

119TH CONGRESS
1ST SESSION

S. _____

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 SENATE OF THE UNITED STATES

Mr. TUBERVILLE introduced the following bill; which was read twice and referred to the Committee on _____

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,*

3 **SECTION 1. SHORT TITLE.**

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

1 **SEC. 2. UNITED STATES AGRICULTURE INCLUDED IN COM-**
2 **MITTEE ON FOREIGN INVESTMENT IN THE**
3 **UNITED STATES.**

4 (a) AGRICULTURE REPRESENTATIVE.—Section
5 721(k)(2) of the Defense Production Act of 1950 (50
6 U.S.C. 4565(k)(2)) is amended—

7 (1) by redesignating subparagraphs (H), (I),
8 and (J) as subparagraphs (I), (J), and (K), respec-
9 tively; and

10 (2) by inserting after subparagraph (G) the fol-
11 lowing:

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

13 (b) REVIEW OF AGRICULTURE INVESTMENTS BY
14 FOREIGN ENTITIES.—Section 721(a)(4) of the Defense
15 Production Act of 1950 (50 U.S.C. 4565(a)(4)) is amend-
16 ed—

17 (1) in subparagraph (A)—

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

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

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

23 “(iii) any transaction described in
24 subparagraph (B)(vi) that is proposed,
25 pending, or completed on or after the date

1 of the enactment of the Foreign Adversary
2 Risk Management Act.”; and

3 (2) in subparagraph (B), by adding at the end
4 the following:

5 “(vi) Any transaction, merger, acqui-
6 sition, transfer, agreement, takeover, or
7 other arrangement that could result in for-
8 eign control of any United States business
9 that is engaged in agriculture and uses ag-
10 ricultural products (as defined in the first
11 section of the Act of July 2, 1926 (44
12 Stat. 802, chapter 725; 7 U.S.C. 451)).”.

13 (c) AGRICULTURAL SUPPLY CHAINS INCLUDED IN
14 CRITICAL INFRASTRUCTURE.—Section 721(a)(5) of the
15 Defense Production Act of 1950 (50 U.S.C. 4565(a)(5))
16 is amended—

17 (1) by striking “‘critical infrastructure’ means”
18 and inserting the following: “‘critical infrastruc-
19 ture’—

20 “(A) means”;

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

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

1 (B) the potential for foreign investment to
2 undermine United States agriculture production
3 and agricultural supply chains;

4 (C) the largest international threats for in-
5 creased foreign control of, and investment in,
6 the United States agriculture sector; and

7 (D) agriculture-related espionage and theft
8 techniques used by foreign governments, includ-
9 ing any attempts to target United States agri-
10 cultural intellectual property, innovation, re-
11 search and development, cost or pricing data, or
12 internal strategy documents.