapter, and local currencies generated from other types of foreign assistance activities.”

Subsec. (b)(1). Pub. L. 104-127, §277(c)(1)(B), added par. (1) and struck out heading and text of former par. (1). Text read as follows: “The term ‘emerging democracy’ means a country that is taking steps toward—

“(A) political pluralism, based on progress toward free and fair elections and a multiparty political system;

“(B) economic reform, based on progress toward a market-oriented economy;

“(C) respect for internationally recognized human rights; and

“(D) a willingness to build a friendly relationship with the United States.”

Subsec. (c). Pub. L. 104-127, §224(2), substituted “0.4 percent of the amounts” for “0.2 percent of the amounts”, “1996 through 2002” for “1991 through 1995”,

and “0.2 percent to be used” for “0.1 percent to be used”.

1991—Subsec. (a)(3). Pub. L. 102-237 struck out comma after “public”.

#### Statutory Notes and Related Subsidiaries

##### 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.

##### EFFECTIVE DATE

Section effective Jan. 1, 1991, see section 1513 of Pub. L. 101-624, set out as an Effective Date of 1990 Amendment note under section 1691 of this title.

#### Executive Documents

##### DELEGATION OF FUNCTIONS

Functions of President under this section delegated to Administrator of the Agency for International Development by section 4(d) of Ex. Ord. No. 12752, Feb. 25, 1991, 56 F.R. 8256, set out as a note under section 1691 of this title.

#### SUBCHAPTER VI—ENTERPRISE FOR THE AMERICAS INITIATIVE

#### § 1738. Establishment of Facility

There is established in the Department of the Treasury an entity to be known as the “Enterprise for the Americas Facility” (hereafter referred to in this subchapter as the “Facility”).

(July 10, 1954, ch. 469, title VI, §601, as added Pub. L. 101-624, title XV, §1512, Nov. 28, 1990, 104 Stat. 3658.)

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE

Subchapter effective Jan. 1, 1991, see section 1513 of Pub. L. 101-624, set out as an Effective Date of 1990 Amendment note under section 1691 of this title.

#### Executive Documents

##### EXECUTIVE ORDER NO. 12757

Ex. Ord. No. 12757, Mar. 19, 1991, 56 F.R. 12107, as amended by Ex. Ord. No. 12823, Dec. 3, 1992, 57 F.R. 57645; Ex. Ord. No. 13028, Dec. 3, 1996, 61 F.R. 64589; Ex. Ord. No. 13131, July 22, 1999, 64 F.R. 40733, which related to implementation of the Enterprise for the Americas Initiative and the Tropical Forest Conservation Act of 1998, was revoked by Ex. Ord. No. 13345, §6(a), July 8, 2004, 69 F.R. 41903, set out below.

##### EX. ORD. NO. 13345. ASSIGNING FOREIGN AFFAIRS FUNCTIONS AND IMPLEMENTING THE ENTERPRISE FOR THE AMERICAS INITIATIVE AND THE TROPICAL FOREST CONSERVATION ACT

Ex. Ord. No. 13345, July 8, 2004, 69 F.R. 41901, provided:

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the Agricultural Trade Development and Assistance Act of 1954 (ATDA Act), as amended [now Food for Peace Act, 7 U.S.C. 1691 et seq.], the Foreign Assistance Act of 1961 (Foreign Assistance Act), as amended [22 U.S.C. 2151 et seq.], and section 301 of title 3, United States Code, it is hereby ordered as follows:

SECTION 1. *Functions to be Performed by the Secretary of the Treasury.* (a) The Secretary of the Treasury is hereby designated to perform the functions of the President under the following provisions of law: