

118TH CONGRESS  
1ST SESSION

# H. R. 4293

To amend the Food for Peace Act to restore the original intent of commodity transfers, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 22, 2023

Mr. MANN (for himself, Mr. GARAMENDI, Mr. CRAWFORD, and Mr. PANETTA) introduced the following bill; which was referred to the Committee on Agriculture, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend the Food for Peace Act to restore the original intent of commodity transfers, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “American Farmers  
5 Feed the World Act of 2023”.

6 **SEC. 2. PETER O’BRIEN FOOD FOR PEACE PROGRAM.**

7 (a) RENAMING OF PROGRAM.—

1           (1) IN GENERAL.—Title II of the Food for  
2 Peace Act (7 U.S.C. 1721 et seq.) is amended in the  
3 title heading by striking “**EMERGENCY AND**  
4 **PRIVATE ASSISTANCE PROGRAMS**” and  
5 inserting “**PETER O’BRIEN FOOD FOR**  
6 **PEACE PROGRAM**”.

7           (2) GENERAL AUTHORITY.—Section 201 of the  
8 Food for Peace Act (7 U.S.C. 1721) is amended in  
9 the matter preceding paragraph (1) by striking  
10 “title (to be implemented by the Administrator)”  
11 and inserting “title, to be known as the ‘Peter  
12 O’Brien Food for Peace Program’, to be imple-  
13 mented by the Administrator,”.

14           (b) PROVISION OF AGRICULTURAL COMMODITIES.—  
15 Section 202 of the Food for Peace Act (7 U.S.C. 1722)  
16 is amended—

17           (1) in subsection (a)—

18           (A) by striking “of law, the Administrator”  
19 and inserting “in this Act, the Administrator,  
20 with the consent of the Secretary,”; and

21           (B) by striking “the Administrator deter-  
22 mines” and inserting “the Secretary deter-  
23 mines”;

24           (2) in subsection (e)—

1 (A) in paragraph (1), by striking “7.5 per-  
2 cent nor more than 20 percent” and inserting  
3 “5 percent nor more than 10 percent”; and

4 (B) by adding at the end the following:

5 “(5) LIMITATION ON DIVERSION OF FUNDS.—  
6 Of the funds made available in each fiscal year  
7 under this title to the Administrator, not more than  
8 50 percent shall be made available for expenses  
9 other than the procurement of agricultural commod-  
10 ities and ocean transportation.

11 “(6) REPORT.—Not later than 180 days after  
12 the end of each fiscal year, the Administrator shall  
13 submit to the appropriate committees of Congress,  
14 and make publicly available on the website of the  
15 Administrator, a report that describes—

16 “(A) the uses of funds under this sub-  
17 section;

18 “(B) each instance of a provision of this  
19 Act notwithstanding under subsection (a) and the  
20 circumstances associated with that instance, in-  
21 cluding an identification of the particular provi-  
22 sion notwithstanding; and

23 “(C) each request made by the Adminis-  
24 trator to the Secretary to provide agricultural  
25 commodities under subsection (a), the reason

1 for the request, the determination of the Sec-  
2 retary to grant or not grant the request, and  
3 the reason for the determination.”; and

4 (3) in subsection (g)—

5 (A) by striking “or food procured outside  
6 of the United States,”;

7 (B) by inserting “produced and” before  
8 “furnished”; and

9 (C) by striking “of America”.

10 (c) LEVELS OF ASSISTANCE.—Section 204(a)(3) of  
11 the Food for Peace Act (7 U.S.C. 1724(a)(3)) is amend-  
12 ed—

13 (1) in the first sentence, by striking “The Ad-  
14 ministrator” and inserting “The Secretary, following  
15 consultation with the Administrator,”; and

16 (2) by striking the second sentence and insert-  
17 ing the following: “Not later than 180 days after the  
18 end of each fiscal year, the Secretary shall prepare  
19 and submit to the Committees on Foreign Affairs,  
20 Agriculture, and Appropriations of the House of  
21 Representatives and the Committees on Foreign Re-  
22 lations, Agriculture, Nutrition, and Forestry, and  
23 Appropriations of the Senate, and make publicly  
24 available on the website of the Administrator, a re-  
25 port that describes the reasons for the waiver.”.

1 (d) PROHIBITION ON CERTAIN ASSISTANCE.—Title  
2 II of the Food for Peace Act (7 U.S.C. 1721 et seq.) is  
3 amended by adding at the end the following:

4 **“SEC. 209. PROHIBITION ON CERTAIN ASSISTANCE.**

5 “Under this title, the use of food procured outside  
6 of the United States, food vouchers, or cash transfers for  
7 food as a form of assistance is prohibited.”.

8 (e) DEFINITION OF AGRICULTURAL COMMODITY.—  
9 Section 402(2) of the Food for Peace Act (7 U.S.C.  
10 1732(2)) is amended in the first sentence by striking “,  
11 unless otherwise provided for in this Act,”.

12 (f) GENERAL PROVISIONS.—Section 403 of the Food  
13 for Peace Act (7 U.S.C. 1733) is amended—

14 (1) in subsection (a)—

15 (A) in the matter preceding paragraph (1),  
16 by striking “, food procured outside of the  
17 United States, food voucher, or cash transfer  
18 for food”;

19 (B) in paragraph (1)—

20 (i) by striking “in the case of the pro-  
21 vision of an agricultural commodity,”; and

22 (ii) by striking “the commodity” each  
23 place it appears and inserting “the agricul-  
24 tural commodity”; and

1           (C) in paragraph (2), by striking “or use  
2           of the food procured outside of the United  
3           States, food voucher, or cash transfer for food  
4           in the recipient country”; and

5           (2) in subsection (b), in the first sentence, by  
6           striking “, the use of food procured outside of the  
7           United States, food vouchers, and cash transfers for  
8           food,”.

9           (g) USE OF COMMODITY CREDIT CORPORATION.—  
10          Section 406(b)(6) of the Food for Peace Act (7 U.S.C.  
11          1736(b)(6)) is amended by striking “, distribution, and  
12          program implementation costs to use the commodities”  
13          and inserting “and distribution costs”.

14          (h) CONFORMING AMENDMENTS.—

15                 (1) Section 3206 of the Food, Conservation,  
16                 and Energy Act of 2008 (7 U.S.C. 1726c) is re-  
17                 pealed.

18                 (2) Section 9(b) of the Global Food Security  
19                 Act of 2016 (22 U.S.C. 9308(b)) is amended—

20                         (A) by striking paragraph (5); and

21                         (B) by redesignating paragraphs (6) and  
22                         (7) as paragraphs (5) and (6), respectively.

1 **SEC. 3. SIMPLIFIED ACCESS TO THE BILL EMERSON HU-**  
2 **MANITARIAN TRUST.**

3 Section 302 of the Agricultural Act of 1980 (7 U.S.C.  
4 1736f-1) is amended—

5 (1) in subsection (c)(1)—

6 (A) in subparagraph (B)(i), in the matter  
7 preceding subclause (I)—

8 (i) by inserting “by the Secretary in  
9 the discretion of the Secretary, which shall  
10 be informed by information provided, at  
11 the request of the Secretary, by the Ad-  
12 ministrator regarding the ongoing pro-  
13 grams of the Administrator, without undue  
14 delay,” after “released”; and

15 (ii) by striking “(7 U.S.C. 1721 et  
16 seq.)—” and inserting “(7 U.S.C. 1721 et  
17 seq.), as approved by the Secretary—”;  
18 and

19 (B) in subparagraph (C), by striking “the  
20 Administrator” and inserting “the Secretary”;  
21 and

22 (2) in subsection (f)(2)(A), by inserting “by the  
23 Secretary” after “shall be reimbursed”.

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