

AMENDMENT TO RULES COMMITTEE PRINT 119-

22

OFFERED BY MS. BROWNLEY OF CALIFORNIA

Page 68, after line 2, insert the following:

1 **SEC. 2408. CONSERVATION FOR AGRICULTURAL LEASED**
2 **LAND.**

3 (a) FINDINGS.—Congress finds the following:

4 (1) According to a 2016 study by the Economic
5 Research Service of the Department of Agriculture,
6 39 percent of agricultural land in the United States
7 is leased, including the majority (53 percent) of
8 cropland.

9 (2) The participation of landowners and tenants
10 in Federal, State, and local conservation programs,
11 and the adoption of conservation practices on land
12 that they own or manage, can be limited by a wide
13 range of factors that are not fully understood.

14 (3) Much of the limited information that is
15 known comes from the Tenure, Ownership, and
16 Transition of Agricultural Land (TOTAL) Survey
17 conducted by the National Agricultural Statistics
18 Service, in collaboration with the Economic Research
19 Service; regularly recurring data collection through

1 the TOTAL Survey and other Department of Agri-
2 culture reports is vital to understanding land tenure
3 trends, challenges, and opportunities.

4 (4) Some of the potential barriers to such par-
5 ticipation and adoption include the structure or term
6 of the lease or rental agreement, the level of inde-
7 pendence given to the operator, the awareness of the
8 landowner of both conservation practice and pro-
9 gram opportunities and the costs and benefits asso-
10 ciated with those opportunities, and other policy or
11 market factors.

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

14 (b) STUDY.—

15 (1) IN GENERAL.—The Secretary, acting
16 through the National Agricultural Statistics Service,
17 shall carry out a study of the participation in con-
18 servation programs of, and the adoption of conserva-
19 tion practices on, leased agricultural land.

20 (2) COLLABORATION.—The study under this
21 section shall be carried out in collaboration with the
22 Economic Research Service.

23 (3) CONTENTS.—The study carried out under
24 this section shall include—

1 (A) a review of relevant existing research
2 literature, including—

3 (i) the Tenure, Ownership, and Tran-
4 sition of Agricultural Land (TOTAL) Sur-
5 vey conducted by the National Agricultural
6 Statistics Service, in collaboration with the
7 Economic Research Service; and

8 (ii) the report titled “Understanding
9 and Activating Non-Operating Landlords”,
10 published by the American Farmland
11 Trust in September, 2020;

12 (B) a review of initiatives conducted by the
13 Cooperative Extension System to increase the
14 adoption of conservation practices on leased ag-
15 ricultural land;

16 (C) identification and quantification of the
17 various types and structures of current agricul-
18 tural land leasing relationships;

19 (D) research on the history, and estimation
20 of future trends, of agricultural land ownership;

21 (E) examination of what leasing models
22 have been effective in encouraging the adoption
23 of conservation practices;

24 (F) consideration of regional variations;

1 (G) examination of existing Federal incen-
2 tives for adopting conservation practices, and
3 the degree to which such incentives are cur-
4 rently utilized with respect to leased agricul-
5 tural lands;

6 (H) research on State and local incentive
7 programs that are encouraging conservation
8 practice adoption on leased agricultural land;

9 (I) research on the benefits of transitioning
10 from land leasing to land ownership on con-
11 servation practice adoption and Federal con-
12 servation program participation;

13 (J) examination of the effects of competi-
14 tion in cash rents on the adoption of conserva-
15 tion practices on leased agricultural lands;

16 (K) examination of what happens to con-
17 servation practices currently underway on
18 leased agricultural land when new tenants take
19 over such land; and

20 (L) research on how the Department of
21 Agriculture communicates regarding conserva-
22 tion practice adoption to farmers and ranchers
23 who do not own the land they operate and to
24 landowners who lease out their agricultural
25 land.

1 (4) CONSIDERATION.—The study under this
2 section shall be carried out with particular consider-
3 ation of farmers and ranchers who are people of
4 color, including Black and indigenous farmers and
5 ranchers, and beginning farmers and ranchers.

6 (5) REPORT.—Not later than December 31,
7 2026, the Secretary shall submit to Congress a re-
8 port containing—

9 (A) the results of the study conducted
10 under this section; and

11 (B) recommendations, based on such
12 study, for addressing the barriers unique to
13 various agricultural land leasing relationships to
14 adopting conservation practices on leased agri-
15 cultural land, including—

16 (i) recommendations that can be im-
17 plemented under existing statutory au-
18 thorities;

19 (ii) recommendations that would re-
20 quire congressional authorization in order
21 to be implemented; and

22 (iii) recommendations for outreach.

23 (6) IMPLEMENTATION.—The Secretary may
24 enter into an agreement with a non-Federal entity
25 (such as a nonprofit entity or university), selected

1 through an application process, to carry out this sec-
2 tion.

3 (7) LEASED AGRICULTURAL LAND DEFINED.—

4 In this section, the term “leased agricultural land”
5 means agricultural land that is operated, under a
6 lease or other rental agreement, by a farmer or
7 rancher who does not own the land.

