

116TH CONGRESS
2D SESSION

S. CON. RES. 36

Supporting the Farmers Bill of Rights.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 11, 2020

Mr. BOOKER (for himself and Mr. MERKLEY) submitted the following concurrent resolution; which was referred to the Committee on Agriculture, Nutrition, and Forestry

CONCURRENT RESOLUTION

Supporting the Farmers Bill of Rights.

Whereas the Center for American Progress reported mergers and acquisitions have increased corporate concentration across agricultural markets, including monopolizing 85 percent market share of the corn seed market through the 4 largest firms in the seed sector;

Whereas according to the Open Markets Institute, the excessive concentration in the poultry industry has resulted in half of chicken farmers working in regions dominated by only 1 or 2 processing monopolies, leaving them with little, if any, bargaining power for better contracts or growing terms;

Whereas the Organization for Competitive Markets reported cattle prices paid to farmers from 2013 to 2016 dropped by 13 percent, while during the same period prices paid

for beef by consumers at the grocery store increased by 4 percent, leading them to conclude that the prices paid to farmers and by consumers are not the result of a fair and just market;

Whereas corporate concentration and abusive practices in America's food and farm sector are at detrimental highs, harming consumers, rural communities and family farmers and ranchers, including historically underserved farmers and ranchers, by—

(1) diminishing the availability of seed choice;

(2) limiting the accessibility of domestic farming lands;

(3) increasing food prices and market manipulation;

and

(4) hindering access to traditional foodways and agricultural practices;

Whereas according to the American Farm Bureau Federation, farm loan delinquencies are at a 6-year high and have increased over the past 24 quarters;

Whereas increasing farm debt, decreasing incomes, and deteriorating overall conditions for family farmers and ranchers have caused farm foreclosures and chapter 12 bankruptcies to steadily increase over the past year;

Whereas, according to the 2019 Intergovernmental Panel on Climate Change Special Report, agriculture, forestry, and other land use activities accounted for 23 percent of net global anthropogenic emissions contributing to human-induced climate change, which is resulting in the ongoing deterioration of food systems, including irreversible impacts to the traditional farming practices and foodways of indigenous peoples and their lands;

Whereas, according to the Midwest Center for Investigative Reporting, the foreign acquisition of and increasing investments in American farmlands and agribusiness presents a risk to food system security and contributes to increasing prices of the country's farmland beyond the financial ability of local residents to purchase domestic farm land; and

Whereas monopolization and an increase of large corporations and foreign interests in America's farming sector, combined with a changing climate, creates an unprecedented negative impact on the regional economic strength and security of rural and Tribal communities: Now, therefore, be it

1 *Resolved by the Senate (the House of Representatives*
2 *concurring),*

3 **SECTION 1. SENSE OF CONGRESS.**

4 That—

5 (1) the Congress recognizes the many contribu-
6 tions that family farmers and ranchers, including
7 historically underserved farmers and ranchers, have
8 made to America's agricultural industry, local food
9 production, food sovereignty, rich variety of the
10 country's abundant food supply, and traditional and
11 cultural agricultural practices; and

12 (2) it is the sense of the Congress that the Fed-
13 eral Government should encourage support for fam-
14 ily farmers and ranchers, in rural communities and
15 on indigenous lands, and ensure access to open and

1 fair agricultural markets in the United States, by in-
2 troducing the Farmers Bill of Rights.

3 **SEC. 2. FARMERS BILL OF RIGHTS.**

4 The Farmer's Bill of Rights is as follows:

5 (1) RIGHT TO FAIR, OPEN MARKETS.—There
6 must be a competitive open marketplace to buy
7 seeds, fertilizer, and other goods, and to sell
8 produce, livestock, and meat for all people. It has
9 become nearly impossible for independent farmers,
10 processors, seed suppliers, mechanics, and other
11 rural businesses to compete with multinational mo-
12 nopolies. Farmers need strong antitrust safeguards.

13 (2) RIGHT TO FEED THEIR COMMUNITY.—Mul-
14 tinational corporations have taken control of the
15 country's food system by shutting out independent
16 processing and distribution businesses, consequen-
17 tially locking farmers out of their local markets and
18 denying domestic consumers local, regional, and cul-
19 turally traditional foods. In the United States, Na-
20 tive Americans suffer from the highest rates of food
21 insecurity with African Americans and Hispanic
22 communities more food insecure than the national
23 average, which could be remedied through invest-
24 ment in local food systems, greater regulatory flexi-
25 bility, and Tribal self-governance programs.

1 (3) RIGHT TO FAIR CAPITAL.—With the loss of
2 community and regional banks, coupled with the ex-
3 traction of wealth from rural communities by large
4 corporations, farmers and local businesses cannot
5 access the capital necessary to operate. Congress
6 must ensure that all farmers, regardless of back-
7 ground, can access the credit and capital they need.
8 This includes Native American producers and Tribal
9 agricultural enterprises that often must contract
10 with Federal agencies for resources, and African-
11 American farmers who have endured historical dis-
12 crimination accessing farm credit.

13 (4) RIGHT TO PROTECT NATURAL RE-
14 SOURCES.—If large corporations want to purchase
15 land and operate megafarms, they have a duty to
16 protect the Earth’s soil, water, and natural re-
17 sources, as rural and indigenous farmers have for
18 generations, including the protection of acequias
19 that sustain accessibility to water, local agriculture,
20 and traditional irrigation practices. Corporate
21 megafarms have a duty to support conservation by
22 following reasonable standards for aquifer use, ma-
23 nure storage, and other land-use guidelines. Pre-
24 serving land-based agricultural resources is vital to
25 beginning to mitigate the impacts of climate change

1 and preserve natural resources for both the tradition
2 of diversified rural family farming and the cultural
3 sustainability of indigenous agricultural commu-
4 nities.

5 (5) RIGHT TO LOCAL LAND CONTROL, PROP-
6 ERTY RIGHTS, AND PROTECTION OF TRIBAL LANDS
7 AND SOVEREIGNTY.—Counties and other local gov-
8 ernments should have the ability to pass and enforce
9 ordinances regulating the size, placement, and scope
10 of megafarms to protect the value of rural family
11 farmers' land and the surrounding environment. Af-
12 rican-American farmers and other historically under-
13 served farmers and ranchers should retain their land
14 ownership and rights. Tribal Governments are sov-
15 ereign nations with the inherent right to independ-
16 ently control their lands through self-governance
17 programs to safeguard traditional foods and medi-
18 cines for their citizens' wellbeing and preservation of
19 ceremonial practices of American Indian and Alaska
20 Natives, including the expansion of historically di-
21 minished indigenous hunting, fishing, and gathering
22 rights.

23 (6) RIGHT TO FOOD SECURITY.—Foreign own-
24 ership hurts family farmers and ranchers and raises
25 national security concerns. A strict cap on foreign

1 ownership of farms, farmland, and agribusinesses
2 should be set to ensure that all American farmers
3 can access domestic farm land.

4 (7) RIGHT TO REPAIR.—Huge corporations and
5 their Wall Street backers have gone so far as to pre-
6 vent local businesses and farmers from fixing their
7 own tractors and equipment, forcing them to pay
8 corporate technicians to make all repairs. A farmer
9 should have the right to fix their own equipment as
10 they see fit.

11 (8) RIGHT TO TRANSPARENT LABELING.—A
12 farmer should be able to label their food accurately
13 and transparently—including strong country of ori-
14 gin labeling standards.

15 (9) RIGHT TO RURAL OPPORTUNITY.—Monopo-
16 lies have hollowed out local economies and taken
17 away the traditional pathways of opportunity for
18 free enterprise that helped communities thrive. No
19 farmer should have to choose between continuing to
20 operate their farm and getting access to good
21 schools and health care. No farmer should have to
22 choose between farming and providing a future for
23 their children. Farmers need the right to basic serv-
24 ices in rural communities.

1 (10) RIGHT TO PRESERVE A DIVERSE COMMU-
2 NITY OF FARMERS AND FARMING PRACTICES.—For
3 too long, historically underserved farmers and ranch-
4 ers have lacked a voice on local and national agricul-
5 tural policies and development. Congress must en-
6 sure that historically underserved farmers and
7 ranchers have fair opportunities in the market, a
8 seat at the table in policy development, access to cul-
9 turally relevant training and technical assistance,
10 and equal treatment by all Federal agencies.

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