

Mary Beth Schultz

Partner

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Mary Beth brings more than two decades of senior government and legal experience to Wiley's Food & Drug Practice, where she advises clients on complex regulatory, enforcement, and policy matters involving the U.S. Food and Drug Administration (FDA), the U.S. Department of Agriculture (USDA), and related agencies.

She previously served as Acting General Counsel and Principal Deputy General Counsel at USDA; as Chief Counsel to the U.S. Senate Agriculture, Nutrition, and Forestry Committee and U.S. Senate Committee on Homeland Security and Governmental Affairs; and as a federal prosecutor with the U.S. Department of Justice (DOJ). This breadth of litigation, legislative, and Executive branch experience gives her unique insight into agency decision-making and development and implementation of agency programs and initiatives, legislation and policy development, and congressional oversight, which she leverages to guide clients through high-stakes regulatory and enforcement challenges.

At USDA, Mary Beth directed the Office of General Counsel, overseeing legal services for one of the largest Cabinet-level Departments, advising the Secretary of Agriculture and senior Department officials on a broad array of issues central to the nation's food and agriculture system, including providing leadership in areas such as food and animal safety, agricultural biotechnology, research, national security, commodity support, rural development, energy and conservation programs, pandemic response, nutrition, and foreign investment reviews. She also advised on congressional legislative and oversight matters.

Practice Areas

Agriculture and Agribusiness
Environment & Product Regulation
Food & Drug
Food and Food Ingredients
Litigation and Administrative Advocacy

Credentials

Education
J.D., *cum laude*, Harvard Law School;
Honorary Irving R. Kaufman Public Interest Fellow
B.A., University of Nebraska

Law Journals
General Editor, *Harvard Women's Law Journal*

Clerkships
Law Clerk for the Honorable John R. Gibson, Court of Appeals for the Eighth Circuit (1996-1997)

Bar and Court Memberships
District of Columbia Bar
Missouri Bar

Mary Beth is widely recognized as a leader in agriculture and food law and policy. Her enterprise-wide knowledge of USDA, combined with her DOJ experience – and her understanding of how the work of USDA and DOJ intersects with the FDA, the U.S. Environmental Protection Agency, and other agencies – provides exceptional value to clients navigating overlapping regulatory frameworks.

Her practice focuses on regulatory, enforcement, and policy matters involving USDA- and FDA-regulated products. She advises clients on aligning compliance strategies with business objectives and counsels on a broad range of issues before these agencies.

Representative Matters

- Directed the Office of General Counsel at USDA, overseeing all legal services for one of the largest Cabinet-level agencies, advising the Secretary of Agriculture and senior Department officials on a broad array of issues central to the nation's food and agriculture system, including in areas such as food and animal safety, agricultural biotechnology, research, national security, commodity support, rural development, energy and conservation programs, pandemic response, nutrition, and foreign investment reviews. She also advised on congressional legislative and oversight matters.
- Guided USDA leadership through complex regulatory, enforcement, and legislative issues such as: (1) implementation of the 2018 Farm Bill, the Inflation Reduction Act, and appropriations bills; (2) providing technical assistance to Congress on legislative proposals; and (3) interagency issues and processes including in areas such as the Committee on Foreign Investment in the United States (CFIUS), environmental and land management issues, and appropriations issues.
- Supervised and managed a \$60 million legal office budget and a team of attorneys, leading modernization initiatives to improve efficiency, collaboration, and attorney support.
- Played a lead role in drafting, negotiating, and securing passage of the 2018 Farm Bill (P.L. 115-334).
- Played a lead role in the development of provisions included in the Build Back Better Act and the Inflation Reduction Act, bills addressing COVID-19, and numerous homeland security bills such as cybersecurity and emergency preparedness and response legislation.
- Counseled on legislative initiatives affecting the Commodity Futures Trading Commission (CFTC), including reauthorization of the Commodity Exchange Act and cryptocurrency issues.
- Directed congressional investigations and oversight into agency operations on numerous issues and programs, including the response to Hurricane Katrina.
- Led Senate committee negotiations with the U.S. House of Representatives on multiple bipartisan bills and managed Senate floor strategy and markups for major legislation.
- Managed vetting of numerous nominees to Senate-confirmed positions.
- Prosecuted complex FDA and other consumer protection enforcement matters as a Trial Attorney at DOJ, including civil and criminal cases under the Federal Food, Drug, and Cosmetic Act; Controlled Substances Act; and Consumer Product Safety Act.

- Advised on fraud, conspiracy, and money laundering cases, developing legal strategies and managing nationwide investigations and litigation in federal courts.
- Served as Acting General Counsel of the USDA, advising Cabinet-level officials, managing interagency legal processes, and providing strategic guidance on emerging technologies, including generative AI.

Professional Experience

- U.S. Department of Agriculture
 - Acting General Counsel (2023-2024)
 - Principal Deputy General Counsel (2023 and 2024-2025)
 - Deputy General Counsel (2022-2023)
- Chief Counsel, U.S. Senate Committee on Agriculture, Nutrition & Forestry (2017-2022)
- U.S. Senate Committee on Homeland Security & Governmental Affairs
 - Chief Counsel (2014-2017)
 - Chief Counsel for Homeland Security (2013-2014)
 - Associate Staff Director and Chief Counsel for Preparedness and Response (2010-2013)
 - Counsel (2004-2010)
- Trial Attorney, U.S. Department of Justice Consumer Protection Branch, Attorney General Honors Program (1998-2004)
- Fellow, Southern Poverty Law Center, (1997-1998)
- Summer Associate, Private law practice (1994 and 1996)