CHAPTER ONE

Emphasizing the Bottom Line

"Farm Bureau businesses sustain and preserve the organization. In terms of money, policy and power, they dominate the organization." — Samuel R. Berger, Dollar Harvest.

n 1967, U.S. Representative Joseph Resnick (D-New York) launched an inquiry into AFBF's already sizable commercial ventures. As chairman of the House Subcommittee on Rural Development, he wanted to investigate whether profits from AFBF-controlled businesses were being transferred to the tax-exempt organization. But when he moved for hearings, his subcommittee balked. Most of those committee members belonged to AFBF and had benefited from AFBF help in their campaigns. The subcommittee refused to authorize the investigation. Resnick conducted hearings anyway, gathering enough information to fill in a rough outline of the Farm Bureau's inscrutable business domain. Before he could complete the process, however, he died, at the age of 45.

Samuel R. Berger, who had served as a Resnick aide, picked up the threads of the investigation and in 1971 produced the most comprehensive analysis of the AFBF empire written to date. His book *Dollar Harvest* (Heath Lexington Books) explains in detail how the nonprofit farm bureaus benefit from relationships with their for-profit business partners. Berger, now national security adviser to President Clinton, described the Farm Bureau insurance network as "one giant company" clearly controlled by AFBF.

According to Berger, the relationship works like this: The insurance companies give AFBF organizations "sponsorship fees," which amount to percentages of insurance company earnings. "Putting aside the fascinating tax consequences of these transactions, other ticklish problems arise," Berger wrote. Part of the insurance customer's premium goes directly into the pocket of the Farm Bureau without the customer's knowledge, he pointed out.

Especially interesting are cases where Farm Bureau and insurance company boards of directors are exactly the same people. Berger described a 1947 Ohio Insurance Department investigation into the relationship between the Ohio Farm Bureau and Nationwide Insurance. The insurance examiners weren't too happy with the concept of overlapping boards. Quoting from the examiner's report, Berger wrote that every time the insurance company board offered the Farm Bureau fees, "the same men rushed around to the other side of the table to say 'Okay, we accept those fees.' The examiners said they felt people should not negotiate with themselves."

Frequently, the insurance companies rent their office space from state farm bureaus and employ the farm bureaus' in-house advertising, public relations and communications divisions. In many states, the nonprofit farm bureaus also own all or most of the stock of the insurance companies. And those stocks pay dividends to the state organizations. The farm bureaus also benefit from using insurance customers to inflate their membership numbers, since everyone who buys a policy must join the bureau. The insurance companies also benefit from the alliances. Farm bureau lobbyists use their considerable political clout to lobby on bills affecting their partners in the insurance business. For instance, state farm bureaus have lobbied hard for limits on medical malpractice damage awards. And AFBF is pushing for privatization of Social Security, which could bring a profit windfall to insurance company and financial investment firm ventures. Relating any of those issues to agriculture is a far stretch, but they certainly affect the Farm Bureau's bottom line.

INSURANCE AT A PREMIUM

"The purpose of this program is to provide the best insurance products to Farm Bureau members at the lowest possible cost and provide excellent policyholder service."

— AFBF insurance brochure.

"Farm Bureau member Nathan Baxley has cancer and his daughter has muscular dystrophy; the Farm Bureau insurance plan hit him with a premium increase of \$1,950 a month or an option for drastically reduced coverage."

— Arkansas Democrat-Gazette, January 20, 1994.

State farm bureaus have always promoted their insurance lines as an important service to their members, and in many cases customers do have trouble finding any other insurance for a reasonable price. Farm bureau insurance rates generally compare favorably with other carriers and often are lower. Despite these advantages, Farm Bureau insurance falls far short of providing the best service to its customers. For example, state officials and consumer groups have accused some farm bureau-affiliated companies of insuring only those who pose the least risk and therefore are least likely to file claims. As the following examples illustrate, the Farm Bureau has a long history of using exorbitantly high rates to dissuade or exclude altogether those who need insurance the most:

• In 1961, as the East Germans were build-

WHILE FAMILY FARMS FLOUNDER, THE FARM BUREAU FLOURISHES

Family farmers are going broke, but the Farm Bureau and many of its state af amassing wealth and spending it as the following list and examples illustrate:

filiates ar e

10 WEALTHIEST STATE FARM BUREAUS (Based on 1996 tax revenues)

1. California Farm Federation\$37,596,117
2. Illinois Agricultural Association
3. Ohio Farm Bureau Federation
4. Michigan Farm Bureau
5. Georgia Farm Bureau Federation8,356,010
6. Texas Farm Bureau
7. Tennessee Farm Bureau Federation
8. North Carolina Farm Bureau Federation, Inc 8,075,741
9. Iowa Farm Bureau Federation
10. Kentucky Farm Bureau Federation

- Forty-one farm bureau affiliates had enough surplus funds to open their own bank in 1999 with assets of approximately \$135 million.
- Southern Farm Bureau Insurance sponsors the Southern Farm Bureau Classic, an annual stop on the Professional Golfers Association Tour.
- In 1985, the height of the farm crisis in America, the Farm Bureau held a million-dollar annual convention in Hawaii.
- FBL Financial Group, Inc., a publicly held company with special marketing arrangements to sell farm bureau insurance in 15 states, did so well in 1999 it had to readjust its operating income four times.

ing the Berlin wall at the height of the cold war, 24-year-old Iowa corn farmer Larry Moore decided to answer President John F. Kennedy's call to service by joining the Army. Moore had been a farmer all his life and a loyal Farm Bureau member. But as the young man prepared for his tour of duty he got a notice from his Farm Bureau insurance agent that the company would double his auto insurance premium. "That's just not the kind of thing you'd do to show support for America's troops," says Moore's wife, Mary Ellen. Moore immediately quit the Farm Bureau and has refused to rejoin. Mary Ellen is still a member, although she does not want to be. She owns a separate farm across the border in Illinois and says she has no choice but to deal with farm bureau cooperatives, which offer the only market for her grain. "They've got you in a noose, so what are you going to do?" she asks. "I sure don't agree with their policies."

- In the 1960s, after a series of rate hearings, South Carolina Chief Insurance Commissioner Charles Gambrell accused Southern Farm Bureau Casualty Insurance Company of attempting to persuade other insurance carriers "to lead the way in raising farmers' rates, so that Farm Bureau could follow suit and avoid the stigma of being the first to do so."
- In 1994, Nathan Baxley was one of 1,400 ailing Farm Bureau members in Arkansas who got rate-hike notices from Arkansas Farm Bureau Insurance, which gave them less than 30 days to find other insurance or pay the company thousands of dollars extra in annual premiums.

 According to Arkansas newspaper accounts, state legislators accused the company of manipulating

the rate increases to purge sick members from the rolls. "These members have been paying 20 and 25 years and didn't need you until two or three years ago," Arkansas state representative Lloyd George said at a hearing. George suggested that the company had lowered rates for other health insurance customers in order to attract more new members. Baxley's brother-in-law added, "The Farm Bureau will attract you with the new low premiums, then cut you out the moment you get sick."

• In Texas in 1994, regulators ordered Southern Farm Bureau Life Insurance Company to pay a \$250,000 fine for overcharging Medicare patients for prescription drug insurance. The Texas insurance department said Southern Farm had charged elderly patients deductibles as high as \$3,000 on prescription drug claims after advertising that the policies would cover 100 percent of prescription drugs with no deductibles.

In addition, lawsuits have been filed and regulators in several states have fined Farm Bureau-affiliated insurance companies for engaging in redlining, the practice of refusing insurance to people because of age or race or because they live in low-income or minority neighborhoods. Redlining can mean that insurers refuse to write policies in certain neighborhoods — they literally draw red lines on maps to mark off excluded areas. But more often, redlining takes subtler forms. In many cases, regulators have found that insurance companies discourage minorities from buying policies by quoting substantially higher rates than the companies offer to people who live in similar but largely white neighborhoods.

In 1994, the Missouri insurance department brought formal administrative charges against Farm Bureau and Country Insurance Companies for redlining the entire city of St. Louis.

Examiners found a map in a Farm Bureau underwriting manual with the whole predominantly minority city outlined in yellow and labeled "ineligible property." At the time, the Farm Bureau was the ninth largest homeowners' insurer in the state. A spokesman for the company claimed that urban residents were excluded because the Farm Bureau is "traditionally a rural insurer" and confines business to counties with local farm bureaus.

Nationwide Insurance has been particularly troubled by redlining lawsuits filed by fair-housing groups around the country. While the Ohio Farm Bureau no longer owns Nationwide, it still exerts considerable influence over the insurance company through its role in hand-picking board members for Nationwide. The company and the Farm Bureau continue to share office space in Columbus. The insurance company pays the Ohio Farm Bureau a generous fee on each policy sold through the bureau. The farm bureaus in California, Maryland and Pennsylvania have similar agreements with Nationwide.

More examples:

• In 1997, Nationwide Insurance agreed to pay Toledo residents \$3.5 million to settle a civil rights lawsuit over redlining, although the company did not admit doing anything wrong. In that same year, Nationwide without admitting guilt settled a Justice Department redlining lawsuit by agreeing to spend more than "\$26 million in minority neighborhoods nationally."

- One of Nationwide's own agents accused the company in 1997 of refusing to let him sell insurance in minority neighborhoods of Pittsburgh, Pennsylvania. Now, more than 20 Nationwide agents in other states have come forward with allegations that the company promotes redlining.
- In February, 1998, Nationwide settled a racial discrimination lawsuit brought by the Cincinnati NAACP. The suit accused the insurance company of charging higher premiums in neighborhoods with high concentrations of nonwhite homeowners. Later that year, the Texas Department of Insurance found that Nationwide's tightly controlled marketing strategy, which is overseen from its home office in Columbus, Ohio, "systematically exclude[s] minority customers from the market in which [they] operate. Such a pattern of operations shows that Nationwide has engaged in a practice of unfair discrimination."
- In October, 1998, a Richmond, Virginia, court ordered Nationwide to pay \$100 million in punitive damages and \$500,000 in compensatory damages for redlining. The verdict followed a jury trial in which fair-housing advocates presented evidence that Nationwide had denied home insurance to black applicants and had imposed higher rates in Richmond, a predominantly black city, than in Richmond's largely white suburbs. The \$100 million judgment was the largest ever imposed in a redlining case and a judge who reviewed the jury's decision ruled in December, 1998, that the award was not excessive. Nationwide denied wrongdoing. In December, 1999, the case was still on appeal.

CORPORATIONS OVER FAMILIES

"The purpose of Farm Bureau is to make the business of farming more profitable, and the community a better place to live.... Farm Bureau is the voice of farmers and ranchers in local meetings, at state legislatures and in the nation's capital."

— This Is Farm Bureau, AFBF website.

"They had 70 or 80 years to speak out on behalf of the small farmer and if they had done their job, we wouldn't be in the mess we're in now, where we're losing farmers in astronomical numbers."

— Martha Stevens, Missouri farmer.

Two Missouri controversies illustrate how out of step the Farm Bureau can be with the family farmers it purports to represent. Both cases involve the efforts of small farmers and rural communities to protect their environment and quality of life, and in both cases the Farm Bureau has come down squarely on the side of polluters. The first example involves efforts to protect the imperiled Topeka shiner, a tiny minnow that can live only in cool, clear-running streams and cannot tolerate pollution. At a 1998 U.S. Fish and Wildlife Service hearing in Bethany, Missouri, Farm Bureau lobbyist Dan Cassidy testified against a proposal to add the shiner to the federal endangered species list. Listing the minnow could require farmers to take special care to keep sediments, pesticides, manure and other pollutants out of the water.

The Farm Bureau had alerted its members,

and dozens of farmers showed up at the hearing. "Cassidy had this big old Cheshire-cat grin on his face when he saw all of these farmers come filing into the room," recalls one farmer who attended. Cassidy testified first, arguing that the listing would lead to onerous and burdensome regulations that could put family farmers out of business. But then farmer after farmer got up to say that the Farm Bureau did not speak for the farmer. According to a head count taken by the Sierra Club, 69 of the 87 farmers and rural residents at the meeting disagreed with Cassidy and supported listing the shiner.

Martha Stevens, who has farmed for 45 years and is nearing retirement, says she is proud that Topeka shiners still survive in northern Missouri streams. "It means we've been doing something right," she says. "If the water kills the fish, it can't be good for us. The Topeka shiner is a darn good indication of when your water is polluted, and I believe we ought to be able to coexist and not pollute to the point that it destroys them and eventually destroys us." Stevens says the degree of support for listing the Topeka shiner appeared to take the Farm Bureau men by surprise, but if they had been paying attention to the concerns of small farmers, she says, the bureau would have realized that family farmers see pollution from big agribusiness as a far greater threat than government regulation.

The second example underscores Stevens's point. For several years now, small farmers and other rural residents in a three-county area of northern Missouri have been locked in what is so far a losing battle over pollution from confined animal-feeding operations (CAFOs). These

In 1982, Missouri's legislature enacted a "right-to-farm" law whose provisions made it difficult for the Missouri Air Conservation Commission (MACC) to act against sources of agricultural odors. Subsequently the commission exempted farms from laws that require other businesses to keep smells under control. The intent was to protect farmers when city people move out to the country and then object to normal farm smells. The exemption never contemplated, however, the intense, all-pervasive stench that comes from hundreds of thousands of hogs all housed together. In 1998, Missouri Attorney General Jay Nixon petitioned MACC to revoke the odor exemption for the state's 20 largest livestock producers. Although there was no intention of dropping the exemption for family farmers, the Missouri Farm Bureau attacked the proposal, arguing that the odor regulations were not based on sound science and would trample private property rights. In 1999, MACC approved the change, however.

Farm Bureau spokesman Estil Fretwell says the bureau worried that if regulations were imposed on the biggest farmers, they would soon trickle down to family farms. "I think we've been very clearly on the side of concerns of the average farmer in the state," he says. But AFBF's position on private property rights, one of the

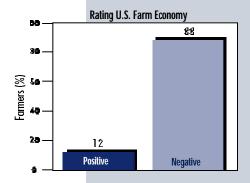
group's national priorities, suggests otherwise. The Farm Bureau wants the federal government to compensate farmers or others who lose money or have to spend it in order to comply with environmental regulations. "When society makes such demands, it is only fair that society share in the cost," reads an AFBF release. At first blush, that policy may sound like something farmers might see in their interest to support. But that is not how the issue played out in northern Missouri, where an agribusiness giant with ties to the Farm Bureau used a property rights lawsuit to force a small rural community into accepting a corporate hog farm that has essentially destroyed the town's quality of life.

In January, 1994, when residents of Lincoln Township got wind that Premium Standard Farms (PSF) wanted to build an 80,000-hog farm on the outskirts of their community, they organized a petition drive to let the company know that the town did not want the megahog farm built there. That was before PSF had purchased any land in the area. When the petitions did not work, community leaders tried to keep the corporate farm away by adopting new zoning rules. As a result, Premium Standard sued Lincoln Township for \$7.9 million, alleging violations of its corporate property rights.

With only 146 registered voters, Lincoln Township could hardly afford to defend itself against PSF's claim. PSF is the fifth-largest hog producer in the nation, right behind Cargill and Tyson Foods. This battle was truly a David-and-Goliath conflict, except that in this round, Goliath won. After a three-year legal battle, the Missouri Supreme Court ruled in 1997 that

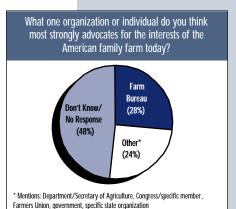
14

WHA T FARMERS THINK



About the U.S. Farm Economy

Asked to rate the overall farm economy in the United States today, most farmers (88 percent) rate it negatively (54 percent say it is "poor," 34 percent say it is "not so good"). The overwhelmingly negative view of their own economic condition puts farmers in direct contrast to Americans as a whole. National polls show more than 60 percent of Americans are positive about the U.S. economy.



About the Farm Bureau as an Advocate for Family Farmers

Fewer than one in three farmers (28 percent or 45 percent of Farm Bureau members) mention the Farm Bureau when asked to volunteer the organization or individual that most strongly advocates for the interests of the American family farm today. Nearly half (48 percent) say they don't know or give no response, while one in four (24 percent) mention groups or individuals such as the Department of Agriculture or Secretary of Agriculture, Congress or a specific member, the Farmer's Union or government.

(PINIO	N ON	FARM	BURE	AU		
		Farm Bureau Member?			Size of Farm (acres)		
	Total	Yes	No	<500	1,000	1,000+	
	%	%	%	%	%	%	
Positive	49	71	29	50	47	47	
Neutral	25	20	30	25	21	30	
Negative	16	7	23	14	21	16	
Net Positive	+33	+64	+6	+36	+26	+31	_

About the Farm Bureau in General

Farmers are three times as likely to have a positive (49 percent) as a negative (16 percent) opinion of the Farm Bureau (19 percent have a "very" positive opinion). One in four (25 percent) have a neutral opinion.

Farm Bureau members are particularly likely to have a positive opinion (71 percent), while nonmembers are evenly divided (29 percent positive, 30 percent neutral, 23 percent negative).

Those farmers negative toward the Farm Bureau perceive it to be unresponsive to the needs of family farmers or simply more interested in Farm Bureau business ventures than in farm advocacy.

Source: Telephone poll of 500 randomly selected U.S. family farmers conducted by Frederick Schneiders Research for Defenders of Wildlife in December, 1998.

townships have no authority to impose any kind of zoning regulations on farm buildings. The court rejected Lincoln Township's argument that the planned PSF operation was a massive meat-production factory, not a farm. The ruling left the town with no options, so the hogs moved in.

The community had good reason to fear what PSF's hogs might do to its environment. In fact, PSF's record of contamination problems has been so abominable that the U.S. Environmental Protection Agency (EPA) singled out PSF as the bad example to illustrate the need for stricter regulations on CAFOs. In congressional hearings in April, 1998, EPA assistant administrator Robert Perciasepe described a nightmare of manure spills, sewage leaks, fish kills and continued improper handling of waste. To begin with, he told the Senate Committee on Agriculture, Nutrition and Forestry, PSF's hogs generate more waste every day than many entire cities. Perciasepe's testimony is worth quoting at some length:

"PSF operates 15 hog farms in Mercer, Putnam and Sullivan counties in northern Missouri. The Whitetail Hog Farm alone raises 1.6 million hogs each year, approximately two percent of the national total. The 15 operations generate 31 times more wastewater each year than a city the size of Columbia, Missouri.

"From August through December in 1995, seven separate incidents at Premium Standard Farms in northern Missouri released hog urine and manure into northern Missouri waters. Six of the releases totaled more than 55,000 gallons. The Department of Natural Resources reported that more than 178,000 fish in Spring Creek,

Mussel Fork Creek and Blackbird Creek were killed, and the Department of Conservation indicated that the spills killed all aquatic life along miles of Missouri's waterways.

"On December 26, 1995, at the Whitetail Hog Farm, a crack in a pipe designed to carry waste from a hog-raising building to a sewage lagoon released more than 35,000 gallons of wastewater. The wastewater flowed into nearby Blackbird Creek, killing fish and flowing into neighboring farmland.

"In addition to these waste containment problems, in January, 1996, state inspectors reported a widespread pattern of improper animal waste disposal at Premium Standard Farms.

Missouri's Department of Natural Resources cited Premium Standard for failing to comply with permit requirements for land application of wastewater at all of its 15 farms. State inspectors determined that Premium Standard's wastewater flow was about 10 million gallons more than the approved maximum flow of 84 million gallons. In addition, the Department of Natural Resources found that one of the August, 1995, fish kills had been caused by improper land application at Premium Standard's Green Hills Farm."

After more spills were reported in 1997, the Missouri attorney general's office and a group called Citizens' Legal Environmental Action Network (CLEAN) filed legal actions claiming that PSF violated clean air and water laws. The attorney general also sued a PSF meatpacking plant for discharging raw sewage. In May, 1999, a jury agreed with CLEAN that the hog farms are a nuisance and ordered PSF (now owned by Continental Grain Co.) to pay \$100,000 each to the

52 families living nearest the farms. Three months later, PSF agreed to spend \$25 million on treating hog waste before spreading it on land. The treatment will be overseen by a court-appointed panel, and Scott Holste of the Missouri attorney general's office says PSF is being pressed to use "next generation" technology. "We're very proud of what we won in this case," he says.

Scott Dye, CLEAN's leader, says his small group has never gotten any help from the Farm Bureau in its fight with the corporate farms. According to Dye, the Farm Bureau has consistently sided with PSF on the contamination

There's never been a farmer put out of business by environmental laws. They're put out of business by factory farms that skew markets and deflate prices.

problems. Not that he expected anything different. Dye's own family has farmed in Missouri for 118 years, but Dye says he has never belonged to the Farm Bureau and will never join because he believes the organization does not truly represent family farms. "They've sold me up the river as far as I'm concerned," he says.

In 1993, the Missouri Farm Bureau lobbied in favor of the legislation that allowed the corporate farms to move into the state in the first place. When the legislature revisited the issue in 1998, the Farm Bureau once again used its clout to help push through an extension of the 1993 law so the megahog farms could not only continue to operate but could expand.

The Missouri Farm Bureau has continued to fight stricter odor regulations and any other new rules that might force the big hog operations to become better neighbors.

The Farm Bureau's support of property-rights claims especially rankles Missouri farmers. "Property rights stop at your fence line," Dye says. "Just because you call yourself a farmer doesn't give you any right to fog out your neighbor with the stink of hog manure and doesn't give you any right to pollute the water. Believe me, you get a snout full of 80,000 hogs and it will clarify your thought processes real quick."

If the Farm Bureau succeeds in persuading Congress and state legislatures to approve even stronger property-rights laws, environmentalists warn that few communities will be safe from the kind of damage PSF has inflicted on Lincoln Township. "The hog issue is a perfect example of how this ideology can cause obvious and direct damage to rural residents, including Farm Bureau members," says Ken Cook of the Environmental Working Group, a research and advocacy organization based in Washington, D.C. "Does the Farm Bureau seriously mean that communities should pay corporations when towns adopt regulations to protect themselves?" he asks.

Former AFBF president Dean Kleckner owns a hog farm himself. At the national level AFBF has fought EPA's initiative to tighten Clean Water Act regulations on large animal-feeding operations. Although AFBF says it is trying to protect small farmers from burdensome regulations, Dye says his experience suggests that farmers have nothing to fear. "There's never been a farmer put out of business by environmental laws," he

Dye's friend Rolf Cristen, active in the Sullivan County Farm Bureau for more than a decade, says he firmly believes in the bureau's mission and in working to influence its policies from the inside. The Farm Bureau has so much clout in Missouri, he says, that it is important to have it on your side. On the hog issue, however, Cristen has been getting more help lately from the Sierra Club. "If you would have told me six years ago that I would have a meeting with Sierra Club, I would have told you you are totally off your rocker," he says. The Sierra Club's Missouri program director, Ken Midkiff, adds, "I would suspect this is causing some concern for the Farm Bureau. When family farmers start aligning with the Sierra Club, that should be sending up some kind of signal."

Scott Dye sent a very strong signal by going to work for the Sierra Club. Instead of looking to the Farm Bureau for help on contamination problems, he used the Sierra Club as a base to begin his own investigation of PSF. In the process, he learned that Southern Farm Bureau Annuity Insurance Co. owns 18,872 shares of PSF. The farm bureau federations in Alabama,

Arkansas, Kentucky, Mississippi and Texas set up this insurance company, which now offers insurance in 11 states. According to financial records, the PSF stock is just part of more than \$5 billion in assets that Southern Farm Bureau Insurance owns. The Farm Bureau tie to PSF that Dye discovered is not an isolated case. Through its insurance companies and an extensive network of agricultural co-ops, AFBF's financial interests are intertwined with the biggest of agribusinesses.

In this case, the connections extend all the way to Cargill, a mammoth corporation with annual revenue of more than \$50 billion. In January, 1998, Continental Grain, an international agribusiness and financial services company based in New York, took control of PSF. The following November Cargill announced plans to buy Continental Grain. Cargill completed a scaled-back purchase of Continental's grain business in July, 1999, with approval from federal regulators even though the Department of Justice had charged that the merger would "substantially lessen competition for purchases of corn, soybeans and wheat . . . enabling it unilaterally to depress the prices paid to farmers." How the deal will affect Southern Farm Bureau Annuity Insurance's 18,872 shares of PSF stock remains to be seen. As this report will explore, these relationships create incentives for the "nonprofit" farm bureaus to lobby for policies that benefit corporations at the expense of family farms.

18