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§ 7101. Findings and declaration of policy

(a) Findings

Congress finds that—

(1) sheep and sheep products are important goods;

(2) the production of sheep and sheep products play a significant role in the economy of the United States in that sheep and sheep products are produced throughout the United States and used by millions of people throughout the United States and foreign countries;

(3) sheep and sheep products must be high quality, readily available, handled properly, and marketed efficiently to ensure that consumers have an adequate supply of sheep products;

(4) the maintenance and expansion of existing markets and development of new markets for sheep and sheep products are vital to the welfare of sheep producers and persons concerned with marketing, using, and producing sheep and sheep products, as well as to the general economy of the United States, and necessary to ensure the ready availability and efficient marketing of sheep and sheep products;

(5) there exist established State organizations conducting sheep and sheep product promotion, research, and industry and consumer education programs that are invaluable to the efforts of promoting the consumption of sheep and sheep products;

(6) the cooperative development, financing, and implementation of a coordinated national program of sheep and sheep product promotion, research, consumer information, education, and industry information are necessary to maintain and expand existing markets and develop new markets for sheep and sheep products; and

(7) sheep and sheep products move in interstate and foreign commerce, and sheep and sheep products that do not move in such channels of commerce directly burden or affect interstate commerce in sheep and sheep products.

(b) Policy

It is the policy of Congress that it is in the public interest to authorize the establishment, through the exercise of the powers provided in this chapter, of an orderly procedure for developing, financing (through adequate assessments on sheep and sheep products produced or imported into the United States), and carrying out an effective, continuous, coordinated program of promotion, research, consumer information, education, and industry information designed to—

(1) strengthen the position of the sheep and sheep product industry in the marketplace;

(2) maintain and expand existing domestic and foreign markets and uses for sheep and sheep products; and

(3) develop new markets and uses for sheep and sheep products.

(c) Construction

Nothing in this chapter provides for the control of production, or otherwise limits, the right of any person to produce sheep or sheep products.

(Pub. L. 103–407, §2, Oct. 22, 1994, 108 Stat. 4210.)

Statutory Notes and Related Subsidiaries

SHORT TITLE OF 2004 AMENDMENT

Pub. L. 108–429, title IV, §4001, Dec. 3, 2004, 118 Stat. 2600, provided that: “This title [amending provisions set out as a note under this section] may be cited as the ‘Wool Suit and Textile Trade Extension Act of 2004’.”

SHORT TITLE

Pub. L. 103–407, §1, Oct. 22, 1994, 108 Stat. 4210, provided that: “This Act [enacting this chapter] may be cited as the ‘Sheep Promotion, Research, and Information Act of 1994’.”

AGRICULTURE WOOL APPAREL MANUFACTURERS TRUST FUND

Pub. L. 113–79, title XII, §12315, Feb. 7, 2014, 128 Stat. 995, as amended by Pub. L. 115–334, title XII, §12603, Dec. 20, 2018, 132 Stat. 5005, provided that:

“(a) ESTABLISHMENT OF TRUST FUND.—There is established in the Treasury of the United States a trust fund to be known as the ‘Agriculture Wool Apparel Manufacturers Trust Fund’ (in this section referred to as the ‘Trust Fund’), consisting of such amounts as may be transferred to the Trust Fund pursuant to subsection (f), and to be used for the purpose of reducing the injury to domestic manufacturers resulting from tariffs on wool fabric that are higher than tariffs on certain apparel articles made of wool fabric.

“(b) DISTRIBUTION OF FUNDS.—

“(1) IN GENERAL.—From amounts in the Trust Fund, the Secretary [of Agriculture] may make payments annually beginning in calendar year 2014 for calendar years 2010 through 2023 as follows:

“(A) To each eligible manufacturer under paragraph (3) of section 4002(c) of the Wool Suit and Textile Trade Extension Act of 2004 (Public Law 108–429; 118 Stat. 2600 [2603]), as amended by section 1633(c) [1633(b)(1)] of the Miscellaneous Trade and Technical Corrections Act of 2006 (Public Law 109–280; 120 Stat. 1166) and section 325(b) of the Tax Extenders and Alternative Minimum Tax Relief Act of 2008 (division C of Public Law 110–343; 122 Stat. 3875), and any successor-in-interest to such a manufacturer as provided for under paragraph (4) of such section 4002(c) [118 Stat. 2603], that submits an affidavit in accordance with paragraph (2) for the year of the payment, payments in amounts authorized under that paragraph.

“(B) To each eligible manufacturer under paragraph (6) of such section 4002(c) [118 Stat. 2603], payments in amounts authorized under that paragraph.

“(2) SUBMISSION OF AFFIDAVITS.—An affidavit required by paragraph (1)(A) shall be submitted to the Secretary, or as directed by the Secretary, and not later than March 1.

“(c) PAYMENT OF AMOUNTS.—The Secretary shall make payments to eligible manufacturers and successors-in-interest described in paragraphs (1) and (2) of subsection (b) not later than April 15 of the year of the payment.

“(d) MEMORANDA OF UNDERSTANDING.—The Secretary [of Agriculture] shall, as soon as practicable after the

date of the enactment of this Act [Feb. 7, 2014], negotiate memoranda of understanding with the Commissioner responsible for U.S. Customs and Border Protection and the Secretary of Commerce to establish procedures pursuant to which the Commissioner and the Secretary of Commerce will assist in carrying out the provisions of this section.

“(e) INCREASE IN PAYMENTS IN THE EVENT OF EXPIRATION OF DUTY SUSPENSIONS.—

“(1) IN GENERAL.—In any calendar year in which the suspension of duty on wool fabrics provided for under headings 9902.51.11, 9902.51.13, 9902.51.14, 9902.51.15, and 9902.51.16 of the Harmonized Tariff Schedule of the United States are not in effect, the amount of any payment described in subsection (b)(1) to a manufacturer or successor-in-interest shall be increased by an amount the Secretary [of Agriculture], after consultation with the Secretary of Commerce, determines is equal to the amount the manufacturer or successor-in-interest would have saved during the calendar year of the payment if the suspension of duty on wool fabrics were in effect.

“(2) NO APPEAL OF DETERMINATIONS.—A determination of the Secretary under this subsection shall be final and not subject to appeal or protest.

“(f) FUNDING.—

“(1) IN GENERAL.—Of the funds of the Commodity Credit Corporation, the Secretary shall transfer to the Trust Fund for each of calendar years 2014 through 2023 an amount equal to the lesser of—

“(A) the amount the Secretary determines to be necessary to make payments required by this section in that calendar year; or

“(B) \$30,000,000.

“(2) AVAILABILITY.—Amounts transferred to the Trust Fund under paragraph (1) shall remain available until expended.”

WOOL RESEARCH AND PROMOTION

Pub. L. 113–79, title XII, § 12316, Feb. 7, 2014, 128 Stat. 997, as amended by Pub. L. 115–334, title XII, § 12604, Dec. 20, 2018, 132 Stat. 5006, provided that:

“(a) IN GENERAL.—Of the funds of the Commodity Credit Corporation, the Secretary [of Agriculture] shall use to provide grants described in section 506(d) of the Trade and Development Act of 2000 (7 U.S.C. 7101 note) [section 506(d) of Pub. L. 106–200] \$2,250,000 for each of calendar years 2019 through 2023, to remain available until expended.

“(b) AUTHORIZATION TO DISTRIBUTE UNEXPENDED BALANCE.—In addition to funds made available under subsection (a) and notwithstanding subsection (f) of section 506 of the Trade and Development Act of 2000 (7 U.S.C. 7101 note), the Secretary may use any unexpended balances remaining in the Wool Research, Development, and Promotion Trust Fund established under that section as of December 31, 2014, to provide grants described in subsection (d) of that section.”

WOOL RESEARCH, DEVELOPMENT, AND PROMOTION TRUST FUND

Pub. L. 106–200, title V, § 506, May 18, 2000, 114 Stat. 303, as amended by Pub. L. 107–210, div. E, title L, § 5102(c)(2), Aug. 6, 2002, 116 Stat. 1047; Pub. L. 108–429, title IV, § 4002(c)(5), Dec. 3, 2004, 118 Stat. 2603; Pub. L. 109–280, title XIV, § 1633(b)(2), Aug. 17, 2006, 120 Stat. 1166; Pub. L. 110–343, div. C, title III, § 325(b)(2), Oct. 3, 2008, 122 Stat. 3875, provided that:

“(a) ESTABLISHMENT.—There is hereby established within the Treasury of the United States a trust fund to be known as the Wool Research, Development, and Promotion Trust Fund (hereafter in this section referred to as the ‘Trust Fund’), consisting of such amounts as may be transferred to the Trust Fund under subsection (b)(1) and any amounts as may be credited to the Trust Fund under subsection (c)(2).

“(b) TRANSFER OF AMOUNTS.—

“(1) IN GENERAL.—The Secretary of the Treasury shall transfer to the Trust Fund out of the general

fund of the Treasury of the United States amounts determined by the Secretary of the Treasury to be equivalent to the amounts received into such general fund that are attributable to the duty received on articles under chapters 51 and 52 of the Harmonized Tariff Schedule of the United States [see Publication of Harmonized Tariff Schedule note set out under section 1202 of Title 19, Customs Duties], subject to the limitation in paragraph (2).

“(2) LIMITATION.—The Secretary shall not transfer more than \$2,250,000 to the Trust Fund in any fiscal year.

“(3) TRANSFERS BASED ON ESTIMATES.—The amounts required to be transferred under paragraph (1) shall be transferred at least quarterly from the general fund of the Treasury of the United States to the Trust Fund on the basis of estimates made by the Secretary of the Treasury of the amounts referred to in paragraph (1) that are received into the Treasury. Proper adjustments shall be made in the amounts subsequently transferred to the extent prior estimates were in excess of, or less than, the amounts required to be transferred.

“(c) INVESTMENT OF TRUST FUND.—

“(1) IN GENERAL.—It shall be the duty of the Secretary of the Treasury to invest such portion of the Trust Fund as is not, in the Secretary’s judgment, required to meet current withdrawals. Such investments may be made only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States. For such purpose, such obligations may be acquired on original issue at the issue price or by purchase of outstanding obligations at the market price. Any obligation acquired by the Trust Fund may be sold by the Secretary of the Treasury at the market price.

“(2) INTEREST AND PROCEEDS FROM SALE OR REDEMPTION OF OBLIGATIONS.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Trust Fund shall be credited to and form a part of the Trust Fund.

“(d) AVAILABILITY OF AMOUNTS FROM TRUST FUND.—From amounts available in the Trust Fund (including any amounts not obligated in previous fiscal years), the Secretary of Agriculture is authorized to provide grants to a nationally-recognized council established for the development of the United States wool market for the following purposes:

“(1) Assist United States wool producers to improve the quality of wool produced in the United States, including to improve wool production methods.

“(2) Disseminate information on improvements described in paragraph (1) to United States wool producers generally.

“(3) Assist United States wool producers in the development and promotion of the wool market.

“(e) REPORTS TO CONGRESS.—The Secretary of the Treasury, in consultation with the Secretary of Agriculture, shall prepare and submit to Congress an annual report on the financial condition and the results of the operations of the Trust Fund, including a description of the use of amounts of grants provided under subsection (d), during the preceding fiscal year and on its expected condition and operations during the next fiscal year.

“(f) SUNSET PROVISION.—Effective January 1, 2015, the Trust Fund shall be abolished and all amounts in the Trust Fund on such date shall be transferred to the general fund of the Treasury of the United States.”

§ 7102. Definitions

As used in this chapter (unless the context clearly requires otherwise):

(1) Board

The term ‘Board’ means the National Sheep Promotion, Research, and Information Board established under section 7104(b) of this title.