

112TH CONGRESS  
2D SESSION

# H. R. 4141

To direct the Administrator of the United States Agency for International Development to take appropriate actions to improve the nutritional quality, quality control, and cost effectiveness of United States food assistance, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 5, 2012

Mr. PAYNE (for himself, Mr. BERMAN, Mr. MCGOVERN, Ms. WOOLSEY, Mr. COHEN, and Ms. BASS of California) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on Agriculture, 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 direct the Administrator of the United States Agency for International Development to take appropriate actions to improve the nutritional quality, quality control, and cost effectiveness of United States food assistance, 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 “International Food As-  
5       sistance Improvement Act of 2012”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) For more than 55 years the United States,  
4 backed by the support of the American people, has  
5 been committed to providing life-saving food assist-  
6 ance to developing countries and vulnerable popu-  
7 lations around the world.

8 (2) As the largest donor of international food  
9 assistance, an essential tool in tackling malnutrition,  
10 the United States can lead the way in improving  
11 food aid quality to better target undernourished  
12 women and children.

13 (3) The United States contributes over one-half  
14 of all food aid supplies to alleviate hunger and sup-  
15 port development and plays an important role in re-  
16 sponding to emergency food aid needs and ensuring  
17 global food security.

18 (4) Over the past decade, increasing food prices  
19 and protracted humanitarian crises around the world  
20 have made United States food assistance even more  
21 critical and relevant. At the same time, these fac-  
22 tors, combined with advancements in nutrition  
23 science, as well as severe and ongoing fiscal con-  
24 straints, have led to an increased demand by policy-  
25 makers and program implementers for new specially  
26 formulated and cost-effective products to meet the

1 nutritional needs of the world’s most vulnerable pop-  
2 ulations.

3 (5) While United States food assistance is effec-  
4 tive in providing critical calories and nutrients to  
5 millions of people during short-term emergencies,  
6 the long-term impacts of these programs have also  
7 been increasingly called into question for not meet-  
8 ing the nutritional needs of recipient populations.

9 (6) Reducing maternal and child malnutrition,  
10 especially in the critical 1,000 days between preg-  
11 nancy and age 2, is a key priority of United States  
12 global food security and health initiatives, including  
13 food aid.

14 (7) Recent reports by the Government Account-  
15 ability Office and the United States Agency for  
16 International Development recommended over 35  
17 changes to United States food aid products and pro-  
18 grams to improve the nutritional quality, quality  
19 control, and cost effectiveness of United States food  
20 assistance.

21 **SEC. 3. SENSE OF CONGRESS.**

22 It is the sense of Congress that—

23 (1) even in this time of fiscal austerity, the  
24 American people support the United States Govern-  
25 ment’s historic commitment to providing life-saving

1 food assistance to the world’s most vulnerable popu-  
2 lations;

3 (2) high food prices, coupled with growing con-  
4 straints on available resources for foreign assistance  
5 require the United States Government to focus on  
6 creating efficiencies, improving quality controls, and  
7 maximizing cost-effectiveness and nutritional impact  
8 of United States food assistance programs;

9 (3) improving maternal and child health with  
10 supplemental nutrition products is a central objec-  
11 tive of international food assistance programs; and

12 (4) the United States has shown considerable  
13 leadership in meeting the nutrition needs of preg-  
14 nant women and small children through the 1,000  
15 Days Partnership to support the Scaling Up Nutri-  
16 tion (SUN) movement.

17 **SEC. 4. PROVISION OF AGRICULTURAL COMMODITIES.**

18 Section 202(h) of the Food for Peace Act (7 U.S.C.  
19 1722(h)) is amended by striking paragraph (1) and insert-  
20 ing the following:

21 “(1) IN GENERAL.—The Administrator shall  
22 use funds made available in fiscal year 2012 and  
23 subsequent fiscal years to carry out this title to im-  
24 prove the nutritional quality of United States food  
25 assistance, particularly for vulnerable groups such as

1 pregnant and lactating mothers, children under the  
2 age of five, with a focus on the cost-effective 1,000  
3 days between pregnancy and age 2, when appro-  
4 priate, and beneficiaries under the President’s  
5 Emergency Fund for AIDS Relief in Africa  
6 (PEPFAR), including by—

7 “(A) adopting new specifications or im-  
8 proving existing specifications for micronutrient  
9 fortified food aid products, based on the latest  
10 developments in food and nutrition science;

11 “(B) strengthening necessary systems to  
12 better assess the types and quality of agricul-  
13 tural commodities and products donated for  
14 food assistance;

15 “(C) adjusting products and formulations,  
16 including potential introduction of new  
17 fortificants and products, as necessary to cost  
18 effectively meet nutrient needs of target popu-  
19 lations;

20 “(D) testing prototypes;

21 “(E) developing new program guidance to  
22 facilitate improved matching of products to pur-  
23 poses having nutritional intent, including an  
24 updated commodity reference guide and deci-  
25 sion tools;

1           “(F) developing enhanced guidance, in co-  
2           ordination with the Coordinator of United  
3           States Government Activities to Combat HIV/  
4           AIDS Globally and PEPFAR, to support the  
5           allocation of food commodities and products for  
6           nutrition support in HIV programming, using  
7           standardized indicators of impact;

8           “(G) providing improved guidance to im-  
9           plementing partners on how to address nutri-  
10          tional deficiencies that emerge among recipients  
11          for whom food assistance is the sole source of  
12          diet in emergency programs that extend beyond  
13          one year;

14          “(H) considering options for using United  
15          States-produced food fortification packages, in-  
16          cluding vitamin and mineral mixes, to fortify  
17          local foods in recipient countries, as appro-  
18          priate; and

19          “(I) evaluating, in appropriate program  
20          settings and as necessary, the performance and  
21          cost-effectiveness of new or modified specialized  
22          food products and program approaches de-  
23          signed to meet the nutritional needs of the most  
24          vulnerable groups.”.

1 **SEC. 5. FOOD AID CONSULTATIVE GROUP.**

2 (a) MEMBERSHIP.—Section 205(b) of the Food for  
3 Peace Act (7 U.S.C. 1725(b)) is amended—

4 (1) in paragraph (6), by striking “and” at the  
5 end;

6 (2) in paragraph (7), by striking the period and  
7 inserting “; and”; and

8 (3) by adding at the end the following:

9 “(8) nutrition science experts from academia  
10 and nongovernmental organizations.”.

11 (b) COORDINATION AND OVERSIGHT.—Section 205  
12 of the Food for Peace Act (7 U.S.C. 1725) is amended—

13 (1) by redesignating subsections (d), (e), and  
14 (f) as subsections (e), (f), and (g), respectively; and

15 (2) by inserting after subsection (c) the fol-  
16 lowing:

17 “(d) COORDINATION AND OVERSIGHT.—

18 “(1) IN GENERAL.—The Administrator shall  
19 work within the Group to take the actions described  
20 in paragraph (2) to increase coordination and over-  
21 sight of food assistance programs established and  
22 implemented under this Act, with a primary focus on  
23 improving quality control and cost effectiveness.

24 “(2) ACTIONS DESCRIBED.—The actions re-  
25 ferred to in paragraph (1) are the following:

1           “(A) Explore and test options for improved  
2           packaging and storage of products to improve  
3           shelf life, promote recommended usage by in-  
4           tended beneficiaries, and oversee field-testing of  
5           products.

6           “(B) Work closely with the Department of  
7           Agriculture, to undertake reforms in commodity  
8           acquisition and supply chain management,  
9           drawing on best commercial practices for ven-  
10          dor selection, quality assurance standards, over-  
11          all management of the supply chain, and audit-  
12          ing of food aid commodity suppliers.

13          “(C) Develop mechanisms and partner-  
14          ships to facilitate more private sector develop-  
15          ment and innovation in food aid products, pack-  
16          aging, and delivery in order to improve the cost-  
17          effectiveness, nutritional quality, and overall ac-  
18          ceptability of the product.

19          “(D) Provide guidance to implementing  
20          partners on whether and how best to use food  
21          aid commodities, such as new specialized food  
22          products, including guidance on targeting strat-  
23          egies to ensure that the products reach their in-  
24          tended recipients.

1           “(E) As appropriate, work to strengthen  
2           monitoring of commodity quality by identifying  
3           and tracking key quality indicators to determine  
4           the full extent of quality problems, including  
5           emerging concerns.

6           “(F) Establish processes and system-wide  
7           protocols for effective monitoring and evalua-  
8           tion of impact, to inform improved program de-  
9           sign and address improving cost-effectiveness.”.

10 **SEC. 6. STRATEGY AND REPORT.**

11       (a) STRATEGY.—The Administrator shall ensure that  
12 any United States Government strategy relating to global  
13 food security includes a description of how food assistance  
14 programs carried out under the Food for Peace Act will  
15 contribute to, and be integrated with, such strategy.

16       (b) REPORT.—The Administrator shall ensure that  
17 comprehensive information regarding budgets and expend-  
18 itures, monitoring and evaluation, policy, and coordination  
19 of food assistance programs carried out under the Food  
20 for Peace Act is included, as appropriate, in relevant re-  
21 ports submitted to Congress pursuant to the Foreign As-  
22 sistance Act of 1961 and Acts making appropriations for  
23 the Department of State, foreign operations, and related  
24 programs.

1 **SEC. 7. DEFINITIONS.**

2 In this Act:

3 (1) ADMINISTRATOR.—The term “Adminis-  
4 trator” means the Administrator of the United  
5 States Agency for International Development.

6 (2) APPROPRIATE CONGRESSIONAL COMMIT-  
7 TEES.—The term “appropriate congressional com-  
8 mittees” means—

9 (A) the Committee on Foreign Affairs and  
10 the Committee on Appropriations of the House  
11 of Representatives; and

12 (B) the Committee on Foreign Relations  
13 and the Committee on Appropriations of the  
14 Senate.

15 **SEC. 8. FUNDING.**

16 Nothing in this Act or any amendment made by this  
17 Act shall be construed to authorize the appropriation of  
18 amounts to carry out this Act or any amendment made  
19 by this Act.

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