



Forging a partnership between farmers and consumers
• Working together for Ohio's farmers •

November 27, 2007

Director
Production, Emergencies, & Compliance Division
Farm Service Agency (FSA)
United States Department of Agriculture (USDA)
STOP 0517
1400 Independence Avenue, SW
Washington, D.C. 20250-0517

RE: Cash and Share Lease Provisions for Future Farm Programs. Published in the Federal Register September 28, 2007. Farm Service Agency and Commodity Credit Corporation, USDA RIN 0560-AH75.

The Ohio Farm Bureau Federation (OFBF) is the largest general farm organization in the state of Ohio with members in all of Ohio's 88 counties. Our members produce virtually every kind of agricultural commodity and as a result, OFBF is very interested in the nation's policy regarding cash and share leases. Thank you for this opportunity to comment.

It is our opinion that all "combination" or "flex" leases, as USDA defines them, should be considered cash leases for several reasons, or at a minimum, the producer should be given the flexibility or option of categorizing such agreements.

First, we share USDA's concerns regarding the use of leases to avoid the impact of statutory payment limits. We believe the Department should use various tools to reduce any such instances. In our review of new farm legislation, now moving through Congress, it appears that new direct attribution requirements may become law. If this happens, this new tool will aid USDA in tracking payments and help enforce the Department's concerns per payment limits. It is our opinion that such tools may better serve the Department's efforts, versus the creation of new complicated requirements and definitions for leases.

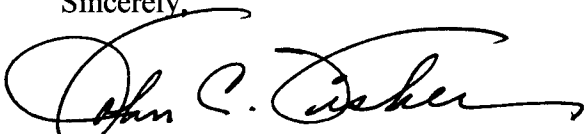
Second, we are concerned that as landowners are increasingly unaware or uninformed about agriculture and agricultural programs, any new complex set of requirements around leases will only serve to make an already complex set of rules even more so. We believe that simplicity and reducing the already vast paper work burden for farmers and landowners is the right direction for future farm policy.

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Reporting requirements are also of concern. The Federal Register and current federal rules state that "each producer must provide a copy of their written lease to the county committee and, in the absence of a written lease, must provide to the county committee a complete written description of the terms and conditions of any oral agreement or lease." This rule, which requires that farmers must provide key business information to members of the county committee, who in many cases are their direct market competitors, is of serious concern. While at times private or confidential business information is required to be submitted to the government, current law offers protection per who can view or have access to this information and the release of this information. We do not believe that such detailed lease agreements should be required to be placed in the hands of county committee members.

Any future rulemaking regarding cash and share leases should not be proposed without careful consideration for the protection of this information. Current rules and any additional changes that make such information potentially accessible to the public could have severe economic impact on farmers, their families and communities. Thank you again for this opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to read "John C. Fisher". The signature is fluid and cursive, with a large initial "J" and "F".

John C. Fisher, Executive Vice President
Ohio Farm Bureau Federation

CC: Senator George Voinovich
Senator Sherrod Brown
Rep. John Boehner
Rep. Zack Space
Rep. Jean Schmidt