

PUBLIC SUBMISSION

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Emergency Relief Program (ERP) 2022

Comment On: FSA-2023-0020-0006
Agency Information Collection Activities; Proposals, Submissions, and Approvals: Emergency Relief Program 2022; Correction

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Submitter Information

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General Comment

I am writing to formally request a refund of ERP funds that I repaid to FSA following an eligibility determination related to forage insurance requirements. At the direction of the FSA office, I repaid a portion of my ERP funds due to the lack of forage insurance on my operation. As background, my forage is not sold for cash and is utilized through my cow herd. I also retain one to two years of forage reserves as part of my drought risk management practices. After repaying the funds, I learned that I had the right to appeal the determination. I filed a formal appeal and ultimately prevailed, with the judge ruling in my favor. As such, the original determination requiring repayment was overturned. To date, I have not received a refund of the funds that were repaid under that overturned determination. Because I prevailed on appeal, I respectfully request the reimbursement of the funds previously paid back to FSA, consistent with implementation of the appeal decision. These funds would provide meaningful support to my operation during the challenging agricultural economy we are currently facing, and would align with the intent and relief purpose of the ERP program. Thank you for your attention and assistance. Sincerely,
David Warkenthien