



## THE MARYLAND HOUSE OF DELEGATES ANNAPOLIS, MARYLAND 21401

Honorable Members of the Environment & Transportation Committee,

HB885 plans to regulate the acquisition of public agricultural land and participation in agricultural programs in Maryland, specifically by incorporating countries listed under ITAR (International Traffic in Arms Regulations). I am offering an amendment that adds the Code citation for the ITAR countries to make clear that both the partial and full embargoed countries are included and adds the special section abrogating the bill if federal law preempts it. Please see the attached bill reprint and the amendment.

HB885's intent to safeguard Maryland's critical agricultural assets aligns with the successful precedent set by Arkansas, where [similar legislation](#) was enacted. Arkansas, too, faced legal challenges but emerged successful after adjusting such language, demonstrating the effectiveness of such measures in preserving national interests. By implementing a similar policy in Maryland, the state aims to protect sensitive resources and infrastructure from potential threats posed by these countries. The correlation lies in preventing unauthorized access to strategic assets, ensuring a secure environment, and mitigating any risks associated with foreign influence or control over essential public lands. The State of Maryland can be doing more to secure our national, state and food security.

[NPR](#) reported in 2023, "What's missing here is a lot more information about where these specific locations or farmland purchases are located in close proximity to the military base," said Craig Singleton, China program deputy director and senior fellow at the Foundation for Defense of Democracies. He said one big fear is that Chinese telecommunications equipment could be used to disrupt U.S. military communications.

Although Chinese-owned land is a tiny fraction of all foreign-owned land in the U.S., its purchases have raised fears that the Chinese government could have control, through the Chinese corporations, over U.S. assets or gain access to U.S.-based information. Indeed, during the past four decades, Chinese companies and investors have bought up land in the U.S. as well as purchased major food companies like Smithfield Foods, the United States' largest pork processor. Corporations own the majority of that land. Now legislation in Congress would restrict Chinese ownership of U.S. land."

Lawmakers from both sides of the aisle find common ground in addressing the shared security threat posed by China's increasing acquisition of U.S. farmland. Wisconsin Republican Mike Gallagher and Illinois Democrat Raja Krishnamoorthi underscore the bipartisan commitment to tackle this specific concern during a rare moment of unity, emphasizing the need to safeguard American interests and enhance U.S. competitiveness. Most notable, emphasizing the importance of distinguishing between the Chinese government and its people.

By referencing ITAR, the legislation aligns with established legal standards and internationally recognized guidelines for controlling the export of defense-related items and information. This approach avoids singling out any particular country, preventing potential legal challenges based on

discrimination and promoting a more inclusive yet robust strategy to protect sensitive agricultural assets.

Furthermore, the inclusion of ITAR enhances the legislation's national security aspect. Maryland, like many other states, is home to a diverse array of foreign investors. While foreign investments contribute significantly to economic development, it is crucial to balance this with measures that address potential vulnerabilities in critical sectors, such as agriculture. Also, it allows more Maryland owned businesses and Maryland people to invest in our farmlands.

Thank you for your attention to this matter, and I request a favorable report for HB885.

Sincerely,

A handwritten signature in blue ink that reads "Brian Chisholm". The signature is written in a cursive, flowing style.

Delegate Brian Chisholm