

**Congress of the United States**  
**Washington, DC 20515**

September 22, 2023

The Honorable Thomas J. Vilsack  
Secretary  
United States Department of Agriculture  
1400 Independence Avenue SW  
Washington, D.C. 20250

Dear Secretary Vilsack:

We write to express deep concern regarding the U.S. Department of Agriculture's (USDA) ongoing failure to publish annual reports to Congress on the National Dairy Promotion and Research Program and the National Fluid Milk Processor Promotion Program for the years 2020, 2021, and 2022.<sup>1</sup>

In 1983, Congress enacted the Dairy Production Stabilization Act, which authorized the dairy checkoff program. Under this legislation, USDA is required to report annually to Congress “describing activities conducted, accounting for the receipt and disbursement of all funds, and including an independent analysis of the effectiveness of the program.”<sup>2</sup>

Yet USDA has not submitted such reports since 2019, as noted by the National Dairy Producers Organization and Farm Action in a letter<sup>3</sup> sent earlier this summer. We are highly troubled that dairy farmers have been denied access to federally mandated reports detailing the efficacy of programs they must fund. USDA is obligated to provide this information to ensure transparency in how dairy producer's dollars are spent; by neglecting to fulfill this obligation, USDA risks further eroding farmer's confidence in important agriculture programs.

Furthermore, this is not the first time that USDA under your leadership has failed to submit these reports to Congress. In your first term as Secretary, they went unpublished for five years. Only in 2017, when Secretary Sonny Perdue responded to pressure from farm groups and the media, were dairy farmers finally able to see how their mandatory fees were spent from 2012-2016.

The last report received by Congress was in 2019. Since that time, America's dairy farmers have paid nearly \$1 billion in mandatory checkoff fees to the National Dairy Promotion and Research

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<sup>1</sup> <https://www.ams.usda.gov/reports/report-congress-dairy-fluid-milk-promotion-research-programs>

<sup>2</sup> 7 U.S.C.S § 4514

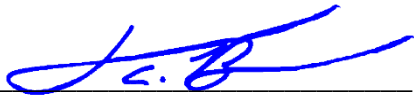
<sup>3</sup> <https://farmaction.us/wp-content/uploads/2023/06/Dairy-Checkoff-Letter-to-USDA.pdf>

Program. At the same time, we have witnessed the loss of more than 6,000 dairy operations across our rural communities. The time is now for your Department to disclose how these dollars were spent and evaluate the effectiveness of those efforts.

We request the immediate release of these outstanding reports. If the Department has failed to complete these reports, we request written justification by September 29, 2023.

Thank you for your attention to this important matter.

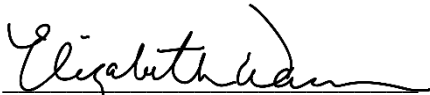
Sincerely,



Cory A. Booker  
United States Senator



Michael S. Lee  
United States Senator



Elizabeth Warren  
United States Senator



Nancy Mace  
Member of Congress



Dina Titus  
Member of Congress



Thomas Massie  
Member of Congress



J. Luis Correa  
Member of Congress



Greg Casar  
Member of Congress



Earl Blumenauer  
Member of Congress