

Union Calendar No. 165

110TH CONGRESS
1ST SESSION

H. R. 2844

[Report No. 110-257, Part I]

To promote United States emergency and non-emergency food and other assistance programs, to promote United States agricultural export programs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 25, 2007

Mr. LANTOS introduced the following bill; which was referred to the Committee on Foreign Affairs, 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

JULY 23, 2007

Additional sponsors: Mr. SMITH of New Jersey and Ms. JACKSON-LEE of Texas

JULY 23, 2007

Reported from the Committee on Foreign Affairs with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

Committee on Agriculture discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[For text of introduced bill, see copy of bill as introduced on June 25, 2007]

A BILL

To promote United States emergency and non-emergency food and other assistance programs, to promote United

States agricultural export programs, and for other purposes.

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 AND TABLE OF CONTENTS.**

4 *(a) SHORT TITLE.—This Act may be cited as the
5 “Food Security and Agricultural Development Act of
6 2007”.*

7 *(b) TABLE OF CONTENTS.—The table of contents for
8 this Act is as follows:*

Sec. 1. Short title and table of contents.

Sec. 2. Findings and purposes.

Sec. 3. Definitions.

**TITLE I—UNITED STATES EMERGENCY AND NON-EMERGENCY FOOD
AND OTHER ASSISTANCE PROGRAMS**

Subtitle A—Agricultural Trade Development and Assistance Act of 1954

Sec. 101. United States policy.

Sec. 102. General authority.

Sec. 103. Provision of agricultural commodities.

*Sec. 104. Generation and use of currencies by private voluntary organizations
and cooperatives.*

Sec. 105. Levels of assistance.

Sec. 106. Food Aid Consultative Group.

Sec. 107. Administration.

*Sec. 108. Assistance for stockpiling and rapid transportation, delivery, and dis-
tribution of shelf-stable prepackaged foods.*

Sec. 109. Administrative provisions.

Sec. 110. Expiration date.

Sec. 111. Authorization of appropriations.

Sec. 112. Coordination and integration of foreign assistance programs.

Sec. 113. Micronutrient fortification programs.

Sec. 114. John Ogonowski and Doug Bereuter Farmer-to-Farmer Program.

Subtitle B—Related Statutes and Other Provisions

Sec. 121. Bill Emerson Humanitarian Trust.

*Sec. 122. McGovern-Dole International Food for Education and Child Nutrition
Program.*

*Sec. 123. International disaster assistance under the Foreign Assistance Act of
1961.*

Sec. 124. Report on efforts to improve procurement planning.

TITLE II—UNITED STATES AGRICULTURAL EXPORT PROGRAMS

- Sec. 201. *Export credit guarantee program.*
- Sec. 202. *Market access program.*
- Sec. 203. *Export enhancement program.*
- Sec. 204. *Assistance to address sanitary and phytosanitary barriers to trade.*
- Sec. 205. *Foreign market development cooperator program.*
- Sec. 206. *Emerging markets and facility guarantee loan program.*
- Sec. 207. *Food for Progress Act of 1985.*

TITLE III—MISCELLANEOUS PROVISIONS

- Sec. 301. *Technical assistance for specialty crops.*
- Sec. 302. *Support for sanitary and phytosanitary priorities of the United States within certain international organizations.*
- Sec. 303. *Technical assistance for the resolution of trade disputes.*
- Sec. 304. *Sense of Congress concerning the Global Crop Diversity Trust.*
- Sec. 305. *Technical and conforming amendments.*
- Sec. 306. *Rule of construction.*

1 SEC. 2. FINDINGS AND PURPOSES.

2 (a) *FINDINGS.*—Congress makes the following findings:

3 (1) *The United Nations Food and Agricultural*
 4 *Organization reports, that in 2006, an estimated*
 5 *850,000,000 people in the world, with 824,000,000 in*
 6 *developing countries, were chronically hungry.*

7 (2) *The largest concentrations of the chronically*
 8 *hungry—an estimated 298,000,000 individuals—are*
 9 *in South Asia, with most of those individuals con-*
 10 *centrated in India, where there are an estimated*
 11 *212,000,000 undernourished individuals, and in sub-*
 12 *Saharan Africa, where there are an estimated*
 13 *206,000,000 hungry people.*

14 (3) *The number of food and humanitarian emer-*
 15 *gencies has doubled from an average of about 15 per*
 16 *year in the 1980s to more than 30 per year since*
 17 *2000, due in large part to increasing conflicts, pov-*

1 *erty, and natural disasters around the world. Some*
2 *emergencies are exacerbated by multiple shocks, such*
3 *as civil wars, recurring droughts, and endemic dis-*
4 *ease, adding to their complexity and protracting the*
5 *crises for many years.*

6 *(4) The United Nations reports that progress is*
7 *being made toward reaching the Millennium Develop-*
8 *ment Goal of reducing the proportion of hungry peo-*
9 *ple in the world by half by 2015. In 1990, the propor-*
10 *tion of people in the developing countries living with*
11 *insufficient food was estimated to be 20 percent. By*
12 *2003, that percentage declined to 17 percent. How-*
13 *ever, from 1996 to 2006, the absolute number of hun-*
14 *gry people increased from 790,000,000 to 850,000,000.*

15 *(5) The number of hungry people in the most se-*
16 *riously affected regions of the world, namely South*
17 *Asia and sub-Saharan Africa, is increasing. In sub-*
18 *Saharan Africa, in 1990, there were an estimated*
19 *169,000,000 chronically-hungry people; in 2003, the*
20 *number of chronically-hungry people increased to*
21 *206,000,000.*

22 *(6) The major United States Government re-*
23 *sponse to reducing hunger in developing countries is*
24 *to provide United States agricultural commodities as*
25 *food assistance. In fiscal year 2006, the United States*

1 provided 3,000,000 metric tons of food valued at more
2 than \$2,000,000,000 to meet emergency food needs
3 and to support development projects in developing
4 countries.

5 (7) In 2006, the United States provided food as-
6 sistance to 65 countries, more than half of which were
7 in sub-Saharan Africa. Approximately
8 \$1,200,000,000, or 60 percent of such assistance, was
9 provided as emergency food assistance. The United
10 States Agency for International Development esti-
11 mates that 50,000,000 to 70,000,000 people benefit
12 from United States food assistance programs annu-
13 ally.

14 (8)(A) Food assistance contributed by the United
15 States Government has totaled more than
16 \$73,000,000,000 since 1946. Over the last decade, the
17 United States has been the single largest donor of
18 international food assistance, with a large proportion
19 of the assistance provided through the United Nations
20 World Food Program and most of that assistance is
21 for emergencies.

22 (B) The United States contributed more than
23 52,000,000 tons of food assistance between 1996 and
24 2005, more than half of the nearly 100,000,000 tons
25 of food assistance delivered worldwide in this period.

1 *In 2006, the United States contributed \$1,125,000,000*
2 *or about 40 percent of total donor contributions to the*
3 *World Food Program in that year.*

4 *(9) Private voluntary organizations and co-*
5 *operatives are critical implementing partners in*
6 *United States food assistance programs. In addition*
7 *to assisting people whose lives and livelihoods are en-*
8 *dangered due to crises, such organizations and co-*
9 *operatives help communities that suffer from chronic*
10 *hunger, delivering technical assistance and training*
11 *and building local institutional capacity.*

12 *(10)(A) Although the Farm Security and Rural*
13 *Investment Act of 2002 (Public Law 107-171) called*
14 *for increased levels of non-emergency food assistance*
15 *in order to address chronic hunger needs and to have*
16 *lasting impacts on vulnerable communities, according*
17 *to the Government Accountability Office, by 2006,*
18 *non-emergency food assistance programs were reduced*
19 *to 42 percent of their 2001 levels.*

20 *(B) Implementing partner organizations report*
21 *that due to these reductions, such organizations have*
22 *been forced to close operations in countries that are*
23 *prone to emergencies and with populations that suffer*
24 *from chronic hunger. As a result of such reductions,*

1 *there is little opportunity to develop new programs*
2 *that address food insecurity in developing countries.*

3 *(11) Food assistance experts, advocates, and im-*
4 *plementers have argued that distributing food com-*
5 *modities alone will not reduce food insecurity. Food*
6 *assistance needs to be combined with other non-food*
7 *resources, such as assistance to promote agricultural*
8 *development, economic growth, and assistance to sup-*
9 *port education, water, and health programs, to ensure*
10 *that food assistance has an impact on chronically-*
11 *hungry people.*

12 *(12) Women play an essential role in promoting*
13 *food security and production throughout the world.*
14 *According to the United Nations Food and Agricul-*
15 *tural Organization, rural women are responsible for*
16 *half of the world's food production and produce be-*
17 *tween 60 and 80 percent of the food in most devel-*
18 *oping countries.*

19 *(b) PURPOSES.— The purposes of this Act are—*

20 *(1) to promote United States emergency and*
21 *non-emergency food and other assistance programs as*
22 *described in title I of this Act in an efficient and ef-*
23 *fective manner; and*

4 SEC. 3. DEFINITIONS.

5 *In this Act:*

1 **TITLE I—UNITED STATES EMER-**
2 **GENCY AND NON-EMERGENCY**
3 **FOOD AND OTHER ASSIST-**
4 **ANCE PROGRAMS**

5 ***Subtitle A—Agricultural Trade De-***
6 ***velopment and Assistance Act of***
7 ***1954***

8 ***SEC. 101. UNITED STATES POLICY.***

9 Section 2 of the Agricultural Trade Development and
10 Assistance Act of 1954 (7 U.S.C. 1691) is amended—

11 (1) in paragraph (1), by inserting “chronic” be-
12 fore “world”.

13 (2) in paragraph (5), by striking “and” at the
14 end;

15 (3) in paragraph (6), by striking the period at
16 the end and inserting “; and”; and

17 (4) by adding at the end the following new para-
18 graphs:

19 “(7) respond to emergency needs and food crises;
20 “(8) implement an effective and efficient food as-
21 sistance program that incorporates adequate resources
22 for both emergency and non-emergency food assistance
23 programs; and

24 “(9) provide adequate resources for non-emer-
25 gency food assistance programs to address the causes

1 *of chronic hunger and food insecurity, to protect the*
2 *livelihoods and health of vulnerable populations, to*
3 *meet the nutritional needs of all members of the com-*
4 *munity (particularly children), to prevent future*
5 *hunger related emergencies, and to promote participa-*
6 *tion in productive activities.”.*

7 **SEC. 102. GENERAL AUTHORITY.**

8 (a) *IN GENERAL.— Section 201 of the Agricultural*
9 *Trade Development and Assistance Act of 1954 (7 U.S.C.*
10 *1721) is amended—*

11 (1) *in paragraph (1), to read as follows:*
12 *“(1) address famine and food crises and respond*
13 *to emergency food needs arising from manmade disas-*
14 *ters, such as policy-based disasters, economic shocks,*
15 *and conflict or civil strife, and natural disasters;”;*

16 (2) *in paragraph (5), by striking “and” at the*
17 *end;*

18 (3) *in paragraph (6), by striking the period at*
19 *the end and inserting “; and”; and*

20 (4) *by inserting at the end the following new*
21 *paragraph:*

22 *“(7) promote participation in educational,*
23 *training, and other productive activities.”.*

24 (b) *TECHNICAL AMENDMENTS.—Such section is fur-*
25 *ther amended—*

1 (1) by striking “The President” and inserting
2 “(a) *PROGRAM REQUIRED*.—The President”; and
3 (2) by striking “Such program” and inserting
4 the following:
5 “(b) *IMPLEMENTATION*.—Such program”.

6 **SEC. 103. PROVISION OF AGRICULTURAL COMMODITIES.**

7 (a) *SUPPORT FOR ELIGIBLE ORGANIZATIONS*.—Sub-
8 section (e)(1) of section 202 of the Agricultural Trade Devel-
9 opment and Assistance Act of 1954 (7 U.S.C. 1722) is
10 amended—

11 (1) in the matter preceding subparagraph (A)—
12 (A) by striking “5 percent nor more than
13 10 percent” and inserting “10 percent but not
14 more than 12.5 percent”; and

15 (B) by striking “to assist the organizations
16 in” and inserting “to provide such organizations
17 financial assistance in order to”;

18 (2) in subparagraph (A)—

19 (A) by striking “establishing” and inserting
20 “establish”; and

21 (B) by striking “and” at the end;

22 (3) in subparagraph (B)—

23 (A) by striking “meeting” and inserting
24 “meet”;

(C) by striking the period at the end and
inserting “; and”; and

10 “(C) improve and implement methodologies
11 for food assistance programs, including needs as-
12 sessments and monitoring and evaluation.”.

13 (b) *STREAMLINED PROGRAM MANAGEMENT*.—Sub-
14 section (h)(3)(B) of such section is amended by striking
15 “Committee on International Relations” and inserting
16 “Committee on Foreign Affairs”.

17 **SEC. 104. GENERATION AND USE OF CURRENCIES BY PRI-**
18 **VATE VOLUNTARY ORGANIZATIONS AND CO-**
19 **OPERATIVES.**

20 *Subsection (b) of section 203 of the Agricultural Trade*
21 *Development and Assistance Act of 1954 (7 U.S.C. 1723)*
22 *is amended by striking “1 or more recipient countries” and*
23 *inserting “in 1 or more recipient countries”.*

1 **SEC. 105. LEVELS OF ASSISTANCE.**

2 Subsection (a) of section 204 of the Agricultural Trade
3 Development and Assistance Act of 1954 (7 U.S.C. 1724)
4 is amended—

5 (1) in paragraph (1), by striking “2002 through
6 2007” and inserting “2008 through 2012”;
7 (2) in paragraph (2), by striking “2002 through
8 2007” and inserting “2008 through 2012”; and
9 (3) in paragraph (3), by striking “International
10 Relations” and inserting “Foreign Affairs”.

11 **SEC. 106. FOOD AID CONSULTATIVE GROUP.**

12 (a) **SENSE OF CONGRESS ON INTEGRATED AND EFFECTIVE FOOD ASSISTANCE.**—Section 205 of the Agricultural
13 Trade Development and Assistance Act of 1954 (7 U.S.C.
14 1725) is amended—

15 (1) by redesignating subsections (e) and (f) as
16 subsections (f) and (g), respectively; and
17 (2) by inserting after subsection (d) the following
18 new subsection:

19 “(e) **SENSE OF CONGRESS ON INTEGRATED AND EFFECTIVE FOOD ASSISTANCE PROGRAM.**—It is the sense of
20 Congress that the Group should make every effort to develop
21 a strategy to achieve a more integrated and effective food
22 assistance program.”.

23 (b) **REPORT TO CONGRESS.**—Such section is further
24 amended—

4 (2) by inserting after subsection (e) (as added by
5 subsection (a)(2)) the following new subsection:

6 "(f) REPORT TO CONGRESS.—

7 “(1) *IN GENERAL.*—Not later than 180 days
8 after the date of the enactment of the Food Security
9 and Agricultural Development Act of 2007, and an-
10 nually thereafter until December 31, 2012, the Ad-
11 ministrator of the United States Agency for Inter-
12 national Development, in close consultation with the
13 Group, shall submit to the appropriate congressional
14 committees a report on efforts taken by the United
15 States Agency for International Development and the
16 Department of Agriculture to develop a strategy
17 under this section to achieve an integrated and effec-
18 tive food assistance program.

19 “(2) APPROPRIATE CONGRESSIONAL COMMITTEES
20 DEFINED.—In this subsection, the term ‘appropriate
21 congressional committees’ means—

22 “(A) the Committee on Foreign Affairs and
23 the Committee on Agriculture of the House of
24 Representatives; and

1 “(B) the Committee on Agriculture, Nutrition,
2 and Forestry of the Senate.”.

3 (c) TERMINATION.—Such section is further amended
4 in subsection (h) (as redesignated by subsection (b)(1)) by
5 striking “2007” and inserting “2012”.

6 **SEC. 107. ADMINISTRATION.**

7 (a) PROPOSALS.—Subsection (a)(3) of section 207 of
8 the Agricultural Trade Development and Assistance Act of
9 1954 (7 U.S.C. 1726a) is amended by striking “and the
10 conditions that must be met for the approval of such pro-
11 posal”.

12 (b) REGULATIONS.—Subsection (c) of such section is
13 amended by striking paragraph (3).

14 (c) PROGRAM OVERSIGHT, MONITORING, AND EVALUA-
15 TION.—Such section is further amended by adding at the
16 end the following new subsection:

17 “(f) PROGRAM OVERSIGHT, MONITORING, AND EVAL-
18 UATION.—

19 “(1) IN GENERAL.—The Administrator, in con-
20 sultation with the Secretary, shall establish systems to
21 improve, monitor, and evaluate the effectiveness and
22 efficiency of assistance provided under this title in
23 order to maximize the impact of such assistance.

24 “(2) REPORT TO CONGRESS.—Not later than 180
25 days after the date of enactment of Food Security and

1 *Agricultural Development Act of 2007, the Administrator shall submit to the appropriate congressional*
2 *committees a report on efforts undertaken to implement paragraph (1).*

5 “(3) GOVERNMENT ACCOUNTABILITY OFFICE.—
6 *Not later than 270 days after the date of the submission of the report under paragraph (2), the Comptroller General of the United States shall submit to the appropriate congressional committees a report that—*

11 “(A) reviews and comments on the report under paragraph (2); and

13 “(B) provides recommendations regarding any additional actions necessary to improve the monitoring and evaluation of assistance provided under this title.

17 “(4) CONTRACTING AUTHORITY.—*In carrying out this subsection, notwithstanding any other provision of law, the Administrator may contract with individuals for personal services, provided that such individuals shall not be regarded as employees of the United States Government for the purpose of any law administered by the Civil Service Commission.*

1 “(5) APPROPRIATE CONGRESSIONAL COMMITTEES
2 DEFINED.—*In this subsection, the term ‘appropriate*
3 *congressional committees’ means—*

4 “(A) the Committee on Foreign Affairs and
5 the Committee on Agriculture of the House of
6 Representatives; and

7 “(B) the Committee on Agriculture, Nutri-
8 tion, and Forestry of the Senate.”.

9 (d) INDIRECT SUPPORT COSTS TO UNITED NATIONS
10 WORLD FOOD PROGRAM.—*Such section is further amended*
11 *by adding at the end the following new subsection:*

12 “(g) INDIRECT SUPPORT COSTS TO UNITED NATIONS
13 WORLD FOOD PROGRAM.—

14 “(1) IN GENERAL.—*Notwithstanding any other*
15 *provision of law, in providing assistance under this*
16 *title, the Administrator may make contributions to*
17 *the United Nations World Food Program to the extent*
18 *that such contributions are made in accordance with*
19 *the United Nations World Food Program’s rules and*
20 *regulations for indirect cost rates. Prior to making a*
21 *contribution to the United Nations World Food Pro-*
22 *gram under this subsection, the Administrator shall*
23 *submit to the appropriate congressional committees a*
24 *report that contains the proposed level of the contribu-*
25 *tion and the reasons for such proposed level.*

1 “(2) APPROPRIATE CONGRESSIONAL COMMITTEES
2 DEFINED.—In this subsection, the term ‘appropriate
3 congressional committees’ means—

4 “(A) the Committee on Foreign Affairs and
5 the Committee on Agriculture of the House of
6 Representatives; and

7 “(B) the Committee on Agriculture, Nutri-
8 tion, and Forestry of the Senate.”.

9 **SEC. 108. ASSISTANCE FOR STOCKPILING AND RAPID**
10 **TRANSPORTATION, DELIVERY, AND DIS-**
11 **TRIBUTION OF SHELF-STABLE PREPACKAGED**
12 **FOODS.**

13 Subsection (f) of section 208 of the Agricultural Trade
14 Development and Assistance Act of 1954 (7 U.S.C. 1726b)
15 is amended by striking “2007” and inserting “2012”.

16 **SEC. 109. ADMINISTRATIVE PROVISIONS.**

17 (a) PREPOSITIONING.—Subsection (c)(4) of section 407
18 of the Agricultural Trade Development and Assistance Act
19 of 1954 (7 U.S.C. 1736a) is amended—

20 (1) by striking “Funds” and inserting:

21 “(A) IN GENERAL.—Funds”;

22 (2) by striking “2007” and inserting “2012”;

23 (3) by striking “, except that for each such fiscal
24 year not more than \$2,000,000 of such funds may be

1 used to store agricultural commodities for
2 prepositioning in foreign countries"; and

3 (4) by adding at the end the following new sub-
4 paragraph:

5 “(B) **ADDITIONAL PREPOSITIONING**
6 **SITES.**—

7 “(i) **FEASIBILITY ASSESSMENT.**—On or
8 after the date of the enactment of the Food
9 Security and Agricultural Development Act
10 of 2007, the Administrator is authorized to
11 carry out assessments for the establishment
12 of not less than two sites to determine the
13 feasibility of and costs associated with using
14 such sites for the purpose of storing and
15 handling agricultural commodities for
16 prepositioning in foreign countries.

17 “(ii) **ESTABLISHMENT OF SITES.**—
18 Based on the results of the assessments car-
19 ried out under clause (i), the Administrator
20 is authorized to establish additional sites for
21 prepositioning in foreign countries.

22 “(iii) **AUTHORIZATION OF APPROPRIA-**
23 **TIONS.**—To carry out this subparagraph,
24 there are authorized to be appropriated to
25 the Administrator such sums as may be nec-

1 *essary for each of the fiscal years 2008*
2 *through 2012.”.*

3 (b) *ANNUAL REPORTS.*—Subsection (f) of such section
4 *is amended—*

5 (1) *in paragraph (2)—*

6 (A) *in subparagraph (B), by adding at the*
7 *end before the semicolon the following: “, and the*
8 *amount of funds, tonnage levels, and types of ac-*
9 *tivities for non-emergency food assistance pro-*
10 *grams under title II of this Act”;*

11 (B) *in subparagraph (C), by adding at the*
12 *end before the semicolon the following: “, and a*
13 *general description of the projects and activities*
14 *implemented”;* and

15 (C) *by amending subparagraph (D) to read*
16 *as follows:*

17 “(D) *an assessment of the progress toward*
18 *reducing food insecurity in the populations re-*
19 *ceiving food assistance from the United States.”;*

20 *and*

21 (2) *in paragraph (3), by striking “January 15”*
22 *and inserting “March 1”.*

1 **SEC. 110. EXPIRATION DATE.**

2 Section 408 of the Agricultural Trade Development
3 and Assistance Act of 1954 (7 U.S.C. 1736b) is amended
4 by striking “2007” and inserting “2012”.

5 **SEC. 111. AUTHORIZATION OF APPROPRIATIONS.**

6 Subsection (a) of section 412 of the Agricultural Trade
7 Development and Assistance Act of 1954 (7 U.S.C. 1736f)
8 is amended to read as follows:

9 “(a) AUTHORIZATION OF APPROPRIATIONS.—

10 “(1) IN GENERAL.—For each of the fiscal years
11 2008 through 2012, there are authorized to be appro-
12 priated to the President—

13 “(A) such sums as may be necessary to
14 carry out the concessional credit sales program
15 established under title I;

16 “(B) \$2,500,000,000 to carry out the emer-
17 gency and non-emergency food assistance pro-
18 grams under title II; and

19 “(C) such sums as may be necessary to
20 carry out the grant program established under
21 title III.

22 “(2) MINIMUM LEVEL OF NON-EMERGENCY FOOD
23 ASSISTANCE.—For each of the fiscal years 2008
24 through 2012, of the amounts made available to carry
25 out emergency and non-emergency food assistance
26 programs under title II, not less than \$600,000,000

1 *for each such fiscal year shall be obligated and ex-*
2 *pended for non-emergency food assistance programs*
3 *under title II.*

4 “(3) REIMBURSEMENT.—For each of the fiscal
5 years 2008 through 2012, there are authorized to be
6 appropriated such sums as may be necessary to make
7 payments to the Commodity Credit Corporation to
8 the extent the Commodity Credit Corporation is not
9 reimbursed under the programs under this Act for the
10 actual costs incurred or to be incurred by such Cor-
11 poration in carrying out such programs.

12 “(4) *AVAILABILITY.—Amounts appropriated*
13 *pursuant to the authorization of appropriations*
14 *under this subsection are—*

15 “(A) authorized to remain available until
16 expended; and

17 “(B) in addition to funds otherwise avail-
18 able for such purposes.”

19 SEC. 112. COORDINATION AND INTEGRATION OF FOREIGN
20 ASSISTANCE PROGRAMS.

21 (a) *IN GENERAL.*—Section 413 of the Agricultural
22 Trade Development and Assistance Act of 1954 (7 U.S.C.
23 1736a) is amended—

1 *imum extent practicable, coordinate and integrate as-*
2 *sistance to a foreign country provided under title III*
3 *with other United States development assistance pro-*
4 *grams and objectives provided under chapter 1 of part*
5 *I of the Foreign Assistance Act of 1961 (22 U.S.C.*
6 *2151 et seq.), including assistance to combat HIV/*
7 *AIDS, tuberculosis, and malaria, assistance for child*
8 *and maternal health, assistance for education, and as-*
9 *sistance for agricultural development and economic*
10 *growth. Such assistance shall also be coordinated and*
11 *integrated with other United States foreign assistance*
12 *programs, such as the Millennium Challenge Account.*
13 *Such assistance shall also be coordinated and inte-*
14 *grated with the overall development strategy of the re-*
15 *cipient country, including the poverty reduction*
16 *strategy of the recipient country, and in the recipient*
17 *country with other donors, including international*
18 *and regional organizations and other donor coun-*
19 *tries.”; and*

20 *(2) by striking “Special emphasis should be*
21 *placed on” and inserting “Special consideration*
22 *should be given to”.*

23 *(b) CONFORMING AMENDMENT.—The heading for such*
24 *section is amended by inserting “**AND INTEGRATION**”*
25 *after “**COORDINATION**”.*

1 **SEC. 113. MICRONUTRIENT FORTIFICATION PROGRAMS.**

2 (a) *PURPOSE.*—Subsection (a)(2)(C) of section 415 of
3 *the Agricultural Trade Development and Assistance Act of*
4 *1954 (7 U.S.C. 1736g–2) is amended—*

5 (1) *by striking “using the same mechanism that*
6 *was used to assess the micronutrient fortification pro-*
7 *gram in” and inserting “utilizing recommendations*
8 *from”; and*

9 (2) *by striking “with funds from the Bureau for*
10 *Humanitarian Response of the United States Agency*
11 *for International Development” and inserting “with*
12 *implementation by an independent entity with prov-*
13 *en impartiality and a mechanism that incorporates*
14 *the range of stakeholders implementing programs*
15 *under title II of this Act as well as other food assist-*
16 *ance industry experts”.*

17 (b) *TERMINATION OF AUTHORITY.*—Subsection (d) of
18 *such section is amended by striking “2007” and inserting*
19 *“2012”.*

20 **SEC. 114. JOHN OGONOWSKI AND DOUG BEREUTER FARM-**
21 **ER-TO-FARMER PROGRAM.**

22 (a) *MINIMUM FUNDING.*—Subsection (d) of section 501
23 *of the Agricultural Trade Development and Assistance Act*
24 *of 1954 (7 U.S.C. 1737) is amended by striking “2002*
25 *through 2007” and inserting “2008 through 2012”.*

1 (b) AUTHORIZATION OF APPROPRIATIONS.—Sub-
2 section (e)(1) of such section is amended by striking “2002
3 through 2007” and inserting “2008 through 2012”.

6 SEC. 121. BILL EMERSON HUMANITARIAN TRUST.

7 (a) IN GENERAL.—Subsection (a) of section 302 of the
8 *Bill Emerson Humanitarian Trust Act* (7 U.S.C. 1736f–
9 1) is amended by inserting after “metric tons” the fol-
10 lowing: “, an amount of funds equivalent to 4,000,000 met-
11 ric tons of commodities, or any combination of commodities
12 and funds equivalent to 4,000,000 metric tons”.

13 (b) *COMMODITIES OR FUNDS IN TRUST.*—Subsection
14 (b)(2)(B)(i) of such section is amended—

(c) TERMINATION OF AUTHORITY.—Subsection (h) of such section is amended in paragraphs (1) and (2) by striking “2007” each place it appears and inserting “2012”.

1 **SEC. 122. MCGOVERN-DOLE INTERNATIONAL FOOD FOR**
2 **EDUCATION AND CHILD NUTRITION PRO-**
3 **GRAM.**

4 (a) *ADMINISTRATION OF PROGRAM.*—Section 3107 of
5 the Farm Security and Rural Investment Act of 2002 (7
6 U.S.C. 1736o-1) is amended—

7 (1) in subsection (d), in the matter preceding
8 paragraph (1), by striking “The President shall des-
9 ignate 1 or more Federal agencies to” and inserting
10 “The Secretary shall”;

11 (2) in subsection (f)(2), in the matter preceding
12 subparagraph (A), by striking “implementing agen-
13 cy” and inserting “Secretary”; and

14 (3) in subsections (c)(2)(B), (f)(1), (h)(1) and
15 (2), and (i), by striking “President” each place it ap-
16 pears and inserting “Secretary”.

17 (b) *FUNDING.*—Subsection (l) of such section is amend-
18 ed—

19 (1) by striking paragraphs (1) and (2) and in-
20 serting the following:

21 “(1) *USE OF COMMODITY CREDIT CORPORATION*
22 *FUNDS.*—Of the funds of the Commodity Credit Cor-
23 poration, the Secretary shall use to carry out this sec-
24 tion—

25 “(A) \$140,000,000 for fiscal year 2008;
26 “(B) \$180,000,000 for fiscal year 2009;

1 “(C) \$220,000,000 for fiscal year 2010;

2 “(D) \$260,000,000 for fiscal year 2011; and

3 “(E) \$300,000,000 for fiscal year 2012.”;

4 (2) by redesignating paragraph (3) as para-

5 graph (2); and

6 (3) in paragraph (2) (as redesignated by para-

7 graph (2)), by striking “any Federal agency imple-

8 menting or assisting” and inserting “the Department

9 of Agriculture or any other Federal department or

10 agency assisting”.

11 **SEC. 123. INTERNATIONAL DISASTER ASSISTANCE UNDER**
12 **THE FOREIGN ASSISTANCE ACT OF 1961.**

13 (a) *SENSE OF CONGRESS.*—It is the sense of Congress
14 that the President, acting through the Administrator,
15 should exercise the President’s authority under section 491
16 of the Foreign Assistance Act of 1961 (22 U.S.C. 2292) to
17 purchase and to distribute to a recipient country agricul-
18 tural commodities produced—

19 (1) in the recipient country, or
20 (2) in developing countries in the region of the
21 recipient country,

22 for the purposes of famine prevention and relief.

23 (b) *AVAILABILITY OF FUNDING FOR FAMINE PREVEN-*
24 *TION AND RELIEF.*—For each of the fiscal years 2008
25 through 2012, of the amounts made available to carry out

1 section 491 of the Foreign Assistance Act of 1961, not less
2 than \$40,000,000 for each such fiscal year shall be made
3 available for the purposes of famine prevention and relief
4 under such section.

5 **SEC. 124. REPORT ON EFFORTS TO IMPROVE PROCUREMENT PLANNING.**

7 (a) *REPORT REQUIRED.*—Not later than 90 days after
8 the date of the enactment of this Act, the Administrator and
9 the Secretary shall submit to the appropriate congressional
10 committees a report on efforts taken by both the United
11 States Agency for International Development and the De-
12 partment of Agriculture to improve planning for food and
13 transportation procurement, including efforts to eliminate
14 bunching of food purchases.

15 (b) *CONTENTS.*—The report required under subsection
16 (a) should include, among other things, a description of ef-
17 forts taken to—

18 (1) improve coordination of food purchases by
19 the United States Agency for International Develop-
20 ment and the Department of Agriculture;

21 (2) increase flexibility in procurement schedules;
22 (3) increase utilization of historical analyses and
23 forecasting; and

24 (4) improve and streamline legal claims proc-
25 esses for resolving transportation disputes.

1 ***TITLE II—UNITED STATES AGRICULTURAL EXPORT PROGRAMS***

2 ***CULTURAL EXPORT PROGRAMS***

4 ***SEC. 201. EXPORT CREDIT GUARANTEE PROGRAM.***

5 *(a) REPEAL OF SUPPLIER CREDIT GUARANTEE PROGRAM AND INTERMEDIATE EXPORT CREDIT GUARANTEE PROGRAM.—*

8 *(1) REPEALS.—Section 202 of the Agricultural Trade Act of 1978 (7 U.S.C. 5622) is amended—*

10 *(A) in subsection (a)—*

11 *(i) in paragraph (1), by striking “(1)” and all that follows through “The Commodity” and inserting “The Commodity”; and*

15 *(ii) by striking paragraphs (2) and (3);*

17 *(B) by striking subsections (b) and (c); and*
18 *(C) by redesignating subsections (d) through (l) as subsections (b) through (j), respectively.*

20 *(2) CONFORMING AMENDMENTS.—Such section is further amended—*

22 *(A) in subsection (b)(4) (as redesignated by paragraph (1)(C)), by striking “, consistent with the provisions of subsection (c)”;*

(B) in subsection (d) (as redesignated by paragraph (1)(C))—

3 (i) by striking “(1)” and all that fol-
4 lows through “The Commodity” and insert-
5 ing “The Commodity”; and

6 (ii) by striking paragraph (2); and

(b) *PROCESS AND HIGH-VALUE PRODUCTS.*—Section 202 of such Act (7 U.S.C. 5622) is amended in paragraph (1) of subsection (i) (as redesignated by subsection (a)(1)(C)) by striking “2007” and inserting “2012”.

17 “(b) *EXPORT CREDIT GUARANTEE PROGRAMS.*—The
18 *Commodity Credit Corporation shall make available, to the*
19 *maximum extent practicable, for each of fiscal years 2008*
20 *through 2012 not less than \$5,500,000,000 in credit guaran-*
21 *tees under section 202(a).*”.

22 SEC. 202. MARKET ACCESS PROGRAM.

23 (a) ORGANIC COMMODITIES.—Subsection (a) of section
24 203 of the Agricultural Trade Act of 1978 (7 U.S.C. 5623)
25 is amended by inserting after “agricultural commodities”

1 *the following: “(including commodities that are organically*
2 *produced (as defined in section 2103 of the Organic Foods*
3 *Production Act of 1990 (7 U.S.C. 6502))”.*

4 (b) *FUNDING.—Subsection (c)(1)(A) of section 211 of*
5 *such Act (7 U.S.C. 5641) is amended by striking “, and*
6 *\$200,000,000 for each of fiscal years 2006 and 2007” and*
7 *inserting “\$200,000,000 for each of fiscal years 2006 and*
8 *2007, and \$225,000,000 for each of fiscal years 2008*
9 *through 2012”.*

10 **SEC. 203. EXPORT ENHANCEMENT PROGRAM.**

11 *Subsection (e) of section 301 of the Agricultural Trade*
12 *Act of 1978 (7 U.S.C. 5651) is amended by striking para-*
13 *graph (1) and inserting the following:*

14 “(1) *IN GENERAL.—The Commodity Credit Cor-*
15 *poration shall make available to carry out the pro-*
16 *gram established under this section not more than*
17 *\$478,000,000 for each of fiscal years 2008 through*
18 *2012.”.*

19 **SEC. 204. ASSISTANCE TO ADDRESS SANITARY AND**
20 **PHYTOSANITARY BARRIERS TO TRADE.**

21 *Title III of the Agricultural Trade Act of 1978 (7*
22 *U.S.C. 5651 et seq.) is amended by adding at the end the*
23 *following new section:*

1 **“SEC. 304. ASSISTANCE TO ADDRESS SANITARY AND**
2 **PHYTOSANITARY BARRIERS TO TRADE.**

3 “(a) *ASSISTANCE AUTHORIZED.*—The Secretary is au-
4 thorized to enter into contracts with technical experts and
5 scientists, or provide grants to appropriate entities, as de-
6 termined by the Secretary, to address sanitary,
7 phytosanitary, and technical barriers to the export of
8 United States agricultural commodities, including meat,
9 poultry, and specialty crops, by—

10 “(1) contracting with technical experts and sci-
11 entists outside of the Federal government to address
12 sanitary and phytosanitary issues, and other issues
13 regarding technical barriers, involving agricultural
14 commodities and the products of such agricultural
15 commodities; and

16 “(2) commissioning targeted outside scientific re-
17 ports on sanitary and phytosanitary issues, and other
18 issues regarding technical barriers, involving agricul-
19 tural commodities and the products of such agricul-
20 tural commodities.

21 “(b) *TARGETED TRADE ISSUES.*—Projects funded
22 under this section may include projects relating to the ac-
23 ceptance by foreign markets of—

24 “(1) antimicrobial treatments;

25 “(2) wood-packaging material;

26 “(3) irradiation;

1 “(4) biotechnology;
2 “(5) science-based maximum residue level stand-
3 ards;
4 “(6) testing procedures and controls for myco-
5 toxins;
6 “(7) labeling; and
7 “(8) shelf life.

8 “(c) *FUNDING*.—

9 “(1) *COMMODITY CREDIT CORPORATION*.—*The*
10 *Secretary shall use the funds, facilities, and authori-*
11 *ties of the Commodity Credit Corporation to carry*
12 *out this section.*

13 “(2) *FUNDING AMOUNT*.—*The Secretary shall*
14 *use, to the maximum extent practicable, \$2,000,000 of*
15 *the funds of the Commodity Credit Corporation to*
16 *carry out this section for each of fiscal years 2008*
17 *through 2012.*”.

18 **SEC. 205. FOREIGN MARKET DEVELOPMENT COOPERATOR**
19 **PROGRAM.**

20 (a) *FOREIGN MARKET DEVELOPMENT COOPERATOR*
21 *PROGRAM*.—Subsection (c) of section 702 of the *Agricul-*
22 *tural Trade Act of 1978* (7 U.S.C. 5722) is amended by
23 *striking* “Committee on International Relations” and *in-*
24 *serting* “Committee on Foreign Affairs”.

1 (b) *FUNDING*.—Section 703 of such Act (7 U.S.C.
2 5723) is amended—

3 (1) in subsection (a), by striking “2002 through
4 2007” and inserting “2008 through 2012”; and
5 (2) in subsection (b), by striking “2001” and in-
6 serting “2007”.

7 **SEC. 206. EMERGING MARKETS AND FACILITY GUARANTEE
8 LOAN PROGRAM.**

9 (a) *PROMOTION OF AGRICULTURAL EXPORTS TO
10 EMERGING MARKETS*.—Subsections (a) and (d)(1)(A)(i) of
11 section 1542 of the Food, Agriculture, Conservation, and
12 Trade Act of 1990 (7 U.S.C. 5622 note; Public Law 101-
13 624) is amended by striking “2007” each place it appears
14 and inserting “2012”.

15 (b) *FACILITY GUARANTEE LOAN PROGRAM*.—Such sec-
16 tion is further amended—

17 (1) in subsection (b)—

18 (A) in the first sentence, by redesignating
19 paragraphs (1) and (2) as subparagraphs (A)
20 and (B), respectively, and adjusting the margins
21 accordingly;

22 (B) by striking “A portion” and inserting
23 the following:

24 “(1) *IN GENERAL*.—A portion”;

25 (C) in the second sentence—

3 “(2) *PRIORITY.—The Commodity Credit Cor-*
4 *poration*”; and

5 (ii) by moving the margins of subparagraphs (A) and (B) two ems to the right;
6 and
7

8 (D) by adding at the end the following:

9 “(3) *INITIAL PAYMENT.*—The Secretary may re-
10 quire an initial down payment, upon such terms as
11 the Secretary may determine, by the beneficiary of the
12 credit guarantee as a condition of providing a credit
13 guarantee under this subsection.

14 “(4) *MAXIMUM LIABILITY*.—*The liability of the*
15 *Commodity Credit Corporation under a guarantee*
16 *provided pursuant to this section may not exceed 98*
17 *percent of—*

18 “(A) the principal amount involved in the
19 underlying financial arrangement for construc-
20 tion of the facility; and

21 “(B) the interest on the outstanding prin-
22 cipal amount at the rate specified in the under-
23 lying financial arrangement for construction of
24 the facility.

1 “(5) *TERM OF GUARANTEE*.—A facility payment
2 guarantee under this subsection shall be for a term
3 that is not more than the lesser of—

4 “(A) the term of the depreciation schedule of
5 the facility assisted; or
6 “(B) a maximum period, as determined by
7 the Secretary.”.

8 **SEC. 207. FOOD FOR PROGRESS ACT OF 1985.**

9 (a) *PROVISION OF ELIGIBLE COMMODITIES TO DEVEL-*
10 *OPING COUNTRIES*.—Subsection (f)(3) of the Food for
11 Progress Act of 1985 (7 U.S.C. 1736o; section 1110 of the
12 Food Security Act of 1985) is amended by striking “1996
13 through 2007” and inserting “2008 through 2012”.

14 (b) *MINIMUM TONNAGE*.—Subsection (g) of such Act
15 is amended—

16 (1) by striking “400,000” and inserting
17 “500,000”; and

18 (2) by striking “2002 through 2007” and insert-
19 ing “2008 through 2012”.

20 (c) *REPORT*.—Subsection (j)(3) of such Act is amended
21 by inserting “and the Committee on Foreign Affairs” after
22 “Committee on Agriculture” the first place such term ap-
23 pears.

1 (d) *EFFECTIVE AND TERMINATION DATES.*—Sub-
2 section (k) of such Act is amended by striking “2007” and
3 inserting “2012”.

4 (e) *ADMINISTRATIVE EXPENSES.*—Subsection (l)(1) of
5 such Act is amended by striking “1996 through 2007” and
6 inserting “2008 through 2012”.

7 (f) *PROGRAM MANAGEMENT.*—Subsection (n)(2)(C) of
8 such Act is amended, by striking “Committee on Inter-
9 national Relations” and inserting “Committee on Foreign
10 Affairs”.

11 **TITLE III—MISCELLANEOUS
12 PROVISIONS**

13 **SEC. 301. TECHNICAL ASSISTANCE FOR SPECIALTY CROPS.**

14 (a) *ADDITIONAL REQUIREMENTS.*—Section 3205 of the
15 *Farm Security and Rural Investment Act of 2002* (7 U.S.C.
16 5680) is amended—

17 (1) by redesignating subsection (d) as subsection
18 (e); and

19 (2) by inserting after subsection (c) the following
20 new subsection:

21 “(d) *ADDITIONAL REQUIREMENTS.*—

22 “(1) *MAXIMUM AWARD.*—The maximum amount
23 of assistance provided annually to a project under the
24 program shall be \$500,000.

1 “(2) *PROJECT DURATION*.—*The Secretary may*
2 *extend a project under the program irrespective of the*
3 *initial estimated duration of the project.*”.

4 “(b) *FUNDING*.—*Such section is further amended in*
5 *subsection (e) (as redesignated by subsection (a)(1)), to read*
6 *as follows:*

7 “(e) *FUNDING*.—

8 “(1) *COMMODITY CREDIT CORPORATION*.—*The*
9 *Secretary shall use the funds, facilities, and authori-*
10 *ties of the Commodity Credit Corporation to carry*
11 *out this section.*

12 “(2) *FUNDING AMOUNT*.—*The Secretary shall*
13 *make available the following amounts of the funds of,*
14 *or an equal value of commodities owned by, the Com-*
15 *modity Credit Corporation, to the maximum extent*
16 *practicable, for the following fiscal years to carry out*
17 *this section:*

18 “(A) \$4,000,000 for fiscal year 2008.

19 “(B) \$6,000,000 for fiscal year 2009.

20 “(C) \$8,000,000 for fiscal year 2010.

21 “(D) \$10,000,000 for each of fiscal years
22 *2011 through 2015.*”.

1 **SEC. 302. SUPPORT FOR SANITARY AND PHYTOSANITARY**
2 **PRIORITIES OF THE UNITED STATES WITHIN**
3 **CERTAIN INTERNATIONAL ORGANIZATIONS.**

4 (a) *SUPPORT AUTHORIZED.—The Secretary of Agri-*
5 *culture is authorized to enhance United States support for*
6 *international organizations, including international orga-*
7 *nizations described in subsection (b), that establish inter-*
8 *national standards regarding food, food safety, plants, and*
9 *animals by funding additional positions of associate profes-*
10 *sional officers to address sanitary and phytosanitary prior-*
11 *ties of the United States within such international organi-*
12 *zations. The Secretary shall carry out this subsection pursu-*
13 *ant to the authority of the Secretary under section*
14 *1458(a)(3) of the Food and Agriculture Act of 1977 (7*
15 *U.S.C. 3291(a)(3)).*

16 (b) *INTERNATIONAL ORGANIZATIONS DESCRIBED.—*
17 *The international organizations referred to in subsection*
18 *(a) are the Food and Agriculture Organization, the Codex*
19 *Alimentarius Commission, the International Plant Protec-*
20 *tion Convention, and the World Organization for Animal*
21 *Health.*

22 **SEC. 303. TECHNICAL ASSISTANCE FOR THE RESOLUTION**
23 **OF TRADE DISPUTES.**

24 (a) *TECHNICAL ASSISTANCE AUTHORIZED.—The Sec-*
25 *retary of Agriculture is authorized to provide monitoring,*
26 *analytic support, and other technical assistance to limited-*

1 resource persons and organizations associated with agricultural
2 trade (as determined by the Secretary) to address unfair
3 trade practices of foreign countries, including intellectual
4 property right violations, and to reduce trade barriers.

5 (b) AUTHORIZATION OF APPROPRIATIONS.—To carry
6 out this section, there are authorized to be appropriated to
7 the Secretary such sums as may be necessary for each of
8 the fiscal years 2008 through 2012.

9 **SEC. 304. SENSE OF CONGRESS CONCERNING THE GLOBAL**

10 **CROP DIVERSITY TRUST.**

11 (a) FINDINGS.—Congress finds the following:

12 (1) Crop diversity—the natural diversity exhibited in the array of varieties in every crop—is one
13 of the world's least recognized, but most valuable resources. It provides the genetic building blocks for
14 adapting crops to constantly evolving pests, diseases,
15 and changing climates. Without crop diversity, agriculture cannot retain current productivity levels and
16 cannot meet anticipated future challenges associated
17 with population growth and global warming.

18 (2) Currently, much of the world's crop diversity
19 is neither safely conserved, nor readily available to
20 scientists and farmers who rely on it to safeguard agricultural productivity.

20 (b) *SENSE OF CONGRESS.—It is the sense of Congress*
21 *that the President should provide significant United States*
22 *financial resources to the Global Crop Diversity Trust to*
23 *ensure the conservation of crop diversity which can yield*
24 *significant benefits to United States farmers.*

1 **SEC. 305. TECHNICAL AND CONFORMING AMENDMENTS.**

2 *Subsection (a) of section 3206 of the Farm Security
3 and Rural Investment Act of 2002 (7 U.S.C. 5603a) is
4 amended by striking “Committee on International Rela-
5 tions” and inserting “Committee on Foreign Affairs”.*

6 **SEC. 306. RULE OF CONSTRUCTION.**

7 *Nothing in this Act or any amendment made by this
8 Act shall be construed to supersede the provisions of the
9 Trade Sanctions Reform and Export Enhancement Act of
10 2000 (22 U.S.C. 7201 et seq.).*

Union Calendar No. 165

110TH CONGRESS
1ST SESSION

H. R. 2844

[Report No. 110-257, Part I]

A BILL

To promote United States emergency and non-emergency food and other assistance programs, to promote United States agricultural export programs, and for other purposes.

JULY 23, 2007

Committee on Agriculture discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed