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This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Notice of Request for Approval of a Revision of a Currently Approved Information Collection Request

AGENCY: Office of Homeland Security, Departmental Administration, Department of Agriculture.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), this notice announces the intention of the United States Department of Agriculture (USDA) to request approval for a revision of a currently approved information collection request for the Agricultural Foreign Investment Disclosure Act of 1978 (AFIDA).

DATES: Comments on this notice must be received by December 28, 2026 to be assured of consideration.

ADDRESSES: USDA invites interested persons to submit comments on this notice. Comments may be submitted, identified by OMB Control Number 0509-0001, by one of the following methods:

- *Federal eRulemaking Portal:* This website provides the ability to type short comments directly into the comment field on this web page or attach a file for lengthier comments. Go to <https://www.regulations.gov>. Follow the on-line instructions at that site for submitting comments.

- *Mail, including CD-ROMs, etc.:* Send to ATTN: AFIDA, Office of Homeland Security, USDA, 1400 Independence Ave. SW, Room 1457-S, Mail Stop 5050, Washington, DC 20250-3700.

- *Hand- or courier-delivered submittals:* Deliver to ATTN: AFIDA, Office of Homeland Security, USDA, 1400 Independence Ave. SW, Room 1457-S, Mail Stop 5050, Washington, DC 20250-3700. You may also send comments to the Desk Officer for

Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503.

Instructions: All items submitted by mail or electronic mail must include the Agency name and OMB Control Number 0509-0001. Comments received in response to this docket will be made available for public inspection and posted without change, including any personal information, to <https://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT:

Contact Mr. Matt Allen, Director, USDA Office of Homeland Security, U.S. Department of Agriculture, 1400 Independence Ave. SW, Washington, DC 20250, (202) 690-2681.

SUPPLEMENTARY INFORMATION:

Title: AFIDA Report.

OMB Number: 0509-0001.

Expiration Date of Approval: 09/30/2028.

Type of Request: Revision of a currently approved information collection request.

Abstract: AFIDA requires foreign persons who acquire, transfer, or hold interest in U.S. agricultural land to report such transactions to the Secretary of Agriculture on an AFIDA Report (FSA-153). USDA makes reports available to States—as statutorily required—, uses collected information to prepare an annual report to Congress, and makes reports available for public inspection in accordance with regulations that are also statutorily required. The AFIDA statute of authority is 92 STAT (1263-1267) or 7 U.S.C. 3501 *et seq.* or Public Law 95-460. The regulation was promulgated at 7 CFR part 781; however, USDA has proposed updates and is in process of transferring the regulation to a new CFR chapter (7 CFR part 5100) that will supersede 7 CFR part 781. Separate but complementary to the rulemaking process, general oversight of AFIDA authorities was delegated from the Farm Service Agency (FSA) to the Assistant Secretary for Administration (ASA) on April 13, 2026. The proposed rule further codifies subdelegation of authority to the Office of Homeland Security (OHS) which organizationally falls under the ASA. AFIDA regulations were last updated in 2006. Since that time, national security attention to foreign ownership or substantial control of agricultural land has increased.

Committee on Foreign Investment in the United States (CFIUS) agencies, including the U.S. Department of War, use USDA information from AFIDA filings to identify and review transactions that may pose national security risks, such as the location of agricultural land near sensitive military bases. Recent analyses, including a report by the Government Accountability Office (GAO), have identified flaws in USDA's processes for collecting, tracking, and sharing AFIDA data. These deficiencies, combined with evolving national security concerns and a Consolidated Appropriations Act, 2023 requirement for USDA to develop a streamlined process for electronic submission and retention of AFIDA disclosures, led USDA to create an electronic version of the FSA-153 form and update AFIDA regulations through the rulemaking process. USDA invites public input on the modernized changes that would improve information collection activities in a manner responsive to national security.

Under the updated reporting requirements of the proposed rule, USDA will collect additional information from the public through changes to the electronic FSA-153 form (OMB 0509-0001, expiration date 09/30/2028). The changes in the form fall into three general categories: consolidation and reordering certain questions, refinement of certain questions, and the addition of certain questions.

These changes are reflected in the revised electronic FSA-153 form:

- *Item 1, "Reportable Activity"*—This item appears as *Item 1* in the current form but is renamed from "Type of Activity" to "Reportable Activity" to more directly reference the legal responsibility of the filer to report their agricultural activity. Additionally, the proposed rule expands the list of persons that must file an AFIDA report to include: (i) all beneficial owners regardless of nominal share or interest; (ii) any U.S. business with at least 10 percent of its interest held by a foreign person(s), regardless of whether or not the persons act in concert with regard to such interest; (iii) any foreign person holding a lease or easement of 1 year or more; (iv) any foreign adversary or foreign adversary controlled entity holding a lease or easement of any duration; and (v) any foreign person

who holds, acquires, or transfers any interest in the expanded definition of agricultural land, which under the proposed rule includes agricultural industries (organized by NAICS codes) previously absent from the AFIDA regulations and land in conservation that could be used for farming, ranching, forestry, or timber production. Given that the proposed rule would expand the persons and activities requiring an AFIDA report, USDA will modify the list of selectable options under *Item 1* accordingly to include: (i) “Land Holding Newly Reportable under 2026 Update to AFIDA Regulations”; (ii) “Land Acquisition (including Lease or Easement)”; (iii) “Land Transfer”; (iv) “Expiration or Termination of Lease or Easement”; and (v) “Land Use Change to Agriculture.” Once a filer selects an option, subsequent items on the form will only display questions applicable to the selected activity reducing confusion on which fields are required. USDA will remove “Land Use Change to Non-Agriculture” from the list of selectable options since this activity will be captured under a new amendment platform available on the electronic AFIDA portal.

- *Item 2, “Person Information”*—This item appears as *Item 4* in the current FSA-153 but has been moved to *Item 2* since information provided under this item applies to holdings reported in subsequent items of the form. This item contains all the information captured in *Item 4* on the current form as well as new additions. “Limited Liability Company (LLC)” is added to the list of organization types, as many foreign person filers are LLCs and have previously marked the “other” box and wrote in “LLC” for the item indicating “explain.” Additionally, this item now requires all owners to provide “Tax ID Type” and “Tax ID Number” inclusive of all of the following: “Employee Identification Number (EIN)”, “Social Security Number (SSN)”, “Individual Taxpayer Identification Number (ITIN)”, “Foreign Tax Identification Number”, and “Foreign Passport Number”. There will also be a “I do not have a Tax ID” option. We are asking for this ID information as such information ensures the identity of the filers and, consequently, the integrity of their electronic filings. All owners will also need to provide a “Phone Number” and “Email Address”. Lastly, the proposed rule requires that filers provide a full ownership diagram to illustrate the connections between all interest holders in a standardized manner. This requirement expands the previous requirement of filers to provide

ownership details only up to the third tier of ownership. Currently, filers are not asked for this information specifically; rather, they may indicate the “ultimate” foreign interest with a dotted line from the third ownership tier to that “ultimate” or “final” foreign ownership interest on their schematic or listing. Without this diagram, we can only assume that the foreign interest ownership chain ends at the third tier (if no more information is provided); the lack of complete data shared often masks the foreign country(ies) associated in full or in part. This information must be captured in the electronic form to provide an accurate annual report to Congress regarding foreign holdings and to answer national security (and other) questions regarding foreign ownership of U.S. agricultural land. The final rule will provide the final definition of ultimate owner.

- *Item 3, “Land Location and Description”*—This item contains all the information captured in *Item 2* on the current form as well as new additions. This item adds “Legal Mailing Address of the Land (if applicable)” and “Farm Service Agency (FSA) Farm Number (if applicable)” as fields for responses. This item also clarifies that filers can report multiple holdings in multiple states or counties using the updated electronic FSA-153 form. USDA believes this enhancement will allow filers to more easily report several holdings associated with the same transaction and ease the reporting burden for large, complicated transactions. Currently, legal descriptions are the sole method to determine a holding’s location, and their incompleteness and/or outdated descriptions can make it difficult or impossible to determine the actual location of the land prohibiting our ability to determine national security risks. As such, filers will need to use the electronic form’s GIS platform to draw a polygon on the map depicting their holding’s geographic position and delineate within their polygon current land uses by area. The electronic form will provide assistive tools to complete this requirement. Note that filers must continue to provide the legal description of the land, as has always been required.

- *Item 4, “Current Land Use”*—This item replaces *Item 3* on the current form. This item will ask filers to provide the reportable holding’s current land use breakdown by acres. Unlike the previous form, the electronic form will allow filers to search for their specific agricultural industry using a NAICS code lookup. Filers will have the opportunity to add as many NAICS codes as needed to describe their

agricultural operations. Filers will also have the ability to declare “Mixed Use” land—that is, acreage that is being used for greater than one separate activity simultaneously. Last, filers will have the ability to assign acreage to each of the following categories: “Residential”, “Idle”, “Unknown” and “Other.”

- *Item 5, “Intended Land Use”*—This item replaces *Item 8* on the current form. This item will present the same options as described in *Item 4* above but will apply to the filer’s intended land use of the reportable holding. The information captured in *Item 4* and *Item 5* is necessary to provide an accurate annual report to Congress regarding foreign uses of U.S. agricultural land.

- *Item 6, “Type of Interest Held in the Agricultural Land”*—This item contains all the information captured in *Item 5* on the current form as well as new additions. Given the volume of leases reported through AFIDA, this item adds “Lease or Easement” as a selectable option with an embedded question “What is the expected expiration date of the lease or easement?” This item also provides a text box for filers to provide additional information if they select the “Other” option. USDA believes these additional options allow filers to more easily provide specificity that is absent in the current form.

- *Item 7, “How was the Holding Acquired or Transferred?”*—This item contains all the information captured in *Item 6* on the current form as well as new additions. This item adds “Loan/Mortgage Provider” and “Loan/Mortgage ID” as embedded questions under the “Credit or Installment Transaction” option so that filers can provide USDA more information about the credit or installment transaction. This item also provides a text box for filers to provide additional information if they select the “Other” option. Lastly, this item adds two new selectable options to capture unique cases by which a filer may have acquired the holding: “Property Acquired through Merger or Acquisition” and “Auction”.

- *Item 8, “Value of Agricultural Land”*—This item contains all the information captured in *Item 7* on the current form as well as an addition/deletion. USDA has determined that information received by responses to the question “How much of purchase price remains to be paid?” has not been utilized; thus, there is no reason to continue to collect this information. Instead, this item will add “Most recent tax assessed Value at time of submission” as a required question. USDA requires this information to monitor the differences between transaction prices and tax assessed

values, which will be used in calculations of the land's Fair Market Value.

- *Item 9, "Prior Relationship"*—This item replaces *Item 9* and *Item 10* on the current form. This item comprises two questions with "Yes, please explain", "No" or "Unknown" responses: (i) "To the best of your knowledge, did one or more Foreign Persons involved in this transaction have an existing business relationship with the holding's previous owner prior to the activity described in this disclosure?" and (ii) "To the best of your knowledge, was one or more Foreign Persons involved in this transaction involved in the day-to-day operations of the holding prior to the activity described in this disclosure?" The purpose of this information collection is to monitor the origination of transactions subject to AFIDA to enable USDA to fulfill its statutory responsibility to analyze the impacts of foreign land ownership on farms and rural communities.

- *Item 10, "Land Recipient Information (for Land Transfer only)"*—This item only pertains to land dispositions and contains all the information captured in *Item 11* on the current disposition form. This item adds "Phone Number of Person Receiving Tract" and "Email Address of Person Receiving Tract" to ensure that USDA has the relevant contact information to reach out to the recipient on an as-needed basis. This item also adds clarifying language to request the "Country of Organization" of the recipient if it is a business.

- *Item 11, "Additional Holdings"*—This item asks if the filer would like to add multiple holdings to their submission. If so, it redirects them back to *Items 3–10* to fill in information for their additional holding(s). As noted above, USDA believes this ability to add multiple holdings will ease the reporting burden for filers with large, complicated transactions.

- *Item 12, "Representative of Foreign Person"*—This item replicates *Item 12* on the current form asking if the filer is completing the form on behalf of someone else. If the filer selects "Yes", the form asks the filer to "Please explain and provide contact details for the Person on whose behalf you are completing this form." This additional information is needed to ensure that USDA has the correct contact information to directly reach the foreign person on whose behalf the representative is completing the AFIDA report.

- *Item 13, "Certification and Signature"*—This item replicates *Item 13* on the current form.

- *Item 14, "Additional Comments"*—This item replicates *Item 14* on the current form.

- *Item 15, "Additional Attachments"*—This item replicates *Item 15* on the current form.

Estimate of Burden: Public reporting burden for this collection of information is estimated to average 0.94 hours per response.

Type of Respondents: Anticipated respondents include foreign persons subject to AFIDA reporting requirements or a third party operating on their behalf. This group includes foreign individuals, foreign governments, foreign-based businesses, and U.S. businesses with foreign ownership. USDA notes that foreign investors that are corporations, LLCs, trusts, and others often hire an attorney or have a corporate employee (also often in the legal field) complete the FSA–153. About 90 percent of individuals who file also rely on an attorney representative. As such, USDA expects legal representatives to file the majority of AFIDA reports on behalf of their clients.

Estimated Number of Respondents: We estimate the number of annual respondents to be 5,438 inclusive of 5,000 respondents submitting a new disclosure and 438 respondents updating existing submissions.

Estimated Number of Responses: We estimate the number of annual responses to be 5,438 since each respondent will submit one electronic FSA–153 form.

Estimated Number of Responses per Respondent: Each respondent submits one response.

Estimated Total Annual Burden on Respondents: We estimate the total annual burden on respondents to be 5,109.5 hours. Currently, USDA estimates that it takes respondents 30 minutes to complete a new AFIDA submission and 15 minutes for updating an existing AFIDA report. USDA estimates that it will take respondents an additional 30 minutes to prepare the GIS map that we propose as a requirement in addition to the current 30 minutes to complete the form for a total of 1 hour per submission. The updated FSA–153 will include additional questions for filers; however, the proposed rule also mandates that filers complete and submit the form electronically via <https://afida.landmark.usda.gov> for greater efficiency. USDA believes these two changes in concert will ultimately be net neutral in the amount of time to complete the form. Summarizing these changes, we estimate the total annual

burden on respondents to be 5,109.5 hours.

Comments are invited on: (1) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden of the proposed collection of information including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology. Comments may be submitted electronically or mailed to ATTN: AFIDA, Office of Homeland Security, USDA, 1400 Independence Ave. SW, Room 1457–S, Mail Stop 5050, Washington, DC 20250–3700; (202) 690–2681. All comments received will be available for public inspection during regular business hours at the same address by appointment only.

This is a rule effectuated Paperwork Reduction Act process. Accordingly, any changes made to the final rule based on public comment will be reflected in the final form and certain information fields may be updated as appropriate to ensure alignment with regulations.

All responses to this notice will be summarized and included in the request for OMB approval. All comments will become a matter of public record.

Matthew Allen,

Director, USDA Office of Homeland Security.

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BILLING CODE 3410–18–P

DEPARTMENT OF AGRICULTURE

Food and Nutrition Administration

Agency Information Collection Activities: Proposed Collection; Comment Request—The FNA User Access Request Form FNA–674

AGENCY: Food and Nutrition Administration (FNA), USDA.

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice invites the general public and other public agencies to comment on the proposed information collection. This is a revision of a currently approved collection. The purpose of this information collection request is to