

TRADE

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TRADE

1 Subtitle A-Agricultural Trade Development and 2 Assistance Act of 1954

3 SEC. 3001. LEVELS OF ASSISTANCE.

4 Section 204(a) of the Agricultural Trade Development and Assistance Act of 1954 (7

5 U.S.C. 1724(a)) is amended by adding at the end the following:

6

1 “(4) PURCHASES OF AGRICULTURAL COMMODITIES FROM RECIPIENT COUNTRY AND
2 DEVELOPING COUNTRIES.-In lieu of providing agricultural commodities under
3 paragraph (1), in the event of a food security crisis, as determined by the
4 Administrator, the Administrator may use up to 25 percent of the funds available to
5 carry out this title to purchase, and to distribute to the recipient country, as determined
6 appropriate by the Administrator, agricultural commodities produced-

7 “(A) in the recipient country; or

8 “(B) in developing countries in the region of the recipient country.”.

9 **SEC. 3002. FOOD AID CONSULTATIVE GROUP.**

10 Section 205(f) of the Agricultural Trade Development and Assistance Act of 1954 (7
11 U.S.C. 1725(f)) is amended by striking “2007” and inserting “2012”.

12 **SEC. 3003. ASSISTANCE FOR STOCKPILING AND RAPID**
13 **TRANSPORTATION, DELIVERY, AND DISTRIBUTION OF SHELF-STABLE**
14 **PREPACKAGED FOODS.**

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

17 **SEC. 3004. PREPOSITIONING.**

18 Section 407(c)(4) of the Agricultural Trade Development and Assistance Act of 1954
19 (7 U.S.C. 1736a(c)(4)) is amended by striking “2007” and inserting “2012”.

20 **SEC. 3005. EXPIRATION DATE.**

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

3 **SEC. 3006. JOHN OGONOWSKI AND DOUG BEREUTER FARMER-TO-**
4 **FARMER PROGRAM.**

5 Subsection (d) of section 501 of the Agricultural Trade Development and Assistance
6 Act of 1954 (7 U.S.C. 1737(d), (e)(1)) are amended by striking “2002 through 2007”
7 each place it appears and inserting “2008 through 2012”.

8 **Subtitle B-Agricultural Trade Act of 1978 and Related**
9 **Statutes.**

10 **SEC. 3101. EXPORT CREDIT GUARANTEE PROGRAM.**

11 (a) Repeal of Supplier Credit Guarantee Program and Intermediate Export Credit
12 Guarantee Program.—

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

15 (A) in subsection (a)—

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

18 (ii) by striking paragraphs (2) and (3);

19 (B) by striking subsections (b) and (c); and

20 (C) by redesignating subsections (d) through (l) as subsections (b) through (j),

1 respectively.

2 (2) CONFORMING AMENDMENTS.-The Agricultural Trade Act of 1978 is amended—

3 (A) in section 202 (7 U.S.C. 5622)-

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

6 (ii) in subsection (d) (as redesignated by paragraph (1)(C))-

7 (I) by striking “(1)” and all that follows through “The Commodity” and
8 inserting “The Commodity”; and

9 (II) by striking paragraph (2); and

10 (iii) in subsection (g)(2) (as redesignated by paragraph (1)(C)), by striking
11 “subsections (a) and (b)” and inserting “subsection (a)”;

12 (B) in section 211, by striking subsection (b) and inserting the following:

13 “(b) Export Credit Guarantee Programs.-The Commodity Credit Corporation shall
14 make available, to the maximum extent practicable, for each of fiscal years 2008 through
15 2012 not less than \$5,500,000,000 in credit guarantees under section 202(a).”.

16 **SEC. 3102. MARKET ACCESS PROGRAM.**

17 (a) ORGANIC COMMODITIES.-Section 203(a) of the Agricultural Trade Act of 1978 (7
18 U.S.C. 5623(a)) is amended by inserting after “agricultural commodities” the following:
19 “(including commodities that are organically produced (as defined in section 2103 of the
20 Organic Foods Production Act of 1990 (7 U.S.C. 6502))”.

1 (b) FUNDING.-Section 211(c) of the Agricultural Trade Act of 1978 (7 U.S.C. 5641(c))
2 is amended-

3 (1) in paragraph (1)(A) by striking “, and \$200,000,000 for each of fiscal years 2006
4 and 2007” and inserting “\$200,000,000 for each of fiscal years 2006 and 2007, and
5 \$225,000,000 for each of fiscal years 2008 through 2012” .;

6 (2) by redesignating paragraph (2) as paragraph (3); and

7 (3) by inserting a new paragraph (2) that reads as follows:

8 “(2) INCREASED 2008-2012 FUNDING.-The Secretary shall, for each of fiscal years
9 2008 through 2012 from funds made available under paragraph (1)(A), to the
10 maximum extent practicable, fund market access program activities involving non-
11 program commodities-

12 “(A) at a level that has been historically provided for such commodities under the
13 market access program; and

14 “(B) by providing \$25,000,000 in addition to the amount provided under
15 subparagraph (A).”.

16 **SEC. 3103. EXPORT ENHANCEMENT PROGRAM.**

17 (a) IN GENERAL.-Section 301 of the Agricultural Trade Act of 1978 (7 U.S.C. 5651) is
18 repealed.

19 (b) Conforming Amendments.-The Agricultural Trade Act of 1978 is amended-

20 (1) in section 303, by striking “any program, such as that established under section
21 301,”;

22 (2) in title III by striking “**TITLE III-EXPORT ENHANCEMENT PROGRAM**”

1 and inserting “**TITLE III-BARRIERS TO EXPORTS**”;

2 (3) by redesignating sections 302 and 303 as 301 and 302, respectively;

3 (4) in section 401 (7 U.S.C. 5661)-

4 (A) in subsection (a), by striking “section 201, 202, or 301” and inserting
5 “section 201 or 202”; and

6 (B) in subsection (b), by striking “sections 201, 202, and 301” and inserting
7 “sections 201 and 202”; and

8 (5) in section 402(a)(1) (7 U.S.C. 5662(a)(1)), by striking “sections 201, 202, 203,
9 and 301” and inserting “sections 201, 202, and 203”.

10 **SEC. 3104. GRANTS TO ADDRESS SANITARY AND PHYTOSANITARY**
11 **BARRIERS TO TRADE.**

12 Title III of the Agricultural Trade Act of 1978 (7 U.S.C. 5651 et seq.) (as amended in
13 section 3103) is amended by adding at the end:

14 **“SEC. 302. SANITARY AND PHYTOSANITARY BARRIERS TO TRADE.-**

15 **“(a) ESTABLISHMENT.-**The Secretary may enter into contracts with technical experts and
16 scientists, or provide grants to appropriate entities, as determined by the Secretary, to
17 address sanitary, phytosanitary, and technical barriers to the export of United States
18 agricultural commodities, including meat, poultry, and specialty crops, by-

19 **“(1) contracting with technical experts and scientists outside of the Federal**
20 **government to address sanitary and phytosanitary issues, and other issues regarding**
21 **technical barriers, involving agricultural commodities and the products of such**
22 **agricultural commodities; and**

1 “(2) commissioning targeted outside scientific reports on sanitary and phytosanitary
2 issues, and other issues regarding technical barriers, involving agricultural
3 commodities and the products of such agricultural commodities.

4 “(b) TARGETED TRADE ISSUES.-Projects funded under this section may include projects
5 relating to the acceptance by foreign markets of-

6 “(1) antimicrobial treatments;

7 “(2) wood-packaging material;

8 “(3) irradiation;

9 “(4) biotechnology;

10 “(5) science-based maximum residue level standards;

11 “(6) testing procedures and controls for mycotoxins;

12 “(7) labeling; and

13 “(8) shelf life.

14 “(c) FUNDING-

15 “(1) COMMODITY CREDIT CORPORATION.- The Secretary shall use the funds,
16 facilities, and authorities of the Commodity Credit Corporation to carry out this
17 section.

18 “(2) FUNDING AMOUNT.-The Secretary shall use, to the maximum extent practicable,
19 \$2,000,000 of the funds of the Commodity Credit Corporation to carry out this section
20 for each of fiscal years 2008 through 2012.”.

21 **SEC. 3105. FOOD FOR PROGRESS ACT OF 1985.**

22 The Food for Progress Act of 1985 (7 U.S.C. 1736o) is amended by striking “2007”

1 each place it appears and inserting “2012”.

2 **SEC. 3106. MCGOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION**
3 **AND CHILD NUTRITION PROGRAM.**

4 Section 3107(l)(2) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C.
5 1736o–1(l)(2)) is amended by striking “2007” and inserting “2012”.

6 **Subtitle C-Miscellaneous**

7 **SEC. 3201. BILL EMERSON HUMANITARIAN TRUST.**

8 Section 302 of the Bill Emerson Humanitarian Trust Act (7 U.S.C. 1736f–1) is
9 amended by striking “2007” each place it appears in subsection (b)(2)(B)(i) and
10 paragraphs (1) and (2) of subsection (h) and inserting “2012”.

11 **SEC. 3202. EMERGING MARKETS AND FACILITY GUARANTEE LOAN**
12 **PROGRAM.-**

13 Section 1542 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C.
14 5622 note; Public Law 101–624) is amended—

15 (1) in subsection (a), by striking “2007” and inserting “2012”;

16 (2) in subsection (b)—

17 (A) in the first sentence, by redesignating paragraphs (1) and (2) as
18 subparagraphs (A) and (B), respectively;

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

20 “(1) IN GENERAL.-A portion”;

21 (C) in the second sentence, by striking “The Commodity Credit Corporation” and

1 inserting the following:

2 “(2) PRIORITY.-The Commodity Credit Corporation”; and

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

4 “(3) CONSTRUCTION WAIVER .-The Secretary may waive any applicable requirements
5 relating to the use of United States goods in the construction of a facility, if the Secretary
6 determines that-

7 “(A) goods from the United States are not available; or

8 “(B) the use of goods made in the United States is not practical.

9 “(4) INITIAL PAYMENT.-The Secretary may require an initial down payment, upon
10 such terms as the Secretary may determine, by the beneficiary of the credit guarantee as a
11 condition of providing a credit guarantee under this subsection.

12 “(5) MAXIMUM LIABILITY.-The liability of the Commodity Credit Corporation under
13 a guarantee provided pursuant to this section may not exceed 98 percent of-

14 “(A) the principal amount involved in the underlying financial arrangement for
15 construction of the facility; and

16 “(B) the interest on the outstanding principal amount at the rate specified in the
17 underlying financial arrangement for construction of the facility.

18 “(6) TERM OF GUARANTEE .-A facility payment guarantee under this subsection shall
19 be for a term that is not more than the lesser of-

20 “(A) the term of the depreciation schedule of the facility assisted; or

21 “(B) a maximum period, as determined by the Secretary.”; and

22 (3) in subsection (d)(1)(A)(i) by striking “2007” and inserting “2012”.

1 **SEC. 3203. TECHNICAL ASSISTANCE FOR SPECIALTY CROPS.**

2 Section 3205 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 5680)
3 is amended by striking subsection (d) and inserting after subsection (c) the following:

4 “(d) Maximum Award.-The maximum amount of assistance provided annually to a
5 project under the program shall be \$500,000.

6 “(e) PROJECT DURATION.-The Secretary of Agriculture may extend a project under the
7 program irrespective of the initial estimated duration of the project.

8 “(f) FUNDING-

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

11 “(2) FUNDING AMOUNT.-The Secretary shall use the funds of, or an equal value of
12 commodities owned by, the Commodity Corporation, to the maximum extent practicable,
13 to carry out this section -

14 “(A) \$4,000,000 for fiscal year 2008;

15 “(B) \$6,000,000 for fiscal year 2009;

16 “(C) \$8,000,000 for fiscal year 2010;

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

18 **SEC. 3204. SUPPORTING INTERNATIONAL TRADE STANDARDS.**

19 (a) IN GENERAL.-Pursuant to the authority of the Secretary provided by section
20 1458(a)(3) of the Food and Agriculture Act of 1977 (7 U.S.C. 3291(a)(3)), the Secretary
21 is authorized to enhance United States support for international organizations, including

1 the Food and Agriculture Organization, the Codex Alimentarius Commission, the
2 International Plant Protection Convention, and the World Organization for Animal
3 Health, that establish international standards regarding food, food safety, plants, and
4 animals, respectively, by funding additional positions of Associate Professional Officers
5 to address sanitary and phytosanitary priorities of the United States within applicable
6 international organizations.

7 (b) FUNDING-

8 (1) COMMODITY CREDIT CORPORATION.-The Secretary shall use the funds, facilities,
9 and authorities of the Commodity Credit Corporation to carry out this section.

10 (2) FUNDING AMOUNT-The Secretary shall use, to the maximum extent practicable,
11 \$1,500,000 of the funds of the Commodity Credit Corporation, to carry out this section
12 for each of fiscal years 2008 through 2012.

13 **SEC. 3205. GLOBAL MARKET STRATEGY.**

14 Section 3206 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 5603a)
15 is repealed.

16 **SEC. 3206. AGRICULTURAL RECONSTRUCTION AND EXTENSION**
17 **EFFORTS IN FRAGILE REGIONS.**

18 (a) DEFINITION OF FRAGILE REGIONS.-In this section, the term ‘fragile region’ means an
19 area, country, or part of a country that is eligible for assistance under this section, as
20 determined by the Secretary.

21 (b) TARGETED ACTIVITIES.-The Secretary may provide technical assistance and funding

1 to expand trade capacity building, food safety, and agricultural extension activities in
2 fragile regions to assist in the agricultural reconstruction or stabilization of the fragile
3 region.

4 (c) FUNDING-

5 (1) COMMODITY CREDIT CORPORATION- The Secretary shall use the funds, facilities,
6 and authorities of the Commodity Credit Corporation to carry out this section.

7 (2) FUNDING AMOUNT.-The Secretary shall use, to the maximum extent practicable,
8 \$2,000,000 of the funds of the Commodity Credit Corporation to carry out this section for
9 each of fiscal years 2008 through 2012.

10 **SEC. 3207. TECHNICAL ASSISTANCE FOR THE RESOLUTION OF TRADE**
11 **DISPUTES.**

12 (a) IN GENERAL.-The Secretary of Agriculture may provide monitoring, analytic
13 support, and other technical assistance to limited resource persons and organizations
14 associated with agricultural trade (as determined by the Secretary) to address unfair trade
15 practices of foreign countries, including intellectual property right violations, and to
16 reduce trade barriers.

17 (b) AUTHORIZATION OF APPROPRIATIONS.-There are authorized such sums as necessary
18 to carry out subsection (a).