# Restricting Foreign Adversary Land Ownership

## Utah's Legislative Response to Chinese Land Acquisitions

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October 2026

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## Introduction

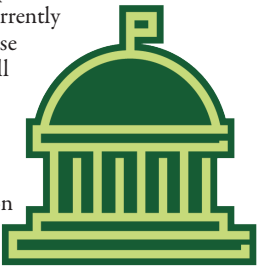
Over the past ten years, Chinese entities have purchased more foreign land than any other nation, totaling approximately sixteen million acres of land globally.[1] A large share of Chinese foreign-owned land is located in Africa, where the Chinese Communist Party (CCP) is making massive investments to develop the continent's critical infrastructure.[2] Through these land investments, China has established significant control over mining in the Democratic Republic of the Congo. The Congo basin contains over eighty percent of the global supply of cobalt, an element critical to developing advanced technologies.[3] Policymakers in Washington, DC, have argued that these CCP-backed investments present a significant challenge to curbing the CCP's power projection and advancing US interests abroad.[4]

Policymakers at the state and federal level have expressed concern over CCP land acquisitions domestically.[5] Significant attention has been given to Chinese-linked acquisitions of major US food producers, namely Smithfield Foods, and agricultural land located next to military installations.[6] The purpose of this paper is to assess the total amount of land Chinese entities owned in Utah before recent legislative efforts, analyze Utah legislation passed during the 2023 and 2024 general legislative sessions limiting Chinese land ownership, and review the impacts of this legislation.

## Relevant Federal Statues

Currently, there is no federal legislation that prohibits a foreign entity or country from purchasing US land. However, there are legislative frameworks and governmental entities that mandate certain requirements for foreign landowners. The Agriculture Foreign Investment Disclosure Act of 1978 (AFIDA) establishes a federal reporting system for foreign interests in US agricultural land.[7] AFIDA created disclosure and enforcement requirements, not an approval system. AFIDA mandates any foreign person, including foreign governments and corporations, to report if they acquire, hold, or transfer an interest in US agricultural land to the United States Department of Agriculture (USDA).[8] AFIDA only institutes requirements for "any land located in one or more states and used for agricultural, forestry, or timber production purposes."[9] Any foreign-owned land that does not meet this definition is not required by AFIDA to be reported to the USDA.

In 2024, the US Government Accountability Office (GAO) issued a report that identified inefficiencies within the AFIDA reporting system. According to the GAO report, "USDA does not sufficiently verify and conduct quality reviews to track the accuracy and completeness of its collected AFIDA data in the AFIDA spreadsheet and AFIDA forms."[10] Furthermore, though the report identified some potential ways to improve compliance with non-filers, it affirmed that it is not currently possible to identify the number of foreign investors not currently in the system, "Therefore, the complete universe of foreign investors in US agriculture land will remain unknown."[11] So while the AFIDA database is the most comprehensive source of the amount of foreign acquired land, it is not foolproof. Concerns over inaccurate data in AFIDA reports prompted a bipartisan coalition of senators to issue a letter in 2024 to the former Secretary of the USDA, Tom Vilsack, asking him to update current practices to improve data collection.[12]



Certain foreign land acquisitions are required to be disclosed to the Committee on Foreign Investment in the United States (CFIUS). CFIUS was created by President Gerald Ford via Executive Order (EO) 11858: Foreign investment in the United States. The members of CFIUS include the Secretaries of State, Treasury, Defense, and Commerce. It also includes the United States Trade Representative, the Chairman of the Council of Economic Advisers, the Attorney General, and the Director of the Office of Management and Budget. The Secretary of the Treasury serves as Chairman of the Committee. The EO 11858 charges CFIUS with "monitoring the impact of foreign investment in the United States, both direct and portfolio, and for coordinating the implementation of United States policy on such investment."[13]

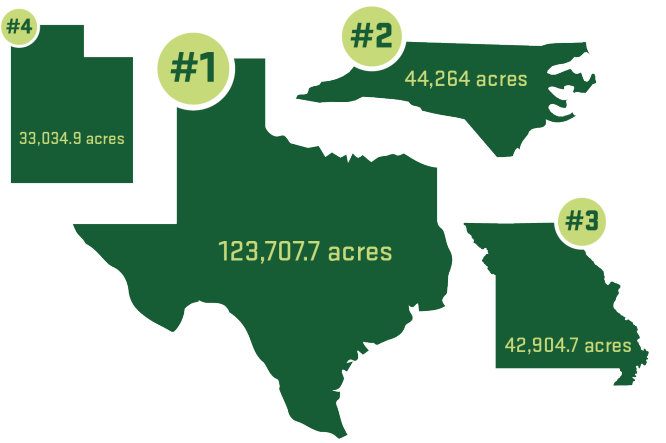
CFIUS authorities were expanded under HR 5841: Foreign Investment Risk Review Modernization Act of 2018 (FIRRMA).[14] CFIUS does not have authority to permanently bar a foreign entity from acquiring land. However, FIRRMA allows the chairperson of CFIUS to "suspend a proposed or pending covered transaction that may pose a risk to the national security of the United States for such time as the covered transaction is under review or investigation."[15] If CFIUS determines a transaction poses a legitimate threat to national security, they may advise the President to intervene. CFIUS does not have authority to investigate any foreign land acquisition. The committee can only investigate "covered transactions."[16] Section 201 subsection B and C of FIRRMA stipulate that a covered transaction includes any foreign investment that could result in control of a US business, as well as certain real estate purchases or non-controlling investments that provide access to sensitive locations, technologies, data, or infrastructure relevant to national security.[17]

## Pre-legislation Land Distribution and Chinese Ownership in utah

Utah is one of five states where the federal government owns over fifty percent of the state's land.[18] The federal government manages 37.4 million acres in Utah, approximately 64.4% of the state.[19] The five counties with the largest share of federally owned land are Garfield (90.0%), Wayne (85.5%), Kane (85.5%), Daggett (80.5%), and Emery (79.4%). The next largest landowners in the state are private entities (21.1%), followed by the state government (10%), and tribal nations (4.5%).[20]

In 2023, the USDA reported that around three percent of the country, 45 million acres of land, have been sold to foreign entities.[21] The vast majority of this land was owned by non-adversarial states.[22] Chinese entities owned 277,335.8 acres, less than one percent of US agriculture land, across thirty states.[23] Most of the Chinese-owned land was in four states; Texas, North Carolina, Missouri, and Utah. Texas had the largest amount of Chinese-owned land (123,707.7 acres), followed by North Carolina (44,264 acres), Missouri (42,904.7 acres), and Utah (33,034.9 acres).[24]

States with the Most Land Owned by China




Accordingly, in 2023 approximately twelve percent of Chinese-owned American land was in Utah.[25] Chinese entities owned the most land in Beaver County (21,415.43 acres), followed by Iron County (8,975.04 acres), Millard County (2,219.42 acres), and Tooele (425 acres).[26] It is important to note that this land is not purchased and owned by the CCP directly. It is purchased by private Chinese entities. However, China's legal system allows the CCP to access any China-based company's data or leverage any company's assets.[27]

> **China's legal system allows the CCP to access any China-based company's data or leverage any company's assets.**

## Threat to National Security and North Dakota Fufeng Group Case Study

Although Chinese companies own a small share of US land, state and federal government officials have expressed concern over the location of these land acquisitions. Former deputy assistant secretary of state for East Asian and Pacific affairs, David Feith, posits that these land purchases can pose a national security risk:

"The ability to own large tracts of land, especially close to sensitive US military and government facilities, can pose an enormous problem given the nature of technology today…[a] hostile actor from across the world can very easily exploit access to land, access to building and warehouses, access to just a shipping container or two, and do enormous damage."[28]

These concerns have led legislators in other states to take action to block Chinese entities from acquiring land near military installations. On November 8, 2021, Fufeng Group, a Chinese food manufacturing company, announced it planned to purchase a 370-acre plot of agricultural land located near an Air Force installation in Grand Forks, North Dakota.[29] CFIUS was commissioned to investigate the acquisition, but they ultimately decided it was out of their jurisdiction.[30]

The Department of the Air Force then sent a letter to North Dakota Senators John Hoeven and Kevin Cramer affirming they believed the acquisition posed a "significant threat to national security to our operations in the area."[31] In lieu of federal action, the North Dakota State Legislature enacted Senate Bill 2371, which prohibits land acquisitions by "A foreign government listed as a foreign adversary.[32] A foreign business entity that is: (1) Headquartered in a country that is a foreign adversary; (2) Directly or indirectly held or controlled by a foreign adversary; (3) Owned by the majority of stock or other ownership interests of which is held or controlled by individuals who are citizens of a foreign adversary."[33] This legislative action effectively made it impossible for the Fufeng Group to acquire the identified land.

> **Chinese land acquisition poses a significant national security threat to our operations.**

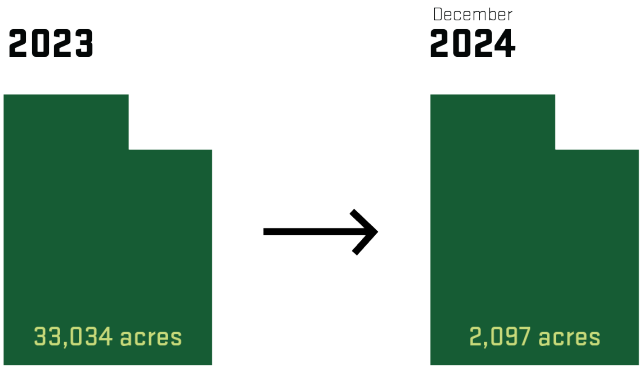
## Utah Legislation Overview

In response to the national security concerns surrounding Chinese land ownership, during the 2023 General Legislative Session, Utah Representative Candice Pierucci (R-49) introduced HB 186: State Land Purchase Restrictions. This bill was enacted to stop foreign entities associated with adversarial states from owning land in Utah.[34] Given Utah's former position as the state with the fourth largest share of Chinese-owned land, HB 186 had the largest impact on Chinese landowners. Section 2(1) of HB 186 prohibits any foreign entity that the US Secretary of Defense identifies as a military company associated with an adversarial state from purchasing land in Utah.[35] These identified foreign entities are called restricted foreign entities.

Furthermore, HB 186 requires restricted foreign entities to "alienate the interest [in land] within five years after the date of acquisition. If a restricted foreign entity fails to alienate an interest in land . . . the interest escheats to the state."[36] This provision does not apply to entities that acquired land in Utah before March 3, 2023. The bill received bipartisan support in both the House and Senate, passing both chambers with zero nay votes.[37]

One year later during the 2024 General Legislative Session, Representative Pierucci proposed a follow up bill to HB 186, HB 516: State Land Purchase Amendments. HB 516 broadens the definition of restricted foreign entity to explicitly include "an entity that is owned or controlled by the government of China, Iran, North Korea, or Russia."[38] It requires restricted foreign entities to alienate any land they have acquired, even if it was acquired before March 3, 2023. Additionally, HB 516 shortens the divestment timeline for restricted foreign entities from five years to one year. If a restricted foreign entity fails to alienate the land within a year, the land still escheats to the state. The land is then sold at public auction by the Division of Facilities Construction and Management.[39]

## Legislation Impact




There were substantial changes to the amount and type of land being Chinese owned within Utah resulting from legislation passed by the State Legislature. The total amount of Chinese-owned land in Utah has decreased from 33,034 acres in 2023 to approximately 2,097 acres by December 2024.[40] Potential land purchases have been blocked by the state government, and Chinese-owned land has been divested within the past two years.

In July of 2025, the Utah government blocked Cirrus Aircraft, a majority Chinese-owned aviation company, from acquiring land near Provo Airport. Governor Cox credited Representative Candice Pierucci with drafting and presenting the legislative effort that blocked the land sale.[41] Cirrus Aircraft was bought in 2011 by China Aviation Industry General Aircraft which is a subsidiary of Aviation Industry Corporation of China (AVIC). AVIC was flagged by the US as a potential national security threat in 2020.[42] Cirrus Aircraft proposed to invest millions of dollars with the potential for hundreds of jobs, but the Utah state government decided not to allow the project to move forward due to potential security risks as Provo Airport is considered critical infrastructure.

In February 2026, Mitime Utah Investment LLC, a company with ties to China, was forced to sell property located six miles from the Tooele Army Depot and roughly seventy miles from the Utah Test and Training Range.[43] Mitime bought the property in 2018 and was using it as a motorsports park in recent years. Due to the Utah legislation that was passed, Mitime sold the property to a private investment company, PV3 Enterprises.[44] The company was sent a letter by the Department of Public Safety ordering a divestment in November 2025, with the company quickly responding within months.[45] This marked the first forced divestiture under the state legislation passed in 2024, and was celebrated by Utah officials.[46]

## Post-Legislation Chinese Land Ownership

As of December 31, 2024, Chinese entitites now own 247,659 acres of agricultural land across thirty states. Most of the Chinese-owned land is in five states; Texas, North Carolina, Missouri, Florida, and Virginia. Texas has the largest amount of Chinese owned land (123,708 acres), followed by North Carolina (44,263 acres), Missouri (42,905 acres), Florida (12,555 acres), and Virginia (4,654 acres).[47] As a result of the legislative efforts led by Rep. Candice Pierucci and other state legislators, Utah has experienced a significant decrease in Chinese land ownership as investors were forced to divest 30,936 acres after the passage of bills HB 186 and HB 516.

As of May 2026, Chinese land ownership in Utah is spread throughout three counties, Beaver County (829 acres), followed by Iron County (805 acres) and Millard (39 acres) totaling approximately 1,673 acres in Utah.[48] All of this land is owned by a company called Mango II–Milford, LLC which uses the space for hog production, waste management, and sludge removal.[49] As of April 2026, actions of removal for specific lands owned by Mango II have not been taken, however, the Utah Department of Public Safety stated it is investigating other potential properties stating on February 13, 2026, "Regarding other properties, there are additional locations currently under investigation that may fall within this [HB 516] law."[50]

## Conclusion

Chinese land ownership has become a significant issue for the US in the past couple of years with state and federal governments reviewing current statute on the matter. While at the federal level, there are few mechanisms restricting foreign ownership, several states including Utah have taken the initiative to lead out on the issue. Legislation passed by the Utah State Legislature in 2023 and 2024 has led to a ninety-three percent reduction in Chinese-owned land within the state, protecting critical infrastructure such as airports or military bases. Utah has indicated it will continue to examine ways to protect the state from foreign interference, providing a potential policy path for dealing with foreign countries that other states could follow.

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