

Congress of the United States
House of Representatives
Washington, DC 20515-4313

November 4, 2022

The Honorable Tom Vilsack
Secretary of Agriculture
U.S. Department of Agriculture
1400 Independence Ave., SW
Washington, D.C. 20250

Dear Secretary Vilsack:

As you know, \$10 billion in emergency relief was appropriated as part of the Extending Government Funding and Delivering Emergency Assistance Act for production losses due to wildfires, droughts, hurricanes, winter storms, and other eligible natural disasters during the 2020 and 2021 calendar years.¹

To disperse disaster funds, the United States Department of Agriculture (USDA) created two multi-phase systems—the Emergency Relief Program (ERP) and Emergency Livestock Relief Program (ELRP). Phase one of both programs used existing producer data to help expedite payments—ERP utilized crop insurance and Noninsured Crop Disaster Assistance Program (NAP) data as its basis for calculation, while ELRP relied on livestock inventories and drought-affected forage acres reported on 2021 Livestock Forage Program (LFP) applications.²

Agriculture producers across the United States are grappling with rising production costs due to historic inflation and ongoing supply chain issues. Yet many still await relief payments Congress authorized in 2021—causing even more uncertainty and turbulence heading into 2023. While the USDA was able to utilize existing producer data to implement Phase 1 of ERP and ELRP, producers eligible for Phase 2 payments have received insufficient information and communication regarding the agency’s plan or timeline to distribute the remaining disaster funds.

We respectfully ask the USDA’s assistance to address delays in this support—over a year after its authorization. To provide transparency to the farmers and ranchers we represent, we request you answer the following questions by November 17th:

1. The Farm Service Agency (FSA) sent pre-filled application forms to producers who received a crop insurance indemnity or NAP payment.³ How many pre-filled application forms is the USDA still waiting to receive from eligible producers? How many of the returned forms have been processed? How many of the processed forms have received

¹ [erp_nofa.pdf \(usda.gov\)](#)

² [USDA to Provide Payments to Livestock Producers Impacted by Drought or Wildfire | USDA](#)

³ [Emergency Relief Program \(usda.gov\)](#)

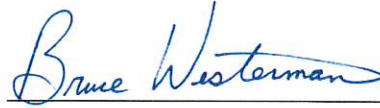
- payments? How much of the allotted \$9.25 billion in disaster funds are available for the implementation of ERP Phase 2?
2. The USDA has stated the second phase of ERP will be aimed at filling gaps and providing assistance to producers who did not participate in or receive payments through the existing programs that are being leveraged for Phase 1 implementation. Who exactly will Phase 2 payments be directed towards? When does the USDA expect to finalize the algorithm used to calculate phase 2 payments? How long will it then take to disburse funds?
 3. Using data from LFP, the USDA announced it was able to distribute more than \$590 million of the allotted \$750 million in ELRP Phase 1 payments.⁴ Exactly how much of the \$750 million in emergency funds are left to be sent out in Phase 2?
 4. When do you expect the USDA to complete ELRP Phase 2 policies and provisions? Following the completion of ELRP Phase 2 policies and provisions, how long will it take the USDA to distribute the remaining funds?
 5. Do you expect the Congressionally approved \$10 billion in disaster funds to cover all producers eligible for ERP or ELRP disaster payments for the calendar years 2020 and 2021? If yes, will there be any funds left over?

America's farmers and ranchers help feed, fuel, and clothe the world. Given the magnitude of this grueling task, we must ensure the agriculture industry receives the resources and support it needs. Thank you for your attention and timely consideration of this critical matter.

Sincerely,



Ronny L. Jackson
Member of Congress



Bruce Westerman
Member of Congress



Mike Johnson
Member of Congress



Jodey C. Arrington
Member of Congress



August Pfluger
Member of Congress



Roger Williams
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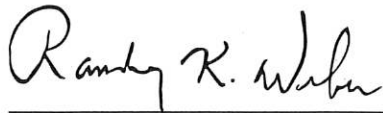
⁴ [USDA Has Issued More Than \\$4 Billion in Emergency Relief Program Payments to Date | USDA](#)



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Member of Congress



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Member of Congress



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Dan Crenshaw
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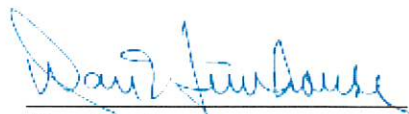
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