

United States Senate

WASHINGTON, DC 20510

November 9, 2011

The Honorable Thomas J. Vilsack
Secretary
U.S. Department of Agriculture
1400 Independence Avenue, S.W.
Washington, DC 20250

Dear Secretary Vilsack:

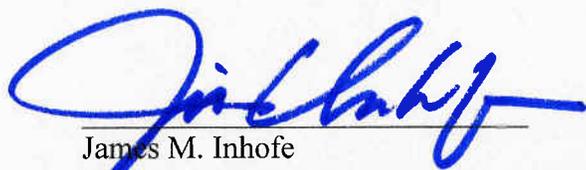
As you are aware, the harsh drought conditions in our states over the past year have caused significant damage to agriculture production, and livestock producers have been among the hardest hit. We are thankful that the damage caused by the drought has not been more severe, and we attribute this to better land management practices that have been followed since the devastating effects of Dust Bowl of the 1930s. The Conservation Reserve Program (CRP), and other programs like it, have helped establish and improve these practices.

During times of extreme drought, USDA has the executive authority to permit emergency grazing and haying on land enrolled in the CRP program, and we appreciate the Department's decision to allow many of the livestock producers in our states to take advantage of this. We are concerned, however, about the fee being assessed against CRP rental payments when producers choose to exercise this option.

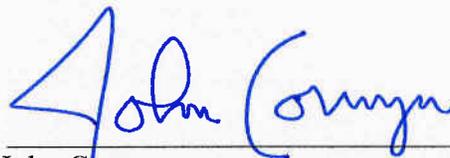
16 USC §3832(d) requires the Secretary to reduce rental payments "by an amount commensurate with the economic value of the authorized activity" when participants allow emergency grazing and haying on their land. It has come to our attention that USDA is assessing participants at a rate of 25% of their contract payment for this purpose. We believe that this assessment is significantly higher than the actual economic value of the authorized activity, and we would like for you to consider either reducing or eliminating the assessment in the areas hardest hit by the drought. As the Secretary of Agriculture, you have the authority to reconsider the calculation used to determine what assessment is necessary, and it is our understanding that this has been done in the past.

Given the severe nature of this drought, we urge you to carefully consider the true economic cost associated with emergency grazing and haying, particularly as it relates to any long term damage caused to the land as a result of the grazing and haying. It is our belief that the 25% assessment fee is excessive, especially in light of the fact that the CRP's capacity to conserve sensitive lands is only partially – if minimally – affected by the activities associated with emergency grazing and haying. We appreciate your attention to this matter.

Sincerely,



James M. Inhofe
United States Senator



John Cornyn
United States Senator

Kay Bailey Hutchison

Kay Bailey Hutchison
United States Senator