



Issue Bulletin

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NATIONAL AGRICULTURE LAND POLICY ACT HR 4569, HR 5882, HR 5883, HR 7235

Status of Legislation

There are at present four pieces of legislation before the House Committee on Agriculture which have as their aim establishment of an Agricultural Land Review Commission. The first bill is H.R. 4569, introduced on March 7, 1977, by Congressman James M. Jeffords of Vermont for himself and the following co-sponsors: Congressmen Nolan, Jones (of Tennessee), Leggett, Brown (of California), Gilman, Hughes, and Krebs. The second is H.R. 5882, introduced on March 31, 1977, by Congressman Jeffords for himself and the following co-sponsors: Congressmen Dicks, Corrada, Baucus, Long (of Maryland), Rose, Richmond, Glickman, Akaka, Panetta, Fraser, Madigan, Wirth, Weaver, and Blouin. The third is H.R. 5883, introduced on March 31, 1977, by Congressman Jeffords for himself and the following co-sponsors: Congressmen Ottinger, Walgreen, Michael O. Meyers, Winn, Young (of Alaska), Baldus, Simon, Kastenmeier, Steiger, Pattison (of New York), McCloskey, Perkins, Ertel, Marks, and Harkin. The fourth is H.R. 7235, introduced on May 17, 1977, by Congressman Jeffords for himself and the following co-sponsors: Congressmen Walker, Beilenson, Harrington, Oberstar, McHugh, Holtzman, Tsongas, Yatron, Conte, Moffett, and Fenwick. The bills were assigned to the Family Farms, Rural Development, and Special Studies Subcommittee of the House Committee on Agriculture. The subcommittee held hearings on June 15 and June 16, 1977. During the two days of hearings, thirty-one witnesses testified, nearly all of them in favor of the bill. The mark-up for the bill is scheduled for July 27, 1977, before the subcommittee. The four bills are basically identical with only a minor difference between H.R. 4569 and the other three bills. The subcommittee held hearings on H.R. 5882, and that is the form in which the sponsor wishes it to appear.

NOTE: Nothing written here is to be construed as necessarily reflecting the views of The Heritage Foundation or as an attempt to aid or hinder the passage of any bill before Congress.

Background

One of the dilemmas that result from urbanization is the loss of farmland. Much of the land that is lost is adjacent to cities where there is construction of homes and industrial firms. The various water developments around the country also take large tracts of land out of production. At the present annual rate of loss, for every three million acres used for nonagricultural purposes an additional two million acres are idled in the process with a total of five million acres of farmland, often prime farmland that would produce a high yield of crops, lost to some non-agricultural use. Of these five million acres, it is estimated that one million are prime farmland. Because prime farmland is an exhaustible quantity, the loss of one million acres annually is viewed by many as an unaffordable loss that must be reduced.

In more concrete terms, farmers who live near growing urban areas are unable to rent additional farmland and cannot afford to purchase it because of the high costs associated with land that can be developed. A number of farmers made this point at the subcommittee hearings and said that they would have to sell and relocate or reduce their farm operation. This was especially true of most farmers from the East where farmland is in very short supply and in high demand.

Although one million acres seems like an extremely large area, a small midwestern state such as Iowa has more than 20 million acres of cropland with a large portion classified as prime farmland. When comparing Iowa's size to the one million acres lost, the loss of prime farmland does not seem nearly so severe. The question of farmland and its loss has disturbed many people and numerous legislative proposals have been advanced to deal with this question. Many environmental and other special interest groups have led the fight to save farmland. The agricultural groups have expressed concern over the loss of farmland but have not been as active as the environmental groups in trying to protect it.

Provisions

The bill would create an Agricultural Land Review Commission. This commission would exist for three years and would have four basic elements in its mission. It would conduct a comprehensive study of the quantity, quality, and location of agricultural land in the United States; it would identify and define the effects of urbanization, industrial development, and other nonagricultural activities on agricultural land; it would identify and define the implications of these effects for an overall U.S. policy; and it would explore appropriate ways by which the federal government can assist states and localities to retain land

for agricultural uses. The membership of the commission would be as follows: six members from the House Agriculture Committee; six members from the Senate Agriculture, Nutrition, and Forestry Committee; and eleven members appointed by the President. These presidential appointees would come from farmers, local elected officials, and other affected parties.

The commission would be instructed to produce an interim report after eighteen months. This report would include an analysis of existing data and the need for additional information. The commission would make a final report at the end of its three years with its findings and recommendations.

The cost of the bill is as follows: \$15 million to fund the commission for three years and an additional \$50 million for a five-year program of matching grants from the Secretary of Agriculture to state and local governments for programs that retain farmland in production. It is interesting to note that the commission will last only three years while the grants are set up for five years.

Arguments in Favor

There appears to be a great deal of support for this legislation from the more urban states such as New York and Maryland. Many of the witnesses appearing before the subcommittee were from eastern urban states. These witnesses expressed the main argument in favor of the bill, which is that the growing urban sprawl is paving over prime agricultural land while farmers in these areas either cannot find enough land to make their farming operations profitable or cannot afford to purchase land if available. With costly modern farming equipment built for large operations and marginal returns, farmers are under growing pressure to expand in order to stay in business. If a farmer needs additional acreage to make his operation profitable and additional land cannot be rented or purchased because of the land's potential for development, he must either sell his land and relocate or get out of farming altogether.

The other principal argument is that farmland, particularly prime farmland, is limited and, once it is paved over, cannot be reclaimed for agriculture, thus threatening the future ability of the United States to produce enough food for domestic and export needs.

Still another argument for the bill was expressed by the Sierra Club, which views this legislation as a backdoor approach to land-use planning. The representative for the Sierra Club told the subcommittee that "protection of farmland could be a tool paving the way for acceptance of more comprehensive land-use legislation."

Many favor this bill because of the matching grant program with its potential for additional federal funding of farmland protection programs in urban states such as New Jersey, New York, and Maryland.

Arguments Against

Although the majority of witnesses appearing before the subcommittee supported the legislation, three of the major agricultural groups have expressed opposition to it. The American Farm Bureau Federation endorses the concept of trying to protect prime farmland but opposes the proposition that a new commission must be created while the U.S. Department of Agriculture's Soil Conservation Service is already engaged in a National Soil Survey designed to identify and delineate prime and unique farmlands in the United States. The Farm Bureau argues that the same study can be accomplished at a much lower cost without creating another federal commission.

The other two farm groups, the National Livestock Feeders Association and the American National Cattlemen's Association oppose the bill because they firmly believe that it could become a vehicle for federal land-use planning, which they also strongly oppose. The Cattlemen's representative before the subcommittee stated that this legislation would be the precedent for future land-use legislation. He cited the Sierra Club's statement that this bill could be the first step toward a comprehensive land-use policy. One obvious way for land-use proponents to use this bill in their favor would be to have the commission stacked with people favoring their solution to the prime farmland problem. There is a question as to how much should be spent on a commission that may very well go on indefinitely. There is also concern about the need for another federal grant program of questionable benefit.

During the subcommittee hearings, many of those in attendance questioned the validity of the bill on the basis of private property rights. Should a farmer be prevented from selling his land to some speculator who will offer him triple the market price for agricultural land? Should the farmer be forced to sell his land at the farmland market price to another farmer so that the land can stay productive, or should he be allowed to make a profit by selling the land to the highest bidder? Most farmers feel they have the right because of all the hard work they put into the farm. Although some existing farmland protection programs operate through purchasing of development rights, this approach may be too much of a financial burden for local government to sustain over a long period of time. Federal participation would be costly and would add a new layer of federal bureaucracy, red tape, and restrictive regulation. It is important that governments do not abuse their power and force farmers to sell land to a lower bidder.

Some oppose the bill because they feel that the loss of 5 million acres annually to nonagricultural purposes is not that severe. For example the states of Iowa, Kansas, North Dakota, and Illinois make up nearly 100 million acres of cropland.

Basically, those who oppose the bill state that they like the concept of preserving farmland, but that this approach is not the answer. Many feel that the authors of the bill did not intend it to be used as a backdoor land-use measure, but that various groups will subvert the good intentions of this bill to obtain their goal of comprehensive land-use planning.