



January 28, 2026
Submitted via Regulations.gov

The Honorable Brooke L. Rollins
Secretary of Agriculture
U.S. Department of Agriculture
South Agriculture Building
1400 Independence Avenue SW
Washington, DC 20250

Re: Agricultural Foreign Investment Disclosure Act (AFIDA) – Revisions to Reporting Requirements

Dear Secretary Rollins,

Farm Action respectfully submits this comment in strong support of the U.S. Department of Agriculture's (USDA) proposed revisions to reporting requirements under the Agricultural Foreign Investment Disclosure Act (AFIDA). At a time of accelerating farmland consolidation and growing concern about foreign ownership of U.S. agricultural land, strengthening AFIDA reporting is a necessary and overdue step to restore transparency and accountability.

The United States currently lacks accurate, timely, and accessible data on foreign ownership of agricultural land. Existing AFIDA reporting mechanisms have not been adequately enforced or modernized, resulting in persistent uncertainty about who owns and controls American farmland and how that ownership affects farmers and ranchers, rural communities, food security, and national security. Without reliable data, policymakers and the public are unable to assess risks, identify trends, or develop informed policy responses.

USDA's proposed revisions appropriately acknowledge these shortcomings and represent an important opportunity to strengthen the statute's implementation. Improving the efficiency, verification, and accessibility of AFIDA data is essential to fulfilling the law's purpose and ensuring that agricultural land ownership serves the public interest. Effective transparency also depends on compliance, and meaningful reporting reforms must be paired with enforceable consequences for failure to disclose or accurately report foreign ownership of agricultural land.

I. Background on AFIDA and the Transparency Gap

AFIDA was enacted in 1978 to ensure transparency regarding foreign ownership of U.S. agricultural land and to support congressional oversight of its effects on farmers, ranchers, and rural

communities. The statute requires foreign investors to disclose farmland holdings and directs USDA to report periodically to Congress on trends and impacts.¹

Despite this mandate, AFIDA has been persistently under-implemented. The law was last meaningfully updated in 2006, prior to significant changes in farmland ownership patterns, investment structures, and national security concerns. USDA has lacked modern systems and sufficient resources to verify disclosures and report data in a timely manner, limiting its usefulness for policymakers and other stakeholders.²

As a result, Congress and the public cannot accurately assess the scope of foreign ownership of farmland or its associated consequences. This transparency gap undermines accountability and weakens the ability to develop informed policy responses.

II. Farmland Ownership Shapes Rural Economies

Land ownership plays a central role in shaping the structure, resilience, and long-term viability of American agriculture. Ownership patterns influence how land is managed, who can access it, and whether economic benefits remain within rural communities or are extracted elsewhere.³ Farmland owned and operated by individuals rooted in their communities is more likely to support long-term stewardship, conservation practices, and local economic reinvestment.

In contrast, absentee ownership—particularly by distant or institutional investors—often treats farmland primarily as a financial asset rather than a productive community resource. This model can incentivize short-term returns over long-term land stewardship and contribute to rising land values and rental rates that put farmland increasingly out of reach for beginning and independent farmers and ranchers. As land ownership becomes more detached from local communities, rural economies lose decision-making power and the opportunity to capture the full economic benefits of agricultural production.⁴

Foreign absentee ownership can exacerbate these dynamics. When farmland is controlled by foreign entities with limited ties to local communities, the risks of wealth extraction and reduced accountability increase. Economic returns are more likely to flow out of rural regions, and communities have less visibility into who ultimately controls land use decisions.⁵ These ownership structures can deepen consolidation pressures while further weakening local land access and community stability.

Without comprehensive and transparent data on foreign ownership and control of agricultural land, policymakers lack the tools necessary to fully assess these impacts or develop appropriate responses.

¹ Agricultural Foreign Investment Disclosure Act of 1978, 7 U.S.C. § 3501 et seq.

² U.S. Government Accountability Office. (2024, January 18). *Foreign investments in U.S. agricultural land: Enhancing efforts to collect, track, and share key information could better identify national security risks* (GAO-24-106337). <https://www.gao.gov/products/gao-24-106337>

³ U.S. Department of Agriculture, Economic Research Service. (2025, May 8). *Farmland ownership and tenure*. <https://www.ers.usda.gov/topics/farm-economy/land-use-land-value-tenure/farmland-ownership-and-tenure>

⁴ Wilde, R. (2019, May 27). *American soil is increasingly foreign owned*. NPR. <https://www.npr.org/2019/05/27/723501793/american-soil-is-increasingly-foreign-owned>

⁵ Straus, A. (2021, April 1). *Foreign corporate farmland ownership explained*. Farm Action. <https://farmaction.us/2021/04/01/foreign-corporate-farmland-ownership-explained/>

Strengthened AFIDA reporting is essential to understanding how foreign absentee ownership affects farmland access, land stewardship, and the economic health of rural communities.

III. Foreign Farmland Ownership as a National Security Risk

Agricultural land is a strategic national asset. It underpins domestic food production, supply chain resilience, and the ability of the United States to respond to economic disruptions, climate shocks, and geopolitical instability. Who owns and controls farmland directly influences what is grown, how it is produced, and whether agricultural resources are oriented toward domestic needs or external markets.⁶

Foreign ownership of agricultural land—regardless of intent—introduces additional risk considerations to the food system. Foreign investors may prioritize export markets, speculative returns, or supply chain needs outside the United States. When farmland is controlled by foreign entities, production decisions and economic benefits may be less aligned with domestic food security goals or regional resilience. These risks are heightened when ownership structures are complex or opaque, limiting policymakers’ ability to assess who ultimately controls agricultural land.

National security concerns are heightened when farmland is owned or controlled by entities linked to hostile or adversarial nations. Such ownership can raise questions about influence over critical food supply chains and access to land near sensitive or strategic infrastructure, including military bases and power plants. The inability to clearly identify beneficial ownership and control impedes meaningful risk assessment and appropriate oversight.⁷

Transparency is essential to managing these risks. Without accurate, timely, and comprehensive data on foreign ownership of U.S. agricultural land, federal agencies cannot evaluate the scale, location, or implications of foreign control. Strengthened AFIDA reporting is therefore a necessary tool for safeguarding food system resilience and addressing potential national security concerns in a measured and evidence-based manner.

IV. Support for USDA’s Proposed Reporting Revisions

Farm Action strongly supports USDA’s proposed revisions to AFIDA reporting requirements. Clear, enforceable, and modernized reporting is necessary to address long-standing gaps in transparency and oversight related to foreign ownership of U.S. agricultural land.

First, improving the efficiency of reporting through clearer disclosure requirements and processes can increase compliance and reduce ambiguity. Clear standards are particularly important for clarifying complex ownership and investment structures in farmland transactions.

Second, enhanced verification and monitoring are essential to ensure accurate and complete disclosures. Disclosure alone is insufficient if the reported information is not reliable. Strong verification mechanisms help ensure that data is reflective of beneficial ownership and control of

⁶ Cybersecurity and Infrastructure Security Agency. (2020, December 17). *Food and agriculture sector-specific plan (NIPP SSP 2015, revised)*. U.S. Department of Homeland Security.

<https://www.cisa.gov/resources-tools/resources/food-and-agriculture-sector-specific-plan-2015>

⁷ U.S. Department of Agriculture. (2025). *National farm security action plan*.

<https://www.usda.gov/sites/default/files/documents/farm-security-nat-sec.pdf>

land. Verification requirements must be paired with meaningful enforcement mechanisms to ensure compliance and prevent reporting obligations from being treated as optional or inconsequential.

Third, increased data accessibility is critical. Reliable AFIDA data enables informed policymaking, effective oversight, and public accountability. Transparency allows researchers, advocates, and lawmakers to identify trends, assess impacts, and evaluate whether existing policies are meeting their objectives.

Finally, consistent monitoring and annual reporting to Congress are necessary to fulfill AFIDA's statutory purpose. USDA should actively analyze foreign farmland ownership trends and report them on a regular basis to support oversight and policy development. Effective implementation of these reforms depends on ensuring that failure to comply with AFIDA reporting requirements carries meaningful consequences.

V. Relationship to Broader Farmland Policy Goals

Improved AFIDA reporting is a foundational step, not an endpoint. Comprehensive and reliable data on foreign ownership and control of agricultural land is necessary to understand how ownership patterns are evolving, where risks are concentrated, and how existing policies interact with broader trends in land access and consolidation.

Transparent ownership data enables policymakers to assess whether current farmland policies are reinforcing concentration or supporting equitable land access for family farmers. Without clear information on ownership and control, efforts to address absentee ownership, excessive consolidation, and barriers to entry for new farmers are constrained by incomplete evidence.

Treating farmland primarily as a financial asset—rather than a productive and community-embedded resource—has contributed to rising land prices, declining local investment, and reduced farmer access. Strengthened AFIDA implementation provides essential infrastructure for evaluating these trends and informing future policy decisions aimed at protecting rural communities, improving food system resilience, and maintaining local control over agricultural land.

VI. Recommendations

Farm Action urges USDA to finalize the proposed AFIDA reporting revisions and to commit to robust implementation. Specifically, USDA should:

- Improve the efficiency of AFIDA data reporting through clear and enforceable disclosure requirements;
- Enhance monitoring and verification of AFIDA data to ensure accurate and complete information;
- Increase the frequency and timeliness of reports to Congress on foreign farmland ownership trends; and
- Establish meaningful financial penalties for failure to comply with AFIDA reporting requirements, including non-reporting, late reporting, or material misrepresentation. Penalties should be set at a level sufficient to deter noncompliance and eliminate any financial incentive to withhold or obscure ownership information. In cases of significant or willful violations, penalties should be proportional to the value of the land involved and may

include fines of up to twice the assessed value of the improperly reported or undisclosed agricultural land.

VII. Conclusion

Land ownership is foundational to the structure, resilience, and security of the U.S. food system. When farmland is controlled by foreign entities—particularly through opaque or absentee ownership structures—family farmers, rural communities, and national food security can be placed at risk.

USDA's proposed revisions to AFIDA reporting requirements represent a necessary step toward restoring transparency and accountability around farmland ownership. By improving the accuracy, accessibility, and timeliness of foreign ownership data, USDA can strengthen oversight and ensure that agricultural land ownership services the public interest.

Farm Action strongly supports these reforms and urges USDA to finalize and implement them in a manner that creates a clearer, more accurate picture of who owns and controls American farmland.