

of the household under a State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.), unless the Secretary determines that any household with income above 130 percent of the poverty guidelines is not eligible for the program.

(Pub. L. 88-525, §26, as added Pub. L. 104-193, title VIII, §854(a), Aug. 22, 1996, 110 Stat. 2340.)

#### REFERENCES IN TEXT

The Social Security Act, referred to in subsecs. (c) and (f), is act Aug. 14, 1935, ch. 531, 49 Stat. 620, as amended. Part A of title IV of the Act is classified generally to part A (§601 et seq.) of subchapter IV of chapter 7 of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see section 1305 of Title 42 and Tables.

### § 2036. Availability of commodities for emergency food assistance program

#### (a) Purchase of commodities

From amounts made available to carry out this chapter, for each of fiscal years 2002 through 2007, the Secretary shall purchase \$140,000,000 of a variety of nutritious and useful commodities of the types that the Secretary has the authority to acquire through the Commodity Credit Corporation or under section 612c of this title and distribute the commodities to States for distribution in accordance with section 7515 of this title.

#### (b) Basis for commodity purchases

In purchasing commodities under subsection (a) of this section, the Secretary shall, to the extent practicable and appropriate, make purchases based on—

- (1) agricultural market conditions;
- (2) preferences and needs of States and distributing agencies; and
- (3) preferences of recipients.

(Pub. L. 88-525, §27, as added Pub. L. 104-193, title VIII, §871(g), Aug. 22, 1996, 110 Stat. 2346; amended Pub. L. 107-171, title IV, §4126(a), May 13, 2002, 116 Stat. 328.)

#### AMENDMENTS

2002—Subsec. (a). Pub. L. 107-171 substituted “2002 through 2007” for “1997 through 2002” and “\$140,000,000” for “\$100,000,000”.

#### EFFECTIVE DATE OF 2002 AMENDMENT

Pub. L. 107-171, title IV, §4126(b), May 13, 2002, 116 Stat. 328, provided that: “The amendments made by this section amending this section] take effect on October 1, 2001.”

### CHAPTER 52—FARM LABOR CONTRACTOR REGISTRATION

### §§ 2041 to 2055. Repealed. Pub. L. 97-470, title V, § 523, Jan. 14, 1983, 96 Stat. 2600

Subject matter of former sections 2041 to 2055 of this title is covered by Migrant and Seasonal Agricultural Worker Protection Act, chapter 20 (sections 1801 et seq.) of Title 29, Labor, as follows:

| Former Sections  | Title 29 Sections |
|------------------|-------------------|
| 2041 .....       | 1801              |
| 2042(a) .....    | 1802(9)           |
| 2042(b) .....    | 1802(7)           |
| 2042(b)(1) ..... | 1803(a)((3)(C)    |
| 2042(b)(2) ..... | 1803(a)(1)        |

| Former Sections         | Title 29 Sections                    |
|-------------------------|--------------------------------------|
| 2042(b)(3) .....        | 1803(a)(3)(I)                        |
| 2042(b)(4) .....        | 1803(a)(3)(D)                        |
| 2042(b)(5) .....        | 1802(8)(B)(ii), (10)(B)(iii)         |
| 2042(b)(6) .....        | 1812 open. par.                      |
| 2042(b)(7) .....        | 1803(a)(3)(A), (I)                   |
| 2042(b)(8), (9) .....   | 1803(a)(3)(E), (F)                   |
| 2042(b)(10) .....       | 1803(a)(3)(G)(i)                     |
| 2042(c) .....           | 1802(7)                              |
| 2042(d), (e), (f) ..... | 1802(3), (11), (12)                  |
| 2042(g) .....           | 1802(8)(A)                           |
| 2043(a) .....           | 1811(a), (c)                         |
| 2043(b) .....           | See 1811(b)                          |
| 2043(c) .....           | 1842                                 |
| 2043(d) .....           | 1811(d)                              |
| 2044(a)(1) .....        | 1812(1)                              |
| 2044(a)(2) .....        | See 1841(b)(1)(C), (3), (c)(2)       |
| 2044(a)(3) .....        | 1812(4)                              |
| 2044(a)(4) .....        | 1812(2), (3)                         |
| 2044(a)(5) .....        | 1812(5)                              |
| 2044(b)(1) .....        | 1813(a)(1)                           |
| 2044(b)(2) .....        | 1821(f), 1831(e)                     |
| 2044(b)(3), (4) .....   | 1822(c), 1832(c)                     |
| 2044(b)(4) .....        | 1822(c), 1832(c)                     |
| 2044(b)(5) .....        | See 1841(b)(1)(C), (3), (c)(2)       |
| 2044(b)(6) .....        | 1816(a)                              |
| 2044(b)(7) .....        | 1813(a)(5)                           |
| 2044(b)(8) .....        | 1841(b)(2)(C), (D), (3)              |
| 2044(b)(9) .....        | See 1811(b)                          |
| 2044(b)(10) .....       | 1813(a)(3)                           |
| 2044(b)(11) .....       | 1813(a)(2)                           |
| 2044(b)(12) .....       | See 1812(2), (3)                     |
| 2044(c) .....           | 1814(a), (b)(1)                      |
| 2044(d) .....           | 1812(2), (3), 1815(1), 1842          |
| 2045(a) .....           | 1811(c), (d)                         |
| 2045(b) .....           | 1821(a), (g), 1831(a), (f)           |
| 2045(b)(1) .....        | 1821(a)(1), 1831(a)(1)(A)            |
| 2045(b)(2) .....        | 1821(a)(3), 1831(a)(1)(C)            |
| 2045(b)(3) .....        | 1821(a)(5), 1831(a)(1)(E)            |
| 2045(b)(4) .....        | 1821(a)(2), 1831(a)(1)(B)            |
| 2045(b)(5) .....        | 1821(a)(5), 1831(a)(1)(E)            |
| 2045(b)(6) .....        | 1821(a)(4), 1831(a)(1)(D)            |
| 2045(b)(7) .....        | 1821(a)(6), 1831(a)(1)(F)            |
| 2045(b)(8) .....        | 1821(a)(7), 1831(a)(1)(G)            |
| 2045(c) .....           | 1821(b), 1831(b)                     |
| 2045(d) .....           | 1821(c)                              |
| 2045(e) .....           | 1821(d), (e), (g), 1831(c), (d), (f) |
| 2045(f) .....           | 1816(a)                              |
| 2045(g) .....           | 1822(a), 1832(a)                     |
| 2045(h) .....           | 1822(b), 1832(b)                     |
| 2046 .....              | 1862(a), (b)                         |
| 2047 .....              | 1863(a)                              |
| 2048(a) .....           | 1851(a)                              |
| 2048(b)(1), (2) .....   | 1853(a)(1), (b)(1)                   |
| 2048(b)(3)–(5) .....    | 1853(c)–(e)                          |
| 2048(c) .....           | 1851(b)                              |
| 2049 .....              | See 1861                             |
| 2050 .....              | 1813(c)                              |
| 2050a(a) .....          | 1854(a)                              |
| 2050a(b) .....          | 1854(b), (c)(1), (3)                 |
| 2050a(c) .....          | 1852(a)                              |
| 2050a(d) .....          | 1852(b)                              |
| 2050b .....             | 1855                                 |
| 2050c .....             | See 1821, 1831                       |
| 2051 .....              | 1871                                 |
| 2052 .....              | Omitted                              |
| 2053 .....              | 1861                                 |
| 2054 .....              | 1856                                 |
| 2055 .....              | Omitted                              |

Section 2041, Pub. L. 88-582, §2, Sept. 7, 1964, 78 Stat. 920; Pub. L. 93-518, §11(d), Dec. 7, 1974, 88 Stat. 1656, declared congressional policy for enactment of Farm Labor Contractor Registration Act of 1963.

Section 2042, Pub. L. 88-582, §3, Sept. 7, 1964, 78 Stat. 920; Pub. L. 93-518, §§2, 3, Dec. 7, 1974, 88 Stat. 1652, 1653; Pub. L. 94-259, §2, Apr. 5, 1976, 90 Stat. 314; Pub. L. 94-561, §6, Oct. 19, 1976, 90 Stat. 2644; Pub. L. 95-562, §4, Oct. 25, 1978, 92 Stat. 2382, defined terms used in Farm Labor Contractor Registration Act of 1963.

Section 2043, Pub. L. 88-582, §4, Sept. 7, 1964, 78 Stat. 921; Pub. L. 93-518, §4, Dec. 7, 1974, 88 Stat. 1653, related to certificates of registration, regular employees of farm contractors, and period of denial of Federal Employment Service.

Section 2044, Pub. L. 88-582, §5, Sept. 7, 1964, 78 Stat. 921; Pub. L. 93-518, §§5-8, Dec. 7, 1974, 88 Stat. 1653-1655, provided for issuance of certificates of registration, covering in: subsec. (a), persons qualified; subsec. (b), refusal to issue certificates, suspension, revocation, and refusal to renew; subsec. (c), transfer or assignment of certificates, period of effectiveness, and renewal; and subsec. (d), change of address notice, public central registry, and documentation of vehicles for transportation and real property for housing of migrant workers.

Section 2045, Pub. L. 88-582, §6, Sept. 7, 1964, 78 Stat. 922; Pub. L. 93-518, §§9, 10, 11(a)–(c), Dec. 7, 1974, 88 Stat. 1655, 1656, related to obligations and prohibitions.

Section 2046, Pub. L. 88-582, § 7, Sept. 7, 1964, 78 Stat. 923; Pub. L. 93-518, § 12, Dec. 7, 1974, 88 Stat. 1656, provided for authorization to obtain information, hearings or investigations, subpoenas, oaths or affirmations, evidence, application of sections 49 and 50 of title 15, identity confidentiality, and purpose of enforcement.

Section 2047, Pub. L. 88-582, § 8, Sept. 7, 1964, 78 Stat. 923, authorized Secretary to enter into agreements with Federal and State agencies.

Section 2048, Pub. L. 88-582, § 9, Sept. 7, 1964, 78 Stat. 924; Pub. L. 93-518, § 13, Dec. 7, 1974, 88 Stat. 1656, related to penalties, covering in: subsec. (a), criminal penalties for violation of chapter, preparation of an annual report, and inclusion of enforcement activities; subsec. (b), civil penalties for violation of chapter or regulations, separate violations, assessment procedures, notice and hearing, agency and judicial review, substantial evidence, actions for recovery of assessments, finality of orders, and payment of collections into the Treasury; and subsec. (c), criminal penalties for section 2045(f) violations, including regulations, respecting failure to obtain, suspension, or revocation of certificates of registration.

Section 2049, Pub. L. 88-582, § 10, Sept. 7, 1964, 78 Stat. 924, provided for applicability of Administrative Procedure Act.

Section 2050, Pub. L. 88-582, § 11, Sept. 7, 1964, 78 Stat. 924, provided for judicial review of agency determinations and finality of judgment.

Section 2050a, Pub. L. 88-582, § 12, as added Pub. L. 93-518, § 14(a), Dec. 7, 1974, 88 Stat. 1657, provided, for civil relief, covering in: subsec. (a), Federal court jurisdiction; subsec. (b), representation of complainant, damages, and appeals; subsec. (c), injunctions; and subsec. (d), Solicitor of Labor representation of Secretary, and direction and control of Attorney General.

Section 2050b, Pub. L. 88-582, § 13, as added Pub. L. 93-518, § 14(a), Dec. 7, 1974, 88 Stat. 1658, provided for discrimination prohibition, limitations, investigations, appropriate civil relief, and back pay or damages.

Section 2050c, Pub. L. 88-582, § 14, as added Pub. L. 93-518, § 14(a), Dec. 7, 1974, 88 Stat. 1658, related to recordkeeping.

Section 2051, Pub. L. 88-582, § 15, formerly § 12, Sept. 7, 1964, 78 Stat. 924, renumbered Pub. L. 93-518, § 14(a), Dec. 7, 1974, 88 Stat. 1657, required compliance with State laws and regulations.

Section 2052, Pub. L. 88-582, § 16, formerly § 13, Sept. 7, 1964, 78 Stat. 924, renumbered Pub. L. 93-518, § 14(a), Dec. 7, 1974, 88 Stat. 1657, provided for separability of provisions.

Section 2053, Pub. L. 88-582, § 17, formerly § 14, Sept. 7, 1964, 78 Stat. 924, renumbered and amended Pub. L. 93-518, § 14(a), 16, Dec. 7, 1974, 88 Stat. 1657, 1659, authorized issuance of rules and regulations.

Section 2054, Pub. L. 88-582, § 18, as added Pub. L. 93-518, § 15, Dec. 7, 1974, 88 Stat. 1658, related to waiver of rights.

Section 2055, Pub. L. 88-582, § 19, as added Pub. L. 93-518, § 15, Dec. 7, 1974, 88 Stat. 1659, provided for authorization of appropriations.

#### EFFECTIVE DATE OF REPEAL

Repeal effective 90 days from Jan. 14, 1983, see section 524 of Pub. L. 97-470, set out as an Effective Date note under section 1801 of Title 29, Labor.

#### EFFECTIVE DATE

Section 523 of Pub. L. 97-470 repealed section 15 of Pub. L. 88-582, Sept. 7, 1964, 78 Stat. 924, which had prescribed Jan. 1, 1965, as the effective date for this chapter.

#### SHORT TITLE OF 1974 AMENDMENT

Section 1(a) of Pub. L. 93-518, Dec. 7, 1974, 88 Stat. 1652, which had enacted sections 2050a to 2050c, 2054, and 2055 and amended sections 2041 to 2046, 2048, and 2053 of this title, had provided for citation of such amendments as the "Farm Labor Contractor Registration Act Amendments of 1974".

#### SHORT TITLE

Section 523 of Pub. L. 97-470 repealed section 1 of Pub. L. 88-582, Sept. 7, 1964, 78 Stat. 920, which had provided for citation of this chapter as the "Farm Labor Contractor Registration Act of 1963".

### CHAPTER 53—COTTON RESEARCH AND PROMOTION

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| Sec.<br>2101.<br>2102.<br>2103.<br>2104.<br>2105.<br>2106.<br>2107.<br><br><br><br><br><br>2108.<br><br><br><br><br><br><br><br><br>2109.<br><br><br><br><br><br><br><br><br><br>2110.<br>2111.<br><br>2112.<br><br>2113.<br><br>2114.<br>2115.<br><br>2116.<br>2117.<br>2118.<br>2119. | Congressional declaration of policy.<br>Orders of Secretary to cotton handlers.<br>Notice and hearing upon proposed orders.<br>Finding and issuance of orders.<br>Permissive terms and conditions in orders.<br>Required terms and conditions in orders.<br>Referenda.<br>(a) Referendum and cotton producer approval of orders.<br>(b) Referendum on proposed amendment to order implementing provisions of 1990 amendments to this chapter.<br>(c) Future referendums every five years or by request of cotton producers and importers.<br>Suspension and termination of orders.<br>(a) Discretionary suspension or termination by Secretary.<br>(b) Suspension or termination resulting from referendum with cotton producers and importers.<br>(c) Suspension or termination of any order not deemed order within meaning of this chapter.<br>Provisions applicable to amendments.<br>(a) Provisions applicable to amendments to orders.<br>(b) Approval of amendments by cotton producers and importers.<br>(c) Disapproval of any amendment to order not deemed to invalidate such order.<br>Refund of producer assessments.<br>Administrative review of orders; petition; hearing; judicial review.<br>Enforcement of orders; penalty for willful violation.<br>Certification of cotton producer organizations.<br>Rules and regulations.<br>Investigations by Secretary; subpoenas; oaths and affirmations; judicial aid.<br>Definitions.<br>Separability.<br>Authorization of appropriations.<br>Repealed. |
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#### § 2101. Congressional declaration of policy

Cotton is the basic natural fiber of the Nation. It is produced by many individual cottongrowers throughout the various cotton-producing States of the Nation and also outside the United States. Cotton moves in the channels of interstate and foreign commerce and such cotton which does not move in such channels directly burdens or affects interstate commerce in cotton and cotton products. The efficient production of cotton and the maintenance and expansion of existing markets and the development of new or improved markets and uses is vital to the welfare of cottongrowers and those concerned with marketing, using, and processing cotton as well as the general economy of the Nation. The great inroads on the market and uses for cotton which have been made by manmade fibers have been largely the result of extensive research and promotion which have not been effectively