

Summary of Objections to USDA farm subsidies for Hutterite Colonies and Farms named in
Complaint
(page 1)

1. Objection 1

Objection: closed membership and admission policy concerning joining a Hutterite colony

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.

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.

I believe a closed membership and admission policy concerning joining a Hutterite colony is a violation of US citizenship as expressed in US Code, Title 8, 1448 (8 USC 1448), known as the ‘Oath of renunciation and allegiance’.

To summarize the Oath,

(a) Public ceremony

A person [applying for citizenship will take] an oath

- (1) to support the Constitution of the United States;
- (2) to renounce and abjure absolutely and entirely all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty of whom or which the applicant was before a subject or citizen;
- (3) to support and defend the Constitution and the laws of the United States against all enemies, foreign and domestic;
- (4) to bear true faith and allegiance to the same; and

Summary of Objections to USDA farm subsidies for Hutterite Colonies and Farms named in
Complaint
(page 2)

(5)

- (a) to bear arms on behalf of the United States when required by the law, or
- (b) to perform noncombatant service in the Armed Forces of the United States when required by the law, or
- (c) to perform work of national importance under civilian direction when required by the law.

[Note:

Exemption from performing any type of service in the Armed Forces will be granted to a person on religious grounds.]

Reason for Objection:

I believe Hutterite colonies that want to exclude the public from joining their colonies should not be receiving USDA farm subsidies. Exclusion will result in a unbalanced scale and a financial loss for the public, recognized by the loss of a public benefit or zero public benefit.

2. Objection 2

Objection: Hutterite colonies are not offering employment

Hutterite correspondence makes it clear that Hutterite colonies are not offering employment.

Examples of Hutterite correspondence:

1) Clarence Hofer

Minister, Big Stone Colony
Graceville, MN

From letter dated 7/11/09,

“All Hutterite Communités in Canada + USA are Religious groups of People ranging from 40 to over 200 people in ea group. we do not offer employment positions from outside at our communités as a member but some communités do have LLCs. where they might hire out side workers.

Big Stone Colony does not hire outside workers all of our people live + work here for Food Clothing + Shelter.”

Contact Information (from Hutterite Directory):

Clarence Hofer

Minister, Big Stone Colony

ph: 320-748-7961

address:

Big Stone Colony

75217 Big Stone Colony Rd

Graceville, MN 56240-4715

Summary of Objections to USDA farm subsidies for Hutterite Colonies and Farms named in
Complaint
(page 3)

2) Eli Hofer
Minister, North Harlem Colony
Harlem, MT

From letter from 2009,

“Hutterite colonies don’t employ or pay wages.”

Contact Information (from Hutterite Directory):

Eli Hofer
Minister, North Harlem Colony
ph: 406-353-2667
address:
North Harlem Colony
53 Lilac Loop
Harlem, MT 59526

3) Bill Glanzer
Minister, Fordham Colony
Carpenter, SD

From letter from 2009,

“You had some questions about colony life regarding employment positions, they are pretty well filled as far as pay rates no one gets a salary. everything is shared, but a good Doctor M.D. we could probably use.”

Contact Information (from Hutterite Directory):

Bill Glanzer
Minister, Fordham Colony
ph: 605-532-3957
address:
Fordham Colony
533 Fordham Drive
Carpenter, SD 57322

Summary of Objections to USDA farm subsidies for Hutterite Colonies and Farms named in
Complaint
(page 4)

4) Patrick Murphy
Member, James Valley Colony
Elie, MB
Canada

From e-mail dated 7/20/09,

“Mike Tschetter forwarded your letter to me. As far as employment opportunities, few colonies hire workers, unless for specific, short-term tasks where the Hutterites are unable to do the work themselves.”

Contact Information (from Hutterite Directory, except for e-mail address):

Patrick Murphy
Member, James Valley Colony
e-mail: luke631@mts.net
ph (Switchboard): 204-353-2006 (ext. 202)
address:
James Valley Colony
100 James Valley Rd., Box 324
Elie, MB R0H 0H0

Reason for Objection:

I believe Hutterite colonies that are not offering employment should not be receiving USDA farm subsidies. No offer of employment will result in a unbalanced scale and a financial loss for the public, recognized by the loss of a public benefit or zero public benefit.

Summary of Objections to USDA farm subsidies for Hutterite Colonies and Farms named in
Complaint
(page 5)

3. Objection 3

Objection:

- 1) Hutterite colonies are operating with the IRS tax-exempt classifications 501(d), 501(c)(3), and 501(c)(24).
- 2) Farms are operating with the IRS tax-exempt classification 501(d).

A) IRS tax classifications

1) 501(d)

a) IRC Section: 501(d) Apostolic and religious organization

b) Example (Hutterite colony):

Name, USDA farm subsidy recipient:

[Heartland Hutterian Brethren Inc, Lake Benton, MN 56149]

Name, IRS:

[Heartland Hutterian Brethren Inc, 2171 100th Ave, Lake Benton, MN 56149-1122]

EIN (Employer Identification Number): 931052252

IRC Section: 501(d) Apostolic and religious organization

Ruling Date: 10/1995

c) Example (Farm):

Name, USDA farm subsidy recipient:

[Basin Farm Inc, Chester, MT 59522]

Name, IRS:

[Basin Farm Inc, PO Box 238, Chester, MT 59522-0238]

EIN (Employer Identification Number): 810532136

IRC Section: 501(d) Apostolic and religious organization

Ruling Date: 06/2009

2) 501(c)(3)

a) IRC Section: 501(c)(3) Charitable organization

b) Example (Hutterite colony):

Name, USDA farm subsidy recipient:

[Elmendorf Hutterian Brethren Inc, Mountain Lake, MN 56159]

Name, IRS:

[Elmendorf Hutterian Brethern Inc, 42668 600th Ave, Mountain Lake, MN 56159-2058]

EIN (Employer Identification Number): 911897882

IRC Section: 501(c)(3) Charitable organization

Ruling Date: 09/1998

Note:

The IRS name is spelled the way it appears from the IRS. Hutterian Brethern is a misspelling of Hutterian Brethren.

Summary of Objections to USDA farm subsidies for Hutterite Colonies and Farms named in
Complaint
(page 6)

3) 501(c)(24)

a) IRC Section: 501(c)(24) Trust described in Section 4049 of ERISA

b) Example (Hutterite colony):

Name, USDA farm subsidy recipient:

[Spring Prairie Hutterian Brethren, Hawley, MN 56549]

Name, IRS:

[Spring Prairie Hutterian Brethren Inc, RR 2 Box 201, Hawley, MN 56549-0000]

EIN (Employer Identification Number): 411374767

IRC Section: 501(c)(24) Trust described in Section 4049 of ERISA

Ruling Date: 10/1991

Reason for Objection:

Hutterite colonies or farms operating with a IRS tax-exempt classification may not be offering a constant employment position, referred to as a standard or regular employment position. A employment position may be variable like a part-time position or may be non-existent.

I believe Hutterite colonies or farms operating with a IRS tax-exempt classification should not be receiving USDA farm subsidies. In their case, a employment position may be variable or non-existent instead of constant. A variable or non-existent employment position will result in a unbalanced scale and a financial loss for the public, recognized by the loss of a public benefit or zero public benefit.