

EX. ORD. NO. 11851. DELEGATION OF AUTHORITY TO ISSUE REGULATIONS LIMITING IMPORTS OF CERTAIN CHEESES

Ex. Ord. No. 11851, April 10, 1975, 40 F.R. 16645, provided:

By virtue of the authority vested in me by section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854), and section 301 of Title 3 of the United States Code, and as President of the United States, it is ordered as follows:

SECTION 1. The Secretary of the Treasury, with the concurrence of the Secretary of State and the Special Representative for Trade Negotiations [now United States Trade Representative], in order to implement an agreement concluded in December 1974 with the Commission of the European Communities designed to prevent the transshipment to the United States of certain cheeses on which restitution payments have been made, is authorized to issue regulations:

(a) to prevent the importation into the Customs Territory of the United States, except for the Commonwealth of Puerto Rico, of certain cheeses, originating in member states of the European Communities, upon which restitution payments have been made for export to (1) Puerto Rico, the Virgin Islands, other United States possessions and territories or (2) any country other than the United States;

(b) to prevent the importation of such cheeses into the Commonwealth of Puerto Rico if such cheeses are imported into the Commonwealth of Puerto Rico for transshipment to other areas of the Customs Territory of the United States.

SEC. 2. Heads of departments and heads of agencies are hereby authorized to redelegate within their respective departments or agencies the functions herein assigned to them, except that the function of issuing regulations delegated to the Secretary of the Treasury by Section 1 of this order may be redelegated only to officials required to be appointed by and with the advice and consent of the Senate, as provided by 3 U.S.C. 301.

GERALD R. FORD.

EX. ORD. NO. 12475. TEXTILE IMPORT PROGRAM IMPLEMENTATION

Ex. Ord. No. 12475, May 9, 1984, 49 F.R. 19955, provided:

By the authority vested in me as President by the Constitution and laws of the United States of America, including Section 204 of the Agricultural Act of 1956, as amended (76 Stat. 104, 7 U.S.C. 1854), and Section 301 of Title 3 of the United States Code, and in order to prevent circumvention or frustration of multilateral and bilateral agreements to which the United States is a party and to facilitate efficient and equitable administration of the United States Textile Import Program, it is hereby ordered as follows:

SECTION 1. (a) In accordance with policy guidance provided by the Committee for the Implementation of Textile Agreements (CITA), through its Chairman, in accordance with the provisions of Executive Order No. 11651, as amended [set out above], the Secretary of the Treasury shall issue regulations governing the entry or withdrawal from warehouse for consumption of textiles and textile products subject to Section 204 of the Act [7 U.S.C. 1854].

(b) Initial regulations promulgated under this section shall be promulgated no later than 120 days after the effective date of this order.

(c) To the extent necessary to implement more effectively the United States textile program under Section 204, such regulations shall include:

(i) clarifications in, or revisions to, the country of origin rules for textiles and textile products subject to Section 204 in order to avoid circumvention of multilateral and bilateral textile agreements;

(ii) provisions governing withdrawals from a customs bonded warehouse of articles subject to this Order transformed, changed or manipulated in a warehouse after importation but prior to withdrawal for consumption; and

(iii) any other provisions determined to be necessary for the effective and equitable administration of the Textile Import Program.

(d) Any such regulations may also include provisions requiring importers to provide additional information and/or documentation on articles subject to this order which are determined to be necessary for the effective and equitable administration of the Textile Import Program.

SEC. 2. (a) The Commissioner of Customs shall establish Textile and Apparel Task Force (the Task Force) within the United States Customs Service to coordinate enforcement of regulations concerning importation under the Textile Import Program.

(b) CITA, through its Chairman, shall, in accordance with the provisions of Executive Order No. 11651, as amended [set out above], provide information and recommendations to the Task Force, through the Department of the Treasury, on implementation and administration of the Textile Import Program.

(c) The Department of Treasury shall, to the extent practicable, inform the Chairman of CITA of the progress of all investigations concerning textile imports; provide notice to CITA of all requests for rulings on matters that could reasonably be expected to affect the implementation of the Textile Import Program; and take into consideration any comments on such requests that CITA, through its Chairman, timely submits.

SEC. 3. This order supplements, but does not supersede or amend, Executive Order No. 11651 of March 3, 1972, as amended [set out above].

SEC. 4. This order shall be effective upon its publication in the Federal Register.

RONALD REAGAN.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 19 section 2581.

§ 1855. Supplemental appropriations to encourage exportation and domestic consumption of agricultural products

There is hereby authorized to be appropriated for each fiscal year, beginning with the fiscal year ending June 30, 1957, the sum of \$500,000,000 to enable the Secretary of Agriculture to further carry out the provisions of section 612c of this title, subject to all provisions of law relating to the expenditure of funds appropriated by such section, except that up to 50 per centum of such \$500,000,000 may be devoted during any fiscal year to any one agricultural commodity or the products thereof.

(May 28, 1956, ch. 327, title II, § 205, 70 Stat. 200.)

§ 1856. Transfer of bartered materials to supplemental stockpile; limitation of acquisition to certain programs; authorization of appropriations

(a) Strategic and other materials acquired by the Commodity Credit Corporation as a result of barter or exchange of agricultural commodities or products, unless acquired for the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act [50 U.S.C. 98 et seq.], or for other purposes shall be transferred to the supplemental stockpile established by section 1704(b)¹ of this title; but no strategic or critical material shall be acquired by the Commodity Credit Corporation as a result of such barter or exchange except for such national stockpile, for such supplemental stock-

¹ See References in Text note below.

pile, for foreign economic or military aid or assistance programs, or for offshore construction programs, or to meet requirements of Government agencies.

(b) Repealed. Pub. L. 87-456, title III, §303(c), May 24, 1962, 76 Stat. 78.

(c) In order to reimburse the Commodity Credit Corporation for materials transferred to the supplemental stockpile there are hereby authorized to be appropriated amounts equal to the value of any materials so transferred. The value of any such material for the purpose of this subsection, shall be the lower of the domestic market price or the Commodity Credit Corporation's investment therein as of the date of such transfer as determined by the Secretary of Agriculture.

(May 28, 1956, ch. 327, title II, §206, 70 Stat. 200; Pub. L. 85-931, §7, Sept. 6, 1958, 72 Stat. 1791; Pub. L. 86-341, title II, §204, Sept. 21, 1959, 73 Stat. 611; Pub. L. 87-456, title III, §303(c), May 24, 1962, 76 Stat. 78.)

REFERENCES IN TEXT

The Strategic and Critical Materials Stock Piling Act, referred to in subsec. (a), is act June 7, 1939, ch. 190, as revised generally by Pub. L. 96-41, §2, July 30, 1979, 93 Stat. 319, which is classified generally to subchapter III (§98 et seq.) of chapter 5 of Title 50, War and National Defense. For complete classification of this Act to the Code, see section 98 of Title 50 and Tables.

Section 1704(b) of this title, referred to in subsec. (a), was amended generally by Pub. L. 101-624, title XV, §1512, Nov. 28, 1990, 104 Stat. 3635, and, as so amended, no longer contains provisions relating to a supplemental stockpile.

AMENDMENTS

1962—Subsec. (b). Pub. L. 87-456 repealed subsec. (b) which permitted strategic materials acquired by Commodity Credit Corporation as a result of barter or exchange of agricultural commodities or products to be entered, or withdrawn from warehouse, free of duty.

1959—Subsec. (a). Pub. L. 86-341 authorized acquisition of strategic and critical materials for national stockpile to meet requirements of Government agencies.

1958—Subsec. (a). Pub. L. 85-931 limited acquisition of strategic and critical materials for national stockpile, supplemental stockpile, foreign economic or military aid or assistance programs and offshore construction programs.

EFFECTIVE DATE OF 1962 AMENDMENT

Amendment by Pub. L. 87-456 effective with respect to articles entered, or withdrawn from warehouse, for consumption on or after Aug. 31, 1963, see section 501(a) of Pub. L. 87-456.

§ 1857. Repealed. Pub. L. 104-127, title II, §274, Apr. 4, 1996, 110 Stat. 976

Section, acts May 28, 1956, ch. 327, title II, §207, 70 Stat. 200; Oct. 11, 1962, Pub. L. 87-793, §607(a)(6), 76 Stat. 849, related to appointment and duties of surplus disposal administrator.

§ 1858. Repealed. Pub. L. 89-544, §8(a), Sept. 6, 1966, 80 Stat. 658

Section, act May 28, 1956, ch. 327, title II, §209, 70 Stat. 201, established a bipartisan Commission on Increased Industrial Use of Agricultural Products.

§ 1859. Donation to penal and correctional institutions

Notwithstanding any other limitations as to the disposal of surplus commodities acquired

through price support operations, the Commodity Credit Corporation is authorized on such terms and under such regulations as the Secretary of Agriculture may deem in the public interest, and upon application, to donate food commodities acquired through price support operations to Federal penal and correctional institutions, and to State correctional institutions for minors, other than those in which food service is provided for inmates on a fee, contract, or concession basis.

(May 28, 1956, ch. 327, title II, §210, 70 Stat. 202.)

AUTHORIZATION FOR COMMODITY CREDIT CORPORATION TO PURCHASE AND DONATE FLOUR AND CORNMEAL

Pub. L. 85-683, Aug. 19, 1958, 72 Stat. 635, as authorizing Commodity Credit Corporation to purchase and donate flour and cornmeal when it has wheat or corn available for donation pursuant to this section, see note set out under section 1431 of this title.

§ 1860. Federal irrigation, drainage, and flood-control projects

(a) Restriction on crop loans or farm payments or benefits

For a period of three years from May 28, 1956, no agricultural commodity determined by the Secretary of Agriculture in accordance with subsection (c) of this section to be in surplus supply shall receive any crop loans or Federal farm payments or benefits if grown on any newly irrigated or drained lands within any Federal irrigation or drainage project hereafter authorized unless such lands were used for the production of such commodity prior to May 28, 1956.

(b) Contract provisions; ineligibility for benefits

The Secretary of the Interior and the Secretary of Agriculture shall cause to be included, in all irrigation, drainage, or flood-control contracts entered into with respect to Federal irrigation, drainage, or flood-control projects hereafter authorized, such provisions as they may deem necessary to provide for the enforcement of the provisions of this section. For a period of three years from May 28, 1956, surplus crops grown on lands reclaimed by flood-control projects hereafter authorized and the lands so reclaimed shall be ineligible for any benefits under the soil-bank provisions of this Act and under price support legislation.

(c) Determination and proclamation of surplus agricultural commodities

On or before October 1 of each year, the Secretary of Agriculture shall determine and proclaim the agricultural commodities the supplies of which are in excess of estimated requirements for domestic consumption and export plus adequate reserves for emergencies. The commodities so proclaimed shall be considered to be in surplus supply for the purposes of this section during the succeeding crop year.

(d) "Federal irrigation or drainage project" defined

For the purposes of this section the term "Federal irrigation or drainage project" means any irrigation or drainage project subject to the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and Acts amendatory thereof or supplementary thereto) in effect at the date of