

§ 1736g. Coordination of foreign assistance programs

(a) In general

To the maximum extent practicable, assistance for a foreign country under subchapter III-A of this chapter shall be coordinated and integrated with United States development assistance objectives and programs for that country and with the overall development strategy of that country. Special emphasis should be placed on, and funds devoted to, activities that will increase the nutritional impact of programs of assistance under subchapter III-A of this chapter, and child survival programs and projects, in least developed countries by improving the design and implementation of such programs and projects.

(b) Report regarding efforts to improve procurement planning

(1) Report required

Not later than 90 days after June 18, 2008, the Administrator and the Secretary shall submit to each appropriate committee of Congress a report that contains a description of each effort taken by the Administrator and the Secretary to improve planning for food and transportation procurement (including efforts to eliminate bunching of food purchases).

(2) Contents

A report required under paragraph (1) should include a description of each effort taken by the Administrator and the Secretary—

(A) to improve the coordination of food purchases made by—

- (i) the United States Agency for International Development; and
- (ii) the Department of Agriculture;

(B) to increase flexibility with respect to procurement schedules;

(C) to increase the use of historical analyses and forecasting; and

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

(July 10, 1954, ch. 469, title IV, § 413, as added Pub. L. 96-53, title II, § 210, Aug. 14, 1979, 93 Stat. 370; amended Pub. L. 101-624, title XV, § 1512, Nov. 28, 1990, 104 Stat. 3656; Pub. L. 104-127, title II, § 221, Apr. 4, 1996, 110 Stat. 958; Pub. L. 110-246, title III, § 3022, June 18, 2008, 122 Stat. 1829.)

AMENDMENTS

2008—Pub. L. 110-246 designated existing provisions as subsec. (a), inserted heading, and added subsec. (b).

1996—Pub. L. 104-127 substituted “subchapter III-A of this chapter” for “this chapter” in two places.

1990—Pub. L. 101-624 amended section generally, substituting present provisions for provisions requiring, to maximum extent practicable, availability of commodities on multiyear basis.

EFFECTIVE DATE OF 2008 AMENDMENT

Amendment by Pub. L. 110-246 effective May 22, 2008, see section 4(b) of Pub. L. 110-246, set out as an Effective Date note under section 8701 of this title.

EFFECTIVE DATE OF 1990 AMENDMENT

Amendment by Pub. L. 101-624 effective Jan. 1, 1991, see section 1513 of Pub. L. 101-624, set out as a note under section 1691 of this title.

EFFECTIVE DATE

Section effective Oct. 1, 1979, see section 512(a) of Pub. L. 96-53, set out as an Effective Date of 1979 Amendment note under section 2151 of Title 22, Foreign Relations and Intercourse.

§ 1736g-1. Assistance in furtherance of narcotics control objectives of United States

(a) Substantial injury

Local currencies that are made available for use under this chapter may not be used to finance the production for export of agricultural commodities (or products thereof) that would compete in the world market with similar agricultural commodities (or products thereof) produced in the United States, if such competition would cause substantial injury to the United States producers, as determined by the President.

(b) Exception for narcotics control

Notwithstanding subsection (a) of this section, the President may provide assistance under this chapter, including assistance through the use of local currencies generated by the sale of commodities under such chapter, for economic development activities undertaken in an eligible country that is a major illicit drug producing country (as defined in section 2291(i)(2)¹ of title 22), for the purpose of reducing the dependence of the economy of such country on the production of crops from which narcotic and psychotropic drugs are derived.

(July 10, 1954, ch. 469, title IV, § 414, as added Pub. L. 101-624, title XV, § 1512, Nov. 28, 1990, 104 Stat. 3656.)

EFFECTIVE DATE

Section effective Jan. 1, 1991, see section 1513 of Pub. L. 101-624, set out as an Effective Date of 1990 Amendment note under section 1691 of this title.

§ 1736g-2. Micronutrient fortification programs

(a) In general

(1) Programs

Not later than September 30, 2008, the Administrator, in consultation with the Secretary, shall establish micronutrient fortification programs.

(2) Purpose

The purpose of a program shall be to—

(A) assist developing countries in correcting micronutrient dietary deficiencies among segments of the populations of the countries; and

(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, using recommendations included in the report entitled “Micronutrient Compliance Review of Fortified Public Law 480 Commodities”, published in October 2001, with implementation by independent entities with proven experience and expertise in food aid commodity quality enhancements.

¹ So in original. Probably should be section “2291(e)(2)”.

(b) Fortification

Under a program, grains and other commodities made available to a developing country selected to participate in a program may be fortified with 1 or more micronutrients (such as vitamin A, iron, iodine, and folic acid) with respect to which a substantial portion of the population in the country is deficient. The commodity may be fortified in the United States or in the developing country.

(c) Termination of authority

The authority to carry out programs established under this section shall terminate on September 30, 2012.

(July 10, 1954, ch. 469, title IV, §415, as added Pub. L. 104-127, title II, §222, Apr. 4, 1996, 110 Stat. 958; amended Pub. L. 107-171, title III, §3013, May 13, 2002, 116 Stat. 284; Pub. L. 110-246, title III, §3023, June 18, 2008, 122 Stat. 1830.)

AMENDMENTS

Subsec. (a)(1). Pub. L. 110-246, §3023(1)(A), substituted “2008” for “2003”.

Subsec. (a)(2). Pub. L. 110-246, §3023(1)(B), in subpar. (A), inserted “and” at end, added subpar. (B), and struck out former subpars. (B) and (C) which read as follows:

“(B) encourage the development of technologies for the fortification of grains and other commodities that are readily transferable to developing countries; and

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

Subsecs. (b) to (d). Pub. L. 110-246, §3023(2), (3), redesignated subsecs. (c) and (d) as (b) and (c), respectively, in subsec. (c), substituted “2012” for “2007”, and struck out former subsec. (b). Prior to amendment, text read as follows: “From among the countries eligible for assistance under this chapter, the Secretary may select not more than 5 developing countries to participate in a program under this section.”

2002—Pub. L. 107-171, §3013(1), substituted “programs” for “pilot program” in section catchline.

Subsec. (a). Pub. L. 107-171, §3013(2), designated first sentence as par. (1), inserted heading, and substituted “Not later than September 30, 2003, the Administrator, in consultation with the Secretary, shall establish micronutrient fortification programs.” for “Subject to the availability of practical technology and to cost effectiveness, not later than September 30, 1997, the Secretary, in consultation with the Administrator, shall establish a micronutrient fortification pilot program under this chapter.”, designated second sentence as par. (2), inserted heading, and substituted “The purpose of a program” for “The purpose of the program”, redesignated former pars. (1) and (2) as subpars. (A) and (B) of par. (2), respectively, struck out “and” at end of subpar. (A), struck out “whole” before “grains and other commodities” and substituted “; and” for period at end of subpar. (B), and added subpar. (C).

Subsec. (b). Pub. L. 107-171, §3013(3), substituted “a program under this section” for “the pilot program”.

Subsec. (c). Pub. L. 107-171, §3013(4), substituted “a program, grains” for “the pilot program, whole grains”, “a program may be fortified” for “the pilot program may be fortified”, and “(such as vitamin A, iron, iodine, and folic acid)” for “(including vitamin A, iron, and iodine)”.

Subsec. (d). Pub. L. 107-171, §3013(5), substituted “programs” for “the pilot program” and “2007” for “2002”.

EFFECTIVE DATE OF 2008 AMENDMENT

Amendment by Pub. L. 110-246 effective May 22, 2008, see section 4(b) of Pub. L. 110-246, set out as an Effective Date note under section 8701 of this title.

§ 1736g-3. Use of certain local currency

Local currency payments received by the United States pursuant to agreements entered into under subchapter II of this chapter (as in effect on November 27, 1990) may be utilized by the Secretary in accordance with section 1708 of this title (as in effect on November 27, 1990).

(July 10, 1954, ch. 469, title IV, §416, as added Pub. L. 104-127, title II, §223, Apr. 4, 1996, 110 Stat. 958.)

REFERENCES IN TEXT

Section 1708 of this title (as in effect on November 27, 1990), referred to in text, was omitted in the general amendment of this chapter by Pub. L. 101-624, title XV, §1512, Nov. 28, 1990, 104 Stat. 3633.

§ 1736h. Congressional consultation on bilateral commodity supply agreements

As soon as practicable before the Government of the United States enters into any bilateral international agreement, other than a treaty, involving a commitment on the part of the United States to assure access by a foreign country or instrumentality thereof to United States agricultural commodities or products thereof on a commercial basis, the President is encouraged to notify and consult with the appropriate committees of Congress for the purpose of setting forth in detail the terms of and reasons for negotiating such agreement.

(Pub. L. 97-98, title XII, §1202, Dec. 22, 1981, 95 Stat. 1275.)

CODIFICATION

Section was enacted as part of the Agriculture and Food Act of 1981, and not as part of the Food for Peace Act which comprises this chapter.

EFFECTIVE DATE

Section effective Dec. 22, 1981, see section 1801 of Pub. L. 97-98, set out as a note under section 4301 of this title.

§§ 1736i to 1736k. Repealed. Pub. L. 101-624, title XV, § 1573, Nov. 28, 1990, 104 Stat. 3702

Section 1736i, Pub. L. 97-98, title XII, §1203, Dec. 22, 1981, 95 Stat. 1275, provided for a special standby export subsidy program.

Section 1736j, Pub. L. 97-98, title XII, §1204, Dec. 22, 1981, 95 Stat. 1276; Pub. L. 99-198, title XI, §1133(b), Dec. 23, 1985, 99 Stat. 1489, provided for protection against agricultural embargo. See section 5672 of this title.

Section 1736k, Pub. L. 97-98, title XII, §1205, Dec. 22, 1981, 95 Stat. 1277, provided for development of plans, recommendations, and programs to alleviate the adverse impact of export embargoes on agricultural commodities. See section 5672 of this title.

§ 1736l. Consultation on grain marketing

Congress encourages the Secretary of Agriculture, in coordination with other appropriate Federal departments and agencies, to continue to consult with representatives of other major