

THE HUMANE FARMING ASSOCIATION

Protecting Human Health and Animal Welfare

April 15, 2017

The Honorable Sonny Perdue
Secretary
U.S. Department of Agriculture
1400 Independence Ave., S.W.
Suite 200A
Washington, DC 20250

Re: Petition to cease Farm Service Agency (FSA) Livestock Indemnity Program (LIP) payments to livestock producers who do not provide protections for animals from adverse weather

Dear Secretary Perdue,

Winter Storm Goliath, which ripped through the southwestern United States beginning on December 26, 2015, claimed the lives of tens of thousands of dairy cattle, calves, and other farm animals in western Texas and eastern New Mexico. With 18 inches of snow on the ground, snow drifts as high as 14 feet, and wind pushing animals into fenced corners where they were literally buried alive in drifts, an estimated 40,000 cows and calves perished during the snow event. Animals who live on dry lots year round without adequate shelter were subjected to 80 mph wind gusts and were buried under snow drifts for days, most suffocating, many freezing to death, and still others suffering from frostbite only to die in subsequent days and weeks. In addition to dairy animals, feeder cattle were lost during the storm as well.

In 2013, Winter Storm Atlas struck western South Dakota with hurricane-force winds, freezing rain, and up to 5 feet of snow. Confused and covered in ice, huddling together for warmth at fence-lines, cattle eventually dropped and were buried alive in snow drifts. In three days, over 70,000 cattle died.

Each year, millions of cattle, sheep, pigs, horses, and other livestock in the United States are provided little or no shelter from adverse weather. Whether on private pasture, in feed- or dry lots, or on public lands, many animals are subjected to prolonged suffering and agonizing deaths like those described above. Nor is it just freak storms that kill farm animals. Deaths from adverse weather are a common occurrence. In the summer, thousands of cattle confined in feedlots die from heat stroke.

According to responsive records from a Freedom of Information Act (FOIA) request, from 2013 through 2015, USDA's Farm Service Agency (FSA), under its Disaster Assistance Program Livestock Indemnity Program (LIP), issued payments of \$134,140,346 to farmers and ranchers for animal deaths due primarily to weather-related issues. Total animal deaths included a staggering 202,445 livestock and 2,461,443 poultry. These figures do not include animal deaths or payouts to eligible producers who declared losses from Winter Storm Goliath, as those applications had not yet been processed when our FOIA request was fulfilled.

Instead of providing adequate shelter or shade to vulnerable livestock, producers who do not assure protections from inclement weather are rewarded for livestock deaths in the amount of 75 percent of the animals' market value up to \$125,000 per year. (LIP compensation eligibility requires that a producer's adjusted gross income not exceed \$900,000.)

Compensating producers for dead livestock without ever requiring adequate shelter or shade is actually a disincentive to farmers and ranchers to take the necessary steps to provide their animals with protections from inclement weather. Without this compensation, many producers would no doubt make an effort to provide for their animals. Instead, massive numbers of neglected livestock are dying painfully and needlessly and taxpayers are footing the bill. In addition to the fact that the Livestock Indemnity Program essentially rewards producers for bad behavior, it also represents misuse of taxpayer dollars and government waste at its most flagrant.

On behalf of the Humane Farming Association's (HFA) 250,000 members, I am writing to you to petition USDA to cease the Farm Service Agency Livestock Indemnity Program's benefits to farmers and ranchers for livestock deaths caused by adverse weather – including blizzards, hurricanes, hail, extreme heat, and extreme cold – when adequate protections are not put in place. We believe that, if compensation is made available, the FSA should only provide it to those producers who have put protections in place to shelter the animals in their care. If the natural landscape does not provide protection from extreme weather elements, adequate facilities must be installed for livestock.

While specific weather events may be unforeseen, the fact that they routinely occur is extremely predictable. Seasonal weather extremes are inherent in farming; they are the rule, not the exception. Part of the producer's responsibility lies in the need to be prepared for reoccurring adverse weather. Just as food and water are required for the care of farm animals, appropriate shelter must be taken into consideration.

Livestock producers should not be compensated unless they have done everything possible to protect their animals from adverse weather. We find the current schedule of reimbursement for dead livestock deeply troubling and wonder how the USDA justifies its payments of millions of taxpayer dollars to producers who do not provide adequate protection from the elements for the animals in their care.

A petition on this issue was filed urging the Secretary Tom Vilsack to take swift and meaningful action to cease taxpayer-funded reimbursements to producers who do not provide adequate protections for the animals in their care. We were disheartened by the Secretary's non-response to this important issue. We hope that you will take a fresh look and appropriate action regarding this critical issue.

All farm animals deserve to be protected from abuse and suffering. Central to that mandate is to ensure that farm animals receive, at a minimum, proper food, water, and shelter.

We look forward to your response to this petition.

Sincerely,



Bradley Miller
National Director