

# DRAKE LAW REVIEW

---

Volume 37

1987-1988

Number 2

## ***PROCEEDINGS OF THE 1987 AMERICAN AGRICULTURAL LAW ASSOCIATION MEETING IN WASHINGTON, D.C.***

### **INTRODUCTION: A LOOK AT HOW WASHINGTON WORKS**

*Philip E. Harris\**

Meeting in Washington, D.C., provides an opportunity for our Association to learn more about how the federal bureaucracy operates—and for some of those who work in the bureaucracy to learn a little about our Association and our members.

The theme of this year's conference is "A Look at How Washington Works." The goal of the program is to gain a better understanding of the effect of the institutions in Washington and the people in those institutions on the laws that are created. To do that, we examine three specialized laws that illustrate the process.

The first law examined is the 1986 Tax Reform Act. That Act made historic changes in the income tax system. Some of those changes have an immediate effect on agricultural producers' income tax returns. Other changes may have long-term effects on the structure of agriculture and con-

---

\* President-Elect, American Agricultural Association.

sequently on the profits received by individual producers. We examine the legislative process that brought about the 1986 Tax Reform Act, as well as the administration of the new rules. By understanding the reasoning behind the legislation and the regulations, we learn not only how to influence future laws but also how to apply the current laws.

The second law we examine is Chapter 12 of the Bankruptcy Code. Since this Chapter was designed specifically for farmers, it provides an example of the formation and implementation of special interest legislation. Chapter 12 has been law for almost a year at the time of our meeting. Consequently, we can examine cases that have applied the law, as well as the legislative background and administrative application of the law.

The third law we examine is the Federal Insecticide, Fungicide and Rodenticide Act. This Act has not been enacted and therefore provides an example of a legislative process that did not result in new law. The chemical industry, environmentalists, and the Environmental Protection Agency, as well as agricultural producers, have a lot at stake with respect to this legislation. The coalition that formed and fell apart is an interesting episode in our federal legislative process.

In addition to our examination of these three specific laws, we take a direct look at how Washington works by addressing three general topics: (1) the relationship of federal agencies to each other; (2) the process of finding the rules and regulations; and (3) the effect of foreign policy on agriculture.

This brief look at Washington will not answer all of our questions about how laws are made or how those laws affect us. However, we may learn enough to know how to make the system work for us the next time we want to change the law or affect the way the law is applied.