The New Administration and Agriculture

by William K. Crispin, Attorney At Law

With our national election over, we have an opportunity to review and anticipate how the new administration led by President-elect Donald Trump will impact the nation’s agriculture. From the national picture, we can assess the change of leadership’s issue focus on our area’s farmers.

The exit polls suggest that rural America cast a majority of its votes for Trump. Although Trump does not have a record on agriculture policy because he has not served in public office, he has, during his campaign, vowed to keep the Farm Bill together, cut back regulations, and negotiate trade deals. According to American Farm Bureau Federation lobbyist Mary Kay Thatcher, “When you ask farmers their biggest concern, it’s always regulation.”

“Without a doubt, the rural Americans who supported Trump supported him mostly on his comments about the EPA,” said Thatcher. Those comments specifically referred to the EPA’s regulation that went into effect August 2015, the “Waters of the U.S.” rule. On its face, the Waters of the United States rule is largely a technical document, defining which rivers, streams, lakes and marshes fall under the jurisdiction of the Environmental Protection Agency and the Army Corps of Engineers. Trump on the campaign trail mentioned that he would eliminate the EPA.

The North American Free Trade Agreement (NAFTA), negotiated during the G.H.W. Bush administration and passed when Clinton was in office, has been in effect since 1994. Upending NAFTA will be a challenge from many perspectives, as it greatly benefited major commodity groups such as corn and soybeans, but not so much the specialty, fresh market crops that are grown in the southeast, including Florida and Georgia. For instance, Mexico has become the second largest export market for corn, after Japan. Interestingly, agricultural economists performing research on the impact of NAFTA on Florida lime and tomato production found no persuasive link between NAFTA and the state’s lime industry’s demise or the shrinking tomato production. The point is, there are many spokes to the wheel of trade agreements.

During the campaign, more comments were directed at the Trans-Pacific partnership (TPP), whose other 11 Pacific Rim nations have signed it, but not the United States. Typically, farmer organizations representing the larger producers of the major commodities, particularly in the great plains and Midwest, support the TPP, as it represents a trade channel for large export markets.

Historically, specialty crop producers have not had the political influence to shape trade deals best suited to their markets.

Another corn-based industry revolving around the production of ethanol had the support of the Trump campaign. It has little to do with Florida’s agriculture. The National Farmers Union president, Roger Johnson, worries about the new administration’s pledge to withdraw from the Paris climate agreement because it could hurt support for renewable fuels like ethanol. Johnson laments that “[Trump] is so unconventional and has broken so many of the rules of politics that who knows what’s he’s going to do.”

In Iowa, Trump told a group at a fundraiser in Des Moines that “We are going to end this war on the American farmer.” In declaring that “Family farms are the backbone of this country,” he pointed to the EPA’s intrusion on family farms through its regulatory enforcement.

Applying those comments to Florida agriculture, we can look at the makeup of Trump’s agricultural advisory committee comprised of some 70 members considered more mainstream than radical. Many are current or former governors of states with large ag production industries; it is a list from which many expect the next Secretary of Agriculture to be plucked.

From the makeup of his advisory committee, one can expect that programs such as the crop insurance program will continue its direction of including more crops on the insured list while also expanding the types of insurance coverage offered, e.g., revenue production and yield guaranty. This is important for Florida’s growers. They have collectively benefited from the crop insurance policies that provide a safety net when raising investment-heavy fresh market crops that are subject to multiple perils that abound throughout the state. Crop insurance, when first introduced, covered only the major crops of cotton, wheat, corn and soybeans. During the last three decades, it has significantly expanded to include a wide spectrum of commercially raised items from clams to orchids to cabbage and tomatoes, and includes organic farming practices. The Senate and House Agriculture Committees in charge of drafting the Farm Bill remain largely unchanged after the election, adding a degree of confidence that current ag policy through the Farm Bill will be staying the course in the foreseeable future.

Of policy-driven programs, immigration, representing a key component of agriculture’s labor force, may have the most immediate impact on Florida agriculture. Florida agriculture relies on thousands of workers every year to get their crops to market. Trump made repeated and headline-grabbing assertions on the campaign trail of a mass deportation of immigrants. Caught up in this exodus could be the roughly 1.4 million undocumented immigrants who work on U.S. farms each year, making up about 60 percent of the agricultural labor force, according to Chuck Connor, former deputy agriculture secretary under George W. Bush and current president of the National Council of Farm Cooperatives.

Many farms have the land, water and experience to grow amazing crops for the consumer, but reliable labor required to do the hard physical work is a severe hold-back to fulfilling potential production. Farmers who have tried soliciting American citizens to fill the labor void say that they can’t get fellow citizens to do the work. How slashing of regulations like the existing and costly H-2A guest worker visa program with major immigration round-ups can be reconciled has farm groups staying up at night. The American Farm Bureau Federation released a 2015 study reporting that an enforcement-only immigration bill that boosts deportations without improving farmers’ access to immigrant labor would have a dramatic impact. Fruit and other fresh market commodities that people, not animals, eat, could drop by more than 50 percent with the collateral impact of rising food prices and decreasing farm incomes.

When President Obama hosted Trump at the White House immediately after the election, the President affirmed to the President-elect directly by saying, “We now are going to do everything we can to help you succeed, because if you succeed, the country succeeds.” Now is the time for farmers throughout Florida to ride their message of concern on the coattails of their support of Trump, to their Congressional representatives to help Trump succeed with the state and country’s farming community. If farmers succeed, the country succeeds.

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