

118TH CONGRESS  
2D SESSION

**S.** \_\_\_\_\_

To amend the Agricultural Foreign Investment Disclosure Act of 1978 to establish an additional reporting requirement, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

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Mr. BRAUN introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**A BILL**

To amend the Agricultural Foreign Investment Disclosure Act of 1978 to establish an additional reporting requirement, 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 “AFIDA Improvements  
5 Act of 2024”.

6 **SEC. 2. REPORTING; ENFORCEMENT.**

7 (a) REPORTING REQUIREMENT.—Section 2 of the  
8 Agricultural Foreign Investment Disclosure Act of 1978  
9 (7 U.S.C. 3501) is amended by adding at the end the fol-  
10 lowing:

1           “(g) MINIMUM OWNERSHIP.—In the case of agricul-  
2 tural land in which more than 1 foreign person acquires  
3 or transfers any interest, other than a security interest,  
4 the reporting requirements under this section shall apply  
5 to each foreign person who holds at least a 1 percent inter-  
6 est in that land—

7           “(1) directly through the first tier of ownership;

8           or

9           “(2) in the aggregate through an interest in  
10 other entities at various tiers.”.

11           (b) ENFORCEMENT.—Section 4 of the Agricultural  
12 Foreign Investment Disclosure Act of 1978 (7 U.S.C.  
13 3503) is amended—

14           (1) by striking the section designation and all  
15 that follows through “The Secretary” and inserting  
16 the following:

17 **“SEC. 4. INVESTIGATIVE ACTIONS.**

18           “(a) IN GENERAL.—The Secretary”; and

19           (2) by adding at the end the following:

20           “(b) ACTIONS BY FPAC-BC.—As part of the actions  
21 taken under subsection (a), the Farm Production and  
22 Conservation Business Center shall—

23           “(1) take such actions as are necessary to vali-  
24 date the data collected under section 2, including re-

1 vising and validating information throughout the  
2 data collection process;

3 “(2) take such actions as are necessary to en-  
4 sure compliance with section 2(g); and

5 “(3) in coordination with the Farm Service  
6 Agency, to the maximum extent practicable, identify  
7 persons that have carried out an activity subject to  
8 a civil penalty described in paragraph (1) or (2) of  
9 section 3(a).”.

10 **SEC. 3. AGRICULTURAL FOREIGN INVESTMENT DISCLO-**  
11 **SURE IMPROVEMENTS.**

12 (a) DEFINITIONS.—In this section:

13 (1) AFIDA.—The term “AFIDA” means the  
14 Agricultural Foreign Investment Disclosure Act of  
15 1978 (7 U.S.C. 3501 et seq.).

16 (2) FPAC-BC.—The term “FPAC-BC” means  
17 the Farm Production and Conservation Business  
18 Center.

19 (3) SECRETARY.—The term “Secretary” means  
20 the Secretary of Agriculture.

21 (b) MOU WITH CFIUS.—Not later than 1 year after  
22 the date of enactment of this Act, the Secretary shall enter  
23 into 1 or more memoranda of understanding with the  
24 Committee on Foreign Investment in the United States  
25 under which the Secretary shall provide the Committee

1 with all relevant information relating to reports on foreign  
2 ownership of United States agricultural land submitted to  
3 the Secretary under section 2 of AFIDA (7 U.S.C. 3501),  
4 including information on—

5 (1) each report submitted to the Secretary; and

6 (2) with respect to each such report, the iden-  
7 tity of the person submitting the report and the date  
8 of submission.

9 (c) AFIDA HANDBOOK UPDATES.—

10 (1) FIRST UPDATE.—Not later than 1 year  
11 after the date of enactment of this Act, the Sec-  
12 retary shall update the most recent version of the  
13 Farm Service Agency handbook entitled “Foreign  
14 Investment Disclosure” as determined necessary by  
15 the Secretary for the effective implementation of  
16 AFIDA, which update shall incorporate rec-  
17 ommendations made by the report of the Govern-  
18 ment Accountability Office entitled “Foreign Invest-  
19 ments in U.S. Agricultural Land: Enhancing Efforts  
20 to Collect, Track, and Share Key Information Could  
21 Better Identify National Security Risks” and dated  
22 January 18, 2024.

23 (2) SUBSEQUENT UPDATES.—After updating  
24 the handbook described in paragraph (1) under that  
25 paragraph, the Secretary shall carry out an update

1 of that handbook every 10 years thereafter, includ-  
2 ing by incorporating any recommendations of the  
3 Government Accountability Office.

4 (d) ANALYSIS OF STREAMLINED PROCESS FOR  
5 ELECTRONIC SUBMISSION AND RETENTION OF REPORTS  
6 UNDER AFIDA.—

7 (1) DEFINITION OF COVERED PROCESS.—In  
8 this subsection, the term “covered process” means  
9 the streamlined process for electronic submission  
10 and retention of disclosures made under AFIDA re-  
11 quired under section 773 of division A of the Con-  
12 solidated Appropriations Act, 2023 (7 U.S.C. 3501  
13 note; 136 Stat. 4509).

14 (2) ANALYSIS.—Unless the covered process is  
15 established by not later than 1 year after the date  
16 of enactment of this Act, the FPAC-BC, in coordi-  
17 nation with the Farm Service Agency, shall, by that  
18 date—

19 (A) carry out an analysis of the specific  
20 steps required to establish that process and the  
21 elements of that process; and

22 (B) develop a timeline for specific imple-  
23 mentation benchmarks to be met.

24 (3) REPORT.—The Secretary shall submit to  
25 the Committee on Agriculture, Nutrition, and For-

1       estry of the Senate and the Committee on Agri-  
2       culture of the House of Representatives a report de-  
3       scribing the analysis and implementation timeline  
4       under paragraph (2), if applicable.