

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—119th Cong., 2d Sess.

S. 2252

To ensure United States foreign assistance commodities are made available for their intended purposes before they expire.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended
to be proposed by Mrs. SHAHEEN

Viz:

1 Strike all after the enacting clause and insert the fol-
2 lowing:

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Saving Lives and Tax-
5 payer Dollars Act”.

6 **SEC. 2. ANNUAL COMMODITY LOSS REPORT.**

7 (a) IN GENERAL.—Not later than 1 year after the
8 date of the enactment of this Act, and annually thereafter
9 through December 31, 2030, the Secretary of State, in
10 coordination with the head of the relevant Federal depart-
11 ment or agency responsible for administering assistance
12 under part I of the Foreign Assistance Act of 1961 (22

1 U.S.C. 2151 et seq.) or under the Food for Peace Act
2 (Public Law 83–480; 7 U.S.C. 1721 et seq) shall submit
3 a report to the appropriate congressional committees that
4 describes any foreign assistance product or commodity
5 that, despite all reasonable efforts to prevent contamina-
6 tion, spoilage, or expiration or, having reached the end of
7 a product’s useful life under the laws of the United States
8 or of the recipient country, was destroyed during the re-
9 porting period.

10 (b) CONTENTS.—The report required under sub-
11 section (a) shall include, for each product or commodity
12 that was contaminated, spoiled, expired, or reached the
13 end of its useful life and was destroyed—

14 (1) a description of the reasonable efforts made
15 to prevent waste and ensure the product or com-
16 modity reached the intended beneficiaries;

17 (2) the reason the product or commodity could
18 not be made available to the intended beneficiaries,
19 including a description of any relevant domestic laws
20 or regulations of the intended beneficiary country
21 that impeded or prohibited the delivery, donation or
22 sale of such product or commodity prior to its spoil-
23 age, expiration date, or the date on which the prod-
24 uct reached the end of its useful life;

1 (3) the purpose of the product or commodity
2 and the geographic locations of the intended bene-
3 ficiaries of such product or commodity;

4 (4) the procured and market value of the prod-
5 ucts or commodity; and

6 (5) the cost incurred to destroy the product or
7 commodity, as applicable.

8 (c) DEFINITIONS.—In this section:

9 (1) APPROPRIATE CONGRESSIONAL COMMIT-
10 TEES.—The term “appropriate congressional com-
11 mittees” means—

12 (A) the Committee on Foreign Relations of
13 the Senate;

14 (B) the Committee on Appropriations of
15 the Senate;

16 (C) the Committee on Foreign Affairs of
17 the House of Representatives; and

18 (D) the Committee on Appropriations of
19 the House of Representatives.

20 (2) FOREIGN ASSISTANCE PRODUCT OR COM-
21 MODITY.—The term “foreign assistance product or
22 commodity” means any product or commodity pro-
23 vided by the United States Government under part
24 I of the Foreign Assistance Act of 1961 (22 U.S.C.
25 2151 et seq.) or under the Food for Peace Act (Pub-

1 lic Law 83–480; 7 U.S.C. 1721 et seq.), including
2 food, specialized nutrition products, medicines, vac-
3 cines, and medical supplies and devices that are pro-
4 cured, acquired, managed, controlled, or held in
5 warehouse, ships, shipping containers, or any other
6 storage facility, by the United States Government or
7 an implementing partner of the United States Gov-
8 ernment.

9 (3) REPORTING PERIOD.—The term “reporting
10 period” means—

11 (A) with respect to the initial report re-
12 quired under subsection (a), the period begin-
13 ning on the date of the enactment of this Act
14 and ending on the date on which such report is
15 submitted to the appropriate congressional com-
16 mittees; and

17 (B) with respect to all subsequent reports
18 required under subsection (a), the period begin-
19 ning on the day after the date on which the
20 prior report was submitted pursuant to sub-
21 section (a) and ending on the date on which the
22 next report is submitted.