

# United States Senate

WASHINGTON, DC 20510

June 6, 2019

The Honorable Bill Northey  
Under Secretary, Farm Production, and Conservation  
U.S. Department of Agriculture  
Washington, D.C. 20250

Dear Under Secretary Northey:

We are writing to urge the U.S. Department of Agriculture (USDA) to expeditiously implement Section 11107 of the Agriculture Improvement Act of 2018, which will provide important flexibility and greater certainty for farmers to harvest, graze, and terminate cover crops and maintain eligibility for federal crop insurance on their primary cash crop.

Updates corresponding to Section 11107 must be made quickly to the Cover Crop Termination Guidelines and related outreach and education to farmers so the 2019 cover crop growing season, which occurs from late summer to early fall, is not missed. Cover crops will be an important soil building and risk management tool on 2019 crop year acres prevented from being planted due to the extremely wet spring planting season.

As you know, cover crops can dramatically reduce soil erosion, improve soil health, suppress weeds, retain moisture, and reduce the need for nitrogen and phosphorous applications and runoff in the Upper Mississippi River basin that otherwise harm drinking water systems or contribute to the hypoxia “dead zone” in the Gulf of Mexico.

According to the 2017 Census of Agriculture published last month, between 2012 and 2017, cover crops on average increased 50 percent nationwide, with the Corn Belt states reaching nearly an 80 percent increase, and with five states in the Midwest having more than a 100 percent increase. While much progress needs to be achieved across the country in order to reach our cover cropping potential, there has been noteworthy progress to date, and finalization of Section 11107 guidance soon can maintain this momentum.

In addition, the arbitrary November 1 grazing/harvest date for cover crops planted on prevent plant acres also serves as a barrier to cover crop adaption because in the northern United States the risk of adverse weather limiting the forage and grazing use of cover crops by November 1 discourages utilization of cover crops. A nationwide November 1 grazing/harvest date does not treat farmers equitably across the United States.

Accordingly, we request that you allow flexibility not only for insurability for crops planted subsequent to cover crops according to Section 11107, but that you also modify the November 1 grazing/harvest date for northern states more subject to snow, ice, and other adverse fall weather.

Thank you for your consideration of this important issue and for your efforts to remove roadblocks to conservation practice adoption on U.S. agricultural lands. We look forward to your response.

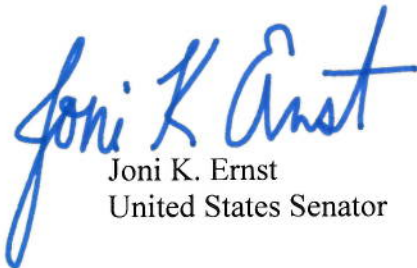
Sincerely,



John Thune  
United States Senator



Richard J. Durbin  
United States Senator



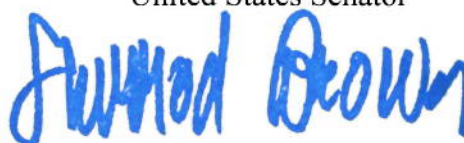
Joni K. Ernst  
United States Senator



Debbie Stabenow  
United States Senator



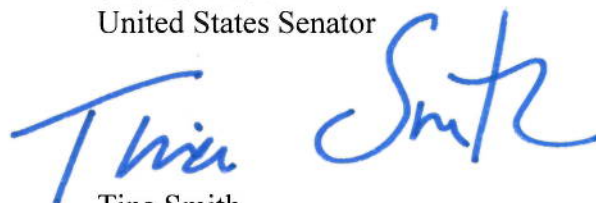
Deb Fischer  
United States Senator



Sherrod Brown  
United States Senator



John Hoeven  
United States Senator



Tina Smith  
United States Senator

cc: Sonny Perdue, Secretary, U.S. Department of Agriculture  
Matt Lohr, Chief, Natural Resources Conservation Service  
Martin Barbre, Administrator, Risk Management Agency