
CONFERENCE COMMITTEE PRINT

Title III – Trade

**Comparing H.R. 2419, As Passed by the House
And the Senate Amendment Thereto**

HOUSE BILL (H.R. 2419)

SENATE AMENDMENT

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<p>No comparable provision</p>	<p>SEC. 3001. SHORT TITLE.</p> <p>(a) In General.—Section 1 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1691 note; 104 Stat. 3633) is amended by striking “Agricultural Trade Development and Assistance Act of 1954” and inserting “Food for Peace Act”.</p> <p>(long list of conforming amendments)</p>
<p>No comparable provision</p>	<p>SEC. 3002. UNITED STATES POLICY.</p> <p>Section 2 of the Food for Peace Act (7 U.S.C. 1691) is amended—</p> <ul style="list-style-type: none">(1) by striking paragraph (4); and(2) by redesignating paragraphs (5) and (6) as paragraphs (4) and (5), respectively.
<p>No comparable provision</p>	<p>SEC. 3003. FOOD AID TO DEVELOPING COUNTRIES.</p> <p>Section 3(b) of the Food for Peace Act (7 U.S.C. 1691a(b)) is amended by striking “(b)” and all that follows through paragraph (1) and inserting the following:</p> <p>“(b) Sense of Congress.—It is the sense of Congress that—</p> <ul style="list-style-type: none">“(1) in negotiations with other countries at the Food Aid Convention, the World Trade Organization, the United Nations Food and Agriculture Organization, and other appropriate venues, the President shall—<ul style="list-style-type: none">“(A) seek commitments of higher levels of food aid by donors in order to meet the legitimate needs of developing countries;“(B) ensure, to the maximum extent practicable, that humanitarian nongovernmental organizations, recipient country governments, charitable bodies, and international organizations shall continue—<ul style="list-style-type: none">“(i) to be eligible to receive resources based on assessments of need conducted by those organizations and entities; and“(ii) to implement food aid programs in agreements with donor countries; and“(C) ensure, to the maximum extent practicable, that options for providing food aid for emergency and nonemergency, or chronic, needs shall not be subject to limitation, including in-kind commodities, provision of funds for commodity procurement, and monetization of commodities, on the condition that the provision of those

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	<p>commodities or funds—</p> <p>“(i) is based on assessments of need and intended to benefit the food security of or otherwise assist recipients, and</p> <p>“(ii) is provided in a manner that avoids disincentives to local agricultural production and marketing and with minimal potential for disruption of commercial markets; and”.</p>
No comparable provision	<p>SEC. 3004. TRADE AND DEVELOPMENT ASSISTANCE.</p> <p>(a) Title I of the Food for Peace Act (7 U.S.C. 1701 et seq.) is amended in the title heading, by striking “TRADE AND DEVELOPMENT ASSISTANCE” and inserting “ECONOMIC ASSISTANCE AND FOOD SECURITY”.</p> <p>(b) Section 101 of the Food for Peace Act (7 U.S.C. 1701) is amended in the section heading, by striking “trade and development assistance” and inserting “economic assistance and food security”.</p>
No comparable provision	<p>SEC. 3005. AGREEMENTS REGARDING ELIGIBLE COUNTRIES AND PRIVATE ENTITIES.</p> <p>Section 102 of the Food for Peace Act (7 U.S.C. 1702) is amended—</p> <p>(1) in subsection (a)—</p> <p>(A) by striking paragraph (1); and</p> <p>(B) by redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively; and</p> <p>(2) by striking subsection (c).</p>
No comparable provision	<p>SEC. 3006. USE OF LOCAL CURRENCY PAYMENTS.</p> <p>Section 104(c) of the Food for Peace Act (7 U.S.C. 1704(c)) is amended—</p> <p>(1) in the matter preceding paragraph (1), by inserting “, through agreements with recipient governments, private voluntary organizations, and cooperatives,” after “developing country”;</p> <p>(2) in paragraph (2)—</p>

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- (A) in subparagraph (C), by striking “and” at the end;
- (B) in subparagraph (D), by striking the period at the end and inserting “; and”; and
- (C) by adding at the end the following:
 - “(E) the improvement of the trade capacity of the recipient country.”;
- (3) by striking paragraphs (1), (3), (4), (5), and (6); and
- (4) by redesignating paragraphs (2), (7), (8), and (9) as paragraphs (1), (2), (3), and (4), respectively.

SEC. 3001. AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954.

(a) **PURPOSE OF PROGRAM.**—Section 201 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1721) is amended so that paragraph (1) reads as follows:

“(1) address famine and food crises and respond to emergency food needs arising from manmade disasters, and natural disasters.”.

(b) **SUPPORT FOR ELIGIBLE ORGANIZATIONS.**—Section 202(e)(1) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1722(e)(1)) is amended—

(1) by striking “not less than 5 percent nor more than 10 percent of the funds” and inserting “not less than 7 percent nor more than 12 percent of the funds”;

(2) striking “and” at the end of subparagraph (A);

(3) striking the period at the end of subparagraph (B) and inserting “; and”; and

SEC. 3007. GENERAL AUTHORITY.

Section 201 of the Food for Peace Act (7 U.S.C. 1721) is amended—

(1) by striking paragraph (1) and inserting the following:

“(1) address famine and respond to emergency food needs arising from man-made and natural disasters;”;

(2) in paragraph (5), by inserting “food security and support” after “promote”; and

(3) by striking paragraph (6) and inserting the following:

“(6) protect livelihoods, provide safety nets for food insecure populations, and encourage participation in educational, training, and other productive activities.”.

SEC. 3008. PROVISION OF AGRICULTURAL COMMODITIES.

Section 202 of the Food for Peace Act (7 U.S.C. 1722) is amended—

(1) in subsection (b)(2), by striking “may not deny a request for funds” and inserting “may not use as a sole rationale for denying a request for funds”;

(2) in subsection (e)(1)—

(A) in the matter preceding subparagraph (A)—

(i) by striking “Of the funds made available in” and inserting “Of the total amount of funds made available from all sources for”; and

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(4) inserting after subparagraph (B) the following:

“(C) developing, implementing and improving monitoring systems of programs receiving funds under this title.”.

(ii) by striking “not less than 5 percent nor more than 10 percent” and inserting “not less than 7.5 percent”;

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

(C) by striking subparagraph (B) and inserting the following:

“(B) meeting specific administrative, management, personnel, programmatic, and operational activities, and internal transportation and distribution costs for carrying out new and existing programs in foreign countries under this title; and”

(D) by adding at the end the following:

“(C) improving and implementing methodologies for food aid programs, including needs assessments, monitoring, and evaluation.”; and

(3) by striking subsection (h) and inserting the following:

“(h) Food Aid Quality.—

“(1) IN GENERAL.—The Administrator shall use funds made available for fiscal year 2008 and subsequent fiscal years to carry out this title—

“(A) to assess the types and quality of agricultural commodities and products donated for food aid;

“(B) to adjust products and formulations as necessary to cost-effectively meet nutrient needs of target populations; and

“(C) to pretest prototypes.

“(2) ADMINISTRATION.—The Administrator—

“(A) shall carry out this subsection in consultation with and through an independent entity with proven impartial expertise in food aid commodity quality enhancements;

“(B) may enter into contracts to obtain the services of such an entity; and

“(C) shall consult with the Food Aid Consultative Group on how to carry out this subsection.

“(3) REPORTS.—The Administrator shall submit to the Committees on Agriculture and Foreign Affairs of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate—

“(A) a report that describes the activities of the Administrator in carrying out paragraph (1) for fiscal year 2008; and

“(B) an annual report that describes the progress of the Administrator in addressing food aid quality issues.”.

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(c) **GENERATION AND USE OF CURRENCIES BY PRIVATE VOLUNTARY ORGANIZATIONS AND COOPERATIVES.**— Subsection (b) of section 203 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1723) is amended by striking “1 or more recipient countries” and inserting “in 1 or more recipient countries”.

(d) **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) in paragraph (1) by striking “2002 through 2007” and inserting “2008 through 2012”; and

(2) in paragraph (2) by striking “2002 through 2007” and inserting “2008 through 2012”.

(e) **FOOD AID CONSULTATIVE GROUP.**—

(1) **REPORT TO CONGRESS.**—Section 205 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1725) is amended—

(A) by redesignating subsection (f) as subsection (g); and

(B) by inserting after subsection (e) the following new subsection:

“(f) **REPORT TO CONGRESS.**—

“(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of the Farm, Nutrition, and Bioenergy Act of 2007, and annually thereafter until December 31, 2012, the Administrator of the United States Agency for International Development, in close consultation with the Group, shall submit to the appropriate congressional committees a report on efforts taken by the United States Agency for International Development and the Department of Agriculture to develop a strategy under this section to achieve an integrated and effective food assistance program.

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SEC. 3009. MICROENTERPRISE ACTIVITIES.

Section 203(d)(2) of the Food for Peace Act (7 U.S.C.1723(d)(2)) is amended by inserting “, including activities involving microenterprise and village banking,” after “other developmental activities”.

SEC. 3010. LEVELS OF ASSISTANCE.

Section 204(a)(1) of the Food for Peace Act (7 U.S.C. 1724(a)(1)) is amended by striking “2007” and inserting “2012”.

SEC. 3011. FOOD AID CONSULTATIVE GROUP.

Section 205 of the Food for Peace Act (7 U.S.C. 1725) is amended—

(1) in subsection (b)—

(A) in paragraph (5), by striking “and” at the end;

(B) in paragraph (6), by striking the period and inserting “; and”; and

(C) by inserting at the end the following:

“(7) representatives from the maritime transportation sector involved in transporting agricultural commodities overseas for programs under this Act.”;

(2) in subsection (d)—

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

“(1) **IN GENERAL.**—In preparing”;

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

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

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

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

(2) **TERMINATION.**—Such section is further amended in subsection (g) (as redesignated by paragraph (1)(A)) by striking “2007” and inserting “2012”.

(f) **DENIAL OF PROPOSALS.**—Paragraph (3) of section 207(a) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1726a(a)) is amended to read as follows:

“(3) **DENIAL.**—If a proposal under paragraph (1) is denied, the response shall specify the reasons for denial.”.

(g) **PROGRAM OVERSIGHT, MONITORING, AND EVALUATION.**—Section 207 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1726a) is amended by adding at the end the following:

“(f) **PROGRAM OVERSIGHT, MONITORING, AND EVALUATION.**—

“(1) **IN GENERAL.**—The Administrator, in consultation with the Secretary, shall establish systems to improve, monitor, and evaluate the effectiveness and efficiency of assistance provided under this title in order to maximize the impact of such assistance. Such systems shall include the following:

“(A) program monitors in countries receiving assistance under this title;

“(B) country and regional food aid impact evaluations;

“(C) evaluations of best practices for food aid programs;

“(2) **BIANNUAL CONSULTATION.**—The Administrator”; and

(C) by adding at the end the following:

“(3) **CONSULTATION FOR DRAFT REGULATIONS.**—In addition to the meetings required under paragraph (2), the Administrator shall consult and meet with the Group—

“(A) before issuing the draft regulations to carry out the program described in section 209; and

“(B) during the public comment period relating to those draft regulations.”; and (3) in subsection (f), by striking “2007” and inserting “2012”.

SEC. 3012. ADMINISTRATION.

Section 207 of the Food for Peace Act (7 U.S.C. 1726a) is amended—

(1) in subsection (a)(3), by striking “must be met for the approval of such proposal” and inserting “should be considered for a proposal in a future fiscal year”;

(2) in subsection (c), by striking paragraph (3);

(3) by striking subsection (d) and inserting the following:

“(d) **Timely Provision of Commodities.**—The Administrator, in consultation with the Secretary, shall develop procedures that ensure expedited processing of commodity call forwards in order to provide commodities overseas in a timely manner and to the extent feasible, according to planned delivery schedules.”;

(4) in subsection (e)(2), by striking “December 1” and inserting “June 1”; and

(5) by adding at the end the following:

“(f) **Program Oversight.**—

“(1) **IN GENERAL.**—Funds made available to carry out this title may be used to pay the expenses of the United States Agency for International Development associated with program monitoring, evaluation, assessments, food aid data collection, and food aid information management and commodity reporting systems.

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“(D) evaluation of monetization programs;

“(E) early warning assessments to prevent famines; and

“(F) upgraded information technology systems.

“(2) **IMPLEMENTATION REPORT.**—Not later than 180 days after the date of enactment of the Farm, Nutrition, and Bioenergy Act of 2007, the Administrator shall submit to the appropriate congressional committees a report on efforts undertaken to implement paragraph (1).

“(3) **GOVERNMENT ACCOUNTABILITY OFFICE.**—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—

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

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

“(4) **ANNUAL REPORT.**—Not later than February 1 of each year, the Administrator shall submit to the appropriate congressional committees a report assessing the systems implemented under paragraph (1) and their impact on the effectiveness and efficiency of assistance provided under this title.

“(5) **FUNDING.**—In addition to other funds made available for the Administrator to perform monitoring of emergency food assistance, the Administrator may implement this subsection using up to \$15,000,000 of funds made available under this title for each of the fiscal years 2008 through 2012, except for paragraph (1)(F), for which only \$2,500,000 shall be made available during fiscal year 2008.

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

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

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

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“(2) **CONTRACT AUTHORITY.**—

“(A) **IN GENERAL.**—Subject to subparagraphs (B) and (C) and notwithstanding any other provision of law, in carrying out administrative and management activities related to the implementation of programs under this title, the Administrator may contract with 1 or more individuals for personal service to be performed in recipient countries or neighboring countries.

“(B) **PROHIBITION.**—Individuals contracting with the Administrator under subparagraph (A) shall not be considered to be employees of the United States Government for the purpose of any law administered by the Office of Personnel Management.

“(C) **PERSONAL SERVICE.**—Subparagraph (A) does not limit the ability of the Administrator to contract with individuals for personal service under section 202(a).

“(g) **Indirect Support Costs to the World Food Program of the United Nations.**—

“(1) **IN GENERAL.**—Notwithstanding any other provision of law, in providing assistance under this title, the Administrator may make contributions to the World Food Program of the United Nations to the extent that Food Program of the United Nations to the extent that the contributions are made in accordance with the rules and regulations of that program for indirect cost rates.

“(2) **REPORT.**—The Administrator shall submit the Committees on Agriculture and Foreign Affairs of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate an annual report on the level of the contribution and the reasons for the level.

“(h) **Indirect Support Costs to Cooperating Sponsors.**—Notwithstanding any other provision of law, the Administrator may pay to a private voluntary organization or cooperative indirect costs associated with any funds received or generated for programs, costs, or activities under this title, on the condition that the indirect costs are consistent with Office of Management and Budget cost principles.

“(i) **Project Reporting.**—

“(1) **IN GENERAL.**—In submitting project reports to the Administrator, a private voluntary organization or cooperative shall provide a copy of the report in such form as is necessary for the report to be displayed for public use on the website of the United States Agency for International Development.

“(2) **CONFIDENTIAL INFORMATION.**—An organization or cooperative described in paragraph (1) may omit any confidential information from the copy of the report submitted for public display under that paragraph.”.

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(h) **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—

- (1) by striking “2007” and insert “2012”; and
- (2) by striking “\$3,000,000” and inserting “\$7,000,000”

No comparable provision

No comparable provision

SEC. 3013. ASSISTANCE FOR STOCKPILING AND RAPID TRANSPORTATION, DELIVERY, AND DISTRIBUTION OF SHELF-STABLE PREPACKAGED FOODS.

Section 208(f) of the Food for Peace Act (7 U.S.C. 1726b(f)) is amended—

- (1) by striking “\$3,000,000” and inserting “\$8,000,000”; and
- (2) by striking “2007” and inserting “2012”.

SEC. 3015. GENERAL AUTHORITIES AND REQUIREMENTS.

(a) In General.—Section 401 of the Food for Peace Act (7 U.S.C. 1731) is amended—

- (1) by striking subsection (a);
- (2) redesignating subsections (b) and (c) as subsections (a) and (b), respectively; and
- (3) in subsection (b) (as so redesignated), by striking “(b)(1)” and inserting “(a)(1)”.

(b) Conforming Amendments.—

- (1) Subsection (b) of section 401 of the Food for Peace Act (7 U.S.C. 1731) (as redesignated by subsection (a)(2)) is amended by striking “Subsection (b)(1)” and inserting “Subsection (a)(1)”.
- (2) Section 406(a) of the Food for Peace Act (7 U.S.C. 1736(a)) is amended by striking “(that have been determined to be available under section 401(a))”.
- (3) Subsection (e)(1) of the Food for Progress Act of 1985 (7 U.S.C. 1736o(e)(1)) is amended by striking “determined to be available under section 401 of the Food for Peace Act”.

SEC. 3016. USE OF COMMODITY CREDIT CORPORATION.

Section 406(b)(2) of the Food for Peace Act (7 U.S.C. 1736(b)(2)) is amended by inserting “, including the costs of carrying out section 415” before the semicolon.

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(i) **PREPOSITIONING.**—Section 407(c)(4) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1736a(c)(4)) is amended—

- (1) by striking “Funds” and inserting “(A) **IN GENERAL.**—Funds”;
- (2) by striking “2007” and inserting “2012”;
- (3) by striking “\$2,000,000” and inserting “\$8,000,000”; and
- (4) by adding at the end the following new subparagraph:

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

“(i) **FEASIBILITY ASSESSMENT.**—On or after the date of the enactment of the Farm, Nutrition, and Bioenergy Act of 2007, the Administrator is authorized to carry out assessments for the establishment of not less than two sites to determine the feasibility of and costs associated with using such sites for the purpose of storing and handling agricultural commodities for prepositioning in foreign countries.

“(ii) **ESTABLISHMENT OF SITES.**—Based on the results of the assessments carried out under clause (i), the Administrator is authorized to establish additional sites for pre-positioning in foreign countries.

“(iii) **AUTHORIZATION OF APPROPRIATIONS.**—To carry out this subparagraph, there are authorized to be appropriated to the Administrator such sums as may be necessary for each of the fiscal years 2008 through 2012.”.

(j) **ANNUAL REPORTS.**—Section 407(f) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1736a(f)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (B), by adding at the end before the semicolon the following: “, and the amount of funds, tonnage levels, and types of activities for non-emergency food assistance programs under title II of this Act”;

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

SEC. 3017. ADMINISTRATIVE PROVISIONS.

Section 407 of the Food for Peace Act (7 U.S.C. 1736a) is amended—

(1) in subsection (c)(4)—

(A) by striking “2007” and inserting “2012”;

(B) by striking “\$2,000,000” and inserting “\$4,000,000”; and

(C) by adding at the end the following:

“(5) **NONEMERGENCY OR MULTIYEAR AGREEMENTS.**—Annual resource requests for ongoing nonemergency or multiyear agreements under title II shall be finalized not later than October 1 of the fiscal year in which the agricultural commodities will be shipped under the agreement.”; and

(2) in subsection (f)—

(A) in paragraph (2)—

(i) in subparagraph (B), by inserting “, and the amount of funds, tonnage levels, and types of activities for nonemergency programs under title II” before the semicolon;

(ii) in subparagraph (C), by inserting “, and a general description of the projects and activities implemented” before the semicolon; and

(iii) in subparagraph (D), by striking “achieving food security” and inserting “reducing food insecurity”; and

(B) in paragraph (3)—

(i) by striking “shall submit” and ” and inserting the following: “shall—

“(A) submit”;

(ii) by striking “January 15” and inserting “April 1”; and

(iii) by striking “of the Senate”. and inserting the following: “of the Senate; and

“(B) make the reports available to the public by electronic and other means

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(C) so that subparagraph (D) reads as follows:

“(D) an assessment of the progress toward reducing food insecurity in the populations receiving food assistance from the United States. ”; and

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

(k) **EXPIRATION OF ASSISTANCE.**—Section 408 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1736b) is amended by striking “2007” and inserting “2012”.

(l) **AUTHORIZATION OF APPROPRIATIONS.**—Subsection (a) of section 412 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1736f) is amended to read as follows:

“(a) **AUTHORIZATION OF APPROPRIATIONS.**—For each of the fiscal years 2008 through 2012, there are authorized to be appropriated to the President—

“(1) such sums as may be necessary to carry out the concessional credit sales program established under title I,

“(2) \$2,500,000,000 to carry out the emergency and non-emergency food assistance programs under title II, and

“(3) such sums as may be necessary to carry out the grant program established under title III,

including such amounts as may be required to make payments to the Commodity Credit Corporation to the extent the Commodity Credit Corporation is not reimbursed under the programs under this Act for the actual costs incurred or to be incurred by such Corporation in carrying out such programs. ”.

SEC. 3018. EXPIRATION DATE.

Section 408 of the Food for Peace Act (7 U.S.C. 1736b) is amended by striking “2007” and inserting “2012”.

No comparable provision

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(m) MICRONUTRIENT FORTIFICATION PROGRAMS.—

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

(A) by striking “using the same mechanism that was used to assess the micronutrient fortification program in” and inserting “utilizing recommendations from”; and

(B) by striking “with funds from the Bureau for Humanitarian Response of the United States Agency for International Development” and inserting “with implementation by an independent entity with proven impartiality and a mechanism that incorporates the range of stakeholders implementing programs under title II of this Act as well as other food assistance industry experts”.

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

(n) JOHN OGWONOWSKI AND DOUG BEREUTER FARMER-TO-FARMER PROGRAM.—

(1) **MINIMUM FUNDING.**—Section 501(d) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1737(d)) is amended—

(A) by inserting “or \$10,000,000, whichever amount is greater,” after “not less than 0.5 percent”; and

(B) by striking “2002 through 2007” and inserting “2008 through 2012”.

SEC. 3020. MICRONUTRIENT FORTIFICATION PROGRAMS.

Section 415 of the Food for Peace Act (7 U.S.C. 1736g–2) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking “Not later than September 30, 2003, the Administrator, in consultation with the Secretary” and inserting “Not later than September 30, 2008, the Secretary, in consultation with the Administrator”; and

(B) in paragraph (2)—

(i) in subparagraph (A), by adding “and” after the semicolon at the end; and

(ii) by striking subparagraphs (B) and (C) and inserting the following:

“(B) assess and apply technologies and systems to improve and ensure the quality, shelf life, bioavailability, and safety of fortified food aid agricultural commodities, and products of those agricultural commodities, that are provided to developing countries, using recommendations included in the report entitled ‘Micronutrient Compliance Review of Fortified Public Law 480 Commodities’, published in October 2001, with implementation by an independent entity with proven impartial experience and expertise in food aid commodity quality enhancements.”;

(2) by striking subsection (b) and redesignating subsections (c) and (d) as subsections (b) and (c), respectively; and

(3) in subsection (c) (as redesignated by paragraph (2)), by striking “2007” and inserting “2012”.

SEC. 3022. JOHN OGWONOWSKI AND DOUG BEREUTER FARMER-TO-FARMER PROGRAM.

Section 501 of the Food for Peace Act (7 U.S.C. 1737) is amended by striking “2007” each place it appears and inserting “2012”.

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(2) **AUTHORIZATION OF APPROPRIATIONS.**—Section 501(e) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1737(e)) is amended by striking paragraph (1) and inserting the following new paragraph:

“(1) **IN GENERAL.**—To carry out programs under this section, there is authorized to be appropriated for each of fiscal years 2008 through 2012 the following amounts:

“(A) \$10,000,000 for sub-Saharan African and Caribbean Basin countries.

“(B) \$5,000,000 for all other countries not included in subparagraph (A).”.

(o) **REFERENCES TO COMMITTEE.**—The Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1691 et seq.) is amended by striking “Committee on International Relations” each place it appears and inserting “Committee on Foreign Affairs”.

SEC. 3002. EXPORT CREDIT GUARANTEE PROGRAM.

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

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

(A) in subsection (a)—

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

(ii) in paragraph (1), by striking “3-year period” and inserting “6-month period”; and

(iii) by striking paragraphs (2) and (3);

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

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

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

SEC. 3101. EXPORT CREDIT GUARANTEE PROGRAM.

(a) Repeal of Supplier Credit Guarantee Program and Intermediate Export Credit Guarantee Program.—Section 202 of the Agricultural Trade Act of 1978 (7 U.S.C. 5622) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking “The Commodity” and inserting “Subject to paragraph (2), the Commodity”; and

(B) by striking paragraphs (2) and (3) and inserting the following:

“(2) **TENURE.**—Beginning with the 2012 fiscal year, credit terms described in paragraph (1) may not exceed a 180-day period.”;

(2) by striking subsections (b) and (c);

(3) by redesignating subsections (d) through (l) as subsections (b) through (j), respectively; and

(4) by adding at the end the following:

“(k) **Administration.**—

“(1) **DEFINITION OF LONG TERM.**—In this subsection, the term ‘long term’ means a period of 10 or more years.

“(2) **GUARANTEES.**—In administering the export credit guarantees authorized under this section, the Secretary shall—

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(A) in section 202 (7 U.S.C. 5622)—

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

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

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

(II) by striking paragraph (2); and

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

(B) in section 211 (7 U.S.C. 5641), by striking subsection (b) and inserting the following:

“(b) **EXPORT CREDIT GUARANTEE PROGRAMS.**—(1) The Commodity Credit Corporation shall make available for each of fiscal years 2008 through 2012 not less than \$5,500,000,000 in credit guarantees under section 202(a).

“(2) Section 202(k)(1) of the Agricultural Trade Act of 1978 (7 U.S.C. 5622(k)(1)) is amended by striking ‘2007’ and inserting ‘2012’.”.

“(A) maximize the export sales of agricultural commodities;

“(B) maximize the export credit guarantees that are made available and used during the course of a fiscal year;

“(C) develop an approach to risk evaluation that facilitates accurate country risk designations and timely adjustments to the designations (on an ongoing basis) in response to material changes in country risk conditions, with ongoing opportunity for input and evaluation from the private sector;

“(D) adjust risk-based guarantees as necessary to ensure program effectiveness and United States competitiveness; and

“(E) work with industry to ensure that risk-based fees associated with the guarantees cover, but do not exceed, the operating costs and losses over the long term.”.

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

(1) in section 202 (7 U.S.C. 5622)—

(A) in subsection (b)(4) (as redesignated by subsection (a)(3)), by striking “, consistent with the provisions of subsection (c)”;

(B) in subsection (d) (as redesignated by subsection (a)(3))—

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

(ii) by striking paragraph (2); and

(C) in subsection (g)(2) (as redesignated by subsection (a)(3)), by striking “subsections (a) and (b)” and inserting “subsection (a)”; and

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

“(b) Export Credit Guarantee Programs.—The Commodity Credit Corporation shall make available for each of fiscal years 1996 through 2012 not less than \$5,000,000,000 in credit guarantees under section 202(a).”.

SEC. 3003. MARKET ACCESS PROGRAM.

(a) **ORGANIC COMMODITIES.**—Section 203(a) of the Agricultural Trade Act of 1978 (7

SEC. 3102. MARKET ACCESS PROGRAM.

(a) Organic Commodities.—Section 203(a) of the Agricultural Trade Act of 1978 (7 U.S.C. 5623(a)) is amended by inserting after “agricultural commodities” the following: “(including

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U.S.C. 5623(a)) is amended by inserting after “agricultural commodities” the following: “(including commodities that are organically produced (as defined in section 2103 of the Organic Foods Production Act of 1990 (7 U.S.C. 6502)))”.

(b) **FUNDING.**—Section 211(c)(1)(A) of the Agricultural Trade Act of 1978 (7 U.S.C. 5641(c)(1)(A)) is amended by striking “, and \$200,000,000 for each of fiscal years 2006 and 2007” and inserting “\$200,000,000 for each of fiscal years 2006 and 2007, and \$225,000,000 for each of fiscal years 2008 through 2012”.

commodities that are organically produced (as defined in section 2103 of the Organic Foods Production Act of 1990 (7 U.S.C. 6502)))”.

(b) **Funding.**—Section 211(c)(1)(A) of the Agricultural Trade Act of 1978 (7 U.S.C. 5641(c)(1)(A)) is amended by striking “, and \$200,000,000 for each of fiscal years 2006 and 2007” and inserting “\$200,000,000 for each of fiscal years 2006 and 2007, \$210,000,000 for fiscal year 2008, \$220,000,000 for fiscal year 2009, \$230,000,000 for fiscal year 2010, \$240,000,000 for fiscal year 2011, and \$200,000,000 for fiscal year 2012 and each subsequent fiscal year”.

SEC. 3004. FOOD FOR PROGRESS ACT OF 1985.

The Food for Progress Act of 1985 (7 U.S.C. 1736o) is amended by striking “2007” each place it appears and inserting “2012”.

SEC. 3106. FOOD FOR PROGRESS ACT OF 1985.

The Food for Progress Act of 1985 (7 U.S.C. 1736o) is amended—

(1) by striking “2007” each place it appears and inserting “2012”;

(2) in subsection (b)(5)—

(A) by striking subparagraphs (A), (B), and (F);

(B) in subparagraph (D), by inserting “and” after the semicolon;

(C) in subparagraph (E), by striking “; and” and inserting a period; and

(D) by redesignating subparagraphs (C), (D), and (E) as subparagraphs (A), (B), and (C), respectively; and

(3) in subsection (f), by striking paragraph (3) and inserting the following:

“(3) **FUNDING LIMITATIONS.**—With respect to eligible commodities made available under section 416(b) of the Agricultural Act of 1949 (42 U.S.C. 1431(b)), unless authorized in advance in appropriation Acts—

“(A) for each of fiscal years 2008 through 2010, no funds of the Corporation in excess of \$48,000,000 (exclusive of the cost of eligible commodities) may be used to carry out this section; and

“(B) for fiscal year 2011 and each fiscal year thereafter, no funds of the Corporation in excess of \$40,000,000 (exclusive of the cost of eligible commodities) may be used to carry out this section; and

“(B) for fiscal year 2011 and each fiscal year thereafter, no funds of the Corporation in excess of \$40,000,000 (exclusive of the cost of eligible commodities) may be used to carry out this section.”.

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SEC. 3005. REAUTHORIZATION OF MCGOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION AND CHILD NUTRITION PROGRAM.

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

(1) in subsection (d), in the matter preceding paragraph (1), by striking “The President shall designate 1 or more Federal agencies to” and inserting “The Secretary shall”;

(2) in subsection (f)(2), in the matter preceding subparagraph (A), by striking “implementing agency” and inserting “Secretary”; and

(3) in subsections (c)(2)(B), (f)(1), (h)(1) and (2), and (i), by striking “President” each place it appears and inserting “Secretary”.

(b) **FUNDING.**—Section 3107(l) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o-1(l)) is amended—

(1) by striking paragraphs (1) and (2) and inserting the following:

“(1) **USE OF COMMODITY CREDIT CORPORATION FUNDS.**—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section—

“(A) \$0 for fiscal year 2008;

“(B) \$140,000,000 for fiscal year 2009;

“(C) \$170,000,000 for fiscal year 2010;

“(D) \$230,000,000 for fiscal year 2011;

“(E) \$300,000,000 for fiscal year 2012; and

“(F) \$0 for fiscal year 2013.”;

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

(3) in paragraph (2) (as redesignated by paragraph (2)), by striking “any Federal agency implementing or assisting” and inserting “the Department of Agriculture or any other Federal agency assisting”.

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

Section 3107 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o–1) is amended—

(1) in subsection (b), by inserting “in the Department of Agriculture” after “establish a program”;

(2) in subsections (c)(2)(B), (f)(1), (h), (i), and (l)(1) by striking “President” each place it appears and inserting “Secretary”;

(3) in subsection (d), by striking “The President shall designate 1 or more Federal agencies” and inserting “The Secretary shall”;

(4) in paragraph (f)(2), by striking “implementing agency” and inserting “Secretary”; and

(5) in subsection (l)(2), by striking “such sums” and all that follows through “2007” and inserting “\$300,000,000 for each of fiscal years 2008 through 2012”.

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SEC. 3006. BILL EMERSON HUMANITARIAN TRUST.

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

SEC. 3201. BILL EMERSON HUMANITARIAN TRUST.

Section 302 of the Bill Emerson Humanitarian Trust Act (7 U.S.C. 1736f-1) is amended—

(1) in subsection (a), by striking “a trust stock” and all that follows through the end of the subsection and inserting the following: “a trust of commodities, for use as described in subsection (c), to consist of—

“(1) quantities equivalent to not more than 4,000,000 metric tons of commodities; or

“(2) any combination of funds and commodities equivalent to not more than 4,000,000 metric tons of commodities.”;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in subparagraph (B)—

(I) by striking “replenish” each place it appears and inserting “reimburse”; and

(II) by striking “replenished” and inserting “reimbursed”; and

(ii) by striking subparagraph (D) and inserting the following:

“(D) funds made available—

“(i) under paragraph (2)(B);

“(ii) as a result of an exchange of any commodity held in the trust for an equivalent amount of funds from—

“(I) the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1691 et seq.);

“(II) the McGovern-Dole International Food for Education and Child Nutrition Program established under section 3107 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o-1); or

“(III) the market, if the Secretary determines that such a sale of the commodity on the market will not unduly disrupt domestic markets; and

“(iii) in the course of management of the trust or to maximize the value of the trust, in accordance with subsection (d)(3).”; and

B) in paragraph (2)(B)--

(i) in the matter preceding clause (i), by striking “replenish” and inserting “reimburse”;

(ii) in clause (i)--

(I) by striking `2007' each place it appears and inserting `2012';

(II) by striking `(c)(2)' and inserting `(c)(1)'; and

(III) by striking `and' at the end;

(iii) in clause (ii), by striking the period at the end and inserting `; or'; and

(iv) by adding at the end the following:

`(ii) from funds accrued through the management of the trust under subsection (d).';

(3) in subsection (c)--

(A) by striking paragraphs (1) and (2) and inserting the following:

`(1) RELEASES FOR EMERGENCY ASSISTANCE-

“(A) DEFINITION OF EMERGENCY.—

“(i) IN GENERAL.—In this paragraph, the term ‘emergency’ means an urgent situation—

“(I) in which there is clear evidence that an event or series of events described in clause (ii) has occurred—

“(aa) that causes human suffering or imminently threatens human lives or livelihoods; and

“(bb) for which a government concerned has not the means to remedy; or

“(II) created by a demonstrably abnormal event or series of events that produces dislocation in the lives of residents of a country or region of a country on an exceptional scale.

“(ii) EVENT OR SERIES OF EVENTS.—An event or series of events referred to in clause (i) includes 1 or more of—

“(I) a sudden calamity, such as an earthquake, flood, locust infestation, or similar unforeseen disaster;

“(II) a human-made emergency resulting in—

“(aa) a significant influx of refugees;

“(bb) the internal displacement of populations; or

“(cc) the suffering of otherwise affected populations;

“(III) food scarcity conditions caused by slow-onset events, such as drought, crop failure,

pest infestation, and disease, that result in an erosion of the ability of communities and vulnerable populations to meet food needs; and

“(IV) severe food access or availability conditions resulting from sudden economic shocks, market failure, or economic collapse, that result in an erosion of the ability of communities and vulnerable populations to meet food needs.

“(B) RELEASES.—

“(i) IN GENERAL.—Any funds or commodities held in the trust may be released to provide assistance under title II of the Food for Peace Act (7 U.S.C. 1721 et seq.)—

“(I) to meet emergency needs, including during the period immediately preceding the emergency;

“(II) to respond to an emergency; or

“(III) for recovery and rehabilitation after an emergency.

“(ii) PROCEDURE.—Subject to subparagraph (B), a release under clause (i) shall be carried out in the same manner, and pursuant to the same authority as provided in title II of that Act.

“(C) INSUFFICIENCY OF OTHER FUNDS.—The funds and commodities held in the trust shall be made immediately available on a determination by the Administrator that funds available for emergency needs under title II of that Act (7 U.S.C. 1721 et seq.) for a fiscal year are insufficient to meet emergency needs during the fiscal year.”; and

(B) by redesignating paragraphs (3) through (5) as paragraphs (2) through (4), respectively;

(4) in subsection (d)—

(A) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively, and indenting the subparagraphs appropriately;

(B) by striking the subsection designation and heading and all that follows through “provide—” and inserting the following:

“(d) Management of Trust.—

“(1) IN GENERAL.—The Secretary shall provide for the management of eligible commodities and funds held in the trust in a manner that is consistent with maximizing the value of the trust, as determined by the Secretary.

“(2) ELIGIBLE COMMODITIES.—The Secretary shall provide—”;

(C) in paragraph (2) (as redesignated by subparagraph (B))—

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

(ii) in subparagraph (C) (as redesignated by subparagraph (A)), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following:

“(D) for the management of price risks associated with commodities held or potentially held in the trust.”; and

(D) by adding at the end the following:

“(3) FUNDS.—

“(A) REQUIREMENT.—The Secretary shall maximize the value of funds held in the trust, to the maximum extent practicable.

“(B) RELEASES ON EMERGENCY.—If any commodity is released from the trust in the case of an emergency under subsection (c),

The Secretary shall transfer to the trust funds of the Commodity Credit Corporation in an amount equal to, as determined by the Secretary, the amount of storage charges that will be saved by the Commodity Credit Corporation due to the emergency release.

“(C) EXCHANGES.—If any commodity held in the trust is exchanged for funds under subsection (b)(1)(D)(ii)—

“(i) the funds shall be held in the trust until the date on which the funds are released in the case of an emergency under subsection (c); and

“(ii) the Secretary shall transfer to the trust funds of the Commodity Credit Corporation in an amount equal to, as determined by the Secretary, the amount of storage charges that will be saved by Commodity Credit Corporation due to the exchange.

“(D) INVESTMENT.—The Secretary—

“(i) may invest funds held in the trust in any short-term obligation of the United States or any other low-risk short-term instrument or security insured by the Federal Government in which a regulated insurance company may invest under the laws of the District of Columbia; and

“(ii) shall not invest any funds held in the trust in real estate.”;

(5) in subsection (f)(2)(A), by striking “replenish” and inserting “reimburse”; and

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(6) in subsection (h)—

(A) in paragraph (1), by striking “replenish” and inserting “reimburse”; and

(B) in each of paragraphs (1) and (2), by striking “2007” each place it appears and inserting “2012”.

SEC. 3007. TECHNICAL ASSISTANCE FOR SPECIALTY CROPS.

Section 3205 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 5680) is amended so that subsection (d) reads as follows:

“(d) **FUNDING.**—

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

“(2) **FUNDING AMOUNT.**—The Secretary shall use the funds of, or an equal value of commodities owned by, the Commodity Credit Corporation to carry out this section—

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

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

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

“(D) \$10,000,000 for each of fiscal years 2011 through 2012.”.

SEC. 1833. TECHNICAL ASSISTANCE FOR SPECIALTY CROPS.

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

(d) **Petition.**—A participant in the program may petition the Secretary for an extension of a project carried out under this section that exceeds, or will exceed, applicable time restrictions.

“(e) **Funding.**—

“(1) **IN GENERAL.**—The Secretary shall make available to carry out the program under this section—

“(A) \$6,800,000 of funds of, or an equal value of commodities owned by, the Commodity Credit Corporation for each of fiscal years 2008 through 2011; and

“(B) \$2,000,000 of funds of, or an equal value of commodities owned by, the Commodity Credit Corporation for fiscal year 2012 and each subsequent fiscal year.

“(2) **CARRYOVER OF UNOBLIGATED FUNDS.**—In a case in which the total amount of funds or commodities made available under paragraph (1) for a fiscal year is not obligated in that fiscal year, the Secretary shall make available in the subsequent fiscal year an amount equal to—

“(A) the amount made available for the fiscal year under paragraph (1); plus

“(B) the amount not obligated in the previous fiscal year.”

SEC. 3008. TECHNICAL ASSISTANCE FOR THE RESOLUTION OF TRADE DISPUTES.

(a) **IN GENERAL.**—The Secretary of Agriculture may provide monitoring, analytic support, and other technical assistance to limited resource persons and organizations associated with agricultural trade (as determined by the Secretary) to address unfair trade practices of

SEC. 3204. TECHNICAL ASSISTANCE FOR THE RESOLUTION OF TRADE DISPUTES.

(a) **In General.**—The Secretary may provide monitoring, analytic support, and other technical assistance to limited resource persons that are involved in trading agricultural commodities, as determined by the Secretary, to reduce trade barriers to the persons.

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<p>foreign countries and to reduce trade barriers.</p> <p>(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized such sums as necessary to carry out subsection (a).</p>	<p>(b) Authorization of Appropriations.—There are authorized to be appropriated such sums as are necessary to carry out this section.</p>
<p>SEC. 3009. REPRESENTATION BY THE UNITED STATES AT INTERNATIONAL STANDARD-SETTING BODIES.</p> <p>(a) IN GENERAL.—Pursuant to the authority of the Secretary provided by section 1458(a)(3) of the Food and Agriculture Act of 1977 (7 U.S.C. 3291(a)(3)), the Secretary is authorized to enhance United States support for international organizations, including the Food and Agriculture Organization, the Codex Alimentarius Commission, the International Plant Protection Convention, and the World Organization for Animal Health, that establish international standards regarding food, food safety, plants, and animals, respectively, by funding additional positions of Associate Professional Officers to address sanitary and phytosanitary priorities of the United States within applicable international organizations.</p> <p>(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as necessary to carry out this section for each of fiscal years 2007–2012.</p>	<p>No comparable provision</p>
<p>SEC. 3010. FOREIGN MARKET DEVELOPMENT COOPERATOR PROGRAM.</p> <p>(a) FOREIGN MARKET DEVELOPMENT COOPERATOR PROGRAM.—Subsection (c) of section 702 of the Agricultural Trade Act of 1978 (7 U.S.C. 5722) is amended by striking “Committee on International Relations” and inserting “Committee on Foreign Affairs”.</p> <p>(b) FUNDING.—Subsection (a) of section 703 of such Act (7 U.S.C. 5723) is amended by striking “2002 through 2007” and inserting “2008 through 2012”.</p>	<p>SEC. 3105. FOREIGN MARKET DEVELOPMENT COOPERATOR PROGRAM.</p> <p>Section 703(a) of the Agricultural Trade Act of 1978 (7 U.S.C. 5723(a)) is amended by striking “amount of \$34,500,000 for each of fiscal years 2002 through 2007” and inserting “amount of—</p> <p>“(1) \$39,500,000 for each of fiscal years 2008 and 2009;</p> <p>“(2) \$44,500,000 for fiscal year 2010; and</p> <p>“(3) \$34,500,000 for fiscal year 2011 and each subsequent fiscal year.”.</p>
<p>SEC. 3011. EMERGING MARKETS.</p> <p>The Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5622 note; Public Law 101–624) is amended in each of subsections (a) and (d)(1)(A)(i) by striking “2007” and inserting “2012”.</p>	<p>SEC. 3202. EMERGING MARKETS AND FACILITY GUARANTEE LOAN PROGRAM.</p> <p>Section 1542 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5622 note; Public Law 101–624) is amended—</p> <p>(1) in subsection (a), by striking “2007” and inserting “2012”;</p>

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	<p>(2) in subsection (b)—</p> <p>(A) in the first sentence, by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and indenting appropriately;</p> <p>(B) by striking “A portion” and inserting the following:</p> <p>“(1) IN GENERAL.—A portion”;</p> <p>(C) in the second sentence, by striking “The Commodity Credit Corporation’ and inserting the following:</p> <p>“(2) PRIORITY.—The Commodity Credit Corporation”; and</p> <p>(D) by adding at the end the following:</p> <p>“(3) CONSTRUCTION WAIVER.—The Secretary may waive any applicable requirements relating to the use of United States goods in the construction of a proposed facility, if the Secretary determines that—</p> <p>“(A) goods from the United States are not available; or</p> <p>“(B) the use of goods from the United States is not practicable.</p> <p>“(4) TERM OF GUARANTEE.—A facility payment guarantee under this subsection shall be for a term that is not more than the lesser of—</p> <p>“(A) the term of the depreciation schedule of the facility assisted; or</p> <p>“(B) 20 years.”; and</p> <p>(3) in subsection (d)(1)(A)(i) by striking “2007” and inserting “2012”.</p>
<p>SEC. 3012. EXPORT ENHANCEMENT PROGRAM.</p> <p>Section 301(e)(1)(G) of the Agricultural Trade Act of 1978 (7 U.S.C. 5651(e)(1)(G)) is amended by striking “2007” and inserting “2012”.</p>	<p>SEC. 3103. EXPORT ENHANCEMENT PROGRAM.</p> <p>(a) In General.—Section 301 of the Agricultural Trade Act of 1978 (7 U.S.C. 5651) is repealed.</p> <p>(b) Conforming Amendments.—The Agricultural Trade Act of 1978 is amended—</p> <p>(1) in title III, by striking the title heading and inserting the following:</p> <p>“TITLE III—BARRIERS TO EXPORTS”;</p> <p>(2) by redesignating section 302 as section 301;</p> <p>(3) by striking section 303;</p> <p>(4) in section 401 (7 U.S.C. 5661)—</p> <p>(A) in subsection (a), by striking “section 201, 202, or 301” and inserting “section 201 or 202”; and</p>

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

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

SEC. 3013. MINIMUM LEVEL OF NONEMERGENCY FOOD ASSISTANCE.

Section 412 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1736f) is amended by inserting at the end the following new subsection:

“(e) **MINIMUM LEVEL OF NONEMERGENCY FOOD ASSISTANCE.**—

“(1) **FUNDS.**—Of the amounts made available to carry out emergency and nonemergency food assistance programs under title II, not less than \$450,000,000 for each of fiscal years 2008 through 2012 shall be expended for nonemergency food assistance programs under title II.

“(2) **EXCEPTION.**—The Administrator may use less than the amount specified in paragraph (1) for a fiscal year for nonemergency food assistance programs under title II if—

“(A) the Administrator submits to the Committees on Foreign Affairs, Agriculture, and Appropriations of the House of Representatives and the Committees on Appropriations and Agriculture, Nutrition, and Forestry of the Senate a report requesting the reduction and containing the reasons for the reduction; and

“(B) following submission of the report, Congress enacts a law approving the Administrator’s request.”.

SEC. 3019. AUTHORIZATION OF APPROPRIATIONS.

Section 412 of the Food for Peace Act (7 U.S.C. 1736f) is amended by striking subsection (b) and inserting the following:

“(b) Minimum Level of Nonemergency Food Assistance.—For each of fiscal years 2008 through 2012, of the amounts made available to carry out emergency and nonemergency food assistance programs under title II, not less than \$600,000,000 for each of those fiscal years shall be obligated and expended for nonemergency food assistance programs under title II.”.

SEC. 3014. GERMPLASM CONSERVATION.

(a) **CONTRIBUTION.**—The Administrator of the United States Agency for International Development shall contribute funds to endow the Global Crop Diversity Trust (in this section referred to as the “Trust”) to assist in the conservation of genetic diversity in food crops through the collection and storage of the germplasm of such crops in a manner that provides for—

- (1) the maintenance and storage of seed collections;
- (2) the documentation and cataloguing of the genetics and characteristics of

SEC. 3021. GERMPLASM CONSERVATION.

Title IV of the Food for Peace Act (7 U.S.C. 1731 et seq.) is amended by adding at the end the following:

“SEC. 417. GERMPLASM CONSERVATION.

“(a) Contribution.—The Administrator of the United States Agency for International Development shall contribute funds to endow the Global Crop Diversity Trust (referred to in this section as the ‘Trust’) to assist in the conservation of genetic diversity in food crops through the collection and storage of the germplasm of food crops in a manner that provides for—

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<p>conserved seeds to ensure efficient reference for researchers, plant breeders, and the public;</p> <p>(3) building the capacity of seed collection in developing countries;</p> <p>(4) making information regarding crop genetic data publicly available for researchers, plant breeders, and the public (for example, through the provision of an accessible Internet site);</p> <p>(5) the operation and maintenance of a back-up facility wherein is stored duplicate samples of seeds, as a hedge against natural or man-made disasters; and</p> <p>(6) oversight designed to ensure international coordination of these actions and efficient, public accessibility to this diversity through a cost-effective system.</p> <p>(b) UNITED STATES CONTRIBUTION LIMIT.—The aggregate contributions of United States Government funds provided to the Trust shall not exceed 25 percent of the total of the funds contributed to the Trust from all sources.</p> <p>(c) AUTHORIZATION.—There are authorized to be appropriated to carry out this section a total of \$60,000,000 over the period of fiscal year 2008 through fiscal year 2012.</p>	<p>“(1) the maintenance and storage of seed collections;</p> <p>“(2) the documentation and cataloguing of the genetics and characteristics of conserved seeds to ensure efficient reference for researchers, plant breeders, and the public;</p> <p>“(3) building the capacity of seed collection in developing countries;</p> <p>“(4) making information regarding crop genetic data publicly available for researchers, plant breeders, and the public (including through the provision of an accessible Internet website);</p> <p>“(5) the operation and maintenance of a back-up facility in which are stored duplicate samples of seeds, in the case of natural or man-made disasters; and</p> <p>“(6) oversight designed to ensure international coordination of those actions and efficient, public accessibility to that diversity through a cost-effective system.</p> <p>“(b) United States Contribution Limit.—The aggregate contributions of funds of the Federal Government provided to the Trust shall not exceed 25 percent of the total of the funds contributed to the Trust from all sources.</p> <p>“(c) Authorization of Appropriations.—There is authorized to be appropriated to carry out this section \$60,000,000 for the period of fiscal years 2008 through 2012.”.</p>
<p>SEC. 3015. REPORT ON EFFORTS TO IMPROVE PROCUREMENT PLANNING.</p> <p>(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Administrator of the United States Agency for International Development and the Secretary of Agriculture shall submit to the appropriate congressional committees a report on efforts taken by both the United States Agency for International Development and the Department of Agriculture to improve planning for food and transportation procurement, including efforts to eliminate bunching of food purchases.</p> <p>(b) CONTENTS.—The report required under subsection (a) should include, among other things, a description of efforts taken to—</p> <p>(1) improve coordination of food purchases by the United States Agency for International Development and the Department of Agriculture;</p> <p>(2) increase flexibility in procurement schedules;</p> <p>(3) increase utilization of historical analyses and forecasting; and</p>	<p>No comparable provision</p>

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(4) improve and streamline legal claims processes for resolving transportation disputes.

(c) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Foreign Affairs and the Committee on Agriculture of the House of Representatives; and

(2) the Committee on Agriculture, Nutrition, and Forestry of the Senate.

SEC. 3016. INTERNATIONAL DISASTER ASSISTANCE UNDER THE FOREIGN ASSISTANCE ACT OF 1961.

For each of the fiscal years 2008 through 2012, of the amounts made available to carry out section 491 of the Foreign Assistance Act of 1961 (22 U.S.C. 2292), not less than \$40,000,000 for each such fiscal year is authorized be made available for the purposes of famine prevention and relief under such section.

SEC. 3014. PILOT PROGRAM FOR LOCAL PURCHASE.

Chapter I of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq) is amended by adding at the end the following:

“SEC. 136. PILOT PROGRAM FOR LOCAL PURCHASE OF ELIGIBLE COMMODITIES.

“(a) Definitions.—In this section:

“(1) **ADMINISTRATOR.**—The term “Administrator” means the Administrator of the Agency for International Development.

“(2) **ELIGIBLE COMMODITY.**—The term ‘eligible commodity’ means an agricultural commodity, or the product of an agricultural commodity, that is produced in—

“(A) the recipient country;

“(B) a low-income, developing country near the recipient country; or

“(C) Africa.

“(3) **ELIGIBLE ORGANIZATION.**—The term ‘eligible organization’ means—

“(A) an organization that is—

“(i) described in section 202(d) of the Food for Peace Act; and

“(ii) subject to guidelines promulgated to carry out this section, including United States audit requirements that are applicable to non-governmental organizations; or

“(B) an intergovernmental organization, if the organization agrees to be subject to all requirements of this section, including any regulations promulgated or guidelines issued by the Administrator to carry out this section.

“(4) **PILOT PROGRAM.**—The term ‘pilot program’ means the pilot program established under subsection (b).

“(b) Establishment.—The Administrator shall establish a field-based pilot program for local and regional purchases of eligible commodities in accordance with this section.

“(c) Purposes.—Eligible commodities under the pilot program shall be used solely—

“(1) to address severe food shortages caused by sudden events, including—

“(A) earthquakes, floods, and other unforeseen crises; or

“(B) human-made crises, such as conflicts;

“(2) to prevent or anticipate increasing food scarcity as the result of slow-onset events, such as drought, crop failures, pests, economic shocks, and diseases that result in an erosion of the capacity of communities and vulnerable populations to meet food needs;

“(3) to address recovery, resettlement, and reconstruction following 1 or more disasters or emergencies described in paragraph (1) or (2); and

“(4) to protect and improve livelihoods and food security, provide safety nets for food insecure or undernourished populations, and encourage participation in education and other productive activities.

“(d) Procurement.—Eligible commodities under the pilot program shall for emergency situations be procured through the most effective 1 or more approaches or methodologies that are likely to expedite the provision of food aid to affected populations.

“(e) Review of Prior Local Cash Purchase Experience.—

“(1) IN GENERAL.—Not later than 30 days after the date of enactment of this section, the Administrator shall initiate the process to commission an external review of local cash purchase projects conducted before the date of enactment of this section by other donor countries, private voluntary organizations, and the World Food Program of the United Nations.

“(2) USE OF REVIEW.—The Administrator shall use the results of the review to develop—

“(A) proposed guidelines under subsection (j); and

“(B) requests for applications under subsection (f).

“(3) REPORT.—Not later than 270 days after the date of enactment of this section, the Administrator shall submit to the Committees on Agriculture and Foreign Affairs of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report containing the results of the review.

“(f) Grants to Eligible Organizations.—

“(1) IN GENERAL.—After the promulgation of final guidelines under subsection (j), the

Administrator may seek applications from and provide grants to eligible organizations to carry out the pilot program.

“(2) COMPLETION REQUIREMENT.—As a condition of receiving a grant under the pilot program, an eligible organization shall agree—

“(A) to complete all projects funded through the grant not later than September 30, 2011; and

“(B) to provide information about the results of the project in accordance with subsection (i).

“(3) OTHER REQUIREMENTS.—Other requirements for submission of proposals for consideration under this title shall apply to the submission of an application for a grant under this section.

“(g) Project Diversity.—In selecting projects to fund under the pilot program, the Administrator shall select a diversity of projects, including—

“(1) at least 1 project for each of the situations described in subsection (c);

“(2) at least 1 project carried out jointly with a project funded through grassroots efforts by agricultural producers through eligible United States organizations;

“(3) projects in both food surplus and food deficit regions, using regional procurement for food deficit regions; and

“(4) projects in diverse geographical regions, with most, but not all, projects located in Africa.

“(h) Information Required in Applications.—In submitting an application under this section, an eligible organization shall—

“(1) request funding for up to 3 years; and

“(2) include in the application—

“(A) a description of the target population through a needs assessment and sufficient information to demonstrate that the situation is a situation described in subsection (c);

“(B) an assurance that the local or regional procurement—

“(i) is likely to expedite the provision of food aid to the affected population; and

“(ii) would meet the requirements of subsection (d);

“(C) a description of—

“(i) the quantities and types of eligible commodities that would be procured;

“(ii) the rationale for selecting those eligible commodities; and

“(iii) how the eligible commodities could be procured and delivered in a timely manner;

“(D) an analysis of the potential impact of the purchase of eligible commodities on the production, pricing, and marketing of the same and similar agricultural commodities in the country and localities in which the purchase will take place;

“(E) a description of food quality and safety assurance measures; and

“(F) a monitoring and evaluation plan that ensures collection of sufficient data—

“(i) to determine the full cost of procurement, delivery, and administration;

“(ii) to report on the agricultural production, marketing, and price impact of the local or regional purchases, including the impact on low-income consumers; and

“(iii) to provide sufficient information to support the completion of the report described in subsection (i).

“(i) Independent Evaluation and Report.—

“(1) IN GENERAL.—The Administrator shall—

“(A) arrange for an independent evaluation of the pilot program; and

“(B) provide access to all records and reports for the completion of the evaluation.

“(2) REPORT.—Not later than 4 years after the date of enactment of this section, the Administrator shall submit to the Committees on Agriculture and Foreign Affairs of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that—

“(A) includes the analysis and findings of the independent evaluation;

“(B) assesses whether the requirements of this section have been met;

“(C) describes for each of the relevant markets in which the commodities were purchased—

prevailing and historic supply, demand, and price movements;

“(ii) impact on producer and consumer prices;

“(iii) government market interferences and other donor activities that may have affected the supply and demand in the area in which the local or regional purchase took place; and

“(iv) the quantities and types of eligible commodities procured in each market, the time frame for procurement, and the complete costs of the procurement (including procurement, storage, handling, transportation, and administrative costs);

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“(D) assesses the impact of different methodologies and approaches on local and regional agricultural producers (including large and small producers), markets, low-income consumers, and program recipients;

“(E) assesses the time elapsed from initiation of the procurement process to delivery;

“(F) compares different methodologies used in terms of—

“(i) the benefits to local agriculture;

“(ii) the impact on markets and consumers;

“(iii) the time for procurement and delivery;

“(iv) quality and safety assurances; and

“(v) implementation costs; and

“(G) to the extent adequate information is available, includes a comparison of the different methodologies used by other donors to make local and regional purchases, including purchases conducted through the World Food Program of the United Nations.

“(j) Guidelines.—Prior to approving projects or the procurement of eligible commodities under this section, not later than 1 year after the date of enactment of this section, the Administrator shall issue guidelines to carry out this section.

“(k) Authorization of Appropriations.—

“(1) IN GENERAL.—There are authorized to be appropriated \$25,000,000 for each of the fiscal years 2009 through 2012 to carry out this section.

“(2) AVAILABILITY- Any amounts appropriated pursuant to paragraph (1) shall remain available until expended.

No comparable provision

SEC. 3104. VOLUNTARY CERTIFICATION OF CHILD LABOR STATUS OF AGRICULTURAL IMPORTS.

Section 414 of the Agricultural Trade Act of 1978 (7 U.S.C. 5674) is amended by adding at the end the following:

“(d) Reducing Child Labor and Forced Labor.—

“(1) DEFINITIONS.—In this subsection:

“(A) CHILD LABOR.—The term ‘child labor’ means the worst forms of child labor as defined in International Labor Convention 182, the Convention Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor, done at Geneva on June 17, 1999.

“(B) FORCED LABOR.—The term ‘forced labor’ means all work or service—

“(i) that is exacted from any individual under menace of any penalty for non-performance of the work or service, and for which the individual does not offer himself or herself voluntarily, by coercion, debt bondage, involuntary servitude (as those terms are defined in section 103 of the Trafficking Victims Act of 2000 (22 U.S.C. 7102)); and

“(ii) by 1 or more individuals who, at the time of production, were being subjected to a severe form of trafficking in persons (as that term is defined in that section).

“(2) DEVELOPMENT OF STANDARD SET OF PRACTICES.—

“(A) IN GENERAL.—The Secretary, in coordination with the Secretary of Labor, shall develop a standard set of practices for the production of agricultural commodities that are imported, sold, or marketed in the United States in order to reduce the likelihood that the agricultural commodities are produced with the use of forced labor or child labor.

“(B) REQUIREMENT.—The standard set of practices shall be developed in accordance with the requirements of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.).

“(3) REQUIREMENTS.—Not later than 3 years after the date of enactment of this subsection, the Secretary shall, with respect to the standard set of practices developed under paragraph (2), promulgate proposed regulations that shall, at a minimum, establish a voluntary certification program to enforce this subsection by—

“(A) requiring agricultural commodity traceability and inspection at all stages of the supply chain;

“(B) allowing for multistakeholder participation in the certification process;

“(C) providing for annual onsite inspection by a certifying agent, who shall be certified in accordance with the International Organization for Standardization Guide 65, of each affected worksite and handling operation;

“(D) incorporating a comprehensive conflict of interest policy for certifying agents, in accordance with section 2116(h) of the Organic Foods Production Act of 1990 (7 U.S.C. 6515(h)); and

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	<p>“(E) providing an anonymous grievance procedure that—</p> <p> “(i) is accessible by third parties to allow for the identification of new or continuing violations of the regulations; and</p> <p> “(ii) provides protections for whistleblowers.</p> <p>“(4) REPORTING REQUIREMENT.—Not later than 180 days after the date of enactment of this subsection, and annually thereafter, the Secretary 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 the development and implementation of the standard set of practices under this subsection.”.</p>
<p>No comparable provision</p>	<p>SEC. 3203. BIOTECHNOLOGY AND AGRICULTURAL TRADE PROGRAM.</p> <p>Section 1543A(d) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5679(d)) is amended by striking “2007” and inserting “2012”.</p>
<p>No comparable provision</p>	<p>SEC. 3206. REPORT ON THE IMPORTATION OF HIGH PROTEIN FOOD INGREDIENTS.</p> <p>(a) <i>In General.</i>--Not later than 180 days after the date of enactment of this Act, the Secretary and the Secretary of Health and Human Services (acting through the Commissioner of Food and Drugs), in consultation with the heads of other appropriate Federal agencies, shall jointly submit to Congress a report on imports of high protein food ingredients (including gluten, casein, and milk protein concentrate) into the United States during the 5-year period preceding the date of enactment of this Act.</p> <p>(b) <i>Components.</i>--The report required under subsection (a) shall include--</p> <p>(1) a description of--</p> <p>(A) the quantity of each high protein food ingredient imported into the United States; and</p> <p>(B) the source of the high protein food ingredients being imported;</p> <p>(2) an accounting of the percentage of imports in each category and subcategory of high</p>

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	<p>protein food ingredients that were inspected, including whether the inspections were—</p> <p>A) basic or visual inspections; or</p> <p>(B) more intensive inspections or laboratory analyses;</p> <p>(3) an evaluation of--</p> <p>(A) whether the laboratory tests conducted on high protein food ingredients were able to detect adulteration with other high nitrogen compounds, such as melamine; and</p> <p>(B) if some of the laboratory tests were sensitive and others were not sensitive, the number and results for each sensitivity; and</p> <p>(4) a survey of whether high protein food ingredients were imported for food uses or non-food uses, including an analysis of--</p> <p>(A) whether the food uses were animal or human food uses; and</p> <p>(B) whether any non-food or animal feed products could have entered the human food supply, including an analysis of any safeguards to prevent such products from entering the human food supply.</p> <p>(c) <i>Availability.</i>--As soon as practicable after the completion of the report under subsection (a), the Secretary and the Secretary of Health and Human Services shall make the report available to the public.</p>
No comparable provision	<p>SECTION 11093. ENFORCEMENT OF UNITED STATES-CANADA SOFTWOOD LUMBER AGREEMENT.</p> <p>(a) <i>Findings.</i>--The Senate finds that--</p> <p>(1) the Federal Government has repeatedly found that Canadian softwood lumber shipped to the United States is unfairly subsidized and dumped into the United States market and materially injures softwood lumber producers in the United States;</p> <p>(2) in September 2006, the United States and Canada entered into the United States-Canada Softwood Lumber Agreement (referred to in this section as the ``Agreement'') to address Canada's unfair lumber trade practices;</p>

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(3) the Agreement obligates Canada to apply export taxes and quotas to Canadian softwood lumber exports to the United States and to forego new subsidies to Canadian lumber producers;

(4) Canada has consistently violated the Agreement, including by failing to apply export taxes and quotas as required by the Agreement and by providing new subsidies to Canadian lumber companies;

(5) Canadian violations of the Agreement are contributing to market conditions that are resulting in significant job losses in the United States lumber mills;

(6) the United States is challenging some of the Canadian violations of the Agreement through arbitral proceedings;

(7) as of the date of enactment of this Act, Federal enforcement of the Agreement has not resulted in progress to date; and

(8) Federal executive agencies have been considering proposals to enforce the Agreement.

(b) *Sense of the Senate.*--It is the sense of the Senate that the President should take all actions necessary to ensure that imports of Canadian softwood lumber are consistent with the provisions of the United States-Canada Softwood Lumber Agreement.