

116TH CONGRESS  
1ST SESSION

# H. R. 2362

To prioritize the purchase of agricultural commodities from domestically owned enterprises, and for other purposes.

---

IN THE HOUSE OF REPRESENTATIVES

APRIL 25, 2019

Mr. MEADOWS introduced the following bill; which was referred to the  
Committee on Agriculture

---

## A BILL

To prioritize the purchase of agricultural commodities from  
domestically owned enterprises, 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 Agriculture  
5 First Act”.

6 **SEC. 2. AGRICULTURAL COMMODITIES PURCHASED FROM**  
7 **DOMESTICALLY OWNED ENTERPRISES.**

8 (a) **PRIORITIZATION.**—

9 (1) **IN GENERAL.**—Except as provided in para-  
10 graph (2), if the Secretary of Agriculture determines

1 that response to trade damage from retaliation by  
2 foreign nations with respect to agricultural commod-  
3 ities is necessary, the Secretary shall, acting through  
4 the Administrator of the Agricultural Marketing  
5 Service, purchase at least 75 percent of the agricul-  
6 tural commodities of the Food Purchase and Dis-  
7 tribution Program from domestically owned enter-  
8 prises.

9 (2) EXCEPTION.—Paragraph (1) shall not  
10 apply to the purchases of agricultural commodities  
11 made 30 days after the date on which the Secretary  
12 of Agriculture submits to the Committee on Agri-  
13 culture of the House of Representatives and the  
14 Committee on Agriculture, Nutrition, and Forestry  
15 of the Senate a report that explains why meeting the  
16 requirements under paragraph (1)—

17 (A) is not possible because agricultural  
18 commodities available from domestically owned  
19 enterprises cannot meet the supply needs of the  
20 Agricultural Marketing Service; or

21 (B) would result in a greater than 150  
22 percent increase between—

23 (i) the amount necessary to purchase  
24 such agricultural commodities; and

1 (ii) the average cost of such agricul-  
2 tural commodities purchased by the Agri-  
3 cultural Marketing Service in the prior 3  
4 years.

5 (3) PUBLICATION OF AWARDS.—In publishing  
6 the awards made to vendors under the purchase pro-  
7 grams under the Agricultural Marketing Service, the  
8 Secretary of Agriculture shall include whether the  
9 entity receiving such an award is a domestically  
10 owned enterprise.

11 (4) WTO OBLIGATIONS.—The Secretary of Ag-  
12 riculture shall carry out this section consistent with  
13 World Trade Organization obligations of the United  
14 States.

15 (b) REPORT REQUIRED.—For each 90-day period in  
16 which the Secretary of Agriculture purchases agricultural  
17 commodities pursuant to subsection (a), the Secretary of  
18 Agriculture shall submit to the appropriate committees a  
19 report that includes the amount of each such agricultural  
20 commodity purchased.

21 (c) SUNSET.—The authority under this section shall  
22 expire on September 30, 2023.

23 (d) DEFINITIONS.—In this section:

24 (1) AGRICULTURAL COMMODITY.—The term  
25 “agricultural commodity” has the meaning given the

1 term under section 102(1) of the Agricultural Trade  
2 Act of 1978 (7 U.S.C. 5602(1)).

3 (2) APPROPRIATE COMMITTEES.—The term  
4 “appropriate committees” means the Committee on  
5 Agriculture of the House of Representatives, the  
6 Committee on Foreign Affairs of the House of Rep-  
7 resentatives, the Committee on Ways and Means of  
8 the House of Representatives, the Committee on Ag-  
9 riculture, Nutrition, and Forestry of the Senate, the  
10 Committee on Foreign Relations of the Senate, and  
11 the Committee on Finance of the Senate.

12 (3) DOMESTICALLY OWNED ENTERPRISE.—The  
13 term “domestically owned enterprise” shall have the  
14 meaning given the term under section 773.2 of title  
15 7, Code of Federal Regulations (as in effect on the  
16 date of the enactment of this Act).

○