Congress of the United States  
Washington, DC 20515  

May 18, 2011

The Honorable Tom Vilsack  
Secretary of Agriculture  
U.S. Department of Agriculture  
1400 Independence Ave. SW  
Washington, DC 20250

Dear Secretary Vilsack,

Following your testimony during the February 17, 2011, hearing of the House Agriculture Committee, we are writing in regard to the proposed Grain Inspection, Packers and Stockyards Administration (GIPSA) rule on the marketing of livestock and poultry. Your prompt response to the concerns that have previously been raised on this matter and your commitment to conduct a more thorough economic analysis of the proposed rule are appreciated.

As the Department continues to review the more than 60,000 public comments received and conduct a more thorough economic analysis of the proposed rule, we urge you to proceed in a manner that allows further public comment on revisions to the proposal and the pending economic analysis before a final or interim final rule is published. Withdrawing the June 22, 2010, proposed rule and re-proposing a revised rule once the Department completes its economic analysis would allow stakeholders the opportunity they deserve to comment on what we hope will be substantial changes to the proposal more consistent with the intent of Congress outlined in the 2008 Farm Bill.

During debate over the 2008 Farm Bill, amendments were considered and rejected in both the House and Senate regarding many of the specific provisions the Department has outlined in the proposed rule, such as record keeping and competitive injury. Instead, Congress provided a narrow set of issues for the Department to address. It is troubling that the Department appears to be using the rule-making process to accomplish objectives specifically rejected by Congress, and we are confident any such rule will not be looked upon favorably by Congress.

Particularly in a climate in which additional scrutiny is being applied to regulations seen as overreaching or overly burdensome, we urge the Department to proceed in a transparent manner that allows for those most impacted by this action a chance to comment on not only pending changes to the proposal but the accompanying economic analysis as well. Further, to follow up on specific questions raised during the February 17 hearing, we request that the Department provide an update on the timeline for completion of the economic analysis and further action on the proposal.

Your consideration is appreciated and we look forward to your prompt response.

Sincerely,

Jim Costa  
Member of Congress

Reid Ribble  
Member of Congress

Frank Lucas  
Member of Congress
The Honorable Tom Vilsack
Secretary of Agriculture
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Tom Rooney
Member of Congress

Dennis Cardoza
Member of Congress

Bob Goodlatte
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Tim Holden
Member of Congress

Steve King
Member of Congress

Mike McIntyre
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Henry Cuellar
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Jean Schmidt
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Kurt Schrader
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Larry Kissell
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Stephen Lee Fincher  
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