

United States Senate
WASHINGTON, DC 20510

March 27, 2019

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

Dear Secretary Perdue:

We write this letter on behalf of the livestock producers in our states who, due to a combination of weather events including severe cold, unseasonal heavy rains, blizzards, and record-breaking flooding, have experienced livestock death losses and may lose more young livestock due to weather-related sickness.

Preceded by days and weeks of record cold from a polar vortex, the recent “bomb cyclone” weather system, which was described by the National Weather Service as “historic” and “incredible,” brought record high winds, rain, and snow to a large portion of the United States. At the peak of calving and lambing seasons, livestock producers in the Rocky Mountains, the Plains, the Mississippi Valley, and the Great Lakes regions have had devastating livestock losses due to these extreme weather events.

Due to these considerable and mounting livestock death losses, we write to bring your attention to the pressing need for Livestock Indemnity Program (LIP) assistance. The economic assistance LIP provides for producers with livestock losses that are due to natural disasters and weather-related causes is now desperately needed. As was done in 2018 (see attached letter), we urge you to delegate LIP approval authority to Farm Service Agency (FSA) County Committees, who are elected by their peers and are the most familiar with local weather, disaster events, and the livestock management practices of area farmers and ranchers, instead of relying on headquarters personnel. This would help ensure that LIP assistance is provided to producers that need it as soon as possible.

In addition, we request that you prioritize LIP regulatory updates as you work on the implementation of the 2018 farm bill. While the Agriculture Improvement Act of 2018 made very few modifications to the existing livestock disaster programs statute, it did make one important change regarding management protocols concerning weather-related death losses and death losses due to weather-related diseases. The Congressional intent in Sec. 1501(b) is for the U.S. Department of Agriculture to grant Farm Service Agency (FSA) County Committees the authority to approve credible LIP claims that can be verified by a licensed veterinarian.

As the regulations governing LIP are drafted, we request that you revisit LIP eligibility requirements regarding weather criteria and refrain from placing singular arbitrary timelines and

other definitive factors on weather eligibility considerations for LIP. For example, 7 CFR § 1416.302 states “Winter storm means a storm that is severe as to cause fatal injury to livestock and lasts in duration for at least three consecutive days and is accompanied by high winds, freezing rain or sleet, heavy snowfall, and extremely cold temperatures.” We agree that winter storms and other weather events that kill and harm livestock often consist of a combination of factors such as wind chill, snowfall, or rainfall amounts. However, singular factors such as length of weather event, extreme temperatures, and excessive rainfall or snowfall amounts can cause excessive livestock death losses as well.

Cold is much deadlier to livestock, especially newborn or young livestock, at +10 degrees Fahrenheit when accompanied by high winds and/or excessive moisture than simply -10 degrees Fahrenheit. In a blizzard, death can occur to a newborn calf in less than an hour when unintentionally exposed to these conditions. A combination of weather factors occurring simultaneously often kills and harms livestock over a short period of time compared to a single adverse weather event, and to place a finite time eligibility requirement such as “duration for at least three consecutive days,” is not realistic and can result in livestock producers being determined ineligible and denied LIP assistance by FSA for legitimate livestock death losses. In addition, severe storm events that occur at critical times, such as calving and lambing cycles, are much more devastating than when livestock are older and much more able to withstand weather-related stresses.

The aforementioned LIP weather eligibility examples demonstrate the importance of having authority delegated to FSA County Committees to approve LIP losses because they are local and have the most knowledge about the weather events and management practices of the livestock producers in their areas.

We sincerely appreciate all that you and your staff have done and are doing for our farmers and ranchers. We make these requests regarding LIP implementation so our livestock producers, as intended by Congress, will be eligible for and receive the death loss assistance they desperately need for the devastating livestock losses that began earlier this year.

Please do not hesitate to contact any of us or members of our staff if we can be of assistance in any way. Thank you for your timely attention to our requests.

Sincerely,




JOHN THUNE
United States Senator




CHARLES E. GRASSLEY
United States Senator



JON TESTER
United States Senator



KEVIN CRAMER
United States Senator



STEVE DAINES
United States Senator




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