

ROBERT E. LATTA
5TH DISTRICT, OHIO

ASSISTANT MAJORITY WHIP

VICE CHAIRMAN
CONGRESSIONAL SPORTSMEN'S CAUCUS

COMMITTEE ON
ENERGY AND COMMERCE

SUBCOMMITTEE ON
COMMUNICATIONS AND TECHNOLOGY

SUBCOMMITTEE ON HEALTH

SUBCOMMITTEE ON
ENVIRONMENT AND THE ECONOMY

Congress of the United States
House of Representatives
Washington, DC 20515-3505

December 13, 2011

WASHINGTON OFFICE:
1323 LONGWORTH HOUSE OFFICE BUILDING
(202) 225-6405

DISTRICT OFFICES:
1045 NORTH MAIN STREET
SUITE 6
BOWLING GREEN, OH 43402
(419) 354-8700

101 CLINTON STREET
SUITE 1200
DEFIANCE, OH 43512
(419) 782-1996

11 EAST MAIN STREET
NORWALK, OH 44857
(419) 668-0206

Wage and Hour Division
U.S. Department of Labor
Room S-3502
200 Constitution Avenue, NW
Washington, DC 20210

RE: RIN 1235-AA06 Child Labor Regulations, Orders and Statements of Interpretation; Child Labor Violations – Civil Money Penalties; Notice of Proposed Rulemaking and Request for Comments

Dear Secretary Solis,

I am writing to you regarding the Department of Labor's (DOL) proposed rule, referenced above, relating to agricultural youth labor policies. I am concerned how the proposed rule will negatively affect farmers in Ohio and across the country. In addition, the new rules could greatly impair, or completely eliminate, youth agriculture education programs, such as Future Farmers of America (FFA) and 4-H.

This rule, as written, would significantly narrow the "family exemption" currently used by farmers and agriculture operations, by creating a "parent exemption" in its place. This adjustment, which seems minor on its face, would make it illegal for nieces, nephews and grandchildren to contribute on family farms. Additionally, if a farm or agriculture operation was run as a business partnership between two or more farmers (even if they are related), the operating entity would no longer qualify for the parental exemption, and the owner's children would not be able to participate in farming operations.

This proposal will also have negative effects on young people who want to gain practical experience on farms and in agribusiness. For example, while current regulations only prohibit certain youths from operating tractors at 20 horsepower or greater, the new rules would prohibit use of all power driven equipment, which is defined as anything other than hand and foot power. Driving lawnmowers and handheld weed whackers would be considered off limits for children below the age of 16 under this proposal. These restrictions would deny children the opportunities to learn the practical skills offered through 4-H programs and Supervised Agricultural Experience programs, as well as opportunities to earn a little bit of money and learn about responsibility at a young age.

I understand the DOL's desire to protect children from the risks inherent in farming activities, but many of these programs are in place to teach aspiring farmers and ranchers practical skills and safety techniques, with adult supervision, to minimize the risk of farming accidents, as well as to create our country's next generation of food providers. According to the USDA "[f]ewer than 2 percent of Americans farm for a living today, and only 17 percent of Americans now live in rural areas." This is compared to nearly a century ago, when "more than 50 percent of the U.S. population lived in rural areas, and 30 percent of the workforce was engaged in farming." It is imperative that we continue to educate our youth about farming and teach them the practical skills they need to ensure security in future U.S. food supplies. I hope you carefully consider these comments before promulgating your final rule.

Sincerely,

A handwritten signature in blue ink, appearing to read "Robert E. Latta". The signature is stylized and written in a cursive-like font.

Robert E. Latta
Member of Congress

REL/ss