



Alcorn®

SOCIALLY DISADVANTAGED FARMERS
AND RANCHERS POLICY RESEARCH CENTER

2018 Farm Bill

USDA Rules and Regulations

Lloyd Wright, SDFR Policy Center Advisory
Board Member

USDA Rules and Regulations



Alcorn®

SOCIALLY DISADVANTAGED FARMERS
AND RANCHERS POLICY RESEARCH CENTER

- When the farm bill is created or changed by Congress,
 - the federal agency responsible for implementation of that program writes rules and regulations to implement the changed laws
 - The lead USDA agency is as follows
 - Natural Resources Conservation Service for conservation provisions
 - FSA for commodities and farm loans
 - Rural Development for non-farm credit and the rural development title
 - Lead for other titles is assigned to the USDA agency that has the lead for implementation within the Department

Rule Making Process



Alcorn[®]

SOCIALLY DISADVANTAGED FARMERS
AND RANCHERS POLICY RESEARCH CENTER

- Includes
 - review of new law to determine need for a rule
 - drafting of proposed rule
 - review of proposed rule by OMB
 - publication of proposed rule
 - public comments
 - review of public comment
 - draft final rule
 - OMB review of final rule
 - publication of final rule

Stakeholder



Alcorn[®]

SOCIALLY DISADVANTAGED FARMERS
AND RANCHERS POLICY RESEARCH CENTER

- Formal rule making process has one public comment period,
 - most agencies will hold stakeholder meetings prior to beginning the formal rule making process
 - Stakeholder meetings are usually held soon after the new law is signed
 - Stakeholders are usually provided highlights of the new law with changes that will be the subject of rule-making
 - Stakeholders present their views during meetings and provide issue papers pointing out their positions of the new provisions



Alcorn[®]

SOCIALLY DISADVANTAGED FARMERS
AND RANCHERS POLICY RESEARCH CENTER

A. Stakeholder

- Formal rule making process has one public comment period,
 - In some cases, the stakeholders' meetings and briefings are held throughout the proposed rule writing process
- SDFR should contact the USDA agencies and national office to ensure that they are on the list of stakeholders and are invited to the early meetings
 - Information provided at the informal stakeholders' meetings is valuable to the rule writing team to help the team in producing a rule that will provide services to all farm groups

B. Proposed Rule



Alcorn[®]

SOCIALLY DISADVANTAGED FARMERS
AND RANCHERS POLICY RESEARCH CENTER

- USDA agencies draft a proposed rule and publish it once OMB reviews and approves for publishing
- Formal comment period begins once the rule is published
- Proposed rule outlines the comment period and lists the person, agency and address comments are to be sent

B. Proposed Rule



Alcorn[®]

SOCIALLY DISADVANTAGED FARMERS
AND RANCHERS POLICY RESEARCH CENTER

- During this period
 - the public can provide input to USDA on the proposed rule
 - SDFR should ensure that they are informed of the proposed rule and the impacts on SDFR
 - Formal comments should be sent to USDA as outlined in the rule

C. Final Rule



Alcorn[®]

SOCIALLY DISADVANTAGED FARMERS
AND RANCHERS POLICY RESEARCH CENTER

- Once comments on proposed rule are reviewed
 - USDA draft a final rule based on the comments received
 - Final rule will be sent to OMB for review and then published
 - Implementation of the new and revised provisions of the 2018 Farm Bill will be implemented through the final rule

D. Manuals



Alcorn[®]

SOCIALLY DISADVANTAGED FARMERS
AND RANCHERS POLICY RESEARCH CENTER

- Once final rules for the new farm bill provisions have been published,
 - USDA agencies will write and or revise program manuals to provide details to the field offices on implementation of the new provisions
 - Agency manuals are not usually provided to the public for input
 - Important that SDFRs provide input to USDA during the rule making process