

118TH CONGRESS
1ST SESSION

H. R. 513

To amend the Defense Production Act of 1950 to prevent harm and disruption to the United States agriculture industry by protecting against foreign influence over agriculture production and supply chains, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 25, 2023

Mr. JACKSON of Texas (for himself, Ms. SPANBERGER, Mr. VICENTE GONZALEZ of Texas, Mr. SESSIONS, Mrs. MILLER of Illinois, Mr. NORMAN, Ms. SALAZAR, Mr. CRAWFORD, Mrs. CAMMACK, Mr. HERN, Mr. BABIN, Mr. PFLUGER, Mr. ISSA, Mr. NUNN of Iowa, Mr. BAIRD, Mr. NEHLS, Mr. JOHNSON of South Dakota, Mr. STEWART, Mr. ZINKE, Mr. CLINE, Mr. COSTA, Mr. GUEST, Mr. CARL, Mr. MOORE of Alabama, Mr. ROSE, Mr. ELLZEY, Mr. WEBER of Texas, Mrs. HINSON, Mr. FALLON, Mr. MOYLAN, Mr. PANETTA, Mr. FEENSTRA, Mr. FINSTAD, and Mr. KELLY of Mississippi) introduced the following bill; which was referred to the Committee on Financial Services, 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

A BILL

To amend the Defense Production Act of 1950 to prevent harm and disruption to the United States agriculture industry by protecting against foreign influence over agriculture production and supply chains, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Foreign Adversary
3 Risk Management Act” or the “FARM Act”.

4 **SEC. 2. FINDINGS.**

5 Congress finds the following:

6 (1) United States agriculture and supply chains
7 are critical to United States economic success and
8 prosperity, and should each be classified as critical
9 infrastructure and critical technologies.

10 (2) Agriculture is the lifeblood that helps to
11 feed United States families nationwide. As such,
12 food security is a matter of national security and
13 should be a top priority of the United States.

14 (3) To prevent harm to the United States pub-
15 lic health sector and to prevent disruption to the
16 United States economy and food supply chains, the
17 increasing influence foreign countries may have on
18 the United States agriculture industry and agri-
19 culture supply chains should be mitigated.

20 **SEC. 3. UNITED STATES AGRICULTURE INCLUDED IN COM-
21 MITTEE ON FOREIGN INVESTMENT IN THE
22 UNITED STATES.**

23 (a) AGRICULTURE REPRESENTATIVE.—Section
24 721(k)(2) of the Defense Production Act of 1950 (50
25 U.S.C. 4565(k)(2)) is amended—

1 (1) by redesignating subparagraphs (H), (I),
2 and (J) as subparagraphs (I), (J), and (K), respec-
3 tively; and

4 (2) by inserting after subparagraph (G) the fol-
5 lowing:

6 “(H) The Secretary of Agriculture.”.

7 (b) REVIEW OF AGRICULTURE INVESTMENTS BY
8 FOREIGN ENTITIES.—Section 721(a)(4) of the Defense
9 Production Act of 1950 (50 U.S.C. 4565(a)(4)) is amend-
10 ed—

11 (1) in subparagraph (A)—

12 (A) in clause (i), by striking “; and” and
13 inserting a semicolon;

14 (B) in clause (ii), by striking the period at
15 the end and inserting “; and”; and

16 (C) by adding at the end the following:

17 “(iii) any transaction described in
18 subparagraph (B)(vi) that is proposed,
19 pending, or completed on or after the date
20 of the enactment of the Foreign Adversary
21 Risk Management Act.”; and

22 (2) in subparagraph (B), by adding at the end
23 the following:

24 “(vi) Any transaction, merger, acqui-
25 sition, transfer, agreement, takeover, or

1 other arrangement that could result in for-
2 eign control of any United States business
3 that is engaged in agriculture and uses ag-
4 ricultural products (as defined in the first
5 section of the Act of July 2, 1926 (44
6 Stat. 802, chapter 725; 7 U.S.C. 451)).”.

7 (c) AGRICULTURAL SUPPLY CHAINS INCLUDED IN
8 CRITICAL INFRASTRUCTURE.—Section 721(a)(5) of the
9 Defense Production Act of 1950 (50 U.S.C. 4565(a)(5))
10 is amended—

11 (1) by striking “‘critical infrastructure’ means”
12 and inserting the following: “‘critical infrastruc-
13 ture’—

14 “(i) means”;

15 (2) by striking the period at the end and insert-
16 ing “; and”; and

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

18 “(ii) includes, subject to regulations
19 prescribed by the Committee, agricultural
20 systems and supply chains.”.

21 (d) AGRICULTURAL SUPPLY CHAINS INCLUDED AS
22 CRITICAL TECHNOLOGIES.—Section 721(a)(6)(A) of the
23 Defense Production Act of 1950 (50 U.S.C.
24 4565(a)(6)(A)) is amended by adding at the end the fol-
25 lowing:

1 “(vii) Agricultural supply chains used
2 for agricultural products (as defined in the
3 first section of the Act of July 2, 1926 (44
4 Stat. 802, chapter 725; 7 U.S.C. 451)).”.

5 **SEC. 4. REPORTS ON INVESTMENTS BY FOREIGN COUN-**
6 **TRIES IN UNITED STATES AGRICULTURE IN-**
7 **DUSTRY.**

8 Not later than one year after the date of the enact-
9 ment of this Act and annually thereafter, the Secretary
10 of Agriculture and the Comptroller General of the United
11 States shall each—

12 (1) conduct an analysis of foreign influence in
13 the United States agriculture industry; and

14 (2) submit to Congress a report that includes a
15 summary of—

16 (A) foreign investments in the United
17 States agriculture industry;

18 (B) the potential for foreign investment to
19 undermine United States agriculture production
20 and agricultural supply chains;

21 (C) the largest international threats for in-
22 creased foreign control of, and investment in,
23 the United States agriculture sector; and

24 (D) agriculture-related espionage and theft
25 techniques used by foreign governments, includ-

1 ing any attempts to target United States agri-
2 cultural intellectual property, innovation, re-
3 search and development, cost or pricing data, or
4 internal strategy documents.

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