



NEWS RELEASE

UNITED STATES DEPARTMENT OF AGRICULTURE • FARM SERVICE AGENCY

USDA
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Foreign Buyers and Sellers Must Report U.S. Agricultural Land Holdings

(Kauai, Hawaii) January 20, 2012 — The Agricultural Foreign Investment Disclosure Act of 1978 (AFIDA) requires foreign investors with an interest in agricultural lands in the United States to report their holdings and any transactions to the U.S. Secretary of Agriculture, through the USDA Farm Service Agency (FSA) on form FSA – 153.

Any Foreign person who acquires or transfers any interest in agricultural land in the United States is required by AFIDA to report the transaction no later than 90 days after the date of the transaction. Disclosure reports are also required when there are changes in land use. For example, reports are required when land use changes from nonagricultural to agricultural or from agricultural to nonagricultural. Foreign investors must also file a report when there is a change in status of ownership such as owner changes from foreign to non-foreign, from non-foreign to foreign or from foreign to foreign.


Failure to file a report, filing a late report or filing an inaccurate report can result in a penalty with fines up to 25 percent of the fair market value of the agricultural land. Foreign investors or entities must file AFIDA reports with the FSA County Office that maintains reports for the county where the land is located.

When the AFIDA was enacted, the reporting requirement was adopted as part of the same legislation. Data gained from these disclosures is used in the preparation of periodic reports to the President and Congress concerning the effect of such holdings upon family farms and rural communities in the United States.

For more information regarding AFIDA and FSA programs, contact the USDA Farm Service Agency office at (808) 871-5500 ext. 2 or visit the FSA web site at <http://www.fsa.usda.gov>.

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