Oral Statement of Zippy Duvall, President
American Farm Bureau Federation
Before the Committee on Environment & Public Works
United States Senate
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Chairman Barrasso, Ranking Member Carper and members of the committee, thank you for this opportunity to address the real-world impact of over-regulation on farmers and ranchers.

My name is Zippy Duvall. Since I was first elected as American Farm Bureau president two years ago, I have visited with farmers and ranchers in all 50 states to hear firsthand "what keeps them up at night."

There are two issues that have come up on almost every farm I have visited:

1) The lack of an adequate, legal supply of labor, and

2) The burden of federal regulations.

The regulatory process today is the product of decades of administrative and judicial decisions, without much effort to integrate those decisions into a system that makes sense to us.

Farmers and ranchers have shared their stories about the impact regulations have on their lives and their businesses.

- A West Virginia poultry farmer who operates one of the cleanest farms anyone has ever seen faced tens of thousands of dollars in legal bills to defend her farm in court against EPA misinterpretation of the Clean Water Act.
- Federal officials, without any authority from Congress, and without public notice, have used what amounts to extortion against ranchers in Utah to force them to hand over their private water rights as a condition for getting federal grazing permits.

- **The Endangered Species Act has not been successful in recovering listed species. Only 50 species have recovered, out of 1,661 species listed in the past 45 years. That's a 3% success rate. Eleven species have gone extinct while under federal protection. Meanwhile, the ESA has made it harder for farmers and ranchers to use their land and protect their livestock.**

- **And last but not least, the EPA under the previous administration finalized a Waters of the U.S. rule that epitomized the failures of our current regulatory system.**

The law that governs this process—the Administrative Procedure Act—is more than 70 years old and overdue for reform, especially when you consider how social media can shape public input.

Finally, Mr. Chairman, I have met farmers and ranchers who are not sure if they should encourage their children to remain on the farm. The average age of the American farmer is 58. A generation of farmers and ranchers will be hanging up their hats within the next few years. We need to ask ourselves, "Who will take their place and keep food on our tables?"

As committed as young people, like my son Zeb, are to farming and ranching, they cannot continue if the regulatory burden continues to grow.

Farm income is down about 50 percent compared to five years ago, but I assure you that regulatory costs have not gone down. These facts would give pause to even the most dedicated farmer or rancher.

I would like to close with a quote by a statesman from my home state of Georgia, President Jimmy Carter. He signed an Executive Order in March 1978 that states:

"Regulations…shall not impose unnecessary burdens on the economy, on individuals, on public or private organizations, or on State and local governments. …Regulations shall be developed through a process which ensures that…compliance costs, paperwork and other burdens on the public are minimized." And then there is President Trump's Executive Order from one year ago, which requires agencies to repeal two rules for every new rule they issue. In signing that Executive Order, the President said:

"Every regulation should have to pass a simple test: does it make life better or safer for American workers or consumers?"

This is not a partisan issue. This is about allowing our farmers and businesses to be productive. It's about a goal that I believe we all share: a regulatory process that is credible—one that we can get behind instead of having to fight against.

Thank you, Mr. Chairman. I'm glad to answer any questions that you and your colleagues might have.

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