

**FOOD LAW  
*and* POLICY CLINIC**  
HARVARD LAW SCHOOL

# What's at Stake for Mississippi in the 2018 Farm Bill: A Farm Bill Law Enterprise Analysis

Harvard Law School Food Law and Policy Clinic

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# Harvard Food Law and Policy Clinic: What We Do

- FLPC is part of the Center for Health Law and Policy Innovation
- Clinic educates law students about how law and policy can impact the food system
- Provides legal and policy guidance to a range of clients (local, state, federal government, nonprofits)
- The Clinic's Main Areas
  - Sustainable food production
  - Community food system planning
  - Food access and nutrition
  - Reducing food waste





# What is the Farm Bill Law Enterprise?

- A national partnership of law schools working toward a farm bill that reflects the long-term needs of society.
- Aims to bridge the gap between the goals of the public and the policy solutions for achieving the goals.
- Priorities:
  - Economic opportunity and stability
  - Public health and nutrition
  - Public resources stewardship
  - And fair access and equal protection
- Includes:
  - Background information
  - Reports
  - Resources
  - Tracking of the 2018 Farm Bill
  - Blog posts



**How many of  
you have heard  
of the Farm Bill?**

# Farm Bill 101

- The first Farm Bill was enacted in 1933
  - Part of President Roosevelt's New Deal legislation
  - Response to the economic/ environment crises of the Great Depression & Dust Bowl
- Traditionally, the farm bill is a bipartisan package of legislation that structures broadly our **food & agriculture systems** in the United States
  - Renewed every ~5 years
- The farm bill is divided into various titles

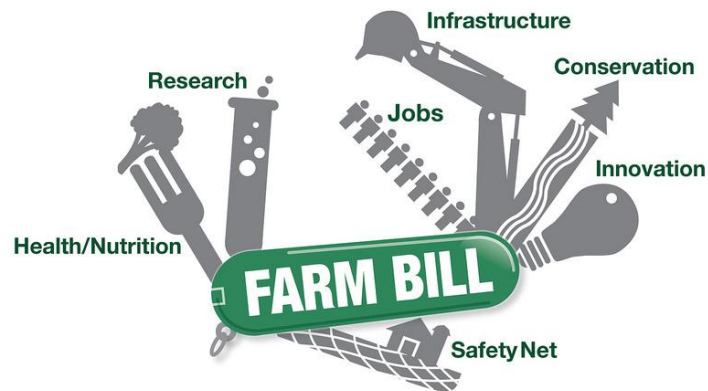


*Dust Bowl*

*(photo: NY public radio)*

Title 1: Commodities  
Title 2: Conservation  
Title 3: Trade  
Title 4: Nutrition  
Title 5: Credit  
Title 6: Rural Development  
Title 7: Research, Extension, and  
Related Matters  
Title 8: Forestry  
Title 9: Energy  
Title 10: Specialty Crops &  
Horticulture  
Title 11: Crop Insurance  
Title 12: Miscellaneous

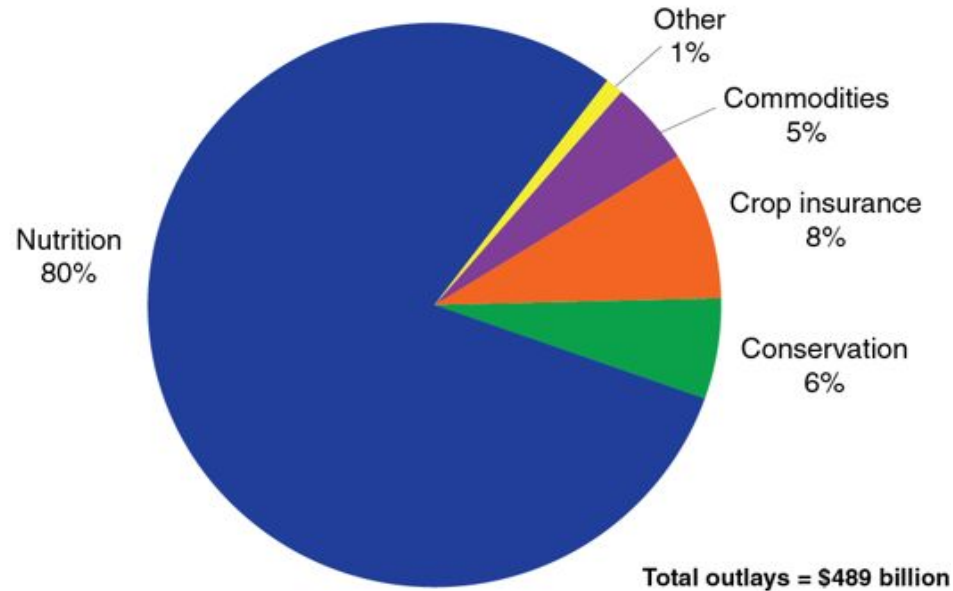
# Agricultural Act of 2014



**“It’s like a Swiss Army knife.”**

*- President Obama 2/7/14*

## Projected outlays under the 2014 Farm Act, 2014-2018



Source: USDA Economic Research Service using data from Congressional Budget Office, Cost Estimates for the Agricultural Act of 2014, Jan 2014.

# Farm Bill Budget 2014



## Senate

## House

## Conference Committee

### Introduced in Ag Committee:

6/8/18 – Bipartisan bill preserves much of 2014 Farm Bill structure, adopts key FBLE recommendations, and leaves room for improvement



### Ag Committee Markup:

6/13/18 – Amendments, including changes to loan limits and Sodsaver expansion, added to bill text; Grassley amendment to close “actively engaged” loophole absent because of procedural barrier



### Ag Committee Vote:

6/13/18 – Bill passes out of Ag Committee on 20 to 1 vote, with Grassley voting against



### Consideration by Full Senate:

6/27/18 – Adds amendments, including Grassley amendment to close “actively engaged” loophole



### Senate Vote:

6/28/18 – S. 3042 passes with bipartisan 86-11 vote

### Introduced in Ag Committee:

4/12/18 – Partisan H.R. 2 would cut SNAP, conservation, and small/local farm programs



### Ag Committee Markup:

4/18/18 – Amendments, including “King Amendment,” added to bill text



### Ag Committee Vote:

4/20/18 – Bill passes out of Ag Committee on party-line vote



### Consideration by Full House:

5/17/18 – Adds amendments to further cut SNAP  
6/21/18 – House reconsiders H.R. 2, unchanged since prior vote



### House Vote:

5/18/18 – H.R. 2 fails 198-213 without Democratic or Freedom Caucus support  
6/21/18 – H.R. 2 passes 213-211, still without Democratic support

### Reconciled Farm Bill Sent Back to Each House



### Senate Vote

### House Vote



### President Signs or Vetoes



### Farm Bill Becomes Law

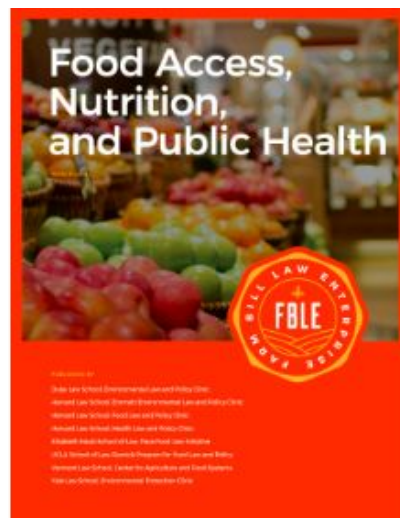




# Bill Becomes a Law!



# FBLE Reports



# Theme I: Diversified Agricultural Economies



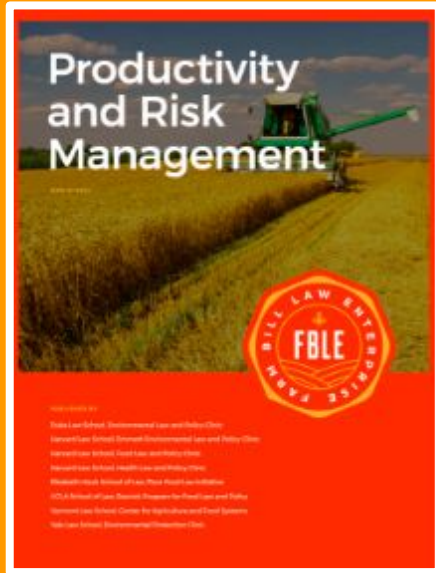
- Promotes policy recommendations to attain a more just farm system
- Encourages diversity in the farm system
  - From the size of the farms, to the farmers, to the crops grown
- Goals
  - Access to Loan
  - Access to Market
  - Access to Owning Land
  - Access to Insurance

# Theme II: Food Access, Nutrition, and Public Health

- **Protect and Strengthen SNAP**
- **Improve Public Health and Increase Access to Healthy, Nutritious Food**
  - Extend healthy choices for SNAP recipients
    - Food Insecurity Nutrition Incentive (FINI)
    - Senior Farmers Market Nutrition Program (SFMNP)
  - Improve SNAP education programs
  - Food is Medicine Pilot Program



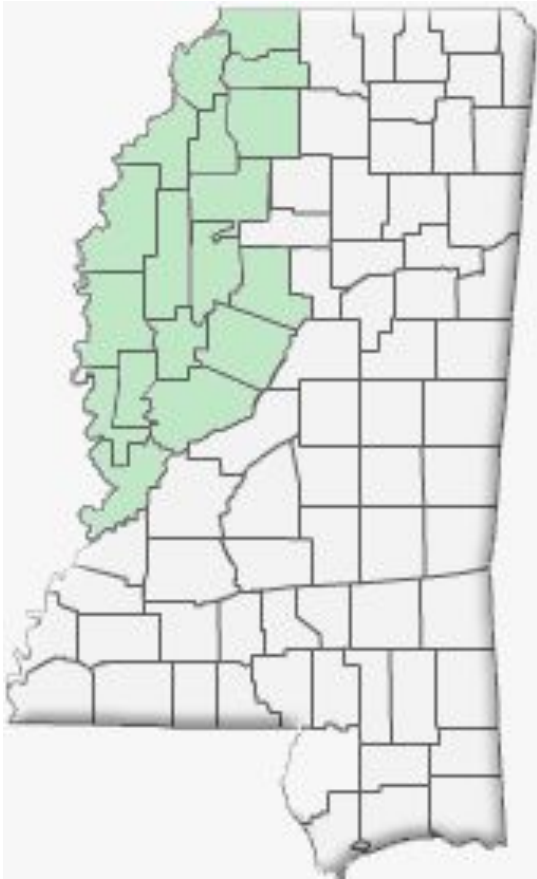
# Theme III: Productivity & Risk Management



- Focuses on commodities, conservation, and crop insurance programs
- Aims to ensure the farm safety net reaches not only the wealthiest farms
- Addresses the importance of conservation farming practices

## Theme IV: Governance, Transparency, and Accountability

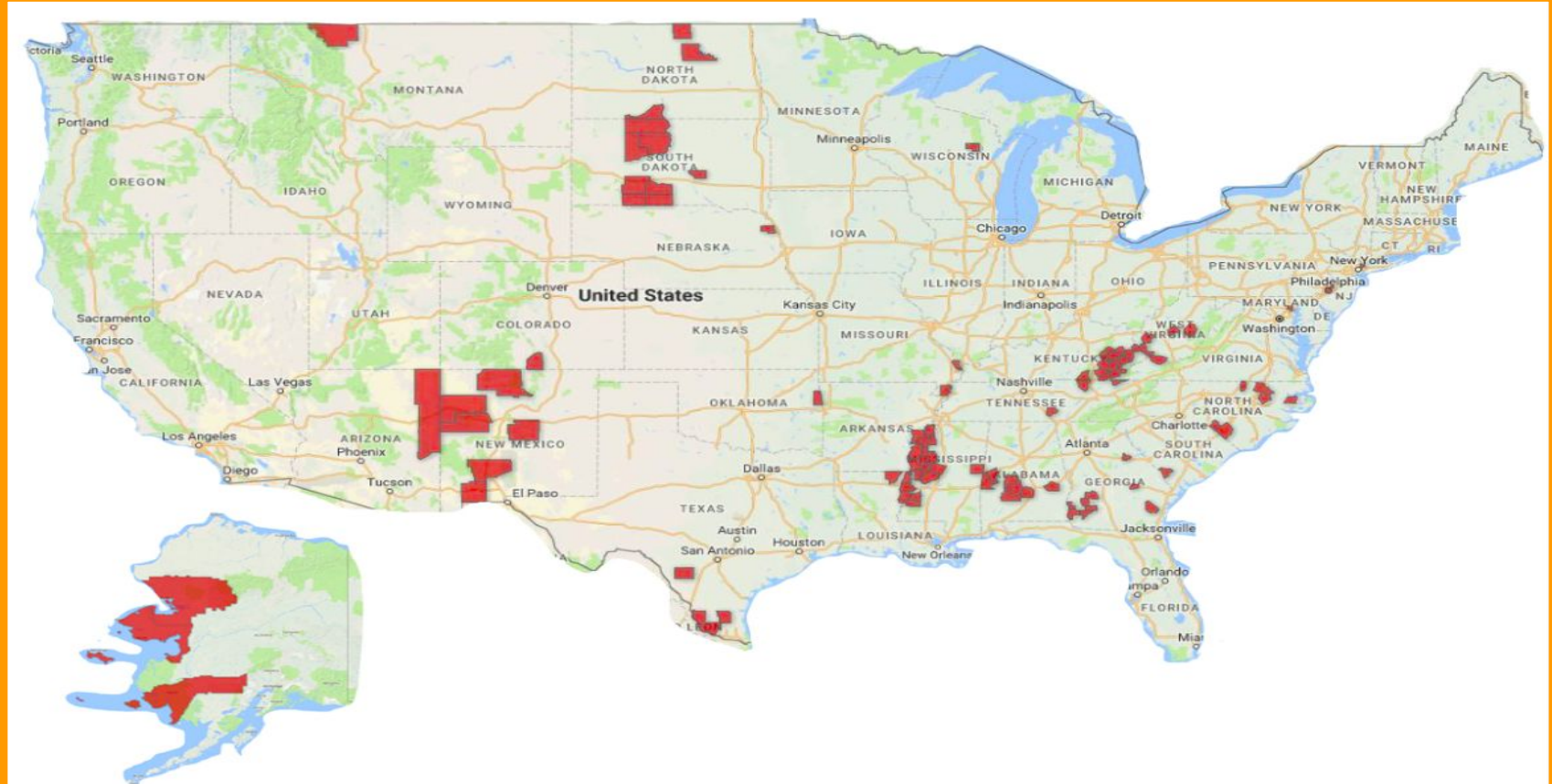




# Farm Bill and the Delta



# Top 100 Counties by Percent of Population Receiving SNAP



Center for Rural Strategies (May 7, 2018)

# Nutrition and SNAP

- Overview: Number of people accessing SNAP in Mississippi in 2017:
  - **537,000** Mississippi residents, or **18%** of the state population (1 in 6 individuals) rely on SNAP
    - ~ **72%** = families with children
    - ~ **33%** = families with elderly or disabled individuals
- **Two-thirds** of those who receive SNAP in the Delta region have someone in their household who is **employed**



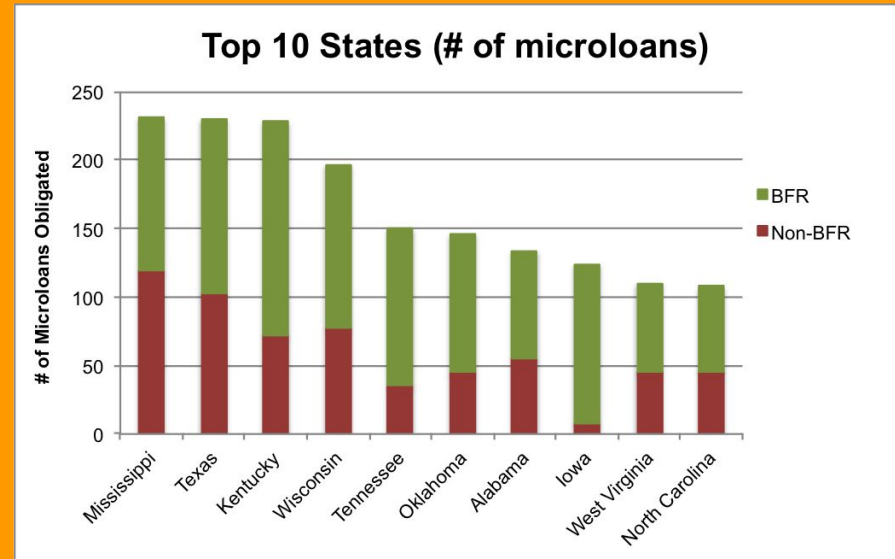
# Conservation

- Farm Bill Conservation Programs Provide Financial and Technical Assistance to Landowners and Producers
  - Required and voluntary conservation programs
  - Many farm bill conservation programs contain set-asides for socially disadvantaged farmers and ranchers
- MS: 38,000+ Farms, 5 mil+ cropland acres, ~½ mil hogs, ~mil cattle
  - Environmental Quality Incentives Program (EQIP)
    - 1998-2015, **top 13** counties receiving EQIP payments were in the Delta
  - Conservation Stewardship Program (CSP)
    - 2011-2014, **top 13** counties receiving CSP payments were in the Delta



# Supporting Beginning, Women, and Minority Farmers

- USDA'S historically discriminatory lending practices have prevented minorities, women, and beginning farmers from accessing credit
- Mississippi in 2012
  - 59.2% white population
    - Constituted 86% of principal farm operators
    - Owned 94% of land in farms
  - 37.8% black population
    - Constituted 13% of principal farm operators
    - Owned 5% of land in farms
- USDA's Response
  - Beginning Farmers Ranchers Development Program
  - Section 2501 Program
  - Microloans Program



National Sustainable Agriculture Coalition



# The 2018 Farm Bill Debate



## House Farm Bill

- Expanding **work requirements** for SNAP recipients
- Cuts \$5 billion from **working land conservation programs**
- Drastically increases the limits on **guaranteed loans** from \$1.3 to 1.57 million
- Improves insurance for **diverse farms by increasing compensation**

## Senate Farm Bill

- Maintain the current **work requirements for able-bodied adults**
- Increases funding for **Food Insecurity Nutrition Incentive (FINI)** program by \$20 million
- **Increases direct ownership loan limits** from \$300,000 to 600,000
- Restores **EQIPs focus on small farms** performing voluntary

# Opportunities for the 2018 Farm Bill

- Enhance **SNAP** and **eliminate work requirements**
- Improve **access** to loans **for small-scale and socially disadvantaged producers**
- Strengthen **insurance programs** for diverse production systems
- Increase **USDA transparency** in lending practices

