

(c) *CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.*—In carrying out this section, the Secretary shall use the authority provided under section 808(2) of title 5, United States Code.

TITLE III—TRADE

Subtitle A—Agricultural Trade Development and Assistance Act of 1954 and Related Statutes

SEC. 3001. UNITED STATES POLICY.

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

- (1) in paragraph (4), by striking “and” at the end;
- (2) in paragraph (5), by striking the period at the end and inserting “; and”; and
- (3) by adding at the end the following:
 - “(6) prevent conflicts.”.

SEC. 3002. PROVISION OF AGRICULTURAL COMMODITIES.

Section 202 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1722) is amended—

- (1) in subsection (b), by adding at the end the following:
 - “(3) **PROGRAM DIVERSITY.**—The Administrator shall—
 - “(A) encourage eligible organizations to propose and implement program plans to address 1 or more aspects of the program under section 201; and
 - “(B) consider proposals that incorporate a variety of program objectives and strategic plans based on the identification by eligible organizations of appropriate activities, consistent with section 201, to assist development of foreign countries.”;
 - (2) in subsection (e)(1), by striking “not less than \$10,000,000, and not more than \$28,000,000,” and inserting “not less than 5 percent nor more than 10 percent of the funds”; and
 - (3) by adding at the end the following:
 - “(h) **STREAMLINED PROGRAM MANAGEMENT.**—
 - “(1) **IMPROVEMENTS.**—Not later than 1 year after the date of enactment of this subsection, the Administrator shall—
 - “(A) streamline program procedures and guidelines under this title for agreements with eligible organizations for programs in 1 or more countries; and
 - “(B) effective beginning with fiscal year 2004, to the maximum extent practicable, incorporate the changes into the procedures and guidelines for programs and the guidelines for resource requests.
 - “(2) **STREAMLINED PROCEDURES AND GUIDELINES.**—In carrying out paragraph (1), the Administrator shall make improvements in the Office of Food for Peace management systems that include—
 - “(A) expedition of and greater consistency in the program review and approval process under this title;

“(B) streamlining of information collection and reporting systems by identifying the critical information that needs to be monitored and reported on by eligible organizations; and

“(C) for approved programs, provision of greater flexibility for an eligible organization to make modifications in program activities to achieve program results with streamlined procedures for reporting such modifications.

“(3) CONSULTATION.—

“(A) IN GENERAL.—Paragraphs (1) and (2) shall be carried out in accordance with section 205 and subsections (b) and (c) of section 207.

“(B) CONSULTATION WITH CONGRESSIONAL COMMITTEES.—Not later than 180 days after the date of enactment of this subsection, the Administrator shall consult with the Committee on Agriculture and the Committee on International Relations of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate on progress made in carrying out this subsection.

“(4) REPORT.—Not later than 270 days after the date of enactment of this subsection, the Administrator shall submit to the Committee on Agriculture and the Committee on International Relations of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report on the improvements made and planned upgrades in the information management, procurement, and financial management systems to administer this title.”.

SEC. 3003. GENERATION AND USE OF CURRENCIES BY PRIVATE VOLUNTARY ORGANIZATIONS AND COOPERATIVES.

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

(1) in the section heading, by striking “FOREIGN”;

(2) in subsection (a), by striking “the recipient country, or in a country” and inserting “1 or more recipient countries, or 1 or more countries”;

(3) in subsection (b)—

(A) by striking “in recipient countries, or in countries” and inserting “1 or more recipient countries, or in 1 or more countries”; and

(B) by striking “foreign currency”;

(4) in subsection (c)—

(A) by striking “foreign currency”; and

(B) by striking “the recipient country, or in a country” and inserting “1 or more recipient countries, or in 1 or more countries”; and

(5) in subsection (d)—

(A) by striking “Foreign currencies” and inserting “Proceeds”;

(B) in paragraph (2)—

(i) by striking “income generating” and inserting “income-generating”; and

(ii) by striking “the recipient country or within a country” and inserting “1 or more recipient countries or within 1 or more countries”; and

- (C) in paragraph (3)—
 (i) by inserting a comma after “invested”; and
 (ii) by inserting a comma after “used”.

SEC. 3004. LEVELS OF ASSISTANCE.

Section 204(a) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1724(a)) is amended—

- (1) by striking “1996 through 2002” each place it appears and inserting “2002 through 2007”;
 (2) in paragraph (1), by striking “2,025,000” and inserting “2,500,000”; and
 (3) in paragraph (2), by striking “1,550,000 metric tons” and inserting “1,875,000 metric tons”.

SEC. 3005. FOOD AID CONSULTATIVE GROUP.

Section 205(f) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1725(f)) is amended by striking “2002” and inserting “2007”.

SEC. 3006. MAXIMUM LEVEL OF EXPENDITURES.

Section 206 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1726) is repealed.

SEC. 3007. ADMINISTRATION.

Section 207 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1726a) is amended—

- (1) in subsection (a)—
 (A) by redesignating paragraph (2) as paragraph (3);
 and
 (B) by striking paragraph (1) and inserting the following:
 “(1) **RECIPIENT COUNTRIES.**—A proposal to enter into a non-emergency food assistance agreement under this title shall identify the recipient country or countries that are the subject of the agreement.
 “(2) **TIMING.**—Not later than 120 days after the date of receipt by the Administrator of a proposal submitted by an eligible organization under this title, the Administrator shall determine whether to accept the proposal.”;
 (2) in subsection (b), by striking “guideline” each place it appears and inserting “guideline or annual policy guidance”;
 and
 (3) by adding at the end the following:

“(e) **TIMELY APPROVAL.**—

“(1) **IN GENERAL.**—The Administrator is encouraged to finalize program agreements and resource requests for programs under this section before the beginning of each fiscal year.

“(2) **REPORT.**—Not later than December 1 of each year, the Administrator shall submit to the Committee on Agriculture and the Committee on International Relations of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that contains—

- “(A) a list of programs, countries, and commodities approved to date for assistance under this section; and

“(B) a statement of the total amount of funds approved to date for transportation and administrative costs under this section.”.

SEC. 3008. ASSISTANCE FOR STOCKPILING AND RAPID TRANSPORTATION, DELIVERY, AND DISTRIBUTION OF SHELF-STABLE PREPACKAGED FOODS.

Section 208(f) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1726b(f)) is amended by striking “and 2002” and inserting “through 2007”.

SEC. 3009. SALE PROCEDURE.

(a) *IN GENERAL.*—Section 403 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1733) is amended—

(1) in subsection (e)—

(A) by striking “In carrying” and inserting the following:

“(1) *IN GENERAL.*—In carrying”; and

(B) by adding at the end the following:

“(2) *SALE PRICE.*—Sales of agricultural commodities described in paragraph (1) shall be made at a reasonable market price in the economy where the agricultural commodity is to be sold, as determined by the Secretary or the Administrator, as appropriate.”; and

(2) by adding at the end the following:

“(l) *SALE PROCEDURE.*—

“(1) *IN GENERAL.*—Subsections (b) and (h) shall apply to sales of commodities in recipient countries to generate proceeds to carry out projects under—

“(A) titles I and II;

“(B) section 416(b) of the Agricultural Act of 1949 (7 U.S.C. 1431(b)); and

“(C) the Food for Progress Act of 1985 (7 U.S.C. 1736o).

“(2) *CURRENCY.*—A sale described in paragraph (1) may be made in United States dollars or other currencies.”.

(b) *CONFORMING AMENDMENTS.*—

(1) Section 416(b) of the Agricultural Act of 1949 (7 U.S.C. 1431(b)) is amended by adding at the end the following:

“(10) *SALE PROCEDURE.*—In approving sales of commodities under this subsection, the Secretary shall follow the sale procedure described in section 403(l) of the Agricultural Trade Development and Assistance Act of 1954.”.

(2) Subsection (f) of the Food for Progress Act of 1985 (7 U.S.C. 1736o(f)) is amended by adding at the end the following:

“(5) *SALE PROCEDURE.*—In making sales of eligible commodities under this section, the Secretary shall follow the sale procedure described in section 403(l) of the Agricultural Trade Development and Assistance Act of 1954.”.

SEC. 3010. PREPOSITIONING.

Section 407(c)(4) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1736a(c)(4)) is amended by striking “and 2002” and inserting “through 2007”.

SEC. 3011. TRANSPORTATION AND RELATED COSTS.

Section 407(c)(1) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1736a(c)(1)) is amended—

(1) by striking “The Administrator” and inserting the following:

“(A) *IN GENERAL.*—The Administrator”; and

(2) by adding at the end the following:

“(B) *CERTAIN COMMODITIES MADE AVAILABLE FOR NON-EMERGENCY ASSISTANCE.*—In the case of agricultural commodities made available for nonemergency assistance under title II for least developed countries that meet the poverty and other eligibility criteria established by the International Bank for Reconstruction and Development for financing under the International Development Association, the Administrator may pay the transportation costs incurred in moving the agricultural commodities from designated points of entry or ports of entry abroad to storage and distribution sites and associated storage and distribution costs.”.

SEC. 3012. EXPIRATION DATE.

Section 408 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1736b) is amended by striking “2002” and inserting “2007”.

SEC. 3013. MICRONUTRIENT FORTIFICATION PROGRAMS.

Section 415 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1736g–2) is amended—

(1) in the section heading, by striking “**PILOT PROGRAM.**” and inserting “**PROGRAMS.**”;

(2) in subsection (a)—

(A) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and adjusting the margins appropriately;

(B) by striking the first sentence and inserting the following:

“(1) *PROGRAMS.*—Not later than September 30, 2003, the Administrator, in consultation with the Secretary, shall establish micronutrient fortification programs.”; and

(C) in the second sentence, by striking “The purpose of the program” and inserting the following:

“(2) *PURPOSE.*—The purpose of a program”; and

(D) in paragraph (2) (as designated by subparagraph (C))—

(i) in subparagraph (A), by striking “and” at the end;

(ii) in subparagraph (B)—

(I) by striking “whole”; and

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

(iii) by adding at the end the following:

“(C) assess and apply technologies and systems to improve and ensure the quality, shelf life, bioavailability, and safety of fortified food aid commodities, and products of those commodities, that are provided to developing countries, by using the same mechanism that was used to assess the micronutrient fortification program in the report entitled ‘Micronutrient Compliance Review of Fortified P.L. 480 Commodities’, published October 2001 with funds from the

- Bureau for Humanitarian Response of the United States Agency for International Development.”;*
- (3) *in subsection (b), by striking “the pilot program” and inserting “a program under this section”;*
- (4) *in the first sentence of subsection (c)—*
- (A) *by striking “the pilot program, whole” and inserting “a program,”;*
- (B) *by striking “the pilot program may” and inserting “a program may”;*
- (C) *by striking “including” and inserting “such as”;*
- and*
- (D) *by striking “and iodine” and inserting “iodine, and folic acid”;* *and*
- (5) *in subsection (d)—*
- (A) *by striking “the pilot program” and inserting “programs”;* *and*
- (B) *by striking “2002” and inserting “2007”.*

SEC. 3014. JOHN OGONOWSKI FARMER-TO-FARMER PROGRAM.

Section 501 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1737) is amended to read as follows:

“SEC. 501. JOHN OGONOWSKI FARMER-TO-FARMER PROGRAM.

“(a) DEFINITIONS.—In this section:

“(1) CARIBBEAN BASIN COUNTRY.—The term ‘Caribbean Basin country’ means a country eligible for designation as a beneficiary country under section 212 of the Caribbean Basin Economic Recovery Act (19 U.S.C. 2702).

“(2) EMERGING MARKET.—The term ‘emerging market’ means a country that the Secretary determines—

“(A) is taking steps toward a market-oriented economy through the food, agriculture, or rural business sectors of the economy of the country; and

“(B) has the potential to provide a viable and significant market for United States agricultural commodities or products of United States agricultural commodities.

“(3) MIDDLE INCOME COUNTRY.—The term ‘middle income country’ means a country that has developed economically to the point at which the country does not receive bilateral development assistance from the United States.

“(4) SUB-SAHARAN AFRICAN COUNTRY.—The term ‘sub-Saharan African country’ has the meaning given the term in section 107 of the Trade and Development Act of 2000 (19 U.S.C. 3706).

“(b) PROVISION.—Notwithstanding any other provision of law, to further assist developing countries, middle-income countries, emerging markets, sub-Saharan African countries, and Caribbean Basin countries to increase farm production and farmer incomes, the President may—

“(1) establish and administer a program, to be known as the ‘John Ogonowski Farmer-to-Farmer Program’, of farmer-to-farmer assistance between the United States and such countries to assist in—

“(A) increasing food production and distribution; and

“(B) improving the effectiveness of the farming and marketing operations of agricultural producers in those countries;

“(2) use United States agricultural producers, agriculturalists, colleges and universities (including historically black colleges and universities, land grant colleges or universities, and foundations maintained by colleges or universities), private agribusinesses, private organizations (including grass-roots organizations with an established and demonstrated capacity to carry out such a bilateral exchange program), private corporations, and nonprofit farm organizations to work in conjunction with agricultural producers and farm organizations in those countries, on a voluntary basis—

“(A) to improve agricultural and agribusiness operations and agricultural systems in those countries, including improving—

- “(i) animal care and health;*
- “(ii) field crop cultivation;*
- “(iii) fruit and vegetable growing;*
- “(iv) livestock operations;*
- “(v) food processing and packaging;*
- “(vi) farm credit;*
- “(vii) marketing;*
- “(viii) inputs; and*
- “(ix) agricultural extension; and*

“(B) to strengthen cooperatives and other agricultural groups in those countries;

“(3) transfer the knowledge and expertise of United States agricultural producers and businesses, on an individual basis, to those countries while enhancing the democratic process by supporting private and public agriculturally related organizations that request and support technical assistance activities through cash and in-kind services;

“(4) to the maximum extent practicable, make grants to or enter into contracts or other cooperative agreements with private voluntary organizations, cooperatives, land grant universities, private agribusiness, or nonprofit farm organizations to carry out this section (except that any such contract or other agreement may obligate the United States to make outlays only to the extent that the budget authority for such outlays is available under subsection (d) or has otherwise been provided in advance in appropriation Acts);

“(5) coordinate programs established under this section with other foreign assistance programs and activities carried out by the United States; and

“(6) to the extent that local currencies can be used to meet the costs of a program established under this section, augment funds of the United States that are available for such a program through the use, within the country in which the program is being conducted, of—

“(A) foreign currencies that accrue from the sale of agricultural commodities and products under this Act; and

“(B) local currencies generated from other types of foreign assistance activities.

“(c) SPECIAL EMPHASIS ON SUB-SAHARAN AFRICAN AND CARIBBEAN BASIN COUNTRIES.—

“(1) FINDINGS.—Congress finds that—

“(A) agricultural producers in sub-Saharan African and Caribbean Basin countries need training in agricultural techniques that are appropriate for the majority of eligible agricultural producers in those countries, including training in—

“(i) standard growing practices;

“(ii) insecticide and sanitation procedures; and

“(iii) other agricultural methods that will produce increased yields of more nutritious and healthful crops;

“(B) agricultural producers in the United States (including African-American agricultural producers) and banking and insurance professionals have agribusiness expertise that would be invaluable for agricultural producers in sub-Saharan African and Caribbean Basin countries;

“(C) a commitment by the United States is appropriate to support the development of a comprehensive agricultural skills training program for those agricultural producers that focuses on—

“(i) improving knowledge of insecticide and sanitation procedures to prevent crop destruction;

“(ii) teaching modern agricultural techniques that would facilitate a continual analysis of crop production, including—

“(I) the identification and development of standard growing practices; and

“(II) the establishment of systems for record-keeping;

“(iii) the use and maintenance of agricultural equipment that is appropriate for the majority of eligible agricultural producers in sub-Saharan African or Caribbean Basin countries;

“(iv) the expansion of small agricultural operations into agribusiness enterprises by increasing access to credit for agricultural producers through—

“(I) the development and use of village banking systems; and

“(II) the use of agricultural risk insurance pilot products; and

“(v) marketing crop yields to prospective purchasers (including businesses and individuals) for local needs and export; and

“(D) programs that promote the exchange of agricultural knowledge and expertise through the exchange of American and foreign agricultural producers have been effective in promoting improved agricultural techniques and food security and the extension of additional resources to such farmer-to-farmer exchanges is warranted.

“(2) GOALS FOR PROGRAMS CARRIED OUT IN SUB-SAHARAN AFRICAN AND CARIBBEAN COUNTRIES.—The goals of programs carried out under this section in sub-Saharan African and Caribbean Basin countries shall be—

“(A) to expand small agricultural operations in those countries into agribusiness enterprises by increasing access to credit for agricultural producers through—

“(i) the development and use of village banking systems; and

“(ii) the use of agricultural risk insurance pilot products;

“(B) to provide training to agricultural producers in those countries that will—

“(i) enhance local food security; and

“(ii) help mitigate and alleviate hunger;

“(C) to provide training to agricultural producers in those countries in groups to encourage participants to share and pass on to other agricultural producers in the home communities of the participants, the information and skills obtained from the training, rather than merely retaining the information and skills for the personal enrichment of the participants; and

“(D) to maximize the number of beneficiaries of the programs in sub-Saharan African and Caribbean Basin countries.

“(d) **MINIMUM FUNDING.**—Notwithstanding any other provision of law, in addition to any funds that may be specifically appropriated to carry out this section, not less than 0.5 percent of the amounts made available for each of fiscal years 2002 through 2007 to carry out this Act shall be used to carry out programs under this section, with—

“(1) not less than 0.2 percent to be used for programs in developing countries; and

“(2) not less than 0.1 percent to be used for programs in sub-Saharan African and Caribbean Basin countries.

“(e) **AUTHORIZATION OF APPROPRIATIONS.**—

“(1) **IN GENERAL.**—There is authorized to be appropriated to carry out programs under this section in sub-Saharan African and Caribbean Basin countries \$10,000,000 for each of fiscal years 2002 through 2007.

“(2) **ADMINISTRATIVE COSTS.**—Not more than 5 percent of the funds made available for a fiscal year under paragraph (1) may be used to pay administrative costs incurred in carrying out programs in sub-Saharan African and Caribbean Basin countries.”.

Subtitle B—Agricultural Trade Act of 1978

SEC. 3101. EXPORTER ASSISTANCE INITIATIVE.

Title I of the Agricultural Trade Act of 1978 (7 U.S.C. 5601 et seq.) is amended by adding at the end the following:

“SEC. 107. EXPORTER ASSISTANCE INITIATIVE.

“To provide a comprehensive source of information to facilitate exports of United States agricultural commodities, the Secretary shall maintain on a website on the Internet information to assist exporters and potential exporters of United States agricultural commodities.”.

SEC. 3102. EXPORT CREDIT GUARANTEE PROGRAM.

(a) *TERMS OF SUPPLIER CREDIT PROGRAM.*—Section 202(a) of the Agricultural Trade Act of 1978 (7 U.S.C. 5622(a)) is amended by adding at the end the following:

“(3) *EXTENDED SUPPLIER CREDITS.*—

“(A) *IN GENERAL.*—Subject to the appropriation of funds under subparagraph (B), in carrying out this section, the Commodity Credit Corporation may issue guarantees for the repayment of credit made available for a period of more than 180 days, but not more than 360 days, by a United States exporter to a buyer in a foreign country.

“(B) *AUTHORIZATION OF APPROPRIATIONS.*—There are authorized to be appropriated such sums as are necessary to fund the additional costs attributable to the portion of any guarantee issued under this paragraph to cover the repayment of credit beyond the initial 180-day period.”

(b) *PROCESSED AND HIGH-VALUE PRODUCTS.*—Section 202(k)(1) of the Agricultural Trade Act of 1978 (7 U.S.C. 5622(k)(1)) is amended by striking “, 2001, and 2002” and inserting “through 2007”.

(c) *REPORT.*—Section 202 of the Agricultural Trade Act of 1978 (7 U.S.C. 5622) is amended by adding at the end the following:

“(l) *CONSULTATION ON AGRICULTURAL EXPORT CREDIT PROGRAMS.*—The Secretary and the United States Trade Representative shall consult on a regular basis with the Committee on Agriculture, and the Committee on International Relations, of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate on the status of multilateral negotiations regarding agricultural export credit programs.”

(d) *REAUTHORIZATION.*—Section 211(b)(1) of the Agricultural Trade Act of 1978 (7 U.S.C. 5641(b)(1)) is amended by striking “2002” and inserting “2007”.

SEC. 3103. MARKET ACCESS PROGRAM.

Section 211(c) of the Agricultural Trade Act of 1978 (7 U.S.C. 5641(c)) is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and indenting appropriately;

(2) by striking “The Commodity” and inserting the following:

“(1) *IN GENERAL.*—The Commodity”;

(3) by striking subparagraph (A) (as so redesignated) and inserting the following:

“(A) in addition to any funds that may be specifically appropriated to implement a market access program, not more than \$90,000,000 for fiscal year 2001, \$100,000,000 for fiscal year 2002, \$110,000,000 for fiscal year 2003, \$125,000,000 for fiscal year 2004, \$140,000,000 for fiscal year 2005, and \$200,000,000 for each of fiscal years 2006 and 2007, of the funds of, or an equal value of commodities owned by, the Commodity Credit Corporation; and”;

(4) by adding at the end the following:

“(2) *PROGRAM PRIORITIES.*—In providing any amount of funds made available under paragraph (1)(A) for any fiscal year that is in excess of the amount made available under para-

graph (1)(A) for fiscal year 2001, the Secretary shall, to the maximum extent practicable—

“(A) give equal consideration to—

“(i) proposals submitted by organizations that were participating organizations in prior fiscal years; and

“(ii) proposals submitted by eligible trade organizations that have not previously participated in the program established under this title; and

“(B) give equal consideration to—

“(i) proposals submitted for activities in emerging markets; and

“(ii) proposals submitted for activities in markets other than emerging markets.”.

SEC. 3104. EXPORT ENHANCEMENT PROGRAM.

(a) IN GENERAL.—Section 301(e)(1)(G) of the Agricultural Trade Act of 1978 (7 U.S.C. 5651(e)(1)(G)) is amended by striking “fiscal year 2002” and inserting “each of fiscal years 2002 through 2007”.

(b) UNFAIR TRADE PRACTICES.—Section 102(5)(A) of the Agricultural Trade Act of 1978 (7 U.S.C. 5602(5)(A)) is amended—

(1) in clause (i), by striking “or” at the end; and

(2) by striking clause (ii) and inserting the following:

“(ii) in the case of a monopolistic state trading enterprise engaged in the export sale of an agricultural commodity, implements a pricing practice that is inconsistent with sound commercial practice;

“(iii) provides a subsidy that—

“(I) decreases market opportunities for United States exports; or

“(II) unfairly distorts an agricultural market to the detriment of United States exporters;

“(iv) imposes an unfair technical barrier to trade, including—

“(I) a trade restriction or commercial requirement (such as a labeling requirement) that adversely affects a new technology (including biotechnology); and

“(II) an unjustified sanitary or phytosanitary restriction (including any restriction that, in violation of the Uruguay Round Agreements, is not based on scientific principles;

“(v) imposes a rule that unfairly restricts imports of United States agricultural commodities in the administration of tariff rate quotas; or

“(vi) fails to adhere to, or circumvents any obligation under, any provision of a trade agreement with the United States.”.

SEC. 3105. FOREIGN MARKET DEVELOPMENT COOPERATOR PROGRAM.

(a) VALUE-ADDED PRODUCTS.—

(1) IN GENERAL.—Section 702(a) of the Agricultural Trade Act of 1978 (7 U.S.C. 5722(a)) is amended by inserting “, with a continued significant emphasis on the importance of the export of value-added United States agricultural products into emerging markets” after “products”.

(2) *REPORT TO CONGRESS.*—Section 702 of the Agricultural Trade Act of 1978 (7 U.S.C. 5722) is amended by adding at the end the following:

“(c) *REPORT TO CONGRESS.*—The Secretary shall annually submit to the Committee on Agriculture and the Committee on International Relations of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report on activities under this section describing the amount of funding provided, the types of programs funded, the value-added products that have been targeted, and the foreign markets for those products that have been developed.”.

(b) *FUNDING.*—Section 703 of the Agricultural Trade Act of 1978 (7 U.S.C. 5723) is amended to read as follows:

“SEC. 703. FUNDING.

“(a) *IN GENERAL.*—To carry out this title, the Secretary shall use funds of the Commodity Credit Corporation, or commodities of the Commodity Credit Corporation of a comparable value, in the amount of \$34,500,000 for each of fiscal years 2002 through 2007.

“(b) *PROGRAM PRIORITIES.*—In providing any amount of funds or commodities made available under subsection (a) for any fiscal year that is in excess of the amount made available under this section for fiscal year 2001, the Secretary shall, to the maximum extent practicable—

“(1) give equal consideration to—

“(A) proposals submitted by organizations that were participating organizations in prior fiscal years; and

“(B) proposals submitted by eligible trade organizations that have not previously participated in the program established under this title; and

“(2) give equal consideration to—

“(A) proposals submitted for activities in emerging markets; and

“(B) proposals submitted for activities in markets other than emerging markets.”.

SEC. 3106. FOOD FOR PROGRESS.

(a) *IN GENERAL.*—Subsections (f)(3), (k), and (l)(1) of the Food for Progress Act of 1985 (7 U.S.C. 1736o) are each amended by striking “2002” and inserting “2007”.

(b) *DEFINITIONS; PROGRAM.*—

(1) *IN GENERAL.*—The Food for Progress Act of 1985 (7 U.S.C. 1736o) is amended by striking subsections (b) and (c) and inserting the following:

“(b) *DEFINITIONS.*—In this section:

“(1) *COOPERATIVE.*—The term ‘cooperative’ has the meaning given the term in section 402 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1732).

“(2) *CORPORATION.*—The term ‘Corporation’ means the Commodity Credit Corporation.

“(3) *DEVELOPING COUNTRY.*—The term ‘developing country’ has the meaning given the term in section 402 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1732).

“(4) *ELIGIBLE COMMODITY.*—The term ‘eligible commodity’ means an agricultural commodity, or a product of an agricultural commodity, in inventories of the Corporation or acquired by the President or the Corporation for disposition through commercial purchases under a program authorized under this section.

“(5) *ELIGIBLE ENTITY.*—The term ‘eligible entity’ means—

“(A) the government of an emerging agricultural country;

“(B) an intergovernmental organization;

“(C) a private voluntary organization;

“(D) a nonprofit agricultural organization or cooperative;

“(E) a nongovernmental organization; and

“(F) any other private entity.

“(6) *FOOD SECURITY.*—The term ‘food security’ means access by all people at all times to sufficient food and nutrition for a healthy and productive life.

“(7) *NONGOVERNMENTAL ORGANIZATION.*—The term ‘nongovernmental organization’ has the meaning given the term in section 402 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1732).

“(8) *PRIVATE VOLUNTARY ORGANIZATION.*—The term ‘private voluntary organization’ has the meaning given the term in section 402 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1732).

“(9) *PROGRAM.*—The term ‘program’ means a food assistance or development initiative proposed by an eligible entity and approved by the President under this section.

“(c) *PROGRAM.*—In order to use the food resources of the United States more effectively in support of developing countries, and countries that are emerging democracies that have made commitments to introduce or expand free enterprise elements in their agricultural economies through changes in commodity pricing, marketing, input availability, distribution, and private sector involvement, the President may enter into agreements with eligible entities to furnish to the countries eligible commodities made available under subsections (e) and (f).”

(2) *CONFORMING AMENDMENTS.*—The Food for Progress Act of 1985 (7 U.S.C. 136o) is amended—

(A) in the first sentence of subsection (d), by striking “food”;

(B) in subsection (l)(2), by striking “agricultural”;

(C) in subsection (m)(1), by striking “these”;

(D) in subsections (d), (e), (f), (h), (j), (l), and (m), by striking “commodities” each place it appears and inserting “eligible commodities”; and

(E) in subsections (e), (f), and (l), by striking “Commodity Credit Corporation” each place it appears and inserting “Corporation”; and

(F) by striking subsection (o).

(c) *CONSIDERATION FOR AGREEMENTS.*—Subsection (d) of the Food for Progress Act of 1985 (7 U.S.C. 1736o(d)) is amended by

striking “(d) In determining” and inserting “(d) CONSIDERATION FOR AGREEMENTS.—In determining”.

(d) *FUNDING OF ELIGIBLE COMMODITIES.*—Subsection (e) of the Food for Progress Act of 1985 (7 U.S.C. 1736o(e)) is amended—

(1) by striking “(e)” and inserting “(e) *FUNDING OF ELIGIBLE COMMODITIES.*—”;

(2) in paragraph (2), by inserting “, and subsection (g) does not apply to eligible commodities furnished on a grant basis or on credit terms under that title” before the period at the end; and

(3) by adding at the end the following:

“(5) *NO EFFECT ON DOMESTIC PROGRAMS.*—The President shall not make an eligible commodity available for disposition under this section in any amount that will reduce the amount of the eligible commodity that is traditionally made available through donations to domestic feeding programs or agencies, as determined by the President.

(e) *PROVISION OF ELIGIBLE COMMODITIES TO DEVELOPING COUNTRIES.*—Subsection (f) of the Food for Progress Act of 1985 (7 U.S.C. 1736o(f)) is amended—

(1) by striking “(f)” and inserting “(f) *PROVISION OF ELIGIBLE COMMODITIES TO DEVELOPING COUNTRIES.*—”; and

(2) in paragraph (3), by striking “\$30,000,000 (or in the case of fiscal year 1999, \$35,000,000)” and inserting “\$40,000,000”.

(f) *MINIMUM TONNAGE.*—The Food for Progress Act of 1985 is amended by striking subsection (g) (7 U.S.C. 1736o(g)) and inserting the following:

“(g) *MINIMUM TONNAGE.*—Subject to subsection (f)(3), not less than 400,000 metric tons of eligible commodities may be provided under this section for the program for each of fiscal years 2002 through 2007.”.

(g) *PROHIBITION ON RESALE OR TRANSSHIPMENT OF ELIGIBLE COMMODITIES.*—Subsection (h) of the Food for Progress Act of 1985 (7 U.S.C. 1736o(h)) is amended by striking “(h) An agreement” and inserting “(h) *PROHIBITION ON RESALE OR TRANSSHIPMENT OF ELIGIBLE COMMODITIES.*—An agreement”.

(h) *DISPLACEMENT OF UNITED STATES COMMERCIAL SALES.*—Subsection (i) of the Food for Progress Act of 1985 (7 U.S.C. 1736o(i)) is amended by striking “(i) In entering” and inserting “(i) *DISPLACEMENT OF UNITED STATES COMMERCIAL SALES.*—In entering”.

(i) *MULTICOUNTRY OR MULTIYEAR BASIS.*—Subsection (j) of the Food for Progress Act of 1985 (7 U.S.C. 1736o(j)) is amended—

(1) by striking “(j) In carrying out this section, the President may,” and inserting the following: “(j) *MULTICOUNTRY OR MULTIYEAR BASIS.*—

“(1) *IN GENERAL.*—In carrying out this section, the President,”;

(2) by striking “approve” and inserting “is encouraged to approve”;

(3) by striking “multiyear” and inserting “multicountry or multiyear”; and

(4) by adding at the end the following:

“(2) *DEADLINE FOR PROGRAM ANNOUNCEMENTS.*—Before the beginning of any fiscal year, the President shall, to the maximum extent practicable—

“(A) make all determinations concerning program agreements and resource requests for programs under this section; and

“(B) announce those determinations.

“(3) *REPORT.*—Not later than December 1 of each fiscal year, the President shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a list of programs, countries, and eligible commodities, and the total amount of funds for transportation and administrative costs, approved to date for the fiscal year under this section.”.

(j) *EFFECTIVE AND TERMINATION DATES.*—Subsection (k) of the Food for Progress Act of 1985 (7 U.S.C. 1736o(k)) is amended by striking “(k) This section” and inserting “(k) *EFFECTIVE AND TERMINATION DATES.*—This section”.

(k) *ADMINISTRATIVE EXPENSES.*—Subsection (l) of the Food for Progress Act of 1985 (7 U.S.C. 1736o(l)) is amended—

(1) by striking “(l)” and inserting “(l) *ADMINISTRATIVE EXPENSES.*—”;

(2) in paragraph (1), by striking “\$10,000,000” and inserting “\$15,000,000”;

(3) in paragraph (3), by striking “local currencies” and inserting “proceeds”; and

(4) by adding at the end the following:

“(4) *HUMANITARIAN OR DEVELOPMENT PURPOSES.*—The Secretary may authorize the use of proceeds to pay the costs incurred by an eligible entity under this section for—

“(A)(i) programs targeted at hunger and malnutrition;

or

“(ii) development programs involving food security;

“(B) transportation, storage, and distribution of eligible commodities provided under this section; and

“(C) administration, sales, monitoring, and technical assistance.”.

(l) *PRESIDENTIAL APPROVAL.*—Subsection (m) of the Food for Progress Act of 1985 (7 U.S.C. 1736o(m)) is amended by striking “(m) In carrying” and inserting “(m) *PRESIDENTIAL APPROVAL.*—In carrying”.

(m) *PROGRAM MANAGEMENT.*—The Food for Progress Act of 1985 is amended by striking subsection (n) (7 U.S.C. 1736o(n)) and inserting the following:

“(n) *PROGRAM MANAGEMENT.*—

“(1) *IN GENERAL.*—The President shall ensure, to the maximum extent practicable, that each eligible entity participating in 1 or more programs under this section—

“(A) uses eligible commodities made available under this section—

“(i) in an effective manner;

“(ii) in the areas of greatest need; and

“(iii) in a manner that promotes the purposes of this section;

“(B) in using eligible commodities, assesses and takes into account the needs of recipient countries and the target populations of the recipient countries;

“(C) works with recipient countries, and indigenous institutions or groups in recipient countries, to design and carry out mutually acceptable programs authorized under this section; and

“(D) monitors and reports on the distribution or sale of eligible commodities provided under this section using methods that, as determined by the President, facilitate accurate and timely reporting.

“(2) REQUIREMENTS.—

“(A) IN GENERAL.—Not later than 270 days after the date of enactment of this paragraph, the President shall review and, as necessary, make changes in regulations and internal procedures designed to streamline, improve, and clarify the application, approval, and implementation processes pertaining to agreements under this section.

“(B) CONSIDERATIONS.—In conducting the review, the President shall consider—

“(i) revising procedures for submitting proposals;

“(ii) developing criteria for program approval that separately address the objectives of the program;

“(iii) pre-screening organizations and proposals to ensure that the minimum qualifications are met;

“(iv) implementing e-government initiatives and otherwise improving the efficiency of the proposal submission and approval processes;

“(v) upgrading information management systems;

“(vi) improving commodity and transportation procurement processes; and

“(vii) ensuring that evaluation and monitoring methods are sufficient.

“(C) CONSULTATIONS.—Not later than 1 year after the date of enactment of this paragraph, the President shall consult with the Committee on Agriculture, and the Committee on International Relations, of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate on changes made in regulations and procedures.

“(3) REPORTS.—Each eligible entity that enters into an agreement under this section shall submit to the President, at such time as the President may request, a report containing such information as the President may request relating to the use of eligible commodities and funds furnished to the eligible entity under this section.”.

SEC. 3107. MCGOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION AND CHILD NUTRITION PROGRAM.

(a) DEFINITION OF AGRICULTURAL COMMODITY.—In this section, the term “agricultural commodity” means an agricultural commodity, or a product of an agricultural commodity, that is produced in the United States.

(b) PROGRAM.—Subject to subsection (l), the President may establish a program, to be known as “McGovern-Dole International

Food for Education and Child Nutrition Program”, requiring the procurement of agricultural commodities and the provision of financial and technical assistance to carry out—

(1) preschool and school food for education programs in foreign countries to improve food security, reduce the incidence of hunger, and improve literacy and primary education, particularly with respect to girls; and

(2) maternal, infant, and child nutrition programs for pregnant women, nursing mothers, infants, and children who are 5 years of age or younger.

(c) *ELIGIBLE COMMODITIES AND COST ITEMS*.—Notwithstanding any other provision of law—

(1) any agricultural commodity is eligible to be provided under this section;

(2) as necessary to achieve the purposes of this section, funds appropriated under this section may be used to pay—

(A)(i) the cost of acquiring agricultural commodities;

(ii) the costs associated with packaging, enrichment, preservation, and fortification of agricultural commodities;

(iii) the processing, transportation, handling, and other incidental costs up to the time of the delivery of agricultural commodities free on board vessels in United States ports;

(iv) the vessel freight charges from United States ports or designated Canadian transshipment ports, as determined by the Secretary, to designated ports of entry abroad;

(v) the costs associated with transporting agricultural commodities from United States ports to designated points of entry abroad in the case—

(I) of landlocked countries;

(II) of ports that cannot be used effectively because of natural or other disturbances;

(III) of the unavailability of carriers to a specific country; or

(IV) of substantial savings in costs or time that may be effected by the utilization of points of entry other than ports; and

(vi) the charges for general average contributions arising out of the ocean transport of agricultural commodities transferred pursuant thereto;

(B) all or any part of the internal transportation, storage, and handling costs incurred in moving the eligible commodity, if the President determines that—

(i) payment of the costs is appropriate; and

(ii) the recipient country is a low income, net food-importing country that—

(I) meets the poverty criteria established by the International Bank for Reconstruction and Development for Civil Works Preference; and

(II) has a national government that is committed to or is working toward, through a national action plan, the goals of the World Declaration on Education for All convened in 1990 in Jomtien, Thailand, and the followup Dakar Framework for

Action of the World Education Forum, convened in 2000;

(C) the costs of activities conducted in the recipient countries by a nonprofit voluntary organization, cooperative, or intergovernmental agency or organization that would enhance the effectiveness of the activities implemented by such entities under this section; and

(D) the costs of meeting the allowable administrative expenses of private voluntary organizations, cooperatives, or intergovernmental organizations that are implementing activities under this section.

(d) GENERAL AUTHORITIES.—The President shall designate 1 or more Federal agencies to—

(1) implement the program established under this section;

(2) ensure that the program established under this section is consistent with the foreign policy and development assistance objectives of the United States; and

(3) consider, in determining whether a country should receive assistance under this section, whether the government of the country is taking concrete steps to improve the preschool and school systems in the country.

(e) ELIGIBLE ENTITIES.—Assistance may be provided under this section to private voluntary organizations, cooperatives, intergovernmental organizations, governments of developing countries and their agencies, and other organizations.

(f) PROCEDURES.—

(1) IN GENERAL.—In carrying out subsection (b), the President shall ensure that procedures are established that—

(A) provide for the submission of proposals by eligible entities, each of which may include 1 or more recipient countries, for commodities and other assistance under this section;

(B) provide for eligible commodities and assistance on a multiyear basis;

(C) ensure that eligible entities demonstrate the organizational capacity and the ability to develop, implement, monitor, report on, and provide accountability for activities conducted under this section;

(D) provide for the expedited development, review, and approval of proposals submitted in accordance with this section;

(E) ensure monitoring and reporting by eligible entities on the use of commodities and other assistance provided under this section; and

(F) allow for the sale or barter of commodities by eligible entities to acquire funds to implement activities that improve the food security of women and children or otherwise enhance the effectiveness of programs and activities authorized under this section.

(2) PRIORITIES FOR PROGRAM FUNDING.—In carrying out paragraph (1) with respect to criteria for determining the use of commodities and other assistance provided for programs and activities authorized under this section, the implementing agency may consider the ability of eligible entities to—

(A) identify and assess the needs of beneficiaries, especially malnourished or undernourished mothers and their children who are 5 years of age or younger, and school-age children who are malnourished, undernourished, or do not regularly attend school;

(B)(i) in the case of preschool and school-age children, target low-income areas where children's enrollment and attendance in school is low or girls' enrollment and participation in preschool or school is low, and incorporate developmental objectives for improving literacy and primary education, particularly with respect to girls; and

(ii) in the case of programs to benefit mothers and children who are 5 years of age or younger, coordinate supplementary feeding and nutrition programs with existing or newly-established maternal, infant, and children programs that provide health-needs interventions, including maternal, prenatal, and postnatal and newborn care;

(C) involve indigenous institutions as well as local communities and governments in the development and implementation of the programs and activities to foster local capacity building and leadership; and

(D) carry out multiyear programs that foster local self-sufficiency and ensure the longevity of programs in the recipient country .

(g) *USE OF FOOD AND NUTRITION SERVICE.*—The Food and Nutrition Service of the Department of Agriculture may provide technical advice on the establishment of programs under subsection (b)(1) and on implementation of the programs in the field in recipient countries.

(h) *MULTILATERAL INVOLVEMENT.*—

(1) *IN GENERAL.*—The President is urged to engage existing international food aid coordinating mechanisms to ensure multilateral commitments to, and participation in, programs similar to programs supported under this section.

(2) *REPORTS.*—The President shall annually submit to the Committee on International Relations and the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report on the commitments and activities of governments, including the United States government, in the global effort to reduce child hunger and increase school attendance.

(i) *PRIVATE SECTOR INVOLVEMENT.*—The President is urged to encourage the support and active involvement of the private sector, foundations, and other individuals and organizations in programs assisted under this section.

(j) *GRADUATION.*—An agreement with an eligible organization under this section shall include provisions—

(1) to—

(A) sustain the benefits to the education, enrollment, and attendance of children in schools in the targeted communities when the provision of commodities and assistance to a recipient country under a program under this section terminates; and

(B) estimate the period of time required until the recipient country or eligible organization is able to provide sufficient assistance without additional assistance under this section; or

(2) to provide other long-term benefits to targeted populations of the recipient country.

(k) **REQUIREMENT TO SAFEGUARD LOCAL PRODUCTION AND USUAL MARKETING.**—The requirement of section 403(a) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1733(a)) applies with respect to the availability of commodities under this section.

(l) **FUNDING.**—

(1) **IN GENERAL.**—Of the funds of the Commodity Credit Corporation, the President shall use \$100,000,000 for fiscal year 2003 to carry out this section.

(2) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated such sums as are necessary to carry out this section for each of fiscal years 2004 through 2007.

(3) **ADMINISTRATIVE EXPENSES.**—Funds made available to carry out this section may be used to pay the administrative expenses of any Federal agency implementing or assisting in the implementation of this section.

Subtitle C—Miscellaneous

SEC. 3201. SURPLUS COMMODITIES FOR DEVELOPING OR FRIENDLY COUNTRIES.

(a) **USE OF CURRENCIES.**—Section 416(b)(7)(D) of the Agricultural Act of 1949 (7 U.S.C. 1431(b)(7)(D)) is amended—

(1) in clauses (i) and (iii), by striking “foreign currency” each place it appears;

(2) in clause (ii)—

(A) by striking “Foreign currencies” and inserting “Proceeds”; and

(B) by striking “foreign currency”; and

(3) in clause (iv)—

(A) by striking “Foreign currency proceeds” and inserting “Proceeds”;

(B) by striking “country of origin” the second place it appears and all that follows through “as necessary to expedite” and inserting “country of origin as necessary to expedite”;

(C) by striking “; or” and inserting a period; and

(D) by striking subclause (II).

(b) **IMPLEMENTATION OF AGREEMENTS.**—Section 416(b) of the Agricultural Act of 1949 (7 U.S.C. 1431(b)) (as amended by section 3009(b)) is amended—

(1) in paragraph (8), by striking “(8)(A)” and all that follows through “(B) The Secretary” and inserting the following:

“(8) **ADMINISTRATIVE PROVISIONS.**—

“(A) **EXPEDITED PROCEDURES.**—To the maximum extent practicable, expedited procedures shall be used in the implementation of this subsection.

“(B) *ESTIMATE OF COMMODITIES.*—The Secretary shall publish in the Federal Register, not later than October 31 of each fiscal year, an estimate of the types and quantities of commodities and products that will be available under this section for the fiscal year.

“(C) *FINALIZATION OF AGREEMENTS.*—The Secretary is encouraged to finalize program agreements under this section not later than December 31 of each fiscal year.

“(D) *REGULATIONS.*—The Secretary”; and
(2) by adding at the end the following:

“(11) *REQUIREMENTS.*—

“(A) *IN GENERAL.*—Not later than 270 days after the date of enactment of this subparagraph, the Secretary shall review and, as necessary, make changes in regulations and internal procedures designed to streamline, improve, and clarify the application, approval, and implementation processes pertaining to agreements under this section.

“(B) *CONSIDERATIONS.*—In conducting the review, the Secretary shall consider—

“(i) revising procedures for submitting proposals;

“(ii) developing criteria for program approval that separately address the objectives of the program;

“(iii) pre-screening organizations and proposals to ensure that the minimum qualifications are met;

“(iv) implementing e-government initiatives and otherwise improving the efficiency of the proposal submission and approval processes;

“(v) upgrading information management systems;

“(vi) improving commodity and transportation procurement processes; and

“(vii) ensuring that evaluation and monitoring methods are sufficient.

“(C) *CONSULTATIONS.*—Not later than 1 year after the date of enactment of this subparagraph, the Secretary shall consult with the Committee on Agriculture, and the Committee on International Relations, of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate on changes made in regulations and procedures under this paragraph.”.

SEC. 3202. BILL EMERSON HUMANITARIAN TRUST.

Section 302 of the Bill Emerson Humanitarian Trust Act (7 U.S.C. 1736f–1) is amended by striking “2002” each place it appears in subsection (b)(2)(B)(i) and paragraphs (1) and (2) of subsection (h) and inserting “2007”.

SEC. 3203. EMERGING MARKETS.

Section 1542 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5622 note) is amended in subsections (a) and (d)(1)(A)(i) by striking “2002” and inserting “2007”.

SEC. 3204. BIOTECHNOLOGY AND AGRICULTURAL TRADE PROGRAM.

The Food, Agriculture, Conservation, and Trade Act of 1990 is amended by inserting after section 1543 (7 U.S.C. 3293) the following:

“SEC. 1543A. BIOTECHNOLOGY AND AGRICULTURAL TRADE PROGRAM.

“(a) ESTABLISHMENT.—There is established in the Department the biotechnology and agricultural trade program.

“(b) PURPOSE.—The purpose of the program shall be to remove, resolve, or mitigate significant regulatory nontariff barriers to the export of United States agricultural commodities (as defined in section 102 of the Agricultural Trade Act of 1978 (7 U.S.C. 5602)) into foreign markets through public and private sector projects funded by grants that address—

“(1) quick response intervention regarding nontariff barriers to United States exports involving—

“(A) United States agricultural commodities produced through biotechnology;

“(B) food safety;

“(C) disease; or

“(D) other sanitary or phytosanitary concerns; or

“(2) developing protocols as part of bilateral negotiations with other countries on issues such as animal health, grain quality, and genetically modified commodities.

“(c) ELIGIBLE PROGRAMS.—Depending on need, as determined by the Secretary, activities authorized under this section may be carried out through—

“(1) this section;

“(2) the emerging markets program under section 1542; or

“(3) the Cochran Fellowship Program under section 1543.

“(d) FUNDING.—There is authorized to be appropriated \$6,000,000 for each of fiscal years 2002 through 2007.”.

SEC. 3205. TECHNICAL ASSISTANCE FOR SPECIALTY CROPS.

(a) ESTABLISHMENT.—The Secretary of Agriculture shall establish an export assistance program (referred to in this section as the “program”) to address unique barriers that prohibit or threaten the export of United States specialty crops.

(b) PURPOSE.—The program shall provide direct assistance through public and private sector projects and technical assistance to remove, resolve, or mitigate sanitary and phytosanitary and related barriers to trade.

(c) PRIORITY.—The program shall address time sensitive and strategic market access projects based on—

(1) trade effect on market retention, market access, and market expansion; and

(2) trade impact.

(d) FUNDING.—For each of fiscal years 2002 through 2007, the Secretary shall make available \$2,000,000 of the funds of, or an equal value of commodities owned by, the Commodity Credit Corporation.

SEC. 3206. GLOBAL MARKET STRATEGY.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, and biennially thereafter, the Secretary of Agriculture shall consult with the Committee on Agriculture, and the Committee on International Relations, of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate on the formulation and implementation of a global mar-

ket strategy for the Department of Agriculture that, to the maximum extent practicable—

(1) identifies opportunities for the growth of agricultural exports to overseas markets;

(2) ensures that the resources, programs, and policies of the Department are coordinated with those of other agencies; and

(3) remove barriers to agricultural trade in overseas markets.

(b) **REVIEW.**—The consultations under subsection (a) shall include a review of—

(1) the strategic goals of the Department; and

(2) the progress of the Department in implementing the strategic goals through the global market strategy.

SEC. 3207. REPORT ON USE OF PERISHABLE COMMODITIES AND LIVE ANIMALS.

Not later than 120 days after the date of enactment of this Act, the Secretary of Agriculture shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report on international food aid programs of the United States that evaluates—

(1) the implications of storage and transportation capacity and funding for the use of perishable agricultural commodities and semiperishable agricultural commodities; and

(2) the feasibility of the transport of lambs and other live animals under the program.

SEC. 3208. STUDY ON FEE FOR SERVICES.

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Secretary of Agriculture shall submit to the Committee on Agriculture, and the Committee on International Relations, of the House of Representatives and the Committee on Agriculture, Nutrition and Forestry of the Senate a report on the feasibility of instituting a program under which the Secretary would charge and retain a fee to cover the costs incurred by the Department of Agriculture, acting through the Foreign Agricultural Service or any successor agency, in providing persons with commercial services provided outside the United States.

(b) **PURPOSE OF PROGRAM.**—The purpose of a program described in subsection (a) would be to supplement and not replace any services currently offered overseas by the Foreign Agricultural Service.

(c) **MARKET DEVELOPMENT STRATEGY.**—A program under subsection (b) would be part of an overall market development strategy for a particular country or region.

(d) **PILOT PROGRAM.**—A program under subsection (a) would be established on a pilot basis to ensure that the program does not disadvantage small- and medium-sized companies, including companies that have never engaged in exporting.

SEC. 3209. SENSE OF CONGRESS CONCERNING FOREIGN ASSISTANCE PROGRAMS.

(a) **FINDINGS.**—Congress finds that—

(1) the international community faces a continuing epidemic of ethnic, sectarian, and criminal violence;

(2) *poverty, hunger, political uncertainty, and social instability are the principal causes of violence and conflict around the world;*

(3) *broad-based, equitable economic growth and agriculture development facilitates political stability, food security, democracy, and the rule of law;*

(4) *democratic governments are more likely to advocate and observe international laws, protect civil and human rights, pursue free market economies, and avoid external conflicts;*

(5) *the United States Agency for International Development has provided critical democracy and governance assistance to a majority of the nations that successfully made the transition to democratic governments during the past 2 decades;*

(6) *43 of the top 50 consumer nations of American agricultural products were once United States foreign aid recipients;*

(7) *in the past 50 years, infant child death rates in the developing world have been reduced by 50 percent, and health conditions around the world have improved more during this period than in any other period;*

(8) *the United States Agency for International Development child survival programs have significantly contributed to a 10 percent reduction in infant mortality rates worldwide in just the past 8 years;*

(9) *in providing assistance by the United States and other donors in better seeds and teaching more efficient agricultural techniques over the past 2 decades have helped make it possible to feed an additional 1,000,000,000 people in the world;*

(10) *despite this progress, approximately 1,200,000,000 people, one-quarter of the world's population, live on less than \$1 per day, and approximately 3,000,000,000 people live on only \$2 per day;*

(11) *95 percent of new births occur in developing countries, including the world's poorest countries; and*

(12) *only 1/2 percent of the Federal budget is dedicated to international economic and humanitarian assistance.*

(b) *SENSE OF CONGRESS.—It is the sense of Congress that—*

(1) *United States foreign assistance programs should play an increased role in the global fight against terrorism to complement the national security objectives of the United States;*

(2) *the United States should lead coordinated international efforts to provide increased financial assistance to countries with impoverished and disadvantaged populations that are the breeding grounds for terrorism; and*

(3) *the United States Agency for International Development and the Department of Agriculture should substantially increase humanitarian, economic development, and agricultural assistance to foster international peace and stability and the promotion of human rights.*

SEC. 3210. SENSE OF THE SENATE CONCERNING AGRICULTURAL TRADE.

(a) *AGRICULTURE TRADE NEGOTIATING OBJECTIVES.—It is the sense of the Senate that the principal negotiating objective of the United States with respect to agricultural trade in all multilateral, regional, and bilateral negotiations is to obtain competitive opportu-*

nities for the export of United States agricultural commodities in foreign markets substantially equivalent to the competitive opportunities afforded foreign exports in United States markets and to achieve fairer and more open conditions of agricultural trade in bulk and value-added commodities by—

(1) reducing or eliminating, by a date certain, tariffs or other charges that decrease market opportunities for the export of United States agricultural commodities, giving priority to United States agricultural commodities that are subject to significantly higher tariffs or subsidy regimes of major producing countries;

(2) immediately eliminating all export subsidies on agricultural commodities worldwide while maintaining bona fide food aid and preserving United States agricultural market development and export credit programs that allow the United States to compete with other foreign export promotion efforts;

(3) leveling the playing field for United States agricultural producers by disciplining domestic supports such that no other country can provide greater support, measured as a percentage of total agricultural production value, than the United States does while preserving existing green box category to support conservation activities, family farms, and rural communities;

(4) developing, strengthening, and clarifying rules and effective dispute settlement mechanisms to eliminate practices that unfairly decrease United States market access opportunities for United States agricultural commodities or distort agricultural markets to the detriment of the United States, including—

(A) unfair or trade-distorting activities of state trading enterprises and other administrative mechanisms, with emphasis on—

(i) requiring price transparency in the operation of state trading enterprises and such other mechanisms; and

(ii) ending discriminatory pricing practices for agricultural commodities that amount to de facto export subsidies so that the enterprises or other mechanisms do not (except in cases of bona fide food aid) sell agricultural commodities in foreign markets at prices below domestic market prices or prices below the full costs of acquiring and delivering agricultural commodities to the foreign markets;

(B) unjustified trade restrictions or commercial requirements affecting new agricultural technologies, including biotechnology;

(C) unjustified sanitary or phytosanitary restrictions, including restrictions that are not based on scientific principles, in contravention of the Agreement on the Application of Sanitary and Phytosanitary Measures (as described in section 101(d)(3) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(3)));

(D) other unjustified technical barriers to agricultural trade; and

- (E) restrictive and nontransparent rules in the administration of tariff rate quotas;
- (5) improving import relief mechanisms to recognize the unique characteristics of perishable agricultural commodities;
- (6) taking into account whether a party to negotiations with respect to trading in an agricultural commodity has—
- (A) failed to adhere to the provisions of an existing bilateral trade agreement with the United States;
- (B) circumvented obligations under a multilateral trade agreement to which the United States is a signatory; or
- (C) manipulated its currency value to the detriment of United States agricultural producers or exporters; and
- (7) otherwise ensuring that countries that accede to the World Trade Organization—
- (A) have made meaningful market liberalization commitments in agriculture; and
- (B) make progress in fulfilling those commitments over time.
- (b) *PRIORITY FOR AGRICULTURE TRADE.*—It is the sense of the Senate that—
- (1) reaching a successful agreement on agriculture should be the top priority of United States negotiators in World Trade Organization talks; and
- (2) if the primary export competitors of the United States fail to reduce their trade distorting domestic supports and eliminate export subsidies in accordance with the negotiating objectives expressed in this section, the United States should take steps to increase the leverage of United States negotiators and level the playing field for United States producers, within existing World Trade Organization commitments.
- (c) *CONSULTATION WITH CONGRESSIONAL COMMITTEES.*—It is the sense of the Senate that—
- (1) before the United States Trade Representative negotiates a trade agreement that would reduce tariffs on agricultural commodities or require a change in United States agricultural law, the United States Trade Representative should consult with the Committee on Agriculture and the Committee on Ways and Means of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry and the Committee on Finance of the Senate;
- (2) not less than 48 hours before initialing an agreement relating to agricultural trade negotiated under the auspices of the World Trade Organization, the United States Trade Representative should consult closely with the committees referred to in paragraph (1) regarding—
- (A) the details of the agreement;
- (B) the potential impact of the agreement on United States agricultural producers; and
- (C) any changes in United States law necessary to implement the agreement; and
- (3) any agreement or other understanding (whether verbal or in writing) that relates to agricultural trade that is not disclosed to Congress before legislation implementing a trade

agreement is introduced in either the Senate or the House of Representatives should not be considered to be part of the agreement approved by Congress and should have no force and effect under United States law or in any dispute settlement body.

TITLE IV—NUTRITION PROGRAMS

SEC. 4001. SHORT TITLE.

This title may be cited as the “Food Stamp Reauthorization Act of 2002”.

Subtitle A—Food Stamp Program

SEC. 4101. ENCOURAGEMENT OF PAYMENT OF CHILD SUPPORT.

(a) *EXCLUSION.—Section 5(d)(6) of the Food Stamp Act of 1977 (7 U.S.C. 2014(d)(6)) is amended by adding at the end the following: “and child support payments made by a household member to or for an individual who is not a member of the household if the household member is legally obligated to make the payments,”.*

(b) *SIMPLIFIED PROCEDURE.—Section 5 of the Food Stamp Act of 1977 (7 U.S.C. 2014) is amended—*

(1) in subsection (e), by striking paragraph (4) and inserting the following:

“(4) DEDUCTION FOR CHILD SUPPORT PAYMENTS.—

“(A) IN GENERAL.—In lieu of providing an exclusion for legally obligated child support payments made by a household member under subsection (d)(6), a State agency may elect to provide a deduction for the amount of the payments.

“(B) ORDER OF DETERMINING DEDUCTIONS.—A deduction under this paragraph shall be determined before the computation of the excess shelter expense deduction under paragraph (6).”; and

(2) by adding at the end the following:

“(n) STATE OPTIONS TO SIMPLIFY DETERMINATION OF CHILD SUPPORT PAYMENTS.—Regardless of whether a State agency elects to provide a deduction under subsection (e)(4), the Secretary shall establish simplified procedures to allow State agencies, at the option of the State agencies, to determine the amount of any legally obligated child support payments made, including procedures to allow the State agency to rely on information from the agency responsible for implementing the program under part D of title IV of the Social Security Act (42 U.S.C. 651 et seq.) concerning payments made in prior months in lieu of obtaining current information from the households.”.

SEC. 4102. SIMPLIFIED DEFINITION OF INCOME.

Section 5(d) of the Food Stamp Act of 1977 (7 U.S.C. 2014(d)) is amended—

(1) by striking “and (15)” and inserting “(15)”; and

(2) by inserting before the period at the end the following: “, (16) at the option of the State agency, any educational loans on which payment is deferred, grants, scholarships, fellowships,