

United States Senate
WASHINGTON, DC 20510

December 5, 2023

The Honorable Gene Dodaro
Comptroller General of the United States
Government Accountability Office
441 G Street N.W.
Washington, D.C. 20548

Dear Comptroller General Dodaro:

We write to request a Government Accountability Office (GAO) review of the United States Department of Agriculture's (USDA) recent implementation of the Emergency Relief Program (ERP) 2022.

In the Consolidated Appropriations Act, 2023, Congress included \$3.7 billion for USDA to assist farmers and ranchers impacted by natural disasters in 2022. Our intent was for the Department to administer the program in a manner consistent with the previous iteration of ERP and its predecessor program, the Wildfire and Hurricane Indemnity Program Plus (WHIP+). Both programs were generally well received and should have served as the template for a 2022 disaster program.

Unfortunately, several policy changes made by USDA run counter to our intent to provide assistance fairly to all producers based on their loss. These changes include the reimbursement of crop insurance premiums for only certain producers, along with a new "progressive" payment factor.

Accordingly, we request that GAO examine the following issues and provide responses to the following questions:

1. Has USDA previously applied anything other than a single uniform payment factor to total producer benefits?
2. Does the use of a "progressive" payment factor, rather than a single uniform factor, maximize program benefits in a manner that is unbiased and based on a producer's loss?
3. Has USDA previously restricted eligibility for crop insurance premium reimbursements to only selected producers?
4. Has USDA previously restricted certain program benefits to selected producers without explicit statutory authority to do so?
5. Did USDA consider reimbursing a percentage of crop insurance premiums for all producers?
6. Does USDA's use of a progressive payment factor or a decision to reimburse crop insurance premiums for only select producers violate statutory requirements or Congressional intent?

Thank you for your attention to this important matter. We look forward to your response.

Sincerely,



John Hoeven
U.S. Senator



John Boozman
U.S. Senator



Roger Marshall, M.D.
U.S. Senator



Pete Ricketts
U.S. Senator



James Lankford
U.S. Senator



Cindy Hyde Smith
U.S. Senator



Steve Daines
U.S. Senator



Kevin Cramer
U.S. Senator



John Thune
U.S. Senator



Tommy Tuberville
U.S. Senator