

116TH CONGRESS
2D SESSION

S. 4768

To establish the Office of Intelligence in the Department of Agriculture,
and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 30 (legislative day, SEPTEMBER 29), 2020

Mr. COTTON introduced the following bill; which was read twice and referred
to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To establish the Office of Intelligence in the Department
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 “Agricultural Intel-
5 ligence Measures Act” or the “AIM Act”.

6 **SEC. 2. ESTABLISHMENT OF OFFICE OF INTELLIGENCE IN**
7 **DEPARTMENT OF AGRICULTURE.**

8 (a) ESTABLISHMENT.—

9 (1) IN GENERAL.—Subtitle A of the Depart-
10 ment of Agriculture Reorganization Act of 1994 (7

1 U.S.C. 6912 et seq.) is amended by adding at the
2 end the following:

3 **“SEC. 224B. OFFICE OF INTELLIGENCE.**

4 “(a) ESTABLISHMENT.—There is established in the
5 Department an Office of Intelligence. The Office shall be
6 under the National Intelligence Program.

7 “(b) DIRECTOR.—

8 “(1) IN GENERAL.—The Office shall be headed
9 by the Director of the Office of Intelligence, who
10 shall be an employee in the Senior Executive Service
11 and who shall be appointed by the Secretary. The
12 Director shall report directly to the Secretary.

13 “(2) QUALIFICATIONS.—The Secretary shall se-
14 lect an individual to serve as the Director from
15 among individuals who have significant experience
16 serving in the intelligence community.

17 “(3) STAFF.—The Director may appoint and
18 fix the compensation of such staff as the Director
19 considers appropriate, except that the Director may
20 not appoint more than 5 full-time equivalent posi-
21 tions at an annual rate of pay equal to or greater
22 than the maximum rate of basic pay for GS-15 of
23 the General Schedule.

24 “(4) DETAIL OF PERSONNEL OF INTELLIGENCE
25 COMMUNITY.—Upon the request of the Director, the

1 head of an element of the intelligence community
2 may detail any of the personnel of such element to
3 assist the Office in carrying out its duties. Any per-
4 sonnel detailed to assist the Office shall not be taken
5 into account in determining the number of full-time
6 equivalent positions of the Office under paragraph
7 (3).

8 “(c) DUTIES.—The Office shall carry out the fol-
9 lowing duties:

10 “(1) The Office shall be responsible for
11 leveraging the capabilities of the intelligence commu-
12 nity and National Laboratories intelligence-related
13 research, to ensure that the Secretary is fully in-
14 formed of threats by foreign actors to United States
15 agriculture.

16 “(2) The Office shall focus on understanding
17 foreign efforts to—

18 “(A) steal United States agriculture knowl-
19 edge and technology; and

20 “(B) develop or implement biological war-
21 fare attacks, cyber or clandestine operations, or
22 other means of sabotaging and disrupting
23 United States agriculture.

1 “(3) The Office shall prepare, conduct, and fa-
2 cilitate intelligence briefings for the Secretary and
3 appropriate officials of the Department.

4 “(4) The Office shall operate as the liaison be-
5 tween the Secretary and the intelligence community,
6 with the authority to request intelligence collection
7 and analysis on matters related to United States ag-
8 riculture.

9 “(5) The Office shall collaborate with the intel-
10 ligence community to downgrade intelligence assess-
11 ments for broader dissemination within the Depart-
12 ment.

13 “(6) The Office shall facilitate sharing informa-
14 tion on foreign activities related to agriculture, as
15 acquired by the Department with the intelligence
16 community.

17 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
18 is authorized to be appropriated for the Office \$970,000
19 for fiscal year 2021.

20 “(e) DEFINITIONS.—In this section, the following
21 definitions apply:

22 “(1) The term ‘Director’ means the Director of
23 the Office of Intelligence appointed under subsection
24 (b).

1 “(2) The terms ‘intelligence community’ and
 2 ‘National Intelligence Program’ have the meaning
 3 given such terms in section 3 of the National Secu-
 4 rity Act of 1947 (50 U.S.C. 3003).

5 “(3) The term ‘Office’ means the Office of In-
 6 telligence of the Department established under sub-
 7 section (a).”.

8 (2) CONFORMING AMENDMENTS.—

9 (A) Subtitle A of the Department of Agri-
 10 culture Reorganization Act of 1994 is amended
 11 by redesignating section 225 (7 U.S.C. 6925)
 12 as section 224A.

13 (B) Section 296(b) of the Department of
 14 Agriculture Reorganization Act of 1994 (7
 15 U.S.C. 7014(b)) is amended by adding at the
 16 end the following:

17 “(11) The authority of the Secretary to carry
 18 out section 224B.”.

19 (b) CONFORMING AMENDMENTS RELATING TO EX-
 20 ISTING FUNCTIONS AND AUTHORITIES.—

21 (1) EXISTING FUNCTIONS OF OFFICE OF HOME-
 22 LAND SECURITY OF DEPARTMENT RELATING TO IN-
 23 TELLIGENCE ON THREATS TO FOOD AND AGRI-
 24 CULTURE CRITICAL INFRASTRUCTURE SECTOR.—

(A) IN GENERAL.—Section 221(d) of such Act (7 U.S.C. 6922(d)) is amended—

- (i) by striking paragraphs (4) and (5);
- and
- (ii) by redesignating paragraphs (6) through (8) as paragraphs (4) through (6), respectively.

(B) TRANSFER OF RELATED PERSONNEL AND ASSETS OF OFFICE OF HOMELAND SECURITY.—The functions which the Office of Homeland Security of the Department of Agriculture exercised under paragraphs (4) and (5) of section 221(d) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6922(d)) before the effective date of this paragraph, together with the funds, assets, and other resources used by the Director of the Office of Homeland Security of the Department of Agriculture to carry out such functions before the effective date of this paragraph, are transferred to the Director of the Office of Intelligence of the Department of Agriculture.

(2) CARRYING OUT INTERAGENCY EXCHANGE PROGRAM FOR DEFENSE OF FOOD AND AGRICULTURE CRITICAL INFRASTRUCTURE SECTOR.—

1 Section 221(e) of such Act (7 U.S.C. 6922(e)) is
 2 amended by adding at the end the following new
 3 paragraph:

4 “(3) AUTHORITY OF DIRECTOR OF OFFICE OF
 5 INTELLIGENCE AND COUNTERINTELLIGENCE.—The
 6 Secretary shall carry out this subsection acting
 7 through the Director of the Office of Intelligence of
 8 the Department.”.

9 (3) COORDINATING WITH INTELLIGENCE COM-
 10 MUNITY ON POTENTIAL THREATS TO AGRI-
 11 CULTURE.—Section 335(a)(3) of the Public Health
 12 Security and Bioterrorism Preparedness and Re-
 13 sponse Act of 2002 (7 U.S.C. 3354(a)(3)) is amend-
 14 ed by striking “strengthen coordination” and insert-
 15 ing “acting through the Director of the Office of In-
 16 telligence in the Department of Agriculture,
 17 strengthen coordination”.

18 (4) EFFECTIVE DATE.—This subsection and the
 19 amendments made by this subsection shall take ef-
 20 fect upon the appointment of the Director of the Of-
 21 fice of Intelligence in the Department of Agriculture
 22 under section 224B(b) of the Department of Agri-
 23 culture Reorganization Act of 1994 (as added by
 24 subsection (a)(1)).

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