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**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515-2504**

October 22, 2010

The Honorable Tom Vilsack  
Secretary of Agriculture  
Washington, DC 20250

Dear Mr. Secretary:

On October 1, 2010, over one-quarter of the U.S. House of Representatives wrote to you regarding a proposed rule on livestock marketing that had been set forth by the Grain Inspection, Packers, and Stockyards Administration (GIPSA) on June 22, 2010. Our correspondence asked that the Department of Agriculture conduct and present to the public a comprehensive economic study of the proposed rule so that the farmers we represent and the people's representatives themselves can better determine the impact of GIPSA's proposal.

While I appreciate receiving the Department's prompt response this week, the correspondence does not adequately address our primary request of the Department. Rather, it indicates that the Department has already conducted, in its view, a sufficient cost-benefit analysis pursuant to Executive Order 12866 and the Regulatory Flexibility Act and will review "the public comments to inform the Department if all factors have been properly considered." Further, the letter specifies that GIPSA had already made its economic analysis available to the public at the time the rule was published – on pages 35345 to 35349 of the *Federal Register*.

Prior to writing to you on October 1, 2010, I had reviewed the proposed GIPSA rule. I did not believe at that time that the cost-benefit analysis set forth in the *Federal Register* provided producers enough information for them to evaluate the potential impacts of the proposed rule. That is why I joined my colleagues from rural America in asking for more detailed information from the Department.

On at least nine occasions on pages 35345 to 35349 of the *Federal Register*, GIPSA sets forth a nominal cost-benefit analysis then proceeds to invite farmers and other stakeholders to provide "specific comments on additional categories of cost and benefit items as well as their magnitudes." In essence, the Department has asked producers to do its homework.

It is not fair to ask American farmers to run complex and potentially very costly calculations about GIPSA's proposed rule when the Department's economists and lawyers should have done that before soliciting public comment in the *Federal Register*. That is why I again ask the Department to examine GIPSA's proposal and provide American farmers and their elected representatives in Congress with more precise economic data about it. I look forward to hearing back from you in the coming days.

With kind regards, I remain

Sincerely,  


IKE SKELTON  
Member of Congress

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