

Smith #4

Tim Smith

AMENDMENT NO. _____ Calendar No. _____

Purpose: To provide for the greater inclusion of Tribal agricultural and food products in Federal trade-related activities and to provide for a study on the impact of fraudulent foods that mimic Tribal foods.

IN THE SENATE OF THE UNITED STATES—115th Cong., 2d Sess.

S. _____

To provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2023, and for other purposes.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENTS intended to be proposed by Ms. SMITH

Viz:

1 At the end of subtitle C of title III, add the following:

2 **SEC. 33** ____ . **FOREIGN TRADE MISSIONS.**

3 (a) **TRIBAL REPRESENTATION ON TRADE MIS-**

4 **SIONS.—**

5 (1) **IN GENERAL.**—The Secretary, in consulta-

6 tion with the Tribal Advisory Committee established

7 under subsection (b)(2) of section 309 of the De-

8 partment of Agriculture Reorganization Act of 1994

9 (7 U.S.C. 6921) (as added by 12304(2)) (referred to

1 in this section as the “Advisory Committee”), shall
2 seek—

3 (A) to support the greater inclusion of
4 Tribal agricultural and food products in Fed-
5 eral trade-related activities; and

6 (B) to increase the collaboration between
7 Federal trade promotion efforts and other Fed-
8 eral trade-related activities in support of the
9 greater inclusion sought under subparagraph

10 (A).

11 (2) INTERDEPARTMENTAL COORDINATION.—In
12 carrying out activities to increase the collaboration
13 described in paragraph (1)(B), the Secretary shall
14 coordinate with—

15 (A) the Secretary of Commerce;

16 (B) the Secretary of State;

17 (C) the Secretary of the Interior; and

18 (D) the heads of any other relevant Fed-
19 eral agencies.

20 (b) REPORT; GOALS.—

21 (1) REPORT.—Not later than 2 years after the
22 date of enactment of this Act, the Secretary shall
23 submit a report describing the efforts of the Depart-
24 ment of Agriculture and other Federal agencies
25 under this section to—

- 1 (A) the Advisory Committee;
2 (B) the Committee on Agriculture of the
3 House of Representatives;
4 (C) the Committee on Energy and Com-
5 merce of the House of Representatives;
6 (D) the Committee on Agriculture, Nutri-
7 tion, and Forestry of the Senate;
8 (E) the Committee on Commerce, Science,
9 and Transportation of the Senate; and
10 (F) the Committee on Indian Affairs of the
11 Senate.

12 (2) GOALS.—Not later than 90 days after the
13 date of enactment of this Act, the Secretary shall es-
14 tablish goals for measuring, in an objective and
15 quantifiable format, the extent to which Indian
16 Tribes and Tribal agricultural and food products are
17 included in the trade-related activities of the Depart-
18 ment of Agriculture.

19 At the end of subtitle E of title XII, add the fol-
20 lowing:

1 **SEC. 125__ . STUDY OF MARKETPLACE FRAUD OF UNIQUE**
2 **TRADITIONAL FOODS.**

3 (a) IN GENERAL.—Not later than 1 year after the
4 date of enactment of this Act, the Comptroller General
5 of the United States shall conduct a study on—

6 (1) the market impact of traditional foods,
7 Tribally produced products, and products that use
8 traditional foods;

9 (2) fraudulent foods that mimic Tribal foods
10 that are available in the commercial marketplace as
11 of the date of enactment of this Act; and

12 (3) the means by which authentic traditional
13 foods and Tribally produced foods might be pro-
14 tected against the impact of fraudulent foods in the
15 marketplace.

16 (b) INCLUSIONS.—The study conducted under sub-
17 section (a) shall include—

18 (1) a consideration of the circumstances under
19 which fraudulent foods in the marketplace occur;
20 and

21 (2) an analysis of Federal laws administered by
22 the Secretary, intellectual property laws, and trade-
23 mark laws that might offer protections against
24 fraudulent foods in a the context of Tribal foods.

25 (c) REPORT.—Not later than 60 days after the date
26 of completion of the study, the Comptroller General of the

1 United States shall submit a report describing the results
2 of the study under this section to—

3 (1) the Committee on Agriculture of the House
4 of Representatives;

5 (2) the Committee on the Judiciary of the
6 House of Representatives;

7 (3) the Committee on Agriculture, Nutrition,
8 and Forestry of the Senate;

9 (4) the Committee on the Judiciary of the Sen-
10 ate; and

11 (5) the Committee on Indian Affairs of the Sen-
12 ate.