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106TH CONGRESS
2D SESSION

S. 2985

To amend the Agricultural Trade Act of 1978 to authorize the Commodity Credit Corporation to reallocate certain unobligated funds from the export enhancement program to other agricultural trade development and assistance programs.

IN THE SENATE OF THE UNITED STATES

JULY 27, 2000

Mr. DURBIN (for himself and Mr. KENNEDY) introduced the following bill; which was read twice and referred to the Committee on Finance

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A BILL

To amend the Agricultural Trade Act of 1978 to authorize the Commodity Credit Corporation to reallocate certain unobligated funds from the export enhancement program to other agricultural trade development and assistance programs.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Agricultural Flexibility in Export Development and Assistance Act of 2000''.

SEC. 2. REALLOCATION OF UNOBLIGATED FUNDS FROM EXPORT ENHANCEMENT PROGRAM TO OTHER AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE PROGRAMS.

(a) IN GENERAL.—Section 301(e) of the Agricultural Trade Act of 1978 (7 U.S.C. 5651(e)) is amended by adding at the end the following:

"(3) REALLOCATION OF UNOBLIGATED FUNDS.—

"(A) HIGHER LEVEL OF UNOBLIGATED FUNDS.—If, by July 1 of a fiscal year, the Secretary determines that the total amount of bonus payments made under this section is less than 20 percent of the amount of the funds that are made available for the fiscal year under paragraph (1) to carry out the program established under this section, the Commodity Credit Corporation may transfer, for use in carrying out authorized programs in accordance with subparagraph (C) during the fiscal year, 67 percent of the unobligated funds for the fiscal year.

"(B) LOWER LEVEL OF UNOBLIGATED FUNDS.—If, by July 1 of a fiscal year, the Secretary determines that the total amount of bonus payments made under this section is at

least 20 percent, but not more than 50 percent, of the amount of the funds that are made available for the fiscal year under paragraph (1) to carry out the program established under this section, the Commodity Credit Corporation may transfer, for use in carrying out authorized programs in accordance with subparagraph (C) during the fiscal year, 33 percent of the unobligated funds for the fiscal year.

"(C) AUTHORIZED PROGRAMS.—Of the amount of funds that are made available for a fiscal year under subparagraph (A) or (B)—

"(i) not less than 75 percent of the funds shall be made available and (subject to subparagraph (D)) used to—

"(I) carry out programs authorized under title I of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1701 et seq.);

"(II) carry out programs authorized under title II of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1721 et seq.); or

"(III) notwithstanding subsections (f)(3), (g), and (l)(1) of the Food for Progress Act of 1985 (7 U.S.C. 1736o), provide commodities, and fund non-commodity costs related to providing commodities, under that Act;

"(ii) notwithstanding section 211(c)(1), not more than 20 percent of the funds shall be made available and used to carry out the market access program established under section 203; and

"(iii) not more than 5 percent of the funds shall be made available and used to carry out the cooperator market development program of the Foreign Agricultural Service.

"(D) SCHOOL FEEDING OR CHILD NUTRITION PROGRAMS.—Of the amount of funds that are made available for a fiscal year under subparagraph (C)(i), not less than 50 percent of the funds shall be made available and used to carry out school feeding or child nutrition programs.

"(E) AVAILABILITY OF FUNDS.—

"(i) TIMING.—Funds authorized to be used by this paragraph shall be obligated by the end of the fiscal year following the determination of the Secretary described in subparagraph (A) or (B).

"(ii) ADDITIONAL FUNDS.—The funds shall be in addition to any other funds that are made available for a purpose described in this paragraph.

"(F) STORAGE COSTS.—All additional costs for the storage of commodities purchased in accordance with subparagraph (C)(i)(I) shall be paid with funds made available to carry out this section.".

(b) CONFORMING AMENDMENT.—Section 206(a) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1726(a)) is amended by striking "$1,000,000,000" and inserting "$1,200,000,000".

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