

118TH CONGRESS
2D SESSION

H. R. 9442

To amend the Defense Production Act of 1950 and the Agricultural Foreign Investment Disclosure Act of 1978 with respect to foreign investments in United States agriculture.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 30, 2024

Mr. NEWHOUSE introduced the following bill; which was referred to the Committee on Agriculture, and in addition to the Committees on Foreign Affairs, Energy and Commerce, and Financial Services, 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 and the Agricultural Foreign Investment Disclosure Act of 1978 with respect to foreign investments in United States agriculture.

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 “Protecting American
5 Agriculture from Foreign Adversaries Act of 2024”.

1 **SEC. 2. INCLUSION OF SECRETARY OF AGRICULTURE ON**
2 **COMMITTEE ON FOREIGN INVESTMENT IN**
3 **UNITED STATES AND NOTIFICATION RE-**
4 **QUIREMENT FOR PARTICULAR COVERED**
5 **TRANSACTION.**

6 (a) INCLUSION ON THE COMMITTEE.—Section
7 721(k) of the Defense Production Act of 1950 (50 U.S.C.
8 4565(k)) is amended by adding at the end the following:

9 “(8) INCLUSION OF THE SECRETARY OF AGRI-
10 CULTURE.—For purposes of paragraph (2)(J), the
11 Secretary of Agriculture shall be a member of the
12 Committee with respect to a covered transaction
13 that involves—

14 “(A) agricultural land;

15 “(B) agriculture biotechnology; or

16 “(C) the agriculture industry, including ag-
17 ricultural—

18 “(i) transportation;

19 “(ii) storage; and

20 “(iii) processing.”.

21 (b) NOTIFICATION OF A PARTICULAR COVERED
22 TRANSACTION.—The Agricultural Foreign Investment
23 Disclosure Act of 1978 (7 U.S.C. 3501, et seq.) is amend-
24 ed—

25 (1) in section 2, by adding at the end the fol-
26 lowing:

1 “(g)(1) The Secretary shall, to the maximum extent
2 practicable, notify the Committee on Foreign Investment
3 in the United States with respect to each covered trans-
4 action relating to agricultural land that the Secretary has
5 reason to believe, based on information received from or
6 in cooperation with the intelligence community—

7 “(A) may pose a risk to the national secu-
8 rity of the United States; and

9 “(B) requires a report to be submitted to
10 the Secretary of Agriculture under subsection
11 (a).

12 “(2) Under paragraph (1), the Secretary shall
13 prioritize notification in the case of a covered trans-
14 action where a foreign country of concern or a for-
15 eign entity of concern acquires or transfers an inter-
16 est in agricultural land other than a security inter-
17 est.”; and

18 (2) in section 9—

19 (A) in paragraph (5), by striking “and”;

20 (B) in paragraph (6), by striking the pe-
21 riod at the end and inserting a semicolon; and

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

23 “(7) the term ‘covered transaction’ has the
24 meaning given such term in section 721(a) of the

1 Defense Production Act of 1950 (50 U.S.C.
2 4565(a));

3 “(8) the terms ‘foreign country of concern’ and
4 ‘foreign entity of concern’ have the meanings given
5 such terms in section 10612(a) of the CHIPS Act
6 of 2022 (42 U.S.C. 19221(a)), respectively; and

7 “(9) the term ‘intelligence community’ has the
8 meaning given such term in section 3 of the Na-
9 tional Security Act of 1947 (50 U.S.C. 3003).”.

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