

104<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 2493

To make modifications to international food aid programs.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 18, 1995

Mr. EMERSON (for himself and Mr. CONDIT) introduced the following bill; which was referred to the Committee on International Relations, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To make modifications to international food aid programs.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Food For Peace Reau-  
5       thorization Act of 1995”.

6       **SEC. 2. FOOD ASSISTANCE TO DEVELOPING COUNTRIES.**

7       Section 3 of the Agricultural Trade Development and  
8       Assistance Act of 1954 (7 U.S.C.1691a) is amended to  
9       read as follows:

1 **“SEC. 3. FOOD ASSISTANCE TO DEVELOPING COUNTRIES.**

2 “It is the sense of Congress that—

3 “(1) the United States should maintain its role  
4 of world leadership in promoting food security and  
5 economic development in developing countries; and

6 “(2) the President should encourage other ad-  
7 vanced nations to consider appropriate levels of food  
8 assistance to meet the legitimate needs of developing  
9 countries.”.

10 **SEC. 3. TRADE AND DEVELOPMENT ASSISTANCE.**

11 Section 101 of the Agricultural Trade Development  
12 and Assistance Act of 1954 (7 U.S.C. 1701) is amended—

13 (1) by striking “developing countries” each  
14 place it appears and inserting “developing countries  
15 and private entities”; and

16 (2) in subsection (b)—

17 (A) by striking “To carry out” and all that  
18 follows through “section 2, the” and inserting  
19 “The”; and

20 (B) by inserting “and entities” before the  
21 period at the end.

22 **SEC. 4. AGREEMENTS REGARDING ELIGIBLE COUNTRIES**  
23 **AND PRIVATE ENTITIES.**

24 Section 102 of the Agricultural Trade Development  
25 and Assistance Act of 1954 (7 U.S.C. 1702) is amended  
26 to read as follows:

1 **“SEC. 102. AGREEMENTS REGARDING ELIGIBLE COUNTRIES**  
2 **AND PRIVATE ENTITIES.**

3 “(a) PRIORITY.—In selecting agreements to be en-  
4 tered into under this title, the Secretary shall give priority  
5 to agreements providing for the export of agricultural  
6 commodities to developing countries that—

7 “(1) have the demonstrated potential to become  
8 commercial markets for competitively priced United  
9 States agricultural commodities;

10 “(2) are undertaking measures for economic de-  
11 velopment purposes to improve food security and ag-  
12 ricultural development, alleviate poverty, and pro-  
13 mote broad-based equitable and sustainable develop-  
14 ment; and

15 “(3) demonstrate the greatest need for food.

16 “(b) PRIVATE ENTITIES.—An agreement entered  
17 into under this title with a private entity shall require such  
18 security, or such other provisions as the Secretary deter-  
19 mines necessary, to provide reasonable and adequate as-  
20 surance of repayment of the financing extended to the pri-  
21 vate entity.

22 “(c) AGRICULTURAL MARKET DEVELOPMENT  
23 PLAN.—

24 “(1) IN GENERAL.—If there is in effect for a  
25 country a market development plan approved by the  
26 Secretary, for the purposes of the priority set forth

1 in subsection (a), the Secretary shall deem that  
2 country to have the demonstrated potential to be-  
3 come a commercial market for competitively priced  
4 United States agricultural commodities. However,  
5 not more than 50 percent of the agricultural com-  
6 modities sold under this title during a fiscal year  
7 shall be granted the priority because this deeming  
8 rule applies.

9 “(2) REQUIREMENTS.—To be approved by the  
10 Secretary, the agricultural market development plan  
11 shall—

12 “(A) be submitted by a country or private  
13 entity in conjunction with an agricultural trade  
14 organization;

15 “(B) describe a project or program, de-  
16 signed with the cooperation of the agricultural  
17 trade organization, for the development and ex-  
18 pansion of United States agricultural commod-  
19 ity markets in the appropriate developing coun-  
20 try;

21 “(C) use funds raised from the sale of ag-  
22 ricultural commodities received under agree-  
23 ments under section 101;

1           “(D) be implemented and administered in  
2           coordination with the agricultural trade organi-  
3           zation; and

4           “(E) contain additional requirements de-  
5           termined necessary by the Secretary.

6           “(3) AGRICULTURAL TRADE ORGANIZATION.—  
7           For purposes of this subsection, the term ‘agricul-  
8           tural trade organization’ means a United States ag-  
9           ricultural trade organization that promotes the ex-  
10          port and sale of United States agricultural commod-  
11          ities and that does not stand to profit directly from  
12          specific sales of agricultural commodities.”.

13 **SEC. 5. TERMS AND CONDITIONS OF SALES.**

14          Section 103 of the Agricultural Trade Development  
15          and Assistance Act of 1954 (7 U.S.C. 1703) is amended—

16               (1) in subsection (a)(2)(A)—

17                     (A) by striking “a recipient country to  
18                     make” and

19                     (B) by striking “such country” and insert-  
20                     ing “the appropriate country”;

21               (2) in subsection (c), by striking “less than 10  
22          nor”; and

23               (3) in subsection (d)—

24                     (A) by striking “recipient country” and in-  
25                     serting “recipient”; and

1                   ((B) by striking “7 years” and inserting  
2                   “5 years”.

3 **SEC. 6. USE OF LOCAL CURRENCY.**

4           Section 104 of the Agricultural Trade Development  
5 and Assistance Act of 1954 (7 U.S.C. 1704) is amended—

6           (1) in subsection (a), by striking “recipient  
7           country” and inserting “recipient”; and

8           (2) in subsection (c)—

9                   (A) by striking “recipient country” and in-  
10                   serting “appropriate developing country” each  
11                   place it appears; and

12                   (B) by striking “recipient countries” and  
13                   inserting “appropriate developing countries”.

14 **SEC. 7. PRIVATE ENTITIES.**

15           The Agricultural Trade Development and Assistance  
16 Act of 1954 (7 U.S.C. 1701 et seq.) is amended—

17           (1) by striking “a private voluntary organiza-  
18           tion or cooperative” each place it appears in section  
19           202(d) and subsections (a) and (d) of section 203  
20           and inserting “a private entity, private voluntary or-  
21           ganization, or cooperative”;

22           (2) by striking “private voluntary organizations  
23           and cooperatives” each place it appears in sections  
24           203(b) and 306(a)(5) and inserting “private entities,  
25           private voluntary organizations, and cooperatives”;

1 (3) in the section heading of section 203, by  
2 striking “**PRIVATE VOLUNTARY ORGANIZATIONS**  
3 **AND COOPERATIVES**” and inserting “ **PRIVATE**  
4 **ENTITIES, PRIVATE VOLUNTARY ORGANIZA-**  
5 **TIONS, AND COOPERATIVES**”;

6 (4) in section 203(c), by striking “A private  
7 voluntary organization or cooperative” and inserting  
8 “A private entity, private voluntary organization, or  
9 cooperative”; and

10 (5) in section 501(a)(4), by striking “private  
11 voluntary organizations, cooperatives,” and inserting  
12 “private entities, private voluntary organizations, co-  
13 operatives,”.

14 **SEC. 8. PROVISION OF AGRICULTURAL COMMODITIES.**

15 Section 202(e) of the Agricultural Trade Develop-  
16 ment and Assistance Act of 1954 (7 U.S.C. 1722(e)) is  
17 amended—

18 (1) in the subsection heading, by inserting  
19 “INTERGOVERNMENTAL ORGANIZATIONS,” after  
20 “SUPPORT FOR”;

21 (2) in paragraph (1)—

22 (A) by striking “\$13,500,000” and insert-  
23 ing “\$28,000,000”; and

24 (B) by striking “private voluntary organi-  
25 zations and cooperatives to assist such organi-

1 zations and cooperatives” and inserting “eligi-  
2 ble organizations described in subsection (d), to  
3 assist those organizations”;

4 (3) in paragraph (2), by striking “a private vol-  
5 untary organization or cooperative” and inserting  
6 “an intergovernmental organization, private entity,  
7 private voluntary organization, or cooperative”; and

8 (4) in paragraph (3), by striking “a private vol-  
9 untary organization or cooperative, the Adminis-  
10 trator may provide assistance to that organization or  
11 cooperative” and inserting “an eligible organization  
12 described in subsection (d), the Administrator may  
13 provide assistance to that eligible organization”.

14 **SEC. 9. EFFECTIVE USE OF COMMODITIES.**

15 Section 202(f) of the Agricultural Trade Develop-  
16 ment and Assistance Act of 1954 (7 U.S.C. 1722(f) is  
17 amended—

18 (1) by striking the period at the end of para-  
19 graph (6) and inserting “; and”; and

20 (2) by adding at the end the following:

21 “(7) be permitted to carry out a program under  
22 this title—

23 “(A) in a foreign country in which the  
24 Agency for International Development does not  
25 have a mission, office, or other presence; or

1           “(B) that is not part of the developmental  
2           strategy prepared by such Agency for the coun-  
3           try in which the program is carried out.”

4 **SEC. 10. MONETIZATION.**

5           Section 203 of the Agricultural Trade Development  
6 and Assistance Act of 1954 (7 U.S.C. 1723) is amended—

7           (1) in subsection (a), by inserting “, or in a  
8           country in the same region” after “in the recipient  
9           country”;

10          (2) in subsection (b)—

11           (A) by inserting “or in countries in the  
12           same region” after “in the recipient country”;

13           and

14           (B) by striking “10 percent” and inserting  
15           “15 percent”;

16          (3) in subsection (c), by inserting “or within a  
17          country in the same region” after “within the recipi-  
18          ent country”.

19 **SEC. 11. GENERAL LEVELS OF ASSISTANCE UNDER PUBLIC**  
20 **LAW 480.**

21          Section 204(a) of the Agricultural Trade Develop-  
22 ment and Assistance Act of 1954 (7 U.S.C. 1724(a)) is  
23 amended—

24          (1) in paragraph (1), by striking “amount  
25          that” and all that follows through the period at the

1 end and inserting “amount that for each of fiscal  
2 years 1996 through 2002 is not less than 2,025,000  
3 metric tons.”; and

4 (2) in paragraph (2), by striking “amount  
5 that” and all that follows through the period at the  
6 end and inserting “amount that for each of fiscal  
7 years 1996 through 2002 is not less than 1,550,000  
8 metric tons.”.

9 **SEC. 12. USE OF VALUE ADDED COMMODITIES.**

10 Section 204(b)(1) of the Agricultural Trade Develop-  
11 ment and Assistance Act of 1954 (7 U.S.C. 1724(e)) is  
12 amended by inserting “and that not less than 50 percent  
13 of the quantity of such bagged commodities that are whole  
14 grain commodities shall be bagged in the United States”  
15 before the period at the end.

16 **SEC. 13. FOOD AID CONSULTATION GROUP.**

17 (a) MEMBERSHIP.—Section 205(b)(2) of the Agricul-  
18 tural Trade Development and Assistance Act of 1954 (7  
19 U.S.C. 1725(b)(2)) is amended by striking “International  
20 Affairs and Commodity Programs” and inserting “Agri-  
21 culture for Farm and Foreign Agricultural Services”.

22 (b) EXPIRATION DATE.—Section 205(f) of the Agri-  
23 cultural Trade Development and Assistance Act of 1954  
24 (7 U.S.C. 1725(f)) is amended by striking “1995” and  
25 inserting “2002”.

1 **SEC. 14. FOOD FOR DEVELOPMENT.**

2 Sections 301(b) and 303 of the Agricultural Trade  
3 Development and Assistance Act of 1954 (7 U.S.C.  
4 1727(b) and 1727b) are each amended by striking “To  
5 carry out” and all that follows through “section 2, the”  
6 and inserting “The”.

7 **SEC. 15. COMMODITY DETERMINATIONS.**

8 Section 401 of the Agricultural Trade Development  
9 and Assistance Act of 1954 (7 U.S.C. 1731) is amended—

10 (1) by striking subsections (a) through (d) and  
11 inserting the following:

12 “(a) AVAILABILITY OF COMMODITIES.—No agricul-  
13 tural commodity shall be available for disposition under  
14 this Act if the Secretary determines that the disposition  
15 would reduce the domestic supply of the commodity below  
16 the supply needed to meet domestic requirements and pro-  
17 vide adequate carryover (as determined by the Secretary),  
18 unless the Secretary determines that some part of the sup-  
19 ply should be used to carry out urgent humanitarian pur-  
20 poses under this Act.”;

21 (2) by redesignating subsections (e) and (f) as  
22 subsections (b) and (c), respectively; and

23 (3) in subsection (c) (as so redesignated), by  
24 striking “(e)(1)” and inserting “(b)(1)”.

1 **SEC. 16. GENERAL PROVISIONS.**

2 Section 403 of the Agricultural Trade Development  
3 and Assistance Act of 1954 (7 U.S.C. 1733) is amended—

4 (1) in subsection (c)—

5 (A) by inserting “or private entities, as ap-  
6 propriate,” after “commitments from coun-  
7 tries”; and

8 (B) by striking “for use” and inserting “or  
9 use”; and

10 (2) in subsection (f), by inserting “or private  
11 entities, as appropriate,” after “from countries”.

12 **SEC. 17. AGREEMENTS.**

13 Section 404 of the Agricultural Trade Development  
14 and Assistance Act of 1954 (7 U.S.C. 1734) is amended—

15 (1) in subsection (a), by inserting “with foreign  
16 countries” after “Before entering into agreements”;

17 (2) in subsection (b)(2)—

18 (A) by inserting “with foreign countries”  
19 after “with respect to agreements entered into”;  
20 and

21 (B) by inserting before the semicolon at  
22 the end the following: “and broad-based eco-  
23 nomic growth”; and

24 (3) so that subsection (c)(1) reads as follows:

25 “(1) IN GENERAL.—

1           “(A) TITLES I AND III.—Agreements to  
2           provide assistance on a multi-year basis under  
3           titles I and III may be made available to recipi-  
4           ent countries or to eligible organizations.

5           “(B) TITLE II.—Agreements to provide as-  
6           sistance on a multi-year basis shall be made  
7           available to recipient countries and to eligible  
8           organizations.”.

9   **SEC. 18. ADMINISTRATIVE PROVISIONS.**

10       Section 407 of the Agricultural Trade Development  
11       and Assistance Act of 1954 (7 U.S.C. 1736a) is amend-  
12       ed—

13           (1) in subsection (a)(1), by inserting “or pri-  
14       vate entity” after “importing country”;

15           (2) in subsection (c)—

16                (A) in paragraph (1)(A), by inserting “im-  
17       porter or” before “importing country”; and

18                (B) in paragraph (2)(A), by inserting “im-  
19       porter or” before “importing country”; and

20           (3) by striking subsection (h).

21   **SEC. 19. EXPIRATION DATE.**

22       Section 408 of the Agricultural Trade Development  
23       and Assistance Act of 1954 (7 U.S.C. 1736b) is amended  
24       by striking “1995” and inserting “2002”.

1 **SEC. 20. REPEAL OF SECTIONS 409 AND 410.**

2 Sections 409 and 410 of the Agricultural Trade De-  
3 velopment and Assistance Act of 1954 (7 U.S.C. 1736c  
4 and 1736d) are repealed.

5 **SEC. 21. USE OF LOCAL CURRENCY IN TITLE V.**

6 Section 501(a)(6) of the Agricultural Trade Develop-  
7 ment and Assistance Act of 1954 (7 U.S.C. 1737(a)(6))  
8 is amended—

9 (1) by striking “practicable”,” and all that fol-  
10 lows through “under this section” and inserting  
11 “that local currencies can be used to meet the costs  
12 of a program established under this section, aug-  
13 ment funds of the United States that are available  
14 for such a program”; and

15 (2) by inserting “, within the country where the  
16 program is conducted” before the period at the end.

17 **SEC. 22. TITLE V FUNDING LEVEL.**

18 Section 501(c) of the Agricultural Trade Develop-  
19 ment and Assistance Act of 1954 (7 U.S.C. 1737(c)) is  
20 amended—

21 (1) by striking “0.2” and inserting “0.4”; and

22 (2) by striking “1991 through 1995” and in-  
23 serting “1996 through 2002”.

24 **SEC. 23. FOOD FOR PROGRESS.**

25 Section 1110 of the Food Security Act of 1985 (7  
26 U.S.C. 1736o) is amended—

1 (1) in the first sentence of subsection (b)(1), by  
2 inserting “intergovernmental organizations,” after  
3 “private voluntary organizations,”;

4 (2) in subsection (g), by striking “1995” and  
5 inserting “2002”;

6 (3) in subsection (k), by striking “1995” and  
7 inserting “2002”;

8 (4) in subsection (l)(1)—

9 (A) by striking “1995” and inserting  
10 “2002”; and

11 (B) by inserting “, and to provide adminis-  
12 trative and technical assistance for monetiza-  
13 tion programs,” after “monitoring of food as-  
14 sistance programs”; and

15 (5) in subsection (m)—

16 (A) by striking “with respect to the inde-  
17 pendent states of the former Soviet Union”;  
18 and

19 (B) in paragraph (2), by striking “in the  
20 independent states”.

21 **SEC. 24. FOOD SECURITY COMMODITY RESERVE.**

22 (a) FOOD SECURITY COMMODITY RESERVE ACT OF  
23 1995.—The title heading of title III of the Agricultural  
24 Act of 1980 (7 U.S.C. 1736f-1 note) is amended by strik-  
25 ing “**FOOD SECURITY WHEAT RESERVE ACT OF 1980**”

1 and inserting “**FOOD SECURITY COMMODITY RE-**  
2 **SERVE ACT OF 1995**”.

3 (b) SHORT TITLE.—Section 301 of the Act (7 U.S.C.  
4 1736f–1 note) is amended by striking “Food Security  
5 Wheat Reserve Act of 1980” and inserting “Food Security  
6 Commodity Reserve Act of 1995”.

7 (c) IN GENERAL.—Section 302 of the Act (7 U.S.C.  
8 1736f–1) is amended—

9 (1) in the section heading, by striking “**FOOD**  
10 **SECURITY WHEAT RESERVE**” and inserting  
11 “**FOOD SECURITY COMMODITY RESERVE**”;

12 (2) so that subsection (a) reads as follows:

13 “(a) IN GENERAL.—To provide for a reserve solely  
14 to meet emergency humanitarian food needs in developing  
15 countries, the Secretary shall establish a reserve stock of  
16 wheat, rice, corn, or sorghum, or any combination of the  
17 commodities, totaling not more than 4,000,000 metric  
18 tons for use as described in subsection (c).”;

19 (3) so that subsection (b)(1) reads as follows:

20 “(b) COMMODITIES IN RESERVE.—

21 “(1) IN GENERAL.—The reserve established  
22 under this section shall consist of—

23 “(A) wheat in the reserve established  
24 under the Food Security Commodity Reserve

1 Act of 1980 as of the date of enactment of the  
2 Food For Peace Reauthorization Act of 1995;

3 “(B) wheat, rice, corn, and sorghum (re-  
4 ferred to in this section as ‘eligible commod-  
5 ities’) acquired in accordance with paragraph  
6 (2) to replenish eligible commodities released  
7 from the reserve, including wheat to replenish  
8 wheat released from the reserve established  
9 under the Food Security Wheat Reserve Act of  
10 1980 but not replenished as of the date of en-  
11 actment of the Food For Peace Reauthorization  
12 Act of 1995; and

13 “(C) such rice, corn, and sorghum as the  
14 Secretary of Agriculture (referred to in this sec-  
15 tion as the ‘Secretary’) may, at such time and  
16 in such manner as the Secretary determines ap-  
17 propriate, acquire as a result of exchanging an  
18 equivalent value of wheat in the reserve estab-  
19 lished under this section.”;

20 (4) in subsection (b)(2)—

21 (A) by striking “(2)(A) Subject to” and in-  
22 serting the following:

23 “(2) REPLENISHMENT OF RESERVE.—

24 “(A) IN GENERAL.—Subject to”;

25 (B) in subparagraph (A)—

1 (i) by striking “(i) of this section  
2 stocks of wheat” and inserting “(i) stocks  
3 of eligible commodities”;

4 (ii) in clause (ii), by striking “stocks  
5 of wheat” and inserting “stocks of eligible  
6 commodities”; and

7 (iii) in the second sentence, by strik-  
8 ing “wheat” and inserting “eligible com-  
9 modities”; and

10 (C) in subparagraph (B)—

11 (i) by striking “(B) Not later” and in-  
12 serting “(B) TIME FOR REPLENISHMENT  
13 OF RESERVE.—Not later”; and

14 (ii) in clause (ii), by striking “wheat”  
15 and inserting “eligible commodities”;

16 (5) so that subsections (c) through (f) read as  
17 follows:

18 “(c) RELEASE OF ELIGIBLE COMMODITIES.—

19 “(1) DETERMINATION.—If the Secretary deter-  
20 mines that the amount of commodities allocated for  
21 minimum assistance under section 204(a)(1) of the  
22 Agricultural Trade Development and Assistance Act  
23 of 1954 (7 U.S.C. 1724(a)(1)) less the amount of  
24 commodities allocated for minimum non-emergency  
25 assistance under section 204(a)(2) of the Act (7

1 U.S.C. 1724(a)(2)) will be insufficient to meet the  
2 need for commodities for emergency assistance  
3 under section 202(a) of the Act (7 U.S.C. 1722(a)),  
4 the Secretary in any fiscal year may release from the  
5 reserve—

6 “(A) up to 500,000 metric tons of wheat  
7 or the equivalent value of eligible commodities  
8 other than wheat; and

9 “(B) any eligible commodities which under  
10 subparagraph (A) could have been released but  
11 were not released in prior fiscal years.

12 “(2) AVAILABILITY OF COMMODITIES.—Com-  
13 modities released under paragraph (1) shall be made  
14 available under title II of the Agricultural Trade De-  
15 velopment and Assistance Act of 1954 (7 U.S.C.  
16 1721 et seq.) for emergency assistance.

17 “(3) EXCHANGE.—The Secretary may exchange  
18 an eligible commodity for another United States  
19 commodity of equal value, including powdered milk,  
20 pulses, and vegetable oil.

21 “(4) USE OF NORMAL COMMERCIAL PRAC-  
22 TICES.—To the maximum extent practicable consist-  
23 ent with the fulfillment of the purposes of this sec-  
24 tion and the effective and efficient administration of  
25 this section, the Secretary shall use the usual and

1 customary channels, facilities, arrangements, and  
2 practices of the trade and commerce.

3 “(5) WAIVER OF MINIMUM TONNAGE REQUIRE-  
4 MENTS.—Nothing in this subsection shall require  
5 the exercise of the waiver under section 204(a)(3) of  
6 the Agricultural Trade Development and Assistance  
7 Act of 1954 (7 U.S.C. 1724(a)(3)) as a prerequisite  
8 for the release of eligible commodities under this  
9 subsection.

10 “(d) TRANSPORTATION AND HANDLING COSTS.—

11 “(1) IN GENERAL.—The cost of transportation  
12 and handling of eligible commodities released from  
13 the reserve established under this section shall be  
14 paid by the Commodity Credit Corporation in ac-  
15 cordance with section 406 of the Agricultural Trade  
16 Development and Assistance Act of 1954 (7 U.S.C.  
17 1736).

18 “(2) REIMBURSEMENT.—

19 “(A) IN GENERAL.—The Commodity Cred-  
20 it Corporation shall be reimbursed for the costs  
21 incurred under paragraph (1) from the funds  
22 made available to carry out the Agricultural  
23 Trade Development and Assistance Act of 1954  
24 (7 U.S.C. 1691 et seq.).

1           “(B) BASIS FOR REIMBURSEMENT.—The  
2 reimbursement shall be made on the basis of  
3 the lesser of the actual cost incurred by the  
4 Commodity Credit Corporation less any savings  
5 achieved as a result of decreased storage and  
6 handling costs for the reserve.

7           “(C) DECREASED STORAGE AND HAN-  
8 DLING COSTS.—For purposes of this subsection,  
9 ‘decreased storage and handling costs’ shall  
10 mean the total actual costs for storage and han-  
11 dling incurred by the Commodity Credit Cor-  
12 poration for the reserve established under title  
13 III of the Agricultural Act of 1980 in fiscal  
14 year 1995 less the total actual costs for storage  
15 and handling incurred by the Corporation for  
16 the reserve established under this Act in the fis-  
17 cal year for which the savings are calculated.

18           “(e) MANAGEMENT OF RESERVE.—The Secretary  
19 shall provide for—

20           “(1) the management of eligible commodities in  
21 the reserve as to location and quality of commodities  
22 needed to meet emergency situations; and

23           “(2) the periodic rotation of eligible commod-  
24 ities in the reserve to avoid spoilage and deteriora-  
25 tion of such stocks.

1       “(f) TREATMENT OF RESERVE UNDER OTHER  
2 LAW.—Eligible commodities in the reserve established  
3 under this section shall not be—

4               “(1) considered a part of the total domestic  
5 supply (including carryover) for the purpose of ad-  
6 ministering the Agricultural Trade Development and  
7 Assistance Act of 1954 (7 U.S.C. 1691 et seq.); and

8               “(2) subject to any quantitative limitation on  
9 exports that may be imposed under section 7 of the  
10 Export Administration Act of 1979 (50 U.S.C. App.  
11 2406).”;

12               (6) in subsection (g)—

13                       (A) by striking “(g)(1) The” and inserting  
14 the following:

15       “(g) USE OF COMMODITY CREDIT CORPORATION.—  
16 The”;

17                       (B) by striking “wheat” and inserting “an  
18 eligible commodity”; and

19                       (C) by striking paragraph (2);

20               (7) in subsection (h)—

21                       (A) by striking “(h) Any” and inserting:

22       “(h) FINALITY OF DETERMINATION.—Any”; and

23                       (B) by striking “President or the Secretary  
24 of Agriculture” and inserting “Secretary”; and

25               (8) in subsection (i)—

1 (A) by striking “(i) The” and inserting:

2 “(i) TERMINATION OF AUTHORITY.—The”;

3 (B) by striking “wheat” each place it ap-  
4 pears and inserting “eligible commodities”; and

5 (C) by striking “1995” each place it ap-  
6 pears and inserting “2002”.

7 (d) EFFECTIVE DATE.—Section 303 of the Act (7  
8 U.S.C. 1736–1 note) is amended by striking “October 1,  
9 1980” and all that follows through the end of the section  
10 and inserting “on the date of enactment of this Act.”.

11 (e) CONFORMING AMENDMENT.—Section 208(d)(2)  
12 of the Agriculture Trade Suspension Adjustment Act of  
13 1980 (7 U.S.C. 4001(d)(2)) is amended to read as follows:

14 “(2) APPLICABILITY OF CERTAIN PROVI-  
15 SIONS.—Subsections (b)(2), (c), (e), and (f) of sec-  
16 tion 302 of the Food Security Commodity Reserve  
17 Act of 1995 shall apply to commodities in any re-  
18 serve established under paragraph (1), except that  
19 the references to ‘eligible commodities’ in the sub-  
20 sections shall be deemed to be references to ‘agricul-  
21 tural commodities’.”.

○

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