

Congress of the United States
Washington, DC 20510

June 12, 2020

The Honorable Sonny Perdue
Secretary
U.S. Department of Agriculture
1400 Independence Avenue, SW
Washington, DC 20250

Dear Secretary Perdue:

We write to request that the U.S. Department of Agriculture (USDA) again exercise its authority to allow producers to graze or harvest cover crops on prevented plant acres prior to November 1.

As you know, there were more than 19 million prevented plant acres across the United States in 2019 due to excessive rainfall and spring flooding. Due to an administrative rule, producers were not allowed to graze or harvest cover crops on these acres prior to November 1 without a reduction in their prevented plant indemnity. This rule served as a barrier to cover crop adoption, especially in northern states that have shorter growing seasons and often face adverse weather conditions by November 1.

To address this, on June 20, 2019, USDA made a one-time administrative change to move up the date on which producers could graze, hay, or chop cover crops on prevented plant acres from November 1 to September 1. We appreciated this flexibility, which allowed producers to retain some agricultural value of their prevented plant acres.

While we do not expect nearly as many prevented plant acres as last year, we request that you again provide relief for producers by eliminating the penalties for grazing, haying, or chopping cover crops approved by USDA as long as the activities are outside of the primary nesting season. This would help ensure that producers have adequate sources of feed for the backlog of livestock due to the meat processing capacity shortfalls because of the COVID-19 pandemic. It would also encourage the adoption of cover crops, which improve soil health, suppress weeds, and reduce erosion. At a minimum, we encourage USDA to move up the date for grazing, haying, or chopping cover crops on these acres from November 1 to September 1 due to unprecedented environmental and economic circumstances.

We appreciate your efforts to assist producers affected by COVID-19. Thank you for your prompt consideration of this request.

Sincerely,

/s/ John Thune
John Thune
United States Senator

/s/ Debbie Stabenow
Debbie Stabenow
United States Senator

/s/ Dusty Johnson
Dusty Johnson
Member of Congress

/s/ Dave Loebsack
Dave Loebsack
Member of Congress

/s/ Jerry Moran
Jerry Moran
United States Senator

/s/ Tina Smith
Tina Smith
United States Senator

/s/ M. Michael Rounds
M. Michael Rounds
United States Senator

/s/ Robert P. Casey, Jr.
Robert P. Casey, Jr.
United States Senator

/s/ John Hoeven
John Hoeven
United States Senator

/s/ Amy Klobuchar
Amy Klobuchar
United States Senator

/s/ Joni K. Ernst
Joni K. Ernst
United States Senator

/s/ Gary C. Peters
Gary C. Peters
United States Senator

/s/ Kevin Cramer
Kevin Cramer
United States Senator

/s/ Michael F. Bennet
Michael F. Bennet
United States Senator

/s/ Sherrod Brown
Sherrod Brown
United States Senator

/s/ Tammy Baldwin
Tammy Baldwin
United States Senator

/s/ Collin C. Peterson
Collin C. Peterson
Member of Congress

/s/ Angie Craig
Angie Craig
Member of Congress

/s/ Adrian Smith
Adrian Smith
Member of Congress

/s/ Don Bacon
Don Bacon
Member of Congress

/s/ Ralph Abraham, M.D.
Ralph Abraham, M.D.
Member of Congress

/s/ Kelly Armstrong
Kelly Armstrong
Member of Congress

/s/ Jim Baird
Jim Baird
Member of Congress

/s/ Mike Bost
Mike Bost
Member of Congress

/s/ Cheri Bustos
Cheri Bustos
Member of Congress

/s/ Rodney Davis
Rodney Davis
Member of Congress

/s/ Tom Emmer
Tom Emmer
Member of Congress

/s/ Roger Marshall, M.D.
Roger Marshall, M.D.
Member of Congress