

OK Farm Report

Congressman Line Up to Sign Letter to Protest Actively Engaged Rules USDA is Using in 2009 Farm Program Signup May 20, 2009

The U.S. Department of Agriculture's (USDA) payment limitation and eligibility interim final rule (IFR) "goes far beyond congressional intent" and makes discretionary changes to the actively-engaged rule, House Agriculture Committee members Mike McIntyre (D-NC), Frank Lucas (R-OK) and 66 other House colleagues told Secretary Tom Vilsack in a bipartisan letter yesterday. McIntyre chairs the Subcommittee on Rural Development, Biotechnology, Specialty Crops, and Foreign Agriculture. Lucas is the committee's ranking Republican.

"The narrow crafting of the payment limitation and eligibility provisions of the 2008 farm bill reflects the intention of Congress to provide continuity existing rules...established under the 2002 Farm Bill," the letter said.

The Food, Conservation, and Energy Act of 2008 (farm bill) "in no way requires or directs USDA to make changes to the way individuals and entities are determined to be 'actively-engaged-in-farming' except in the case of certain spouses," the letter said. The new rule "forces producers to make irrevocable changes to their operations and then possibly forces them to make additional changes for the 2010 crop year."

The lawmakers said the 2008 farm bill "contains significant reform" and expressed concern that the IFR changes "create legal uncertainty and confusion" about what constitutes being 'actively-engaged.'