



## A Very Brief History of the Farm Bill<sup>1</sup>

The farm bill is an omnibus piece of legislation that addresses a number of policy areas related to food and agriculture—including production, processing, distribution, retail, and consumption—as well as related concerns such as rural development and alternative energy.<sup>2</sup> The history of farm bill programs can be traced back to the Great Depression, when the nation experienced widespread hunger despite agricultural overproduction and falling commodity prices.<sup>3</sup> In order to address both of these issues, President Roosevelt signed the Agricultural Adjustment Act of 1933 (AAA), which established programs to allow the federal government to purchase surplus crops from farmers and distribute them to underserved communities.<sup>4</sup>

The food assistance programs created by the AAA were further formalized in the Food Stamp Program in 1939. The new Program sought to bridge, as the program’s first administrator described, the “chasm” between “farm surpluses on one cliff and under-nourished city folks...on the other.”<sup>5</sup> This program allowed qualifying individuals to access commodity surplus foods through the use of vouchers.<sup>6</sup> These early years also maintained price supports for certain crops, and Congress created the Federal Crop Insurance Corporation (FCIC) 1938 to provide disaster coverage for major crops.<sup>7</sup>

Since the early legislation in the 1930s, the farm bill has grown in both size and scope. Because it is reauthorized about every five years, the farm bill functions as a key legislative tool for addressing current issues surrounding food, nutrition, and agricultural policy.<sup>8</sup> And while programs dedicated to providing food assistance and price support for farmers have remained central to the mission of successive farm bills, it has also grown to include programs related to energy, agricultural-oriented research, conservation, and rural development.<sup>9</sup>

For instance, an increased federal focus on rural poverty during the 1960s and 1970s led to a rise in the number of rural development programs supported by farm bills of that era, and the eventual creation of a standalone Rural Development Title in the 1973 Farm Bill.<sup>10</sup> Many of these programs, such as Community Facility Grants, Rural Cooperative Development Grants, and Rural Business Enterprise Grants, aim to provide funds for low-income communities to improve their infrastructure and grow their economies.<sup>11</sup> While the Rural Development Title does not focus strictly on the agricultural industry, its

---

<sup>1</sup> The following people contributed to this report: Andrew Norkiewitz (Summer Intern, Harvard Law School Food Law and Policy Clinic) and Julia Nitsche (Harvard Law School).

<sup>2</sup> JANIE SIMMS HIPPE & COLBY D. DUREN, *REGAINING OUR FUTURE: AN ASSESSMENT OF RISKS & OPPORTUNITIES FOR NATIVE COMMUNITIES IN THE 2018 FARM BILL* 9 (2017), [http://seedsofnativehealth.org/wp-content/uploads/2017/06/Farm-Bill-Report\\_WEB.pdf](http://seedsofnativehealth.org/wp-content/uploads/2017/06/Farm-Bill-Report_WEB.pdf).

<sup>3</sup> Michael X. Heiligenstein, *A Brief History of the Farm Bill*, SATURDAY EVENING POST, Apr. 17, 2014, <http://www.saturdayeveningpost.com/2014/04/17/culture/politics/a-brief-history-of-the-farm-bill.html>.

<sup>4</sup> *Id.*

<sup>5</sup> Ronald J. Daniels & M. J. Trebilcock, *Rethinking the Welfare State: The Prospects for Government by Voucher* 45 (2005).

<sup>6</sup> *The History of SNAP*, SNAP TO HEALTH, <https://www.snaptohealth.org/snap/the-history-of-snap>.

<sup>7</sup> U.S. DEP'T OF AGRIC RISK MGMT. AGENCY, *History of the Crop Insurance Program*, <https://www.rma.usda.gov/aboutrma/what/history.html>.

<sup>8</sup> Simms *supra* note 2 at 13.

<sup>9</sup> Agricultural Act of 2014, Pub. L. No. 113-79, 128 Stat. 649.

<sup>10</sup> TADLOCK COWAN, CONG. RESEARCH SERV., RL31837, *AN OVERVIEW OF USDA RURAL DEVELOPMENT PROGRAMS* 1 (2016), <http://nationalaglawcenter.org/wp-content/uploads/assets/crs/RL31837.pdf>.

<sup>11</sup> *Id.*



programs have been central in providing safety nets for farming and ranching communities across the nation.<sup>12</sup>

In addition to the increased attention to rural development, the 1970s saw significant changes to food assistance programs authorized through the farm bill. In particular, increased regulation of the Food Stamp Program, now called the Supplemental Assistance Nutrition Program (SNAP), created work requirements, stricter eligibility requirements, and guidelines for retailers seeking to sell food to assistance participants.<sup>13</sup> These changes to SNAP were accompanied by the establishment of the Food Distribution Program on Indian Reservations (FDPIR) in the 1977 Farm Bill, which provides direct food distribution services to Native Americans living on reservations, many of whom cannot easily access stores participating in SNAP.<sup>14</sup>

In the 1980s, amidst growing environmental concerns, the farm bill adopted new conservation provisions, which included both voluntary incentive programs and new requirements for maintenance of important farm bill subsidy programs. The required programs, known as conservation compliance, called on farmers to take steps to reduce soil erosion (the Sodbuster program) and avoid the destruction of wetlands (the Swampbuster program).<sup>15</sup> Voluntary programs, such as the Conservation Reserve Program (CRP), Conservation Stewardship Program (CSP), and the Environmental Quality Incentives Program (EQIP), were developed to encourage farmers to rest marginal lands, adopt conservation practices on working lands, and invest in resource-conserving capital projects.<sup>16</sup>

Since the 1990s, increasing attention has been paid to supporting diverse participation in the agricultural sector. After 29 tribal colleges received land-grant university status in 1994,<sup>17</sup> the 1996 Farm Bill instructed the Secretary of Agriculture to "establish programs to ensure that tribally controlled colleges and Native American communities equitably participate in Department of Agriculture employment, programs, services, and resources."<sup>18</sup> This farm bill also extended preference for veteran farmers applying for farm credit through the USDA.<sup>19</sup> More recently, the 2014 Farm Bill dedicated an entire subsection of the Miscellaneous Title to programs which support socially disadvantaged and historically underserved

---

<sup>12</sup> *Farm Bill*, U.S. DEP'T OF AGRIC.: RURAL DEVELOPMENT, <https://www.rd.usda.gov/about-rd/farm-bill>.

<sup>13</sup> *Supplemental Nutrition Assistance Program (SNAP): A Short History of SNAP*, FOOD & NUTRITION SERV., <https://www.fns.usda.gov/snap/short-history-snap>.

<sup>14</sup> FOOD & NUTRITION SERVICE, STUDY OF THE FOOD DISTRIBUTION PROGRAM ON INDIAN RESERVATIONS (FDPIR) FINAL REPORT xii (2016), <https://www.fns.usda.gov/sites/default/files/ops/StudyofFDPIR.pdf>.

<sup>15</sup> *Highly Erodible Land Conservation Compliance Provisions*, NAT. RESOURCES CONSERVATION SERV., U.S. DEP'T OF AGRIC., [https://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/programs/alphabetical/camr/?cid=nrcs143\\_008440](https://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/programs/alphabetical/camr/?cid=nrcs143_008440).

<sup>16</sup> *Conservation Reserve Program*, FARM SERV. AGENCY, U.S. DEP'T OF AGRIC., <https://www.fsa.usda.gov/programs-and-services/conservation-programs/conservation-reserve-program>; *Environmental Quality Incentives Program*, NAT. RESOURCES CONSERVATION SERV., U.S. DEP'T OF AGRIC., <https://www.nrcs.usda.gov/wps/portal/nrcs/main/national/programs/financial/eqip>.

<sup>17</sup> *The First 20 Years of the 1994 Land-Grant Institutions*, NAT. INST. OF FOOD & AGRIC., U.S. DEP'T OF AGRIC., <https://nifa.usda.gov/resource/first-20-years-1994-land-grant-institutions>.

<sup>18</sup> Federal Agriculture Improvement and Reform Act of 1996, Pub. L. No. 104-127, 110 Stat. 888.

<sup>19</sup> *Id.*



populations<sup>20</sup> through a number of set-aside pools of funding<sup>21</sup> and increased technical assistance and outreach.<sup>22</sup>

---

<sup>20</sup> Agricultural Act of 2014, Pub. L. No. 113-79, 128 Stat. 649.

<sup>21</sup> *Loan Set Asides*, NAT. SUSTAINABLE AGRIC. COALITION, <http://sustainableagriculture.net/publications/grassrootsguide/farming-opportunities/loan-set-aside>.

<sup>22</sup> *Outreach and Assistance for Socially Disadvantaged and Veteran Farmers and Ranchers (Section 2501)*, NAT. SUSTAINABLE AGRIC. COALITION, <http://sustainableagriculture.net/publications/grassrootsguide/farming-opportunities/socially-disadvantaged-farmers-program>.