

**Congress of the United States**  
Washington, DC 20515

November 15, 2023

Thomas J. Vilsack  
Secretary, U.S. Department of Agriculture  
Jamie L. Whitten Building  
1400 Independence Avenue, SW  
Washington DC, 20250

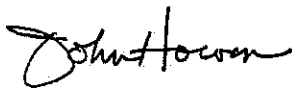
Dear Secretary Vilsack:

As leaders of the Senate and House Agriculture Appropriations Subcommittees, we write to express our concerns with the recent rollout of the Emergency Relief Program (ERP) 2022. Farmers and ranchers across the nation faced a myriad of weather-related challenges in 2022. Wildfires, hurricanes, drought and other natural disasters caused billions in losses for American producers. That's why we worked to include more than \$3.7 billion for agriculture disaster relief in the Consolidated Appropriations Act, 2023. This legislation was enacted last December and included language that mirrored the funding and direction for ERP assistance for 2020 and 2021. We did so in hopes that you would swiftly provide needed relief to our farm families who need it most. As such, we are deeply concerned about recent program modifications announced for ERP 2022.

This includes the department's decision to reimburse crop insurance premiums for only a select group of producers. Congress intended for all producers to receive a premium reimbursement, which is clear from a plain reading of the statute. Not only does this decision disadvantage certain producers, but it also flies in the face of our shared efforts to increase participation in the Federal Crop Insurance Program. Additionally, the application of a "progressive" payment factor is well outside of Congressional intent and a significant departure from program precedent. We acknowledge that demand for agriculture disaster assistance outstrips available resources and that a payment factor is necessary. However, the program announced represents a regressive factor that unfairly penalizes producers with the worst losses. This is unacceptable and well outside of our expectations for program administration.

A perceived lack of resources is not justification to ignore statutory requirements and Congressional intent. Left unchanged, these provisions will severely limit the effectiveness of ERP and leave producers shortchanged at a time when they can least afford it. Accordingly, we urge you to reconsider these flawed program provisions. Thank you for your time and attention to this important matter.

Sincerely,



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John Hoeven  
United States Senator



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Andy Harris, M.D.  
Member of Congress