

“(4) an organization that is governed by a Board of Directors composed entirely of individuals representing tribal housing entities.

“(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary, for transfer to an Indian organization selected by the Secretary, in consultation with Indian tribes, such sums as are necessary to provide training and technical assistance to Indian housing authorities and tribally designated housing entities for each of fiscal years 2008 through 2012.”

[(a) DEFINITION OF INDIAN ORGANIZATION.—In this section, the term “Indian organization” means—

[(1) an Indian organization representing the interests of Indian tribes, Indian housing authorities, and tribally designated housing entities throughout the United States;

[(2) an organization registered as a non-profit entity that is—

[(A) described in section 501(c)(3) of the Internal Revenue Code of 1986; and

[(B) exempt from taxation under section 501(a) of that Code;

[(3) an organization with at least 30 years of experience in representing the housing interests of Indian tribes and tribal housing entities throughout the United States; and

[(4) an organization that is governed by a Board of Directors composed entirely of individuals representing tribal housing entities.

[(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Housing and Urban Development, for transfer to an Indian organization selected by the Secretary of Housing and Urban Development, in consultation with Indian tribes, such sums as are necessary to provide training and technical assistance to Indian housing authorities and tribally-designated housing entities for each of fiscal years 2008 through 2012.]

#### TITLE VIII—FUNDING

##### SEC. 801. AUTHORIZATION OF APPROPRIATIONS.

(a) BLOCK GRANTS AND GRANT REQUIREMENTS.—Section 108 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4117) is amended in the first sentence by striking “1998 through 2007” and inserting “2008 through 2012”.

(b) FEDERAL GUARANTEES FOR FINANCING FOR TRIBAL HOUSING ACTIVITIES.—Section 605 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4195) is amended in subsections (a) and (b) by striking “1997 through 2007” each place it appears and inserting “2008 through 2012”.

(c) TRAINING AND TECHNICAL ASSISTANCE.—Section 703 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4212) is amended by striking “1997 through 2007” and inserting “2008 through 2012”.

##### SEC. 802. FUNDING CONFORMING AMENDMENTS.

Chapter 97 of title 31, United States Code, is amended—

(1) by redesignating the first section 9703 (relating to managerial accountability and flexibility) as section 9703A;

(2) by moving the second section 9703 (relating to the Department of the Treasury Forfeiture Fund) so as to appear after section 9702; and

(3) in section 9703(a)(1) (relating to the Department of the Treasury Forfeiture Fund)—

(A) in subparagraph (I)—

(i) by striking “payment” and inserting “Payment”; and

(ii) by striking the semicolon at the end and inserting a period;

(B) in subparagraph (J), by striking “payment” the first place it appears and inserting “Payment”; and

(C) by adding at the end the following:

“(K)(i) Payment to the designated tribal law enforcement, environmental, housing, or

health entity for experts and consultants needed to clean up any area formerly used as a methamphetamine laboratory.

“(ii) For purposes of this subparagraph, for a methamphetamine laboratory that is located on private property, not more than 90 percent of the clean up costs may be paid under clause (i) only if the property owner—

“(I) did not have knowledge of the existence or operation of the laboratory before the commencement of the law enforcement action to close the laboratory; or

“(II) notified law enforcement not later than 24 hours after discovering the existence of the laboratory.”

Mr. REID. Mr. President, I ask unanimous consent that the committee-reported amendments be agreed to, the amendment at the desk be agreed to, the bill, as amended, be read a third time and passed, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements related to this measure be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee amendments were agreed to.

The amendment (No. 4820) was agreed to, as follows:

(Purpose: To modify provisions relating to use of treatment of funds, amounts, an allocation formula, and a demonstration program)

On page 19, strike lines 1 through 13 and insert the following:

“(c) APPLICABILITY.—The provisions of paragraph (2) of subsection (a) regarding binding commitments for the remaining useful life of property shall not apply to a family or household member who subsequently takes ownership of a homeownership unit.”

On page 22, line 9, insert “in accordance with section 202” after “infrastructure”.

On page 29, strike line 18 and insert the following:

“(iv) any other legal impediment.

“(E) Subparagraphs (A) through (D) shall not apply to any claim arising from a formula current assisted stock calculation or count involving an Indian housing block grant allocation for any fiscal year through fiscal year 2008, if a civil action relating to the claim is filed by not later than 45 days after the date of enactment of this subparagraph.”

The bill (S. 2062), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

(The bill will be printed in a future edition of the RECORD.)

#### FEDERAL FOOD DONATION ACT OF 2008

Mr. REID. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 748, S. 2420.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2420) to encourage the donation of excess food to nonprofit organizations that provide assistance to food-insecure people in the United States in contracts entered into by executive agencies for the provision, service, or sale of food.

There being no objection, the Senate proceeded to consider the bill, which

had been reported from the Committee on Homeland Security and Governmental Affairs, with an amendment.

(Strike all after the enacting clause and insert in lieu thereof the part printed in italic.)

S. 2420

*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 “Federal Food Donation Act of 2007”).

#### SEC. 2. PURPOSE.

[(The purpose of this Act is to encourage executive agencies and contractors of executive agencies, to the maximum extent practicable and safe, to donate excess, apparently wholesome food to feed food-insecure people in the United States.)

#### SEC. 3. DEFINITIONS.

[(In this Act:

[(1) APPARENTLY WHOLESOME FOOD.—The term “apparently wholesome food” has the meaning given the term in section 2(b) of the Bill Emerson Good Samaritan Food Donation Act (42 U.S.C. 1791(b)).

[(2) EXCESS.—The term “excess”, when applied to food, means food that—

[(A) is not required to meet the needs of executive agencies; and

[(B) would otherwise be discarded.)

[(3) FOOD-INSECURE.—The term “food-insecure” means inconsistent access to sufficient, safe, and nutritious food.

[(4) NONPROFIT ORGANIZATION.—The term “nonprofit organization” means any organization that is—

[(A) described in section 501(c) of the Internal Revenue Code of 1986; and

[(B) exempt from tax under section 501(a) of that Code.)

#### SEC. 4. PROMOTING FEDERAL FOOD DONATION.

[(Not later than 180 days after the date of enactment of this Act, the Administrator for Federal Procurement Policy shall revise the Federal Acquisition Regulation described in section 6(a) of the Office of Federal Procurement Policy Act (41 U.S.C. 405(a)) to provide that all contracts above \$25,000 for the provision, service, or sale of food, or for the lease or rental of Federal property to a private entity for events at which food is provided, shall include a clause that—

[(1) encourages the donation of excess, apparently wholesome food to nonprofit organizations that provide assistance to food-insecure people in the United States;

[(2) provides that the head of an executive agency shall not assume responsibility for the costs and logistics of collecting, transporting, maintaining the safety of, or distributing excess, apparently wholesome food to food-insecure people in the United States; and

[(3) provides that executive agencies and contractors making donations pursuant to this Act are protected from civil or criminal liability under the Bill Emerson Good Samaritan Food Donation Act (42 U.S.C. 1791).)

#### SEC. 5. COORDINATOR OF COMMUNITY FOOD SECURITY AND GLEANING.

[(a) IN GENERAL.—The Secretary of Agriculture shall establish in the Department of Agriculture a Coordinator of Community Food Security and Gleaning.

[(b) DUTIES.—The Coordinator of Community Food Security and Gleaning shall provide technical assistance relating to the activities described in section 4 to—

[(1) agencies of Federal, State, and local government;

[(2) nonprofit organizations;

[(3) agricultural producers; and

[(4) private entities.)

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Federal Food Donation Act of 2008”.

**SEC. 2. PURPOSE.**

The purpose of this Act is to encourage executive agencies and contractors of executive agencies, to the maximum extent practicable and safe, to donate excess, apparently wholesome food to feed food-insecure people in the United States.

**SEC. 3. DEFINITIONS.**

In this Act:

(1) **APPARENTLY WHOLESOME FOOD.**—The term “apparently wholesome food” has the meaning given the term in section 2(b) of the Bill Emerson Good Samaritan Food Donation Act (42 U.S.C. 1791(b)).

(2) **EXCESS.**—The term “excess”, when applied to food, means food that—

(A) is not required to meet the needs of executive agencies; and

(B) would otherwise be discarded.

(3) **FOOD-INSECURE.**—The term “food-insecure” means inconsistent access to sufficient, safe, and nutritious food.

(4) **NONPROFIT ORGANIZATION.**—The term “nonprofit organization” means any organization that is—

(A) described in section 501(c) of the Internal Revenue Code of 1986; and

(B) exempt from tax under section 501(a) of that Code.

**SEC. 4. PROMOTING FEDERAL FOOD DONATION.**

(a) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Federal Acquisition Regulation issued in accordance with section 25 of the Office of Federal Procurement Policy Act (41 U.S.C. 421) shall be revised to provide that all contracts above \$25,000 for the provision, service, or sale of food in the United States, or for the lease or rental of Federal property to a private entity for events at which food is provided in the United States, shall include a clause that—

(1) encourages the donation of excess, apparently wholesome food to nonprofit organizations that provide assistance to food-insecure people in the United States; and

(2) states the terms and conditions described in subsection (b).

(b) **TERMS AND CONDITIONS.**—

(1) **COSTS.**—In any case in which a contractor enters into a contract with an executive agency under which apparently wholesome food is donated to food-insecure people in the United States, the head of the executive agency shall not assume responsibility for the costs and logistics of collecting, transporting, maintaining the safety of, or distributing excess, apparently wholesome food to food-insecure people in the United States under this Act.

(2) **LIABILITY.**—An executive agency (including an executive agency that enters into a contract with a contractor) and any contractor making donations pursuant to this Act shall be exempt from civil and criminal liability to the extent provided under the Bill Emerson Good Samaritan Food Donation Act (42 U.S.C. 1791).

Mr. SCHUMER. Mr. President, I want to thank my colleagues for their support of S. 2420, the Federal Food Donation Act of 2007, which is being passed through the Senate today. I introduced this bill, which will encourage the donation of excess food from Federal agencies and their contractors to emergency food providers, on December 6, 2007.

In a country as wealthy as ours it is unacceptable that anyone person should go hungry, yet approximately 35.5 million Americans have difficulty affording food. An estimated 732,000 households in my home State of New York live with hunger or the threat of hunger.

Food banks and pantries all across the United States are facing a perfect storm where as the economy suffers and food prices rise, more and more families are relying on their services; yet the pantries are straining to keep their shelves stocked due to the increase in food requests and food costs. According to America’s Second Harvest, food banks around the country are reporting that an estimated 20 percent more people are visiting soup kitchens and food pantries for help this year than last year, and too many people are being turned away. We need to do everything we can to make sure that all families in all communities have enough to eat during these difficult times.

This bill will help make fighting hunger a national priority. In the 1990s, the United States Department of Agriculture created an initiative through which it encouraged the practice of food recovery. During just 1 year of the program, 1998, the Federal Government recovered over 3 million pounds nationwide from cafeterias, farms, research centers, and military bases. For the past decade the Federal Government has strayed away from this important anti-hunger initiative, but this bill would take an important step towards reengaging the Federal Government’s involvement in food recovery.

Nonprofits in the business of food rescue serve millions of people, and I would like to thank one such nonprofit, Rock and Wrap it Up!, a national food rescue organization headquartered in New York, for their help in conceiving of and promoting this bill. I commend them for their great work. It is now time for the Federal Government to join the nonprofit and private sectors in doing all it can to feed our Nation’s hungry—the need for help is greater now than it has been in a very long time.

Mr. REID. Mr. President, I ask unanimous consent that the committee substitute amendment be agreed to, the bill, as amended, be read a third time and passed, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements related to this measure be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee amendment in the nature of a substitute was agreed to.

The bill (S. 2420), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

#### NATIONAL CHILDHOOD CANCER AWARENESS DAY

Mr. REID. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 745, S. Res. 563.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 563) designating September 13, 2008, as “National Childhood Cancer Awareness Day.”

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to this measure be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 563) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 563

Whereas more than 10,000 children under the age of 15 in the United States are diagnosed with cancer annually;

Whereas every year more than 1,400 children under the age of 15 in the United States lose their lives to cancer;

Whereas childhood cancer is the number one disease killer and the second overall leading cause of death of children in the United States;

Whereas 1 in every 330 children under the age of 20 will develop cancer, and 1 in every 640 adults aged 20 to 39 has a history of cancer;

Whereas the 5-year survival rate for children with cancer has increased from 56 percent in 1974 to 79 percent in 2000, representing significant improvement from previous decades; and

Whereas cancer occurs regularly and randomly and spares no racial or ethnic group, socioeconomic class, or geographic region: Now, therefore, be it

*Resolved*, That Congress—

(1) designates September 13, 2008, as “National Childhood Cancer Awareness Day”;

(2) requests that the Federal Government, States, localities, and nonprofit organizations observe the day with appropriate programs and activities, with the goal of increasing public knowledge of the risks of cancer; and

(3) recognizes the human toll of cancer and pledges to make its prevention and cure a public health priority.

#### NATIONAL INTERNET SAFETY MONTH

Mr. REID. Mr. President, I ask unanimous consent to proceed to Calendar No. 746, S. Res. 567.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 567) designating June 2008 as National Internet Safety Month.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 567) was agreed to.

The preamble was agreed to.