

117TH CONGRESS  
2D SESSION

# H. R. 8274

To amend the Defense Production Act of 1950 to include the Secretary of Agriculture on the Committee on Foreign Investment in the United States and require review of certain agricultural transactions, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 1, 2022

Ms. STEFANIK (for herself, Mr. CRAWFORD, Mr. AUSTIN SCOTT of Georgia, Mr. WENSTRUP, and Mr. JOHNSON of South Dakota) 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

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## A BILL

To amend the Defense Production Act of 1950 to include the Secretary of Agriculture on the Committee on Foreign Investment in the United States and require review of certain agricultural transactions, 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 “Promoting Agriculture  
3 Safeguards and Security Act of 2022” or the “PASS Act  
4 of 2022”.

5 **SEC. 2. REVIEW OF AGRICULTURE-RELATED TRANS-**  
6 **ACTIONS BY CFIUS.**

7       (a) IN GENERAL.—Section 721 of the Defense Pro-  
8 duction Act of 1950 (50 U.S.C. 4565) is amended—

9           (1) in subsection (a)(5)—

10               (A) by striking “means, subject” and in-  
11 serting the following: “means—

12               “(A) subject”;

13               (B) by striking the period at the end and  
14 inserting “; and”; and

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

16               “(B) includes—

17                   “(i) the sector of agriculture (as such  
18 term is defined in section 3 of the Fair  
19 Labor Standards Act of 1938 (29 U.S.C.  
20 203)); and

21                   “(ii) biotechnology related to the agri-  
22 culture sector.”;

23           (2) in subsection (k)(2)—

24               (A) by redesignating subparagraph (J) as  
25 subparagraph (K); and

1 (B) by inserting after subparagraph (I) the  
2 following:

3 “(J) The Secretary of Agriculture.”; and

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

5 “(r) PROHIBITION WITH RESPECT TO AGRICUL-  
6 TURAL COMPANIES.—

7 “(1) IN GENERAL.—Notwithstanding any other  
8 provision of this section, persons who are acting on  
9 behalf of or otherwise directed by the government of  
10 a prohibited country may not carry out any merger,  
11 acquisition, or takeover that could result in foreign  
12 control of a United States agricultural company.

13 “(2) PROHIBITED COUNTRY.—In this sub-  
14 section, the term ‘prohibited country’ means each of  
15 the following:

16 “(A) China.

17 “(B) Russia.

18 “(C) Iran.

19 “(D) North Korea.”.

20 (b) REPORT REQUIRED.—Not later than 180 days  
21 after the date of the enactment of this Act, and every 180  
22 days thereafter, the Secretary of Agriculture shall submit  
23 to the Committee on Agriculture of the House of Rep-  
24 resentatives and the Committee on Agriculture, Nutrition,  
25 and Forestry of the Senate a report on the risks that for-

- 1 eign purchases of agricultural companies pose to the agri-
- 2 cultural sector of the United States.

