



Written by [James Murphy](#) on December 13, 2022

House GOP Launches Legislation Meant to Promote Transparency of Foreign-owned Farmland

Last Thursday, GOP members of the House of Representatives introduced legislation known as the Agricultural Foreign Investment Transparency Act. The new legislation would be a modification of the 1978 law known as the Agricultural Foreign Investment Disclosure Act (AFIDA).

The original [law](#) was meant to create a database of information pertaining to information pertaining to foreign ownership of U.S. agricultural land. The reforms proposed by Representatives Elise Stefanik (R-N.Y.) and Rick Crawford (R-Ark.) would add some much-needed transparency to foreign acquisition of American farmland, which has been on the rise in recent years.



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Currently, AFIDA largely relies on [voluntary](#) reports compiled by the U.S. Department of Agriculture. Critics claim that those records severely under-report the amount of U.S. farmland under foreign ownership.

“Food security is national security, and we cannot allow our foreign adversaries to assert any control over our land or agriculture industry,” Stefanik said. “I am proud to shine a light on the malign influence of the Chinese and our other foreign adversaries who are buying up our land, undermining our farmers, and threatening our nation’s security. I will continue to work to prevent our foreign adversaries from taking any ownership or control of the United States’ agriculture industry.”

The House members singled out Communist China, which [may own](#) as much as 192,000 acres of U.S. farmland.

“The recent increase in Chinese purchases of U.S. farmland demonstrates the need for more proactive legislation and government transparency of these purchases. This legislation would shine a light on American agricultural land controlled by entities in communist China and elsewhere so we can evaluate the risk to our national security and implement an effective response,” Crawford said.

Representatives Tom Emmer (R-Minn.), Troy Balderson (R-Ohio), Jim Baird (R-Ind.), Doug LaMalfa (R-Calif.), Randy Feenstra (R-Iowa), Ashley Hinson (R-Iowa), Blake Moore (R-Utah), and Mary Miller (R-Ill.) joined Stefanik and Crawford in promoting the new legislation.

“American farmland belongs to American farmers. Recent attempts by foreign entities — particularly the Chinese Communist Party — to purchase American farmland pose serious threats to our national, economic, and food security,” Feenstra said.

Among the changes the new legislation would codify would be to require the secretary of agriculture to make all new and existing AFIDA reports publicly available on the USDA website; expand the material



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reported to AFIDA to include security interests and land leases of any period, including idle agricultural land; and to increase oversight and expand the scope of reporting to ensure there is a report of all idle land acquisitions, companies that issue equity securities that are foreign-traded, and all interest acquired, transferred, or held by a foreign person.

However, without accurate records on which foreign entities own how much land, those laws are difficult to fully enforce.

The new House [bill](#) would look to improve the reporting on just which foreign entities own what farmland in the United States.

In early November, several states considered implementing a new limit on foreign control of agricultural land. The State of Indiana passed Senate Bill 388, which would limit foreign entities to just 320 acres of land in the state. Several other states, including Arkansas, Illinois, Iowa, Kansas, Maine, Minnesota, Missouri, Mississippi, Nebraska, North Carolina, North Dakota, Ohio, Oklahoma, and Wisconsin have similar laws on their books.

In Missouri, for example, a bi-partisan effort exists to limit foreign ownership of farmland.

“Just at the basic level, I think it’s the question of, ‘Do you think somebody who’s not American should own Missouri ground?’” said Republican State Senator Bill Eigel. “And, for me, I think that answer is no.”

Missouri already has a law in place that is supposed to limit foreign ownership of its farmland to one percent. Critics claim that the one-percent barrier has already been exceeded. One Chinese entity owns 40,000 acres of Missouri farmland with the purchase of Smithfield Foods, which operates Missouri’s largest industrial hog farms.

Eigel’s new bill would prohibit new sales of farmland to foreign entities. Democrat Doug Beck has been proposing similar legislation for several years.



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