

118TH CONGRESS
1ST SESSION

S. 436

To respond to the looming global food crisis precipitated by Russia’s invasion of Ukraine.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 15, 2023

Mr. RISCH (for himself and Mr. COONS) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To respond to the looming global food crisis precipitated by Russia’s invasion of Ukraine.

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 TITLES.**

4 This Act may be cited as the “Securing Allies Food
5 in Emergencies Act” or the “SAFE Act”.

6 **SEC. 2. STATEMENT OF POLICY.**

7 It is the policy of the United States to respond to
8 the looming global food crisis precipitated by the Russian
9 Federation’s brutal, illegal invasion of Ukraine beginning
10 in February 2022, which threatens to destabilize key part-

1 ners and allies and push millions of people into hunger
2 and poverty, particularly in areas of Africa and the Middle
3 East that are already experiencing emergency levels of
4 food insecurity, by taking immediate action to improve the
5 timeliness and expand the reach of United States inter-
6 national food assistance.

7 **SEC. 3. STRATEGY TO AVERT A GLOBAL FOOD CRISIS.**

8 (a) STRATEGY REQUIREMENT.—Not later than 30
9 days after the date of the enactment of this Act, the Ad-
10 ministrator of the United States Agency for International
11 Development, acting in the capacity of the President’s
12 Special Coordinator for International Disaster Assistance
13 pursuant to section 493 of the Foreign Assistance Act of
14 1961 (22 U.S.C. 2292b), shall develop and submit a strat-
15 egy to the Committee on Foreign Relations of the Senate
16 and Committee on Foreign Affairs of the House of Rep-
17 resentatives for averting a catastrophic global food secu-
18 rity crisis, particularly in areas of Africa and the Middle
19 East that are already experiencing emergency levels of
20 food insecurity, which has been driven by sharp increases
21 in global prices for staple agricultural commodities, agri-
22 cultural inputs (including fertilizer), and associated energy
23 costs.

1 (b) CONSIDERATIONS.—In developing the strategy
2 under subsection (a), the Administrator shall consider and
3 incorporate an analysis of—

4 (1) the impact of the Russian Federation’s bru-
5 tal, illegal war in Ukraine on the cost and avail-
6 ability of staple agricultural commodities and inputs,
7 including fertilizer—

8 (A) globally;

9 (B) in countries that rely upon commercial
10 imports of such commodities and inputs from
11 Ukraine or Russia; and

12 (C) in countries that are supported
13 through the United Nations World Food Pro-
14 gramme, which heavily relies upon purchases of
15 wheat and pulses from Ukraine and has re-
16 cently reported a price increase of more than
17 \$23,000,000 per month for its wheat purchases;

18 (2) the correlation between rising food costs
19 and social unrest in areas of strategic importance to
20 the United States, including countries and regions
21 that experienced food riots during the 2007 to 2008
22 global food price crisis;

23 (3) the underlying drivers of food insecurity in
24 areas experiencing emergency levels of hunger, in-

1 including current barriers to food security development
2 programs and humanitarian assistance;

3 (4) existing United States foreign assistance
4 authorities, programs, and resources that could help
5 avert a catastrophic global food crisis;

6 (5) recommendations to enhance the efficiency,
7 improve the timeliness, and expand the reach of
8 United States international food assistance pro-
9 grams and resources referred to in paragraph (4);

10 (6) opportunities to bolster coordination, cata-
11 lyze and leverage actions by other donors and
12 through multilateral development banks;

13 (7) opportunities to better synchronize assist-
14 ance through well-coordinated development and hu-
15 manitarian assistance programs within the United
16 States Agency for International Development and
17 alongside other donors;

18 (8) opportunities to improve supply chain and
19 shipping logistics efficiencies in close collaboration
20 with the private sector;

21 (9) opportunities for increased cooperation with
22 the Department of State to strengthen diplomatic ef-
23 forts to resolve global conflicts and overcome bar-
24 riers to access for life-saving assistance;

1 (10) opportunities to support continued agricul-
2 tural production in Ukraine, and the extent to which
3 food produced in Ukraine can be used to meet hu-
4 manitarian needs locally, regionally, or in countries
5 historically reliant upon imports from Ukraine or
6 Russia; and

7 (11) opportunities to support and leverage agri-
8 cultural production in countries and regions cur-
9 rently supported by United States international agri-
10 cultural development programs, including programs
11 authorized under the Global Food Security Act of
12 2016 (22 U.S.C. 9301 et seq.), in a manner that—

13 (A) fills critical gaps in the global supply
14 of emergency food aid commodities;

15 (B) enables purchases from small holder
16 farmers by the United Nations World Food
17 Programme;

18 (C) enhances resilience to food price
19 shocks;

20 (D) promotes self-reliance; and

21 (E) opens opportunities for United States
22 agricultural trade and investment.

1 **SEC. 4. EMERGENCY AUTHORITIES TO EXPAND THE TIME-**
2 **LINNESS AND REACH OF UNITED STATES**
3 **INTERNATIONAL FOOD ASSISTANCE.**

4 (a) IN GENERAL.—Subject to the provisions of this
5 section and notwithstanding any other provision of law,
6 the Administrator of the United States Agency for Inter-
7 national Development is authorized to procure life-saving
8 food aid commodities, including commodities available lo-
9 cally and regionally, for the provision of emergency food
10 assistance to the most vulnerable populations in countries
11 and areas experiencing acute food insecurity that has been
12 exacerbated by rising food prices, particularly in countries
13 and areas historically dependent upon imports of wheat
14 and other staple commodities from Ukraine and Russia.

15 (b) PRIORITIZATION.—

16 (1) IN GENERAL.—In responding to crises in
17 which emergency food aid commodities are unavail-
18 able locally or regionally, or in which the provision
19 of locally or regionally procured agricultural com-
20 modities would be unsafe, impractical, or inappro-
21 priate, the Administrator should prioritize procure-
22 ments of United States agricultural commodities, in-
23 cluding when exercising authorities under section
24 491 of the Foreign Assistance Act of 1961 (22
25 U.S.C. 2292).

1 (2) LOCAL OR REGIONAL PROCUREMENTS.—In
2 making local or regional procurements of food aid
3 commodities pursuant to subsection (a), the Admin-
4 istrator, to the extent practicable and appropriate,
5 should prioritize procurements from areas supported
6 through the international agricultural development
7 programs authorized under the Global Food Security
8 Act of 2016 (22 U.S.C. 9301 et seq.) and from
9 Ukraine, for the purpose of promoting economic sta-
10 bility, resilience to price shocks, and early recovery
11 from such shocks in such areas.

12 (c) DO NO HARM.—In making local or regional pro-
13 curements of food aid commodities pursuant to subsection
14 (a), the Administrator shall first conduct market assess-
15 ments to ensure that such procurements—

16 (1) will not displace United States agricultural
17 trade and investment; and

18 (2) will not cause or exacerbate shortages, or
19 otherwise harm local markets, for such commodities
20 within the countries of origin.

21 (d) EMERGENCY EXCEPTIONS.—

22 (1) IN GENERAL.—Commodities procured pur-
23 suant to subsection (b) shall be excluded from cal-
24 culations of gross tonnage for purposes of deter-

1 mining compliance with section 55305(b) of title 46,
2 United States Code.

3 (2) CONFORMING AMENDMENT.—Section
4 55305(b) of title 46, United States Code, is amend-
5 ed by striking “shall” and inserting “should”.

6 (e) EXCLUSIONS.—The authority under subsection
7 (a) shall not apply to procurements from—

8 (1) the Russian Federation;

9 (2) the People’s Republic of China; or

10 (3) any country subject to sanctions under—

11 (A) section 620A of the Foreign Assistance
12 Act of 1961 (22 U.S.C. 2371);

13 (B) section 40 of the Arms Export Control
14 Act (22 U.S.C. 2780); or

15 (C) section 1754(e) of the Export Control
16 Reform Act of 2018 (50 U.S.C. 4813(e)).

○