

TEXAS DEPARTMENT OF AGRICULTURE

TODD STAPLES
COMMISSIONER



December 2, 2009

The Honorable Joe Barton
U.S. House of Representatives
2109 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Barton:

As the House of Representatives considers H.R. 4154, the Permanent Estate Tax Relief for Families, Farmers and Small Businesses Act of 2009, I want to bring to your attention the significant impact this legislation will have on Texas agriculture and Americans as a whole. While this legislation is a step toward protecting the foundations that generations of family farmers and ranchers have worked tirelessly to build, it does not afford the proper protections to the men and women who currently provide Americans with the safest, most affordable and most reliable food and fiber supply in the world.

As the second largest agricultural producing state in the nation, Texas has a long history of family land inheritance. To date, the Texas Department of Agriculture's Family Land Heritage program, which recognizes family farms and ranches that have been operated by a single family for 100 years or more, has honored more than 4,400 families who have continued their family's farming and ranching operations for generations. It is no exaggeration to say these families have become a part of the land they work.

To protect this legacy of Texas agriculture, Congress must act to pass a permanent, effective solution to the estate tax concerns facing agriculture producers. Without addressing these concerns, an increasing number of family farms will be forced to cease operations to be able to afford the tax burden when the family elders pass away. This will lead to further fragmentation of the land, which will ultimately hinder the amount of food and fiber being produced in Texas for consumers nationwide.

As you consider estate tax legislation, I urge you to decrease the burden these families must bear by reducing the tax rate to 35 percent while also increasing the exemption to \$5 million. I also urge you to index this exemption to inflation. Failure to tie this tax to inflation will result in more headaches in the future as, similar to the alternative minimum tax, more and more families are made subject to this onerous tax bill.

I trust you will keep the strength and vitality of Texas' farmers and ranchers, as well as the entire agriculture industry in mind as you consider this important issue. Thank you for your service to our state.

Sincerely yours,

A handwritten signature in blue ink that reads "Todd Staples".

Todd Staples

TS/CJF/cjf

