

PAT ROBERTS, KANSAS  
CHAIRMAN

THAD COCHRAN, MISSISSIPPI  
MITCH MCCONNELL, KENTUCKY  
JOHN BOOZMAN, ARKANSAS  
JOHN HOEVEN, NORTH DAKOTA  
DAVID A. PERDUE, GEORGIA  
JONI ERNST, IOWA  
THOM TILLIS, NORTH CAROLINA  
BEN SASSE, NEBRASKA  
CHARLES E. GRASSLEY, IOWA  
JOHN THUNE, SOUTH DAKOTA

# United States Senate

COMMITTEE ON  
AGRICULTURE, NUTRITION AND FORESTRY

WASHINGTON, DC 20510-6000

202-224-2035

DEBBIE STABENOW, MICHIGAN  
RANKING DEMOCRATIC MEMBER

PATRICK J. LEAHY, VERMONT  
SHERROD BROWN, OHIO  
AMY KLOBUCHAR, MINNESOTA  
MICHAEL F. BENNET, COLORADO  
KIRSTEN E. GILLIBRAND, NEW YORK  
JOE DONNELLY, INDIANA  
HEIDI HEITKAMP, NORTH DAKOTA  
ROBERT P. CASEY, JR., PENNSYLVANIA

April 19, 2016

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

Dear Mr. Secretary:

I write to express concern about recent statements that the U.S. Department of Agriculture (USDA) is considering reissuing controversial rules that were originally proposed six years ago by the Grain Inspection, Packers and Stockyards Administration (GIPSA). The meat, livestock and poultry sectors have long contributed to our country's agricultural economy. Ranchers have shaped the rich history of my home state of Kansas where rural communities and cities were built on the meat and livestock sectors and are still vibrant today because of those successes. I am concerned about any administrative actions by USDA that could have negative ramifications for these industries that we both view as important stakeholders. Further, it was due to this concern that Congress chose to allow implementation of only certain provisions of the 2010 proposal, while preventing implementation of other provisions that were considered the most onerous or beyond congressional intent.

I caution USDA from finalizing controversial provisions of the 2010 GIPSA rule or proposing new regulations related to this subject matter in haste. Extensive departmental outreach to impacted stakeholder groups is necessary in creating an informed proposal, and to date this has not occurred. Furthermore, simply reviewing industry comments submitted for the 2010 proposal is unacceptable given the changes in the meat, livestock and poultry sectors over the past six years. A current Cost Benefit Analysis (CBA) would also need to be conducted to ensure current marketplace conditions are accounted for and the proposal does not result in undue costs. As you will recall, industry estimates determined the 2010 proposal had costs exceeding \$1 billion, and at that time, Congress raised concerns with the development of USDA's CBA.

Finally, the 2010 proposal allowed 150 days for stakeholders to submit comments. I respectfully suggest an equal minimum amount of time for public comment should USDA proceed with taking any action, regardless if the provisions are new or were issued as part of the 2010 proposal. The meat, livestock and poultry sectors deserve the opportunity to take a thorough and renewed look at the impacts the proposal will have on their businesses given the current marketplace conditions.

The U.S. meat, livestock and poultry sectors contribute greatly to the vitality of rural communities across the country. Finalizing controversial provisions of the 2010 GIPSA rule or proposing new, unwarranted regulations related to this subject matter may stifle economic opportunity, increase regulatory burdens, and result in significant negative consequences. USDA

needs to collaborate with these stakeholders and not hastily issue far reaching regulations that will cause undue harm. I appreciate a response in writing with your view of any widespread changes that have occurred in the marketplace that may warrant reconsideration by USDA of these same or related measures. Thank you for your time and attention to this matter.

With every best wish.

Sincerely,

A handwritten signature in blue ink that reads "Pat Roberts". The signature is written in a cursive style and is positioned above a horizontal line.

---

Pat Roberts  
Chairman