106–31, title V, § 5001(b), May 21, 1999, 113 Stat. 109; Pub. L. 115–334, title III, § 3201(b)(1)(D), Dec. 20, 2018, 132 Stat. 4616, provided that: ''Hereafter, none of the funds made available in annual appropriations Acts may be used to provide assistance to, or to pay the salaries of personnel to carry out a market promotion/market access program pursuant to section 203(b) of the Agricultural Trade Act of 1978 (7 U.S.C. 5623(b)[)] that provides assistance to the United States Mink Export Development Council or any mink industry trade association.''

SECRETARIAL ACTIONS TO ACHIEVE SAVINGS IN MARKET ACCESS PROGRAM; REGULATIONS

Pub. L. 103–66, title I, § 1302(b), (c), Aug. 10, 1993, 107 Stat. 330, 331, as amended by Pub. L. 104–127, title II, § 244(a)(2)(A)(ii), Apr. 4, 1996, 110 Stat. 968, which directed the Secretary of Agriculture to implement changes in the market access program beginning with fiscal year 1994 in order to improve the effectiveness of the program and to meet stated objectives, and required issuance of regulations not later than 90 days after Aug. 10, 1993, was repealed by Pub. L. 115–334, title III, § 3201(b)(1)(E), Dec. 20, 2018, 132 Stat. 4616.

§ 5623a. Supplemental agricultural trade promotion program

(a) In general

The Secretary of Agriculture shall carry out a program to encourage the accessibility, development, maintenance, and expansion of commercial export markets for United States agricultural commodities.

(b) Funding

Of the funds of the Commodity Credit Corporation, the Secretary of Agriculture shall make available to carry out this section $285,000,000 for fiscal year 2027 and each fiscal year thereafter.

(Pub. L. 119–21, title I, § 10602, July 4, 2025, 139 Stat. 108.)

Editorial Notes

CODIFICATION

Section was enacted as part of Pub. L. 119–21, July 4, 2025, 139 Stat. 72, popularly known as the One Big Beautiful Bill Act, and not as part of the Agricultural Trade Act of 1978 which comprises this chapter.

§ 5624. Barter of agricultural commodities

(a) In general

The Secretary or the Commodity Credit Corporation may provide eligible commodities in barter for foreign products under such terms and conditions as the Secretary or the Corporation shall prescribe.

(b) Eligible commodities

Unless otherwise specified, eligible commodities shall include—

(1) agricultural commodities acquired by the Commodity Credit Corporation through price support operations; and

(2) agricultural commodities acquired by the Secretary or the Commodity Credit Corporation in the normal course of business and available for disposition.

(c) Barter by exporters of agricultural commodities

(1) Purpose

The Secretary or the Commodity Credit Corporation shall encourage exporters of agricultural commodities to barter such commodities for foreign products—

(A) to acquire such foreign products needed by such exporters; and

(B) to develop, maintain, or expand foreign markets for United States agricultural exports.

(2) Eligible activities

The Secretary or the Commodity Credit Corporation may provide eligible commodities to exporters to assist such exporters in barter transactions.

(3) Technical assistance

The Secretary or the Commodity Credit Corporation shall provide technical advice and assistance relating to the barter of agricultural commodities to any United States exporter who requests such advice or assistance.

(d) Transfer of foreign products to other Government agencies

The Secretary or the Commodity Credit Corporation may transfer any foreign products that the Secretary or such Corporation obtains through barter activities to other Government agencies if the Corporation receives assurances that it will receive full reimbursement from the agency within the same fiscal year in which such transfer occurs.

(e) Corporation authority not limited

Nothing contained in this section shall limit the authority of the Commodity Credit Corporation to acquire, hold, or dispose of such foreign materials as such Corporation determines appropriate in carrying out the functions and protecting the assets of the Corporation.

(f) Prohibited activities

The Secretary or the Commodity Credit Corporation shall take reasonable precautions to prevent the misuse of eligible commodities in a barter or exchange program, including activities that—

(1) displace or interfere with commercial sales of United States agricultural commodities that otherwise might be made;

(2) unduly disrupt world prices of agricultural commodities or the normal patterns of commercial trade with recipient countries; or

(3) permit the resale or transshipment of eligible commodities to countries other than the intended recipient country.

(Pub. L. 95–501, title II, § 204, as added Pub. L. 101–624, title XV, § 1531, Nov. 28, 1990, 104 Stat. 3676; amended Pub. L. 102–237, title III, § 320, Dec. 13, 1991, 105 Stat. 1857.)

Editorial Notes

AMENDMENTS

1991—Subsec. (d). Pub. L. 102–237 amended heading and substituted ''Government'' for ''government'' in text.

§ 5625. Combination of programs

The Commodity Credit Corporation may carry out a program under which commercial export credit guarantees available under section 5622 of this title are combined with direct credits from

the Commodity Credit Corporation under section 5621 of this title to reduce the effective rate of interest on export sales of agricultural commodities.

(Pub. L. 95–501, title II, § 205, as added Pub. L. 101–624, title XV, § 1531, Nov. 28, 1990, 104 Stat. 3677.)

PART B—IMPLEMENTATION

§ 5641. Funding levels

(a) Direct credit programs

The Commodity Credit Corporation may make available for each fiscal year such funds of the Commodity Credit Corporation as it determines necessary to carry out any direct credit program established under section 5621 of this title.

(b) Export credit guarantee program

The Commodity Credit Corporation shall make available for each fiscal year $5,500,000,000 of credit guarantees under section 5622(a) of this title.

(Pub. L. 95–501, title II, § 211, as added Pub. L. 101–624, title XV, § 1531, Nov. 28, 1990, 104 Stat. 3677; amended Pub. L. 103–66, title I, § 1302(a), Aug. 10, 1993, 107 Stat. 330; Pub. L. 104–127, title II, §§ 243(b), 244(a)(2)(B), (c), Apr. 4, 1996, 110 Stat. 967, 968; Pub. L. 107–171, title III, §§ 3102(d), 3103, May 13, 2002, 116 Stat. 289; Pub. L. 110–246, title III, §§ 3101(b), 3102(b), June 18, 2008, 122 Stat. 1831, 1832; Pub. L. 113–79, title III, §§ 3101(b), 3102, Feb. 7, 2014, 128 Stat. 779; Pub. L. 115–334, title III, § 3201(b)(1)(A), Dec. 20, 2018, 132 Stat. 4616.)

Editorial Notes

AMENDMENTS

2018—Subsec. (c). Pub. L. 115–334 struck out subsec. (c) which related to funding for market access programs under section 5623 of this title and program priorities.

2014—Subsec. (b). Pub. L. 113–79, § 3101(b), amended subsec. (b) generally. Prior to amendment, subsec (b) related to credit guarantees under section 5622(a) of this title for fiscal years 1996 to 2012.

Subsec. (c)(1)(A). Pub. L. 113–79, § 3102, substituted ''2018'' for ''2012''.

2008—Subsec. (b). Pub. L. 110–246, § 3101(b), added subsec. (b) and struck out former subsec. (b) which related to amount available for export credit guarantees for each of fiscal years 1996 through 2007 and limitation on amount of any origination fee.

Subsec. (c)(1)(A). Pub. L. 110–246, § 3102(b), substituted ''2008 through 2012'' for ''2006 and 2007''.

2002—Subsec. (b)(1). Pub. L. 107–171, § 3102(d), substituted ''2007'' for ''2002''.

Subsec. (c). Pub. L. 107–171, § 3103, designated existing provisions as par. (1), inserted heading, redesignated former pars. (1) and (2) as subpars. (A) and (B), respectively, of par. (1), added subpar. (A) and struck out former subpar. (A) relating to funds available for market access activities authorized to be carried out by the Commodity Credit Corporation for fiscal years 1991 through 2002, and added par. (2).

1996—Subsec. (b). Pub. L. 104–127, § 243(b), added subsec. (b) and struck out former subsec. (b) which authorized short and intermediate term export credit guarantees for each of fiscal years 1991 through 1995 and further provided for limitation on origination fees for short-term guarantees.

Subsec. (c). Pub. L. 104–127, § 244(a)(2)(B)(i), (ii), substituted ''Market access programs'' for ''Marketing promotion programs'' in heading and ''market access activities'' for ''market promotion activities'' in introductory provisions.

Subsec. (c)(1). Pub. L. 104–127, § 244(c), struck out ''and'' after ''1993,'' and substituted ''through 1995, and not more than $90,000,000 for each of fiscal years 1996 through 2002,'' for ''through 1997,''.

Pub. L. 104–127, § 244(a)(2)(B)(iii), substituted ''market access program'' for ''market development program''.

Subsec. (c)(2). Pub. L. 104–127, § 244(a)(2)(B)(iv), substituted ''market access program'' for ''marketing promotion program''.

1993—Subsec. (c)(1). Pub. L. 103–66 substituted ''through 1993, and not less than $110,000,000 for each of the fiscal years 1994 through 1997,'' for ''through 1995''.

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 OF 1996 AMENDMENT

Pub. L. 104–127, title II, § 244(c), Apr. 4, 1996, 110 Stat. 968, provided that the amendment made by section 244(c) is effective Oct. 1, 1995.

SUBCHAPTER III—BARRIERS TO EXPORTS

§ 5651. Repealed. Pub. L. 110–246, title III, § 3103(a), June 18, 2008, 122 Stat. 1832

Section, Pub. L. 95–501, title III, § 301, as added Pub. L. 101–624, title XV, § 1531, Nov. 28, 1990, 104 Stat. 3678; amended Pub. L. 102–237, title III, § 311, Dec. 13, 1991, 105 Stat. 1856; Pub. L. 102–511, title VII, § 709(b), Oct. 24, 1992, 106 Stat. 3352; Pub. L. 103–465, title IV, § 411(a)(3), (4), Dec. 8, 1994, 108 Stat. 4963; Pub. L. 104–127, title II, § 245, Apr. 4, 1996, 110 Stat. 968; Pub. L. 107–171, title III, § 3104(a), May 13, 2002, 116 Stat. 290, related to an export enhancement program and cash bonuses to exporters, users, and processors.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF REPEAL

Repeal 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.

§ 5652. Relief from unfair trade practices

(a) Use of programs

(1) In general

The Secretary may, for each article described in paragraph (2), make available some or all of the commercial export promotion programs of the Department of Agriculture and the Commodity Credit Corporation to help mitigate or offset the effects of the unfair trade practice serving as the basis for the proceeding described in paragraph (2).

(2) Commodities specified

Paragraph (1) shall apply in the case of articles for which the United States has instituted, under any international trade agreement, any dispute settlement proceeding based on an unfair trade practice if such proceeding has been prevented from progressing to a decision by the refusal of the party maintaining the unfair trade practice to permit the proceeding to progress.

(b) Consultations required

For any article described in subsection (a)(2), the Secretary shall—