

118TH CONGRESS
1ST SESSION

H. R. 5409

To amend the Defense Production Act of 1950 to require the Committee on Foreign Investment in the United States to determine whether a national security review is needed for reportable agricultural land transactions referred by the Secretary of Agriculture, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 12, 2023

Mr. LUETKEMEYER introduced the following bill; which was referred to the Committee on Financial Services, and in addition to the Committees on Foreign Affairs, and Energy and Commerce, 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 require the Committee on Foreign Investment in the United States to determine whether a national security review is needed for reportable agricultural land transactions referred by the Secretary of Agriculture, 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 “Safeguarding Amer-
5 ican Farms from Foreign Influence Act”.

1 **SEC. 2. CONSIDERATION OF CERTAIN AGRICULTURAL**
2 **LAND TRANSACTIONS.**

3 Section 721(b)(1) of the Defense Production Act of
4 1950 (50 U.S.C. 4565(b)(1)) is amended by adding at the
5 end the following:

6 “(I) CONSIDERATION OF CERTAIN AGRI-
7 CULTURAL LAND TRANSACTIONS.—

8 “(i) IN GENERAL.—Not later than 30
9 days after receiving notification from the
10 Secretary of Agriculture of a reportable
11 agricultural land transaction, the Com-
12 mittee shall determine—

13 “(I) whether the transaction is a
14 covered transaction; and

15 “(II) if the Committee deter-
16 mines that the transaction is a cov-
17 ered transaction, whether the Com-
18 mittee should initiate a review pursu-
19 ant to subparagraph (D), or take an-
20 other action authorized under this sec-
21 tion, with respect to the reportable ag-
22 ricultural land transaction.

23 “(ii) REPORTABLE AGRICULTURAL
24 LAND TRANSACTION.—In this subpara-
25 graph, the term ‘reportable agricultural
26 land transaction’ means a transaction—

1 “(I) that the Secretary of Agri-
2 culture has reason to believe is a cov-
3 ered transaction;

4 “(II) that involves the acquisition
5 of an interest in agricultural land by
6 a foreign person, other than by a for-
7 eign person of an excepted foreign
8 state or an excepted real estate for-
9 eign state, as such terms are defined
10 in regulations prescribed by the Com-
11 mittee; and

12 “(III) with respect to which a
13 person is required to submit a report
14 to the Secretary of Agriculture under
15 section 2(a) of the Agricultural For-
16 eign Investment Disclosure Act of
17 1978.”.

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