

115TH CONGRESS  
2D SESSION

**S.** \_\_\_\_\_

To modernize United States international food assistance programs made available through the Food for Peace Act, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

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Mr. CORKER (for himself and Mr. COONS) introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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## A BILL

To modernize United States international food assistance programs made available through the Food for Peace Act, 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 “Food for Peace Mod-  
5        ernization Act”.

6        **SEC. 2. TABLE OF CONTENTS.**

7        The table of contents for this Act is as follows:

1 **SEC. 3. UNITED STATES POLICIES.**

2 The Food for Peace Act (7 U.S.C. 1691 et seq.) is  
3 amended by striking sections 2 and 3 (7 U.S.C. 1691 and  
4 1691a) and inserting the following:

5 **“SEC. 2. UNITED STATES POLICIES.**

6 “(a) IN GENERAL.—It is the policy of the United  
7 States to advance the security, economic, and humani-  
8 tarian interests of the United States overseas by sup-  
9 porting the growth of healthier, more stable societies and  
10 creating opportunities for expanded United States invest-  
11 ment and trade through the provision of United States  
12 foreign assistance, including agricultural commodities, au-  
13 thorized under this Act to—

14 “(1) reduce global poverty, hunger, malnutri-  
15 tion, and their attendant causes;

16 “(2) respond to, mitigate, and prevent famines  
17 and food crises arising from natural and man-made  
18 disasters;

19 “(3) improve food and nutrition security while  
20 building resilience to shocks, particularly among vul-  
21 nerable groups;

22 “(4) advance democracy and free market prin-  
23 ciples, facilitate trade, and catalyze inclusive, agri-  
24 culture-led economic growth in developing countries;  
25 and

1           “(5) reduce long-term reliance upon United  
2 States foreign assistance.

3           “(b) EFFICIENCY AND EFFECTIVENESS OF UNITED  
4 STATES INTERNATIONAL FOOD ASSISTANCE.—It is the  
5 policy of the United States to enhance the efficiency and  
6 effectiveness of United States international food assist-  
7 ance activities by—

8           “(1) coordinating with, and seeking commit-  
9 ments of appropriate levels of food assistance by, do-  
10 nors to meet the legitimate needs of developing  
11 countries and countries experiencing food crises;

12           “(2) ensuring that food assistance continues to  
13 be provided through appropriate channels, including  
14 through—

15           “(A) intergovernmental and multilateral  
16 organizations;

17           “(B) international, national, and local pri-  
18 vate voluntary, nongovernmental, faith-based,  
19 and civil society organizations; and

20           “(C) national and local governments and  
21 institutions;

22           “(3) ensuring, to the maximum extent prac-  
23 ticable, that options for providing food assistance for  
24 emergency and nonemergency purposes, including  
25 through the provision of in-kind agricultural com-

1 commodities or other forms of United States foreign as-  
2 sistance, are not subject to limitation, provided  
3 that—

4 “(A) decisions about to whom, when,  
5 where, and how to provide assistance are based  
6 on thorough assessments of need, timeliness,  
7 appropriateness, cost-effectiveness, and risk of  
8 diversion and waste; and

9 “(B) such assistance is provided in a man-  
10 ner that—

11 “(i) avoids disincentives to local agri-  
12 cultural production and marketing; and

13 “(ii) minimizes commercial market  
14 disruptions; and

15 “(C) rigorously monitoring and evaluating  
16 food assistance programs and activities, identi-  
17 fying best practices, sharing learning, and  
18 adapting such programs and activities as nec-  
19 essary and appropriate.”.

1 **TITLE I—EMERGENCY AND NON-**  
2 **EMERGENCY INTERNATIONAL**  
3 **FOOD ASSISTANCE PRO-**  
4 **GRAMS**

5 **SEC. 101. FOOD FOR PEACE PROGRAM.**

6 Title II of the Food for Peace Act (7 U.S.C. 1721  
7 et seq.) is amended to read as follows:

8 **“TITLE II—EMERGENCY AND**  
9 **NONEMERGENCY INTER-**  
10 **NATIONAL FOOD ASSISTANCE**  
11 **PROGRAMS**

12 **“SEC. 201. ESTABLISHMENT OF FOOD FOR PEACE PRO-**  
13 **GRAM.**

14 “The President, working through the Administrator  
15 of the United States Agency for International Develop-  
16 ment (referred to in this title as the ‘Administrator’) shall  
17 establish a program (to be known as the ‘Food for Peace  
18 Program’) to provide assistance, including agricultural  
19 commodities, in foreign countries on behalf of the people  
20 of the United States in furtherance of the policies set forth  
21 in section 2.

22 **“SEC. 202. PROVISION OF ASSISTANCE.**

23 “(a) **EMERGENCY ASSISTANCE.**—Notwithstanding  
24 any other provision of law, the Administrator may provide  
25 assistance, including agricultural commodities, under this

1 title to meet emergency food security needs through gov-  
2 ernments and public or private entities, including intergov-  
3 ernmental organizations such as the World Food Program  
4 and other multilateral organizations, in such manner, in-  
5 cluding through grants, contracts, and other transactions,  
6 and on such terms and conditions as the Administrator  
7 determines appropriate.

8 “(b) NONEMERGENCY FOOD ASSISTANCE.—

9 “(1) IN GENERAL.—The Administrator may  
10 provide assistance, including agricultural commod-  
11 ities, under this title to meet nonemergency food se-  
12 curity needs through eligible organizations described  
13 in subsection (d) in such manner, including through  
14 grants, contracts, and other transactions, and on  
15 such terms and conditions as the Administrator de-  
16 termines appropriate.

17 “(2) PROGRAM DIVERSITY.—The Administrator  
18 may—

19 “(A) encourage eligible organizations to  
20 propose and implement program plans to ad-  
21 dress 1 or more of the policies set forth in sec-  
22 tion 2; and

23 “(B) consider proposals that incorporate a  
24 variety of program objectives and strategic  
25 plans based on the identification by eligible or-

1           ganizations of appropriate activities, consistent  
2           with section 2, to promote economic develop-  
3           ment in foreign countries.

4           “(3) COORDINATION.—Nonemergency assist-  
5           ance provided under this title shall be coordinated,  
6           to the greatest extent practicable and appropriate,  
7           with complementary food and nutrition security as-  
8           sistance made available pursuant to chapter 1 of  
9           part I of the Foreign Assistance Act of 1961 (22  
10          U.S.C. 2151 et seq.).

11          “(c) USES OF AGRICULTURAL COMMODITIES.—Agri-  
12          cultural commodities provided under this title may be  
13          made available for direct distribution, sale, barter, or  
14          other appropriate disposition.

15          “(d) ELIGIBLE ORGANIZATIONS.—To be eligible to  
16          receive assistance under subsection (b), an organization  
17          shall be—

18                 “(1) a private voluntary organization or cooper-  
19                 ative that is, to the extent practicable, registered  
20                 with the Administrator; or

21                 “(2) an intergovernmental organization, such as  
22                 the World Food Program.

23          “(e) INVESTMENT AUTHORITY.—An eligible organi-  
24          zation that receives financial assistance under this title  
25          may invest such funds pending use for project purposes.

1 Any interest earned on such investment shall be used for  
2 the purposes for which the assistance was provided to the  
3 eligible organization without further appropriation by  
4 Congress.

5 “(f) EFFECTIVE USE OF ASSISTANCE.—Organiza-  
6 tions and cooperatives receiving assistance, including agri-  
7 cultural commodities, under this title shall ensure that  
8 such assistance is used effectively and in the areas of  
9 greatest need by—

10 “(1) working with indigenous institutions and  
11 employing indigenous workers, to the extent feasible;

12 “(2) assessing and taking into account nutri-  
13 tional and other needs of beneficiary groups;

14 “(3) helping such beneficiary groups to design  
15 and carry out mutually acceptable projects;

16 “(4) recommending to the Administrator meth-  
17 ods of making assistance available that are the most  
18 appropriate for each local setting;

19 “(5) supervising the provision of assistance, in-  
20 cluding the distribution of agricultural commodities,  
21 and the implementation of the projects for which as-  
22 sistance, including agricultural commodities, was  
23 provided under this title; and

24 “(6) regularly monitoring and evaluating the ef-  
25 fectiveness of projects for which assistance, including



1 agricultural commodities, was provided under this  
2 title, including activities related to program integ-  
3 rity.

4 “(g) LABELING.—Assistance, including agricultural  
5 commodities provided under this title, shall, to the great-  
6 est extent practicable, be clearly identified with appro-  
7 priate markings in the language of the locality in which  
8 such assistance is provided, as being furnished by the peo-  
9 ple of the United States of America.

10 **“SEC. 203. SECURING THE ROLE OF AMERICAN FARMERS IN**  
11 **THE FOOD FOR PEACE PROGRAM.**

12 “(a) FINDINGS.—Congress finds the following:

13 “(1) American farmers have played a critical  
14 role in the Food for Peace program since Congress  
15 established such program in 1954 to reduce hunger  
16 and poverty overseas through the donation of sur-  
17 plus government-held agricultural commodities that  
18 had accumulated under Department of Agriculture  
19 commodity price support programs.

20 “(2) Through the generosity of the American  
21 people, and with the help of American farmers—

22 “(A) more than 4,000,000,000 people have  
23 received life-saving food assistance; and

1                   “(B) more than 150 countries have bene-  
2                   fited from United States supported food secu-  
3                   rity programs.

4                   “(3) Despite the cessation of the commodity  
5                   price support programs and the drawdown of sur-  
6                   plus stocks that occasioned the creation of the Food  
7                   for Peace program in 1954, American farmers con-  
8                   tinue to play a critical role in United States inter-  
9                   national food assistance programs, particularly as a  
10                  result of their innovation, expertise, and unmatched  
11                  capacity to produce high quality agricultural com-  
12                  modities that are critical to meeting growing global  
13                  food needs.

14                  “(b) SENSE OF CONGRESS.—It is the sense of Con-  
15                  gress that modernizing the Food for Peace program, in-  
16                  cluding through the introduction of more flexible ap-  
17                  proaches to meeting food needs overseas, does not negate  
18                  the need and desire for American farmers to continue to  
19                  play an integral role in United States international food  
20                  assistance and agricultural development programs over-  
21                  seas.

22                  **“SEC. 204. MINIMUM LEVELS.**

23                  “(a) AGRICULTURAL COMMODITIES.—Not less than  
24                  25 percent of the amounts made available to provide as-  
25                  sistance, including agricultural commodities, under section

1 202 shall be made available for the purchase and distribu-  
2 tion of United States agricultural commodities, including  
3 associated costs for the provision of agricultural commod-  
4 ities, in accordance with this title.

5 “(b) NONEMERGENCY FOOD ASSISTANCE.—

6 “(1) IN GENERAL.—Of the amounts made  
7 available to carry out this title, not less than  
8 \$350,000,000 shall be expended for nonemergency  
9 food assistance authorized under section 202(b).

10 “(2) NONDUPLICATION.—In order to avoid du-  
11 plication and ensure the availability of resources to  
12 meet emergency needs, funds made available under  
13 chapter 1 of part I of the Foreign Assistance Act of  
14 1961 (22 U.S.C. 2151 et seq.) through grants or co-  
15 operative agreements to strengthen food security in  
16 developing countries that are consistent with the  
17 goals of this title may be deemed to be expended on  
18 nonemergency food assistance for the purposes of  
19 this subsection.

20 “(3) LIMITATION.—The amount made available  
21 pursuant to paragraph (1) not exceed 30 percent of  
22 the total amount made available in any fiscal year  
23 to carry out this title.

1       “(c) USE OF VALUE-ADDED COMMODITIES.—In  
2 making agricultural commodities available under this title,  
3 the Administrator should seek to ensure that—

4               “(1) not less than 75 percent of the quantity of  
5 such commodities required to be distributed during  
6 each fiscal year under subsection (a) be in the form  
7 of processed, fortified, or bagged commodities; and

8               “(2) not less than 50 percent of the quantity of  
9 the bagged, whole grain commodities be bagged in  
10 the United States.

11 **“SEC. 205. GENERATION AND USE OF CURRENCIES BY PRI-**  
12 **VATE VOLUNTARY ORGANIZATIONS AND CO-**  
13 **OPERATIVES.**

14       “(a) LOCAL SALE AND BARTER OF COMMODITIES.—  
15 An agreement entered into between the Administrator and  
16 a private voluntary organization or cooperative to provide  
17 food assistance through such organization or cooperative  
18 under this title may provide for the sale or barter in 1  
19 or more recipient countries, or 1 or more countries in the  
20 same region, of the commodities to be provided under such  
21 agreement.

22       “(b) LEVEL OF LOCAL SALES.—In carrying out  
23 agreements of the type referred to in subsection (a), the  
24 Administrator may permit private voluntary organizations  
25 and cooperatives to sell, in 1 or more recipient countries,

1 or 1 or more countries in the same region, an amount of  
2 commodities equal to not more than 15 percent of the ag-  
3 gregate amounts of all commodities distributed under sec-  
4 tion 202(b).

5 “(c) DESCRIPTION OF INTENDED USES.—A private  
6 voluntary organization or cooperative submitting a pro-  
7 posal to enter into a nonemergency food assistance agree-  
8 ment under this title shall include, in such proposal, a de-  
9 scription of the intended uses of any proceeds that may  
10 be generated through the sale, in 1 or more recipient coun-  
11 tries, or in 1 or more countries in the same region, of any  
12 commodities provided under an agreement described in  
13 subsection (a).

14 “(d) USE.—Proceeds generated from any partial or  
15 full sale or barter of commodities by a private voluntary  
16 organization or cooperative under a nonemergency food  
17 assistance agreement under this title may—

18 “(1) be used for associated costs;

19 “(2) be used to implement income-generating,  
20 community development, health, nutrition, coopera-  
21 tive development, agricultural, and other develop-  
22 mental activities within 1 or more recipient countries  
23 or within 1 or more countries in the same region; or

24 “(3) be invested, and any interest earned on  
25 such investment shall be used for the purposes for

1       which the assistance was provided to that organiza-  
2       tion without further appropriation by Congress.

3       **“SEC. 206. FOOD ASSISTANCE CONSULTATIVE GROUP.**

4       “(a) ESTABLISHMENT.—There is established a Food  
5 Assistance Consultative Group (referred to in this section  
6 as the ‘Group’), that shall meet regularly to review and  
7 address issues concerning the effectiveness of the regula-  
8 tions and procedures that govern food assistance programs  
9 established and implemented under this title and the im-  
10 plementation of other provisions of this title that may in-  
11 volve eligible organizations described in section 202(d)(1).

12       “(b) MEMBERSHIP.—The Group shall be composed  
13 of—

14               “(1) the Administrator;

15               “(2) the Under Secretary of Agriculture for  
16 Farm and Foreign Agricultural Services;

17               “(3) the Inspector General of the United States  
18 Agency for International Development;

19               “(4) a representative of each private voluntary  
20 organization and cooperative participating in a pro-  
21 gram under this title, or receiving planning assist-  
22 ance funds from the United States Agency for Inter-  
23 national Development to establish programs under  
24 this title;

1           “(5) representatives from African, Asian, and  
2 Latin American indigenous nongovernmental organi-  
3 zations determined appropriate by the Adminis-  
4 trator;

5           “(6) representatives from agricultural producer  
6 groups in the United States;

7           “(7) representatives from the United States ag-  
8 ricultural processing sector involved in providing ag-  
9 ricultural commodities for programs under this Act;  
10 and

11           “(8) representatives from the maritime trans-  
12 portation sector involved in transporting agricultural  
13 commodities overseas for programs under this Act.

14           “(c) CHAIRPERSON.—The Administrator shall be the  
15 chairperson of the Group.

16           “(d) CONSULTATIONS.—

17           “(1) CONSULTATION IN ADVANCE OF ISSUANCE  
18 OF IMPLEMENTATION REGULATIONS, HANDBOOKS,  
19 AND GUIDELINES.—Not later than 30 days before a  
20 proposed regulation, handbook, or guideline imple-  
21 menting a provision of this title, or a proposed sig-  
22 nificant revision to a regulation, handbook, or guide-  
23 line implementing a provision of this title, becomes  
24 final, the Administrator shall submit the proposal to  
25 the Group for review and comment. The Adminis-

1 trator shall consult with and, not less frequently  
2 than twice per year, meet with the Group regarding  
3 such proposed regulations, handbooks, guidelines, or  
4 revisions before they are issued in final form.

5 “(2) CONSULTATION REGARDING FOOD AID  
6 QUALITY EFFORTS.—The Administrator shall seek  
7 input from, and consult with, the Group on the im-  
8 plementation of section 207(d)(4).

9 “(e) FEDERAL ADVISORY COMMITTEE ACT.—The  
10 Federal Advisory Committee Act (5 U.S.C. App.) shall not  
11 apply to the Group.

12 “(f) TERMINATION.—The Group shall terminate on  
13 December 31, 2023.

14 **“SEC. 207. ADMINISTRATION.**

15 “(a) REGULATIONS AND GUIDANCE.—

16 “(1) IN GENERAL.—The Administrator shall  
17 promptly issue all necessary regulations and make  
18 revisions to agency guidelines with respect to  
19 changes in the operation or implementation of the  
20 programs established under this title. Not later than  
21 270 days after the date of the enactment of the  
22 Food for Peace Modernization Act, the Adminis-  
23 trator shall issue all regulations and revisions to  
24 agency guidance necessary to implement the amend-  
25 ments made to this title by such Act.



1           “(2) REQUIREMENTS.—The Administrator shall  
2       develop the regulations and guidance with the intent  
3       of—

4                   “(A) simplifying procedures for participa-  
5       tion in the programs established under this  
6       title;

7                   “(B) reducing paperwork requirements  
8       under such programs; and

9                   “(C) establishing reasonable and realistic  
10      accountability standards to be applied to eligible  
11      organizations participating in the programs es-  
12      tablished under this title, taking into consider-  
13      ation the problems associated with carrying out  
14      programs in developing countries.

15      “(b) TIMELY PROVISION OF UNITED STATES AGRI-  
16      CULTURAL COMMODITIES.—The Administrator, in con-  
17      sultation with the Secretary, shall develop procedures that  
18      ensure the expedited processing of agricultural commodity  
19      call forwards to provide agricultural commodities overseas  
20      in a timely manner and to the extent feasible, according  
21      to planned delivery schedules.

22      “(c) TIMELY APPROVAL.—The Administrator is en-  
23      couraged to finalize program agreements and resource re-  
24      quests for programs under this title before the beginning  
25      of each fiscal year.

1       “(d) PROGRAM OVERSIGHT, MONITORING, AND  
2 EVALUATION.—

3               “(1) DUTIES OF ADMINISTRATOR.—The Admin-  
4       istrator, in consultation with the Secretary, shall es-  
5       tablish systems and carry out activities—

6                       “(A) to determine the need for assistance  
7                       provided under this title; and

8                       “(B) to monitor, evaluate, and improve the  
9                       efficiency, effectiveness, and impact of the as-  
10                      sistance provided under this title.

11               “(2) REQUIREMENTS OF SYSTEMS AND ACTIVI-  
12       TIES.—The systems and activities described in para-  
13       graph (1) shall include—

14                      “(A) program monitors in countries that  
15                      receive assistance under this title;

16                      “(B) country and regional food assistance  
17                      impact evaluations;

18                      “(C) the identification and implementation  
19                      of best practices for food assistance programs;

20                      “(D) the evaluation of monetization pro-  
21                      grams;

22                      “(E) early warning assessments and sys-  
23                      tems to help prevent famines; and

24                      “(F) maintenance of information tech-  
25                      nology systems.

1 “(3) CONTRACT AUTHORITY.—

2 “(A) IN GENERAL.—Subject to subpara-  
3 graphs (B) and (C), in carrying out administra-  
4 tive and management activities relating to each  
5 activity under paragraph (1), the Administrator  
6 may enter into contracts with 1 or more indi-  
7 viduals for personal service to be performed in  
8 recipient countries or neighboring countries.

9 “(B) PROHIBITION.—An individual who  
10 enters into a contract with the Administrator  
11 under subparagraph (A) shall not be considered  
12 to be an employee of the Federal Government  
13 for the purpose of any law (including regula-  
14 tions) administered by the Office of Personnel  
15 Management.

16 “(C) PERSONAL SERVICE.—Subparagraph  
17 (A) does not limit the ability of the Adminis-  
18 trator to enter into a contract with any indi-  
19 vidual for personal service under section 202(a).

20 “(4) FOOD ASSISTANCE QUALITY.—

21 “(A) IN GENERAL.—The Administrator  
22 shall use amounts made available to carry out  
23 this title—

1                   “(i) to assess the types and quality of  
2                   agricultural commodities and products for  
3                   food assistance;

4                   “(ii) to adjust products and formula-  
5                   tions, including potential introduction of  
6                   new fortificants and products, as nec-  
7                   essary, to cost-effectively meet nutrient  
8                   needs of target populations;

9                   “(iii) to test prototypes;

10                  “(iv) to adopt new specifications or  
11                  improve existing specifications for micro-  
12                  nutrient fortified food assistance products,  
13                  based on the latest developments in food  
14                  and nutrition science, and in coordination  
15                  with other international partners;

16                  “(v) to develop new program guidance  
17                  to facilitate improved matching of products  
18                  to purposes having nutritional intent, in  
19                  coordination with other international part-  
20                  ners;

21                  “(vi) to develop improved guidance for  
22                  implementing partners on how to address  
23                  nutritional deficiencies that emerge among  
24                  recipients for whom food assistance is the  
25                  sole source of diet in emergency programs

1 that extend beyond 1 year, in coordination  
2 with other international partners; and

3 “(vii) to evaluate, in appropriate set-  
4 tings and as necessary, the performance  
5 and cost-effectiveness of new or modified  
6 specialized food products and program ap-  
7 proaches designed to meet the nutritional  
8 needs of the most vulnerable groups, such  
9 as pregnant and lactating mothers, and  
10 children under the age of five.

11 “(B) ADMINISTRATION.—The Adminis-  
12 trator—

13 “(i) shall carry out this paragraph in  
14 consultation with independent entities with  
15 proven expertise in food assistance com-  
16 modity quality enhancements;

17 “(ii) may enter into contracts or  
18 grants to obtain the expertise of such enti-  
19 ties; and

20 “(iii) shall consult with the Food As-  
21 sistance Consultative Group on how to  
22 carry out this paragraph.

23 “(C) FUNDING LIMITATION.—Of the  
24 amounts made available under paragraph (5),  
25 for fiscal years 2019 through 2023, not more

1 than \$4,500,000 may be used to carry out this  
2 paragraph.

3 “(5) FUNDING.—

4 “(A) IN GENERAL.—Subject to paragraph  
5 (4)(C), in addition to other funds made avail-  
6 able to the Administrator to carry out the mon-  
7 itoring of emergency food assistance, the Ad-  
8 ministrator may use up to 5 percent of the  
9 amounts made available under this Act for each  
10 of the fiscal years 2019 through 2023 to imple-  
11 ment this subsection.

12 “(B) LIMITATIONS.—

13 “(i) IN GENERAL.—Subject to clause  
14 (ii), of the amounts made available under  
15 subparagraph (A), for each of the fiscal  
16 years 2019 through 2023, not more than  
17 \$8,000,000 may be used by the Adminis-  
18 trator to carry out paragraph (2)(E).

19 “(ii) CONDITION.—No funds shall be  
20 made available for a fiscal year under sub-  
21 paragraph (A), in accordance with clause  
22 (i), unless not less than an equal value is  
23 made available under the Foreign Assist-  
24 ance Act of 1961 (22 U.S.C. 2151 et seq.)  
25 for such purposes for such fiscal year.

1 “(e) PROJECT REPORTING.—

2 “(1) IN GENERAL.—In submitting project re-  
3 ports to the Administrator, a private voluntary orga-  
4 nization or cooperative shall provide a copy of the  
5 reports in such form as is necessary for the reports  
6 to be displayed for public use on the website of the  
7 United States Agency for International Develop-  
8 ment.

9 “(2) CONFIDENTIAL INFORMATION.—An orga-  
10 nization or cooperative described in paragraph (1)  
11 may omit any confidential information from the copy  
12 of the report submitted for public display under that  
13 paragraph.

14 **“SEC. 208. INTERNATIONAL FOOD RELIEF PARTNERSHIP.**

15 “(a) IN GENERAL.—The Administrator may provide  
16 grants to—

17 “(1) United States nonprofit organizations (as  
18 described in subsection (c)(3) of section 501 of the  
19 Internal Revenue Code of 1986 and exempt from tax  
20 under subsection (a) of such section) for the prepa-  
21 ration of shelf-stable, prepackaged foods requested  
22 by eligible organizations and the establishment and  
23 maintenance of stockpiles of the foods in the United  
24 States; and

1           “(2) private voluntary organizations and inter-  
2           national organizations for the rapid transportation,  
3           delivery, and distribution of shelf-stable, pre-  
4           packaged foods described in paragraph (1) to needy  
5           individuals in foreign countries.

6           “(b) GRANTS FOR ESTABLISHMENT OF STOCK-  
7           PILES.—

8           “(1) IN GENERAL.—Not more than 70 percent  
9           of the amount made available to carry out this sec-  
10          tion may be used to provide grants under subsection  
11          (a)(1).

12          “(2) PRIORITY.—In providing grants under  
13          subsection (a)(1), the Administrator shall provide a  
14          preference to any United States nonprofit organiza-  
15          tion that agrees to dedicate, for the preparation of  
16          shelf-stable prepackaged foods and the establishment  
17          and maintenance of stockpiles of such foods in the  
18          United States in accordance with subsection  
19          (a)(1)—

20                 “(A) non-Federal funds equal to 50 per-  
21                 cent of the amount of grant funds received  
22                 under subsection (a)(1);

23                 “(B) in-kind contributions valued at 50  
24                 percent of the amount of grant funds received  
25                 under subsection (a)(1); or



1                   “(C) a combination of such funds and in-  
2                   kind contributions with a combined value of 50  
3                   percent of the amount of grant funds received  
4                   under subsection (a)(1).

5           “(c) GRANTS FOR RAPID TRANSPORTATION, DELIV-  
6   ERY, AND DISTRIBUTION.—Not less than 20 percent of  
7   the amount made available to carry out this section shall  
8   be used to provide grants under subsection (a)(2).

9           “(d) ADMINISTRATIVE COSTS.—Not more than 10  
10   percent of the amount made available to carry out this  
11   section may be used by the Administrator for the adminis-  
12   tration of grants under subsection (a).

13           “(e) REGULATIONS OR GUIDELINES.—Not later than  
14   180 days after the date of the enactment of the Food for  
15   Peace Modernization Act, the Administrator shall issue  
16   such regulations or guidelines as the Administrator deter-  
17   mines to be necessary to carry out this section, including  
18   regulations or guidelines that provide to United States  
19   nonprofit organizations eligible to receive grants under  
20   subsection (a)(1) guidance with respect to the require-  
21   ments for qualified, shelf-stable prepackaged foods and the  
22   quantity of the foods to be stockpiled by the organizations.

23           “(f) AUTHORIZATION OF APPROPRIATIONS.—There  
24   is authorized to be appropriated to the Administrator to  
25   carry out this section, in addition to amounts otherwise

1 available to carry out this section, \$10,000,000 for each  
2 of the fiscal years 2019 through 2023, to remain available  
3 until expended.”.

## 4 **TITLE II—GENERAL AUTHORITIES AND REQUIREMENTS**

### 6 **SEC. 201. DEFINITIONS.**

7 Section 402 of the Food for Peace Act (7 U.S.C.  
8 1732) is amended—

9 (1) by amending paragraph (3) to read as fol-  
10 lows:

11 “(3) APPROPRIATE COMMITTEES OF CON-  
12 GRESS.—The term ‘appropriate committee of Con-  
13 gress’ means—

14 “(A) the Committee on Agriculture, Nutri-  
15 tion, and Forestry of the Senate;

16 “(B) the Committee on Appropriations of  
17 the Senate;

18 “(C) the Committee on Foreign Relations  
19 of the Senate;

20 “(D) the Committee on Agriculture of the  
21 House of Representatives;

22 “(E) the Committee on Appropriations of  
23 the House of Representatives; and

24 “(F) the Committee on Foreign Affairs of  
25 the House of Representatives.”;

1           (2) by redesignating paragraphs (4), (5), (6),  
2           (7), (8), and (9) as paragraphs (5), (6), (7), (8),  
3           (9), and (10), respectively; and

4           (3) by inserting after paragraph (3) the fol-  
5           lowing:

6           “(4) ASSOCIATED COSTS.—The term ‘associated  
7           costs’ means funds made available under this Act to  
8           eligible organizations described in section 202(d)—

9           “(A) to establish programs under this Act;

10           “(B) to meet specific administrative, man-  
11           agement, personnel, transportation, storage,  
12           distribution, and implementation costs for car-  
13           rying out programs and providing commodities  
14           in foreign countries under this Act;

15           “(C) in the case of commodities for urgent  
16           and extraordinary relief requirements (including  
17           prepositioned commodities), to meet the trans-  
18           portation costs incurred in moving such com-  
19           modities from designated points of entry or  
20           ports of entry abroad to storage and distribu-  
21           tion sites and associated storage and distribu-  
22           tion costs; and

23           “(D) to improve and implement methodolo-  
24           gies for food assistance programs, including

1 needs assessments (upon the request of the Ad-  
2 ministrator), monitoring, and evaluation.”.

3 **SEC. 202. GENERAL PROVISIONS.**

4 Section 403 of the Food for Peace Act (7 U.S.C.  
5 1733) is amended—

6 (1) in subsection (a)—

7 (A) in paragraphs (1) and (2), by inserting  
8 “agricultural” before “commodity” each place  
9 such term appears; and

10 (B) in paragraph (2) by striking “that  
11 country” and inserting “the recipient country”;

12 (2) in subsection (c), by striking “donated or  
13 purchased” and inserting “provided”;

14 (3) in subsection (e)(1), by striking “assure”  
15 and inserting “ensure”;

16 (4) in subsection (i)—

17 (A) in paragraph (1), by striking “as ap-  
18 propriate,” and inserting “as appropriate and  
19 in consultation with the Secretary of State,”;

20 (B) in paragraph (2)(B), by striking “as  
21 appropriate,” and inserting “as appropriate and  
22 in consultation with the Secretary of State,”;  
23 and

24 (C) in paragraph (3), by striking “as ap-  
25 propriate,” and inserting “as appropriate and

1 in consultation with the Secretary of State,”;

2 and

3 (5) by amending subsection (m) to read as fol-

4 lows:

5 “(m) **MONITORING REQUIREMENT.**—Funds made  
6 available under this Act may only be used to provide as-  
7 sistance to recipients if adequate monitoring and controls,  
8 as determined by the Administrator, are in place to ensure  
9 that emergency food assistance is received by the intended  
10 beneficiaries in areas affected by food shortages and not  
11 diverted for unauthorized or inappropriate purposes.”.

12 **SEC. 203. AGREEMENTS.**

13 Section 404 of the Food for Peace Act (7 U.S.C.  
14 1734) is amended—

15 (a) in subsection (c)—

16 (1) in paragraph (1), by striking “to recipient  
17 countries” and inserting “in recipient countries”;

18 and

19 (2) in paragraph (2)(B), by striking “aid” and  
20 inserting “assistance”; and

21 (b) by amending subsection (d) to read as follows:

22 “(d) **REVIEW OF AGREEMENTS.**—The Administrator  
23 may terminate, or refuse to enter into, a multi-year agree-  
24 ment with an eligible organization in a country if the Sec-  
25 retary or the Administrator determines that such country

1 is not fulfilling the objectives or requirements under this  
2 Act, after considering the extent to which the country is—

3 “(1) making significant economic development  
4 reforms;

5 “(2) promoting free and open markets for food  
6 and agricultural producers; and

7 “(3) fostering increased food security.”.

8 **SEC. 204. ADMINISTRATIVE PROVISIONS.**

9 Section 407 of the Food for Peace Act (7 U.S.C.  
10 1736a) is amended—

11 (1) in subsection (c)(4)(A), by striking “2018”  
12 both places such term appears and inserting  
13 “2023”; and

14 (2) by amending subsection (f) to read as fol-  
15 lows:

16 “(f) ANNUAL REPORT.—

17 “(1) IN GENERAL.—Not later than April 1 of  
18 each fiscal year, the Administrator and the Sec-  
19 retary shall jointly prepare and submit to the appro-  
20 priate committees of Congress a report regarding  
21 each program and activity carried out under this Act  
22 during the prior fiscal year.

23 “(2) CONTENTS.—An annual report described  
24 in paragraph (1) shall include, with respect to the  
25 prior fiscal year—

1           “(A) a list that contains a description of  
2 each country and organization that receives  
3 food and other assistance under this Act (in-  
4 cluding the quantity of food and assistance pro-  
5 vided to each country and organization);

6           “(B) a general description of each project  
7 and activity implemented under this Act (in-  
8 cluding each activity funded through the use of  
9 local currencies) and the total number of bene-  
10 ficiaries of the project and the activities carried  
11 out through such project;

12           “(C) a statement describing the quantity  
13 of agricultural commodities made available to,  
14 and the total number of beneficiaries in, each  
15 country pursuant to—

16                   “(i) section 416(b) of the Agricultural  
17 Act of 1949 (7 U.S.C. 1431(b));

18                   “(ii) the Food for Progress Act of  
19 1985 (7 U.S.C. 1736o); and

20                   “(iii) the McGovern-Dole Inter-  
21 national Food for Education and Child  
22 Nutrition Program established by section  
23 3107 of the Farm Security and Rural In-  
24 vestment Act of 2002 (7 U.S.C. 1736o–1);

1           “(D) an assessment of the progress made  
2 through programs under this Act towards re-  
3 ducing food insecurity in the populations receiv-  
4 ing food assistance from the United States;

5           “(E) a description of efforts undertaken by  
6 the Food Assistance Consultative Group under  
7 section 206 to achieve an integrated and effec-  
8 tive food assistance program;

9           “(F) an assessment of—

10           “(i) each program oversight, moni-  
11 toring, and evaluation system implemented  
12 under section 207(d); and

13           “(ii) the impact of each program over-  
14 sight, monitoring, and evaluation system  
15 on the effectiveness and efficiency of as-  
16 sistance provided under this title;

17           “(G) an assessment of the progress made  
18 by the Administrator in addressing issues relat-  
19 ing to quality with respect to the provision of  
20 food assistance;

21           “(H) the amount of funds (including funds  
22 for administrative costs, indirect cost recovery,  
23 internal transportation, storage and handling,  
24 and associated distribution costs) provided to  
25 each eligible organization that received assist-



1           ance under this Act in the applicable fiscal  
2           year;

3           “(I) a description of how the funds de-  
4           scribed in subparagraph (H) were used by the  
5           eligible organization;

6           “(J) a description of the actual rate of re-  
7           turn for each agricultural commodity made  
8           available under this Act, including—

9                   “(i) factors that influenced the rate of  
10                  return; and

11                   “(ii) for each agricultural commodity,  
12                  the cost of bagging or further processing,  
13                  ocean transportation, inland transportation  
14                  in the recipient country, storage costs, and  
15                  any other information that the Adminis-  
16                  trator determines to be necessary;

17           “(K) for each instance in which an agricul-  
18           tural commodity was made available under this  
19           Act at a rate of return less than 70 percent, a  
20           description of the reasons for the rate of return  
21           realized; and

22           “(L) a description of how funds provided  
23           under section 207 were utilized.

24           “(3) RATE OF RETURN DESCRIBED.—For the  
25           purposes of paragraph (2)(J), the rate of return for

1 an agricultural commodity shall be equal to the pro-  
2 portion that—

3 “(A) the proceeds the implementing part-  
4 ners generate through monetization; bears to

5 “(B) the cost to the Federal Government  
6 to procure and ship the agricultural commodity  
7 to a recipient country for monetization.”.

8 **SEC. 205. EXPIRATION DATE.**

9 Section 408 of the Food for Peace Act (7 U.S.C.  
10 1736b) is amended by striking “2018” and inserting  
11 “2023”.

12 **SEC. 206. MINIMUM LEVEL OF NONEMERGENCY FOOD AS-**  
13 **SISTANCE.**

14 Section 412 of the Food for Peace Act (7 U.S.C.  
15 1736f) is amended by striking subsection (e).

16 **SEC. 207. MICRONUTRIENT FORTIFICATION PROGRAMS.**

17 Section 415(c) of the Food for Peace Act (7 U.S.C.  
18 1736g–2(c)) is amended by striking “September 30,  
19 2018” and inserting “December 31, 2023”.

20 **SEC. 208. JOHN OGWONSKI AND DOUG BEREUTER FARM-**  
21 **ER-TO-FARMER PROGRAM.**

22 Section 501 of the Food for Peace Act (7 U.S.C.  
23 1737) is amended—

24 (1) in subsection (d), in the matter preceding  
25 paragraph (1), by striking “2018, to carry out this

1 Act” and inserting “2023, to carry out section  
2 202(b)”;

3 (2) in subsection (e)(1), by striking “2018” and  
4 inserting “2023”.