

United States Senate

WASHINGTON, DC 20510

February 26, 2013

Secretary Tom Vilsack
U.S. Department of Agriculture
1400 Independence Ave., SW
Washington, D.C. 20250

Dear Secretary Vilsack:

You have recently discussed with farm groups and media outlets the impact that sequestration, as mandated by the Budget Control Act of 2011, will have on the Department of Agriculture (USDA). In particular, you have mentioned on numerous occasions the likely furlough of meat and poultry product inspectors. Of course, USDA is required to perform these inspections under the Federal Meat Inspection Act (FMIA) and the Poultry Products Inspections Act (PPIA). The health, safety, affordability, and availability of meat and poultry products are of the utmost importance for all Americans. Without inspectors, meat and poultry product production facilities will be shut down, and products will stop flowing to grocery store shelves.

Farmers, meat processors, poultry product processors, and consumers will all be severely hurt if USDA fails to have inspectors on the ground performing their required duties in accordance with FMIA and PPIA. The comments you have made in the press, to farm groups, and at the recent USDA Outlook Forum, suggest you view there is a rigid legal duty to furlough all employees at USDA without concern for USDA's statutory duties, or for the health and safety of consumers. Since that is apparently your view, please respond to the following questions and requests for further information:

- 1) What is USDA doing to reduce spending in the areas of travel, seminars, conferences, and operating expenses in light of sequestration? Please provide an accounting of the savings USDA expects to save from these areas.
- 2) Please provide any written legal opinions you have been provided by USDA attorneys, the White House, or the Office of Management and Budget, indicating you have the ability to disregard the requirements under FMIA and PPIA and furlough inspectors.
- 3) Please provide your plan for furloughs in the office of the USDA Secretary due to the requirements of the Budget Control Act of 2011.
- 4) In a letter you sent in mid-February to the American Meat Institute, National Cattlemen's Beef Association, National Pork Producers Council, National Chicken Council, and the National Turkey Federation, you stated, "[W]ere sequestration to become reality, it simply would not be possible for FSIS to achieve the requisite level of savings by furloughing non-front line staff alone." Please explain this assertion. In addition, please explain why USDA cannot use furloughs in other mission areas in

order to keep FSIS inspectors on the job. If you have received written legal opinions pertaining to sparing FSIS inspectors and furloughing other USDA employees instead, please provide a copy.

We are confident you have the ability to implement sequestration at USDA without jeopardizing the ability of Americans to feed their families and seriously hurting U.S. farmers, meat and poultry production facilities, and workers in those facilities. We look forward to receiving a response to the above questions and information requests. Due to the time sensitivity of this matter, we would appreciate receiving your response by no later than March 4, 2013.

Sincerely,

Chuck Grassley

Paul Costa

Deb Fischer

Mike Johanns

Pat Roberts

John Boozman

Sayby Chaulkier

John Hoeven

Jerry Moran