



United States Department of Agriculture

Office of the Secretary
Washington, D.C. 20250

August 3, 2021

Mr. Bryan Hanson
Checkoff Petition
P.O. Box 30536
Billings, Montana 59107

Dear Mr. Hanson:

Thank you for your letter of May 20, 2021, asking for a one-year extension to collect the required number of signatures to request a referendum for an up-or-down vote on the beef checkoff program. I apologize for the delay in responding.

While the period for collecting signatures is not specified in the Beef Promotion and Research Act of 1985 (Act), USDA's Agricultural Marketing Service (AMS) established a 12-month timeframe based on experience and precedent with previous petitions. AMS granted you flexibility in allowing the use of an online petition tool to collect signatures to accommodate social distancing and non-contact protocols. However, given the extenuating circumstance of the COVID-19 pandemic and associated challenges, I am granting a 60-day extension from the date of this letter. This allows for additional flexibility while still maintaining a petition process that reflects the prevailing will of producers. The end of your collection period will now be October 3, 2021. You have 30 additional days from October 3, 2021, to submit those signatures to AMS.

It is our understanding that you have continued to collect signatures while awaiting a decision from USDA on your extension request. Any signatures you have collected since July 2, 2021—the original end date for your signature collection period—may be submitted as part of your petition.

Alternatively, you suggested that USDA initiate a producer referendum unilaterally; however, the Act does not allow for such. Section 7(b) of the Act is very clear that “after the initial referendum, the Secretary may conduct a referendum on the request of a representative group comprising 10 per centum or more of the number of cattle producers to determine whether cattle producers favor the termination or suspension of the order.” This statutory language makes clear that Congress intended to only allow the Secretary to conduct a referendum if 10 percent or more of the cattle producers requested one.

I appreciate your passion for the cattle industry and in representing your fellow producers. Thank you for your letter.

Sincerely,

A handwritten signature in blue ink that reads "Thomas J. Vilsack".

Thomas J. Vilsack
Secretary

An Equal Opportunity Employer



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Mr. Steve Stratford
Checkoff Petition
P.O. Box 30536
Billings, Montana 59107

Dear Mr. Stratford:

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Secretary