

Story of Hutterite's USDA farm subsidies Complaint (page 1)

The story of my complaint concerning USDA farm subsidies for Hutterite colonies starts with a letter of introduction I sent to 3 Hutterite colonies in the Lewistown, Montana, area. They are Ayers Colony, King Colony, and Spring Creek Colony. I wanted to visit the colonies to discuss the possibility of joining a colony. You can find their webpage at [www.enjoylewisstown.com], as a updated website for the 'Destination Lewistown, Montana' website. Click on the Homepage link 'Enjoy Central Montana', find the subject 'Culture', then click on the topic link 'Learn about the Hutterite Colonies of Central Montana'.

I received a letter from Walter Hofer dated 3/10/2008. Walter Hofer is from King Colony, Lewistown, MT, also known as King Ranch Colony and King Colony Ranch. In reference to the possibility of joining a Hutterite colony Walter Hofer says,

"I have brought your letter to the attention of our colony members and other members among different colonies. We are all in agreement that it is impossible for you, or anyone else, to join a Hutterite colony."

At the time, I characterized Walter Hofer's statements as a closed admission policy. The statements can be characterized as a closed membership policy, and, in the case of Hutterite colonies, a closed membership and admission policy. The idea I want to convey is a closed door policy concerning joining a Hutterite colony.

You can find a copy of Walter Hofer's letter at the link for 'Hutterite correspondence' or the link for 'Walter Hofer's letter 3-10-2008, 8USC1448'.

I wanted to know if there is a official policy concerning joining a Hutterite colony, so I corresponded with John Stahl, a minister at Veteran Colony, Alberta, Canada, and President of the Hutterian Brethren Church, representing 460 Hutterite colonies in Canada and the USA.

In a telephone conversation with John Stahl on 1/8/2010 he informed me that it is possible for a person to join a Hutterite colony under 2 conditions:

- 1) A person must accept the teachings of the Hutterian Brethren Church.
- 2) A person must accept a 1-year trial period at a Hutterite colony to determine if the arrangement will work.

I requested documentation of the official policy concerning joining a Hutterite colony but John Stahl did not send any documentation to me.

You can find US Postal Service information for my correspondence with John Stahl at the link for 'Hutterite correspondence'.

From my research on the Internet, I knew Hutterite colonies were receiving USDA farm subsidies. The USDA farm subsidy totals for the 3 Hutterite colonies in the Lewistown, MT, area are:

- 1) Ayers Ranch Colony Inc, Grass Range, MT 59032
[Subsidy Total 1995-2010: \$406,871.38]
- 2) King Ranch Colony, Lewistown, MT 59457
[Subsidy Total 1995-2010: \$786,899.00]
- 3) Spring Creek Colony, Lewistown, MT 59457
[Subsidy Total 1995-2010: \$1,134,210.51]

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The total is \$2,327,980.89. The USDA farm subsidy data is from the Environmental Working Group's Farm Subsidy Database at [<http://farm.ewg.org/>].

From my research on the Internet, I know there are over 150 Hutterite colonies receiving farm subsidies. I also know Hutterite colonies are operating with the IRS tax-exempt classification 501(d) Apostolic and religious organization. So, Hutterite colonies are operating as a tax-exempt nonprofit religious organization.

I filed a complaint with USDA in Washington, DC. I filed my complaint with Ed Schafer, Secretary of Agriculture under the Bush Administration, and Tom Vilsack, Secretary of Agriculture under the Obama Administration, and USDA's Farm Service Agency (FSA).

I informed USDA that Hutterite colonies were operating with a closed admission policy and the IRS tax-exempt classification 501(d).

I made the case for the termination of farm subsidies for Hutterite colonies and a revision of the farm subsidy program eligibility requirements so a tax-exempt nonprofit [religious] organization would not be eligible for farm subsidies.

I received 2 statements from John Johnson, Deputy Administrator for Farm Programs, dated 9/5/2008 and 10/14/2008, and a e-mail from Candace Thompson, Acting Deputy Administrator for Farm Programs, dated 3/4/2009, as USDA's resolution of my complaint.

To make a long story short, USDA failed to correct the problem of farm subsidies for Hutterite colonies and established a position of supporting farm subsidies for a nonprofit religious organization.

USDA's position concerning farm subsidies for Hutterite colonies can be summarized as:

1:

There is no statutory or regulatory requirement for a farm subsidy recipient to operate with a open admission policy, to offer employment to the public, or for the public to receive a return of equal value to their financial investment in farm subsidies for a organization.

2:

There is no statutory or regulatory basis for denying farm subsidies for Hutterite colonies operating with a closed admission policy or operating as a tax-exempt nonprofit religious organization.

3:

A nonprofit religious organization can be eligible for farm subsidies.

You can find a copy of the e-mails I sent to Ed Schafer and Tom Vilsack, and US Postal Service information for the complaints I sent to them, at the link for 'USDA correspondence'.

You can find a copy of the statements and e-mail I received from FSA at the link for 'USDA Statements as resolution of Complaint'.

You can find a copy of the statements and e-mail I received from FSA, and US Postal Service information for the complaints I sent to FSA, at the link for 'USDA correspondence'.

I sent my complaint to the House Committee on Agriculture via Congresswoman Nancy Pelosi's Washington, DC Office on 6/8/2009. I received a e-mail from Nancy Pelosi dated 10/20/2009 to inform me that the House Committee on Agriculture received my letter (complaint).

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You can find a copy of Nancy Pelosi's e-mail at the link for 'Nancy Pelosi correspondence'.

I did not receive confirmation from Nancy Pelosi's Washington, DC Office of reception of my complaint for the House Committee on Agriculture within 1-month of delivery. So, I decided to send my complaint directly to the House Committee on Agriculture on 7/21/2009. I requested a statement from the committee concerning their resolution of my complaint.

From my research of the Farm Bill, I discovered the source of the problem of farm subsidies for a tax-exempt nonprofit [religious] organization. The source of the problem is the Farm Bill's definition of a Producer as,

“an owner, operator, landlord, tenant, or sharecropper that shares in the risk of producing a crop and is entitled to share in the crop available for marketing from the farm, or would have shared had the crop been produced.”

As of September 2012 the Senate Committee on Agriculture, Nutrition & Forestry, has passed its version of the Farm Bill 2012 known as S. 3240, and the House Committee on Agriculture has passed its version of the Farm Bill 2012 known as H.R. 6083. The definition of a Producer found in both the Senate and House versions of the Farm Bill 2012 is the same as the definition of a Producer found in the House version of the Farm Bill 2007 known as H.R. 2419.

From all of the Farm Bill 2012 text material I have reviewed, I have not found a solution to the problem of farm subsidies for a tax-exempt nonprofit [religious] organization.

You can find the Farm Bill 2012 text material at these websites:

- 1) Senate Committee on Agriculture, Nutrition & Forestry

Website: www.ag.senate.gov

Webpage: <http://www.ag.senate.gov/issues/farm-bill>

- 2) House Committee on Agriculture

Website: www.agriculture.house.gov

Webpage: <http://agriculture.house.gov/farmbill>

I sent different complaints to the House Committee on Rules (2009) and the Senate Committee on Homeland Security & Governmental Affairs (2010). I requested a statement from the committees concerning their resolution of my complaint.

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> Timeline

Complaint sent to USA Government Committee and Statement Received from Committee

1. House Committee on Agriculture
 - a) Complaint
 - 1) Complaint Sent: 7/21/2009
 - 2) Complaint Delivered: 7/27/2009
 - b) Statement
 - 1) Statement Received: No Statement received as of 10/1/2012
 - 2) Time Elapsed: 3 years 2 months
2. House Committee on Rules
 - a) Complaint
 - 1) Complaint Sent: 7/21/2009
 - 2) Complaint Delivered: 7/27/2009
 - b) Statement
 - 1) Statement Received: No Statement received as of 10/1/2012
 - 2) Time Elapsed: 3 years 2 months
3. Senate Committee on Homeland Security & Governmental Affairs
 - a) Complaint
 - 1) Complaint Sent: 2/1/2010
 - 2) Complaint Delivered: 2/5/2010
 - b) Statement
 - 1) Statement Received: No Statement received as of 10/1/2012
 - 2) Time Elapsed: 2 years 7 months

As of 10/1/2012 I have not received a statement from the House Committee on Agriculture, House Committee on Rules, or the Senate Committee on Homeland Security & Governmental Affairs, concerning their resolution of my complaint.

You can find a copy of my complaint for the House Committee on Agriculture at the link for 'Complaint, House Committee on Agriculture, 2009'.

You can find a copy of my complaint for the House Committee on Rules at the link for 'Complaint, House Committee on Rules, 2009'.

You can find a copy of my complaint for the Senate Committee on Homeland Security & Governmental Affairs at the link for: 'Complaint, Senate Committee on Homeland Security, 2010'.

You can find US Postal Service information for the complaints I sent to the 3 USA Government committees at the link for 'US Postal Service info for Complaints'.

My complaints are valid complaints and deal with violations of the law or operating procedure. The failure of the 3 USA Government committees to send a statement to me within a 2-3 year time period leads to a finding of a flawed USA Government committee system. System errors are a problem that needs a solution.

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Concerning farm subsidies for Hutterite colonies, I have included documentation for over 150 Hutterite colonies, and over 25 farms that may be a Hutterite colony, as USDA farm subsidy recipients, including IRS tax classification data. The documentation for over 150 Hutterite colonies is referred to as Master Set 1. The documentation for over 25 farms is referred to as Master Set 2.

The objective of the documentation is to confirm these 2 points:

- 1) Confirm a Hutterite colony as a USDA farm subsidy recipient.
- 2) Confirm the IRS tax classification of a Hutterite colony, or a farm, as a USDA farm subsidy recipient.

The documentation for Hutterite Colonies (Master Set 1) sets up a profile of a Hutterite colony as a USDA farm subsidy recipient with this data:

- 1) USDA farm subsidy data
- 2) IRS tax classification data
- 3) Company Profile data
- 4) Hutterite Place Names data
- 5) Hutterite Directory data

The documentation includes this material and these 2 sets of USDA farm subsidy data:

- 1) List of Evidence, Findings, Conclusion
Original Evidence (Long Form)
(original evidence includes USDA farm subsidy data for timeframe 1995-2006)
- 2) List of Evidence, Findings, Conclusion
New Evidence 1
(new evidence 1 includes USDA farm subsidy data for timeframe 1995-2010)
- 3) Short Form of Evidence for Original Evidence (OE) and New Evidence 1 (NE1)

The documentation for the original evidence, new evidence 1, and the short form of evidence, is divided into these 2 categories:

- 1) Confirmed as EO
- 2) Investigation as EO

EO stands for exempt organization and represents a IRS tax-exempt classification. Organizations that are Confirmed as EO received USDA farm subsidies as a tax-exempt organization during the timeframe 1995-2010.

To simplify the process of examining the documentation, start with the Short Form of Evidence. The Short Form of Evidence includes the key pieces of documentation to confirm the profile of a organization found in the Dataset in the Conclusion from the List of Evidence for New Evidence 1, or, in the case of a new addition to a original Master List with USDA farm subsidy data for timeframe 1995-2010, found in the Dataset in the Conclusion from the List of Evidence for Original Evidence. The Short Form of Evidence will resolve the original evidence and the new evidence 1.

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The documentation is set up for these states:

- 1) Minnesota (MN)
- 2) Montana (MT)
- 3) North Dakota (ND)
- 4) South Dakota (SD)
- 5) Washington (WA)

The documentation for Farms (Master Set 2) sets up a profile of a farm as a USDA farm subsidy recipient with the available data from the profile data for Master Set 1.

The documentation includes this material and this set of USDA farm subsidy data:

- 1) List of Evidence, Findings, Conclusion, and Original Evidence (Long Form)
(original evidence includes USDA farm subsidy data for timeframe 1995-2010)

The original evidence is referred to as long form as a form of evidence but the set of evidence is condensed compared to the long form of original evidence for Master Set 1. The set of evidence is in a short form so a short form of evidence is not included.

The documentation is divided into these 2 categories:

- 1) Confirmed as EO
- 2) Investigation as EO

EO stands for exempt organization and represents a IRS tax-exempt classification. Organizations that are Confirmed as EO received USDA farm subsidies as a tax-exempt organization during the timeframe 1995-2010.

The documentation is set up for these states:

- 1) Minnesota (MN)
- 2) Montana (MT)

The documentation for Hutterite Colonies (Master Set 1) and Farms (Master Set 2) includes these 2 types of documentation:

- 1) List of Evidence, including Findings and Conclusion
- 2) Documentation as evidence

You will find these 2 types of documentation for Hutterite Colonies (Master Set 1) set up in 2 different files for submission to a court.

You will find these 2 types of documentation for Farms (Master Set 2) set up in the same file for submission to a court. The amount of documentation for Master Set 2 is alot less than the amount for Master Set 1, so the 2 types of documentation can be set up in the same file.

For a key to help understand the documentation, and a guide to the documentation, refer to the Master Lists. The Master Lists can be found at the link 'Evidence', Part 5: Evidence, Section 1: Master Lists, in the file:

01, Master Lists