



**Opening Statement
Chairman Scott Tipton
Committee on Small Business
Subcommittee on Agriculture, Energy and Trade
“Adrift in New Regulatory Burdens and Uncertainty: A Review of Proposed and Potential
Regulations on Family Farmers”
November 17, 2011**

I want to thank everyone for taking time out of their busy schedules to join us today. I'd like to give a special welcome to Mr. Leonard Felix, a constituent of mine and aerial applicator from Olathe, Colorado. Welcome, Mr. Felix.

Farmers, ranchers, and small business owners today face a sea of onerous new regulations from the federal government. Although our nation's agricultural community is expected to continue increasing food production to feed a growing world population, the current Administration continues to contemplate and propose new regulations that would place increased burdens on American agriculture and make production more costly. With our economy struggling to rebound from the downturn, now is not the time to saddle farmers and ranchers with higher costs and more onerous regulations that risk driving them out of business.

Today we will examine two EPA regulations threatening family farms and small businesses; a duplicative pesticide permit requirement and potentially tougher air quality standards on farm dust. Both of these issues are of serious concern to farmers across the nation, including my home state of Colorado where agribusiness generates \$20 billion in economic activity each year and creates more than 100,000 jobs.

On October 31, 2011, a federal regulation took effect, expanding permit requirements for pesticide applications. However, Federal law already regulates the registration, labeling, and use of pesticides and provides environmental and public health protection. This expanded requirement is duplicative and yet another costly form of red tape that brings with it no added environmental protection.

The EPA has estimated the expanded permit requirement will affect some 365,000 pesticide users at a total cost of fifty million dollars per year, but the real cost to small businesses could be much greater.

A second regulatory concern we will examine today that threatens rural economies is the potential for more stringent EPA restrictions on farm dust. The EPA is currently in the process of revising the National Ambient Air Quality Standards for particulate matter, including dust. While I am pleased that the EPA Administrator has announced that she does not intend to make current standards for coarse particulate matter more stringent, the revised rule has not yet been finalized; uncertainty lingers and there is still no agricultural exemption for farm dust in the EPA's standards. In fact, producers in Arizona already fall within the reach of current dust standards and have been forced to change their farming practices as a result. If the agency were to adopt more stringent standards, many more rural areas would be affected.

As some of the witnesses here today will testify, dust is an unavoidable result of agricultural production and a fact of life in rural communities. Planting and harvesting crops and driving down dirt roads naturally stir up dust. The only way to prevent this dust is to halt or reduce agricultural production and other activities in rural areas, which could be devastating to local economies and potentially cause food prices to rise.

Unfortunately, the two federal regulatory concerns highlighted today are not the only ones creating uncertainty and worrying the agricultural community. They are part of a wave of onerous, overreaching proposed and potential regulations that the current Administration is considering; leaving family farmers and ranchers adrift in new regulatory burdens. With nearly one in ten Americans unemployed and our country still struggling to crawl out of this economic downturn, it is imperative that we stop the advancement of these and other new job-killing government regulations.

Two of my colleagues on the House Agriculture Committee have introduced legislation to bring regulatory relief and certainty back to the agricultural sector. Congressman Bob Gibbs of Ohio has introduced H.R. 872, the Reducing Regulatory Burdens Act, which would eliminate the costly and duplicative permit requirement for pesticide applications near water. Congresswoman Kristi Noem of South Dakota has introduced H.R. 1633, the Farm Dust Regulation Prevention Act, which would give necessary certainty to small business owners in rural America that farm dust will not be included in EPA standards.

Providing greater regulatory certainty and regulatory relief to our nation's farmers, ranchers, and rural communities is absolutely critical. Creating an environment conducive for economic growth will enable farmers to grow crops and assist with getting our nation back on the path to future economic prosperity.

Again, I want to thank our witnesses for participating and I look forward to their testimonies. I now yield to my colleague, Ranking Member Critz, for his opening statement.