

**Congress of the United States**  
Washington, DC 20510

June 12, 2020

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

Dear Secretary Perdue:

We write to request that the U.S. Department of Agriculture (USDA) again exercise its authority to allow producers to graze or harvest cover crops on prevented plant acres prior to November 1.

As you know, there were more than 19 million prevented plant acres across the United States in 2019 due to excessive rainfall and spring flooding. Due to an administrative rule, producers were not allowed to graze or harvest cover crops on these acres prior to November 1 without a reduction in their prevented plant indemnity. This rule served as a barrier to cover crop adoption, especially in northern states that have shorter growing seasons and often face adverse weather conditions by November 1.

To address this, on June 20, 2019, USDA made a one-time administrative change to move up the date on which producers could graze, hay, or chop cover crops on prevented plant acres from November 1 to September 1. We appreciated this flexibility, which allowed producers to retain some agricultural value of their prevented plant acres.

While we do not expect nearly as many prevented plant acres as last year, we request that you again provide relief for producers by eliminating the penalties for grazing, haying, or chopping cover crops approved by USDA as long as the activities are outside of the primary nesting season. This would help ensure that producers have adequate sources of feed for the backlog of livestock due to the meat processing capacity shortfalls because of the COVID-19 pandemic. It would also encourage the adoption of cover crops, which improve soil health, suppress weeds, and reduce erosion. At a minimum, we encourage USDA to move up the date for grazing, haying, or chopping cover crops on these acres from November 1 to September 1 due to unprecedented environmental and economic circumstances.

We appreciate your efforts to assist producers affected by COVID-19. Thank you for your prompt consideration of this request.

Sincerely,

/s/ John Thune  
John Thune  
United States Senator

/s/ Debbie Stabenow  
Debbie Stabenow  
United States Senator

/s/ Dusty Johnson  
Dusty Johnson  
Member of Congress

/s/ Dave Loebsack  
Dave Loebsack  
Member of Congress

/s/ Jerry Moran  
Jerry Moran  
United States Senator

/s/ Tina Smith  
Tina Smith  
United States Senator

/s/ M. Michael Rounds  
M. Michael Rounds  
United States Senator

/s/ Robert P. Casey, Jr.  
Robert P. Casey, Jr.  
United States Senator

/s/ John Hoeven  
John Hoeven  
United States Senator

/s/ Amy Klobuchar  
Amy Klobuchar  
United States Senator

/s/ Joni K. Ernst  
Joni K. Ernst  
United States Senator

/s/ Gary C. Peters  
Gary C. Peters  
United States Senator

/s/ Kevin Cramer  
Kevin Cramer  
United States Senator

/s/ Michael F. Bennet  
Michael F. Bennet  
United States Senator

/s/ Sherrod Brown  
Sherrod Brown  
United States Senator

/s/ Tammy Baldwin  
Tammy Baldwin  
United States Senator

/s/ Collin C. Peterson  
Collin C. Peterson  
Member of Congress

/s/ Angie Craig  
Angie Craig  
Member of Congress

/s/ Adrian Smith  
Adrian Smith  
Member of Congress

/s/ Don Bacon  
Don Bacon  
Member of Congress

/s/ Ralph Abraham, M.D.  
Ralph Abraham, M.D.  
Member of Congress

/s/ Kelly Armstrong  
Kelly Armstrong  
Member of Congress

/s/ Jim Baird  
Jim Baird  
Member of Congress

/s/ Mike Bost  
Mike Bost  
Member of Congress

/s/ Cheri Bustos  
Cheri Bustos  
Member of Congress

/s/ Rodney Davis  
Rodney Davis  
Member of Congress

/s/ Tom Emmer  
Tom Emmer  
Member of Congress

/s/ Roger Marshall, M.D.  
Roger Marshall, M.D.  
Member of Congress