

119TH CONGRESS
1ST SESSION

S. 618

To prohibit the purchase or lease of agricultural land in the United States by persons associated with certain foreign governments, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 18, 2025

Mr. TUBERVILLE (for himself and Mr. BANKS) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To prohibit the purchase or lease of agricultural land in the United States by persons associated with certain foreign governments, 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 “Protecting America’s
5 Agricultural Land from Foreign Harm Act of 2025”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) AGRICULTURAL LAND.—

(A) IN GENERAL.—The term “agricultural land” has the meaning given the term in section 9 of the Agricultural Foreign Investment Disclosure Act of 1978 (7 U.S.C. 3508).

(B) INCLUSION.—The term “agricultural land” includes land described in section 9(1) of the Agricultural Foreign Investment Disclosure Act of 1978 (7 U.S.C. 3508(1)) that is used for ranching purposes.

(2) COVERED PERSON.—

(A) IN GENERAL.—The term “covered person” has the meaning given the term “person owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary” in section 7.2 of title 15, Code of Federal Regulations (as in effect on the date of enactment of this Act), except that each reference to “foreign adversary” in that definition shall be deemed to be a reference to the government of—

(i) Iran;

(ii) North Korea;

(iii) the People’s Republic of China; or

(iv) the Russian Federation.

(B) EXCLUSIONS.—The term “covered person” does not include a United States citizen or

1 an alien lawfully admitted for permanent resi-
2 dence to the United States.

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

5 (4) UNITED STATES.—The term “United
6 States” includes any State, territory, or possession
7 of the United States.

8 **SEC. 3. PROHIBITION ON PURCHASE OR LEASE OF AGRI-**
9 **CULTURAL LAND IN THE UNITED STATES BY**
10 **PERSONS ASSOCIATED WITH CERTAIN FOR-**
11 **EIGN GOVERNMENTS.**

12 (a) IN GENERAL.—Notwithstanding any other provi-
13 sion of law, the President shall take such actions as may
14 be necessary to prohibit the purchase or lease by covered
15 persons of—

16 (1) public agricultural land that is owned by the
17 United States and administered by the head of any
18 Federal department or agency, including the Sec-
19 retary, the Secretary of the Interior, and the Sec-
20 retary of Defense; or

21 (2) private agricultural land located in the
22 United States.

23 (b) IMPLEMENTATION.—The President may exercise
24 all authorities provided under sections 203 and 205 of the

1 International Emergency Economic Powers Act (50
2 U.S.C. 1702 and 1704) to carry out subsection (a).

3 (c) PENALTIES.—A person that knowingly violates,
4 attempts to violate, conspires to violate, or causes a viola-
5 tion of subsection (a) or any regulation, license, or order
6 issued to carry out that subsection shall be subject to the
7 penalties set forth in subsections (b) and (c) of section
8 206 of the International Emergency Economic Powers Act
9 (50 U.S.C. 1705) to the same extent as a person that com-
10 mits an unlawful act described in subsection (a) of that
11 section.

12 (d) RULE OF CONSTRUCTION.—Nothing in this sec-
13 tion may be construed—

14 (1) to prohibit or otherwise affect the purchase
15 or lease of public or private agricultural land de-
16 scribed in subsection (a) by any person other than
17 a covered person;

18 (2) to prohibit or otherwise affect the use of
19 public or private agricultural land described in sub-
20 section (a) that is transferred to or acquired by a
21 person other than a covered person from a covered
22 person; or

23 (3) to require a covered person that owns or
24 leases public or private agricultural land described in

1 subsection (a) as of the date of enactment of this
2 Act to sell that land.

3 **SEC. 4. PROHIBITION ON PARTICIPATION IN DEPARTMENT**
4 **OF AGRICULTURE PROGRAMS BY PERSONS**
5 **ASSOCIATED WITH CERTAIN FOREIGN GOV-**
6 **ERNMENTS.**

7 (a) IN GENERAL.—Except as provided in subsection
8 (b), notwithstanding any other provision of the law, the
9 President shall take such actions as may be necessary to
10 prohibit participation in Department of Agriculture pro-
11 grams by covered persons that have full or partial owner-
12 ship of agricultural land in the United States or lease agri-
13 cultural land in the United States.

14 (b) EXCLUSIONS.—Subsection (a) shall not apply to
15 participation in any program—

16 (1) relating to—

17 (A) food inspection or any other food safe-
18 ty regulatory requirements; or

19 (B) health and labor safety of individuals;
20 or

21 (2) administered by the Farm Service Agency,
22 with respect to the administration of this Act or the
23 Agricultural Foreign Investment Disclosure Act of
24 1978 (7 U.S.C. 3501 et seq.).

1 (c) PROOF OF CITIZENSHIP.—To participate in a De-
 2 partment of Agriculture program described in subsection
 3 (b) (except for a program under this Act or the Agricul-
 4 tural Foreign Investment Disclosure Act of 1978 (7
 5 U.S.C. 3501 et seq.)), a person described in subparagraph
 6 (A) of section 2(2) that is a person described in subpara-
 7 graph (B) of that section shall submit to the Secretary
 8 proof that the person is described in subparagraph (B)
 9 of that section.

10 **SEC. 5. AGRICULTURAL FOREIGN INVESTMENT DISCLO-**
 11 **SURE.**

12 (a) INCLUSION OF SECURITY INTERESTS AND
 13 LEASES IN REPORTING REQUIREMENTS.—

14 (1) IN GENERAL.—Section 9 of the Agricultural
 15 Foreign Investment Disclosure Act of 1978 (7
 16 U.S.C. 3508) is amended—

17 (A) by redesignating paragraphs (4)
 18 through (6) as paragraphs (5) through (7), re-
 19 spectively; and

20 (B) by inserting after paragraph (3) the
 21 following:

22 “(4) the term ‘interest’ includes—

23 “(A) a security interest; and

24 “(B) a lease, without regard to the dura-
 25 tion of the lease;”.

1 (2) CONFORMING AMENDMENT.—Section 2 of
 2 the Agricultural Foreign Investment Disclosure Act
 3 of 1978 (7 U.S.C. 3501) is amended by striking “,
 4 other than a security interest,” each place it ap-
 5 pears.

6 (b) CIVIL PENALTY.—Section 3 of the Agricultural
 7 Foreign Investment Disclosure Act of 1978 (7 U.S.C.
 8 3502) is amended—

9 (1) in subsection (b), by striking “exceed 25
 10 percent” and inserting “be less than 15 percent, or
 11 exceed 30 percent,”; and

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

13 “(c) LIENS.—On imposing a penalty under sub-
 14 section (a), the Secretary shall ensure that a lien is placed
 15 on the agricultural land with respect to which the violation
 16 occurred, which shall be released only on payment of the
 17 penalty.”.

18 (c) TRANSPARENCY.—Section 7 of the Agricultural
 19 Foreign Investment Disclosure Act of 1978 (7 U.S.C.
 20 3506) is amended to read as follows:

21 **“SEC. 7. PUBLIC DATA SETS.**

22 “(a) IN GENERAL.—The Secretary shall publish in
 23 the internet database established under section 742 of di-
 24 vision B of the Consolidated Appropriations Act, 2024 (7

1 U.S.C. 3501 note; Public Law 118–42) human-readable
2 and machine-readable data sets that—

3 “(1) contain all data that the Secretary pos-
4 sesses relating to reporting under this Act from each
5 report submitted to the Secretary under section 2;
6 and

7 “(2) as soon as practicable, but not later than
8 30 days, after the date of receipt of any report
9 under section 2, shall be updated with the data from
10 that report.

11 “(b) INCLUDED DATA.—The data sets established
12 under subsection (a) shall include—

13 “(1) a description of—

14 “(A) the purchase price paid for, or any
15 other consideration given for, each interest in
16 agricultural land for which a report is sub-
17 mitted under section 2; and

18 “(B) updated estimated values of each in-
19 terest in agricultural land described in subpara-
20 graph (A), as that information is made avail-
21 able to the Secretary, based on the most re-
22 cently assessed value of the agricultural land or
23 another comparable method determined by the
24 Secretary; and

1 “(2) with respect to any agricultural land for
 2 which a report is submitted under section 2, updated
 3 descriptions of each foreign person who holds an in-
 4 terest in at least 1 percent of the agricultural land,
 5 as that information is made available to the Sec-
 6 retary, categorized as a majority owner or a minor-
 7 ity owner that holds an interest in the agricultural
 8 land.”.

9 (d) DEFINITION OF FOREIGN PERSON.—Section 9(3)
 10 of the Agricultural Foreign Investment Disclosure Act of
 11 1978 (7 U.S.C. 3508(3)) is amended—

12 (1) in subparagraph (C)(ii)(IV), by striking
 13 “and” at the end;

14 (2) in subparagraph (D), by inserting “and”
 15 after the semicolon; and

16 (3) by adding at the end the following:

17 “(E) any person, other than an individual
 18 or a government, that issues equity securities
 19 that are primarily traded on a foreign securities
 20 exchange within—

21 “(i) Iran;

22 “(ii) North Korea;

23 “(iii) the People’s Republic of China;

24 or

25 “(iv) the Russian Federation;”.

1 **SEC. 6. REPORTS.**

2 (a) REPORT FROM THE SECRETARY ON FOREIGN
3 OWNERSHIP OF AGRICULTURAL LAND IN THE UNITED
4 STATES.—

5 (1) IN GENERAL.—Not later than 1 year after
6 the date of enactment of this Act, and once every 2
7 years thereafter, the Secretary shall submit to Con-
8 gress a report describing—

9 (A) the risks and benefits, as determined
10 by the Secretary, that are associated with for-
11 eign ownership or lease of agricultural land in
12 rural areas (as defined in section 520 of the
13 Housing Act of 1949 (42 U.S.C. 1490));

14 (B) the intended and unintended misrep-
15 sentation of foreign land ownership in the an-
16 nual reports prepared by the Secretary describ-
17 ing foreign holdings of agricultural land due to
18 inaccurate reporting of foreign holdings of agri-
19 cultural land;

20 (C) the specific work that the Secretary
21 has undertaken to monitor erroneous reporting
22 required by the Agricultural Foreign Invest-
23 ment Disclosure Act of 1978 (7 U.S.C. 3501 et
24 seq.) that would result in a violation or civil
25 penalty; and

1 (D) the role of State and local government
2 authorities in tracking foreign ownership of ag-
3 ricultural land in the United States.

4 (2) PROTECTION OF INFORMATION.—In car-
5 rying out paragraph (1), the Secretary shall estab-
6 lish a plan to ensure the protection of personally
7 identifiable information.

8 (b) REPORT FROM THE DIRECTOR OF NATIONAL IN-
9 TELLIGENCE ON FOREIGN OWNERSHIP OF AGRICUL-
10 TURAL LAND IN THE UNITED STATES.—

11 (1) IN GENERAL.—Not later than 1 year after
12 the date of enactment of this Act, and once every 2
13 years thereafter, the Director of National Intel-
14 ligence shall submit to the congressional recipients
15 described in paragraph (2) a report describing—

16 (A) an analysis of foreign malign influence
17 (as defined in section 119C(f) of the National
18 Security Act of 1947 (50 U.S.C. 3059(f))) by
19 covered persons that have foreign ownership in
20 the United States agriculture industry; and

21 (B) the primary motives, as determined by
22 the Director of National Intelligence, of foreign
23 investors to acquire agricultural land.

1 (2) CONGRESSIONAL RECIPIENTS DESCRIBED.—

2 The report under paragraph (1) shall be submitted
3 to—

4 (A) the Committee on Banking, Housing,
5 and Urban Affairs of the Senate;

6 (B) the Committee on Agriculture, Nutri-
7 tion, and Forestry of the Senate;

8 (C) the Select Committee on Intelligence of
9 the Senate;

10 (D) the Committee on Foreign Relations of
11 the Senate;

12 (E) the Committee on Financial Services
13 of the House of Representatives;

14 (F) the Committee on Agriculture of the
15 House of Representatives;

16 (G) the Permanent Select Committee on
17 Intelligence of the House of Representatives;

18 (H) the Committee on Foreign Affairs of
19 the House of Representatives;

20 (I) the majority leader of the Senate;

21 (J) the minority leader of the Senate;

22 (K) the Speaker of the House of Rep-
23 resentatives; and

24 (L) the minority leader of the House of
25 Representatives.

1 (3) CLASSIFICATION.—The report under para-
2 graph (1) shall be submitted in an unclassified form,
3 but may include a classified annex.

4 (c) GOVERNMENT ACCOUNTABILITY OFFICE RE-
5 PORT.—Not later than 1 year after the date of enactment
6 of this Act, the Comptroller General of the United States
7 shall submit to Congress a report describing—

8 (1) a review of resources, staffing, and expertise
9 for carrying out the Agricultural Foreign Investment
10 Disclosure Act of 1978 (7 U.S.C. 3501 et seq.), and
11 enforcement issues limiting the effectiveness of that
12 Act; and

13 (2) any recommended necessary changes to that
14 Act.

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