

116TH CONGRESS
2D SESSION

H. R. 8910

To require a study of the barriers to conservation practice adoption on leased agricultural land, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 9, 2020

Ms. BROWNLEY of California introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To require a study of the barriers to conservation practice adoption on leased agricultural land, 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 “Conservation for Agri-
5 cultural Leased Land Act” or the “CALL Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) According to a 2016 study by the Economic
9 Research Service of the Department of Agriculture,
10 39 percent of agricultural land in the United States

1 is leased, including the majority (53 percent) of
2 cropland.

3 (2) The participation of landowners and tenants
4 in Federal, State, and local conservation programs,
5 and the adoption of conservation practices on land
6 that they own or manage, can be limited by a wide
7 range of factors that are not fully understood.

8 (3) Much of the limited information that is
9 known comes from the Tenure, Ownership, and
10 Transition of Agricultural Land (TOTAL) Survey
11 conducted by the National Agricultural Statistics
12 Service, in collaboration with the Economic Research
13 Service; regularly recurring data collection through
14 the TOTAL Survey and other Department of Agri-
15 culture reports is vital to understanding land tenure
16 trends, challenges, and opportunities.

17 (4) Some of the potential barriers to such par-
18 ticipation and adoption include the structure or term
19 of the lease or rental agreement, the level of inde-
20 pendence given to the operator, the awareness of the
21 landowner of both conservation practice and pro-
22 gram opportunities and the costs and benefits asso-
23 ciated with those opportunities, and other policy or
24 market factors.

1 (5) The solutions to these issues are unlikely to
2 be “one size fits all” and must be better understood.

3 **SEC. 3. STUDY.**

4 (a) IN GENERAL.—The Secretary shall carry out a
5 study of the participation in conservation programs of,
6 and the adoption of conservation practices on, leased agri-
7 cultural land.

8 (b) COLLABORATION.—The study under this section
9 shall be carried out in collaboration with the Economic
10 Research Service.

11 (c) CONTENTS.—The study carried out under this
12 section shall include—

13 (1) a review of relevant existing research lit-
14 erature, including—

15 (A) the Tenure, Ownership, and Transition
16 of Agricultural Land (TOTAL) Survey con-
17 ducted by the National Agricultural Statistics
18 Service, in collaboration with the Economic Re-
19 search Service; and

20 (B) the report titled “Understanding and
21 Activating Non-Operating Landlords”, pub-
22 lished by the American Farmland Trust in Sep-
23 tember, 2020;

1 (2) identification and quantification of the var-
2 ious types and structures of current agricultural
3 land leasing relationships;

4 (3) research on the history, and estimation of
5 future trends, of agricultural land ownership;

6 (4) examination of what leasing models have
7 been effective in encouraging the adoption of con-
8 servation practices;

9 (5) consideration of regional variations;

10 (6) examination of existing Federal incentives
11 for adopting conservation practices, and the degree
12 to which such incentives are currently utilized with
13 respect to leased agricultural lands;

14 (7) research on State and local incentive pro-
15 grams that are encouraging conservation practice
16 adoption on leased agricultural lands; and

17 (8) research on the benefits of transitioning
18 from land leasing to land ownership on conservation
19 practice adoption and Federal conservation program
20 participation.

21 (d) CONSIDERATION.—The study under this section
22 shall be carried out with particular consideration of farm-
23 ers and ranchers who are people of color, including Black
24 and indigenous farmers and ranchers, and beginning
25 farmers and ranchers.

1 (e) REPORT.—Not later than December 31, 2021, the
2 Secretary shall submit to Congress a report containing—

3 (1) the results of the study conducted under
4 this section; and

5 (2) recommendations, based on such study, for
6 addressing the barriers unique to various agricul-
7 tural land leasing relationships to adopting conserva-
8 tion practices on leased agricultural land, includ-
9 ing—

10 (A) recommendations that can be imple-
11 mented under existing statutory authorities;

12 (B) recommendations that would require
13 congressional authorization in order to be im-
14 plemented; and

15 (C) recommendations for outreach.

16 (f) IMPLEMENTATION.—The Secretary may enter
17 into an agreement with a non-Federal entity (such as a
18 nonprofit entity or university), selected through an appli-
19 cation process, to carry out this section.

20 (g) DEFINITIONS.—In this section:

21 (1) LEASED AGRICULTURAL LAND.—The term
22 “leased agricultural land” means agricultural land
23 that is operated, under a lease or other rental agree-
24 ment, by a farmer or rancher who does not own the
25 land.

1 (2) SECRETARY.—The term “Secretary” means
2 the Secretary of Agriculture, acting through the Na-
3 tional Agricultural Statistics Service.

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