

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

January 9, 2019

The Honorable Sonny Perdue  
Secretary of Agriculture  
United State Department of Agriculture  
1400 Independence Avenue, SW  
Washington, DC 20250

Dear Mr. Secretary:

We write to you with a matter needing urgent attention in Clovis, New Mexico. Cannon Air Force Base (CAFB) in New Mexico recently disclosed ground water contamination issues related to the past use of Aqueous Film-Forming Foam that contains PFOS and PFOA contaminants. Those contaminants have been identified in drinking water and agricultural water wells in the area of several dairies south of CAFB at high levels, exceeding the lifetime health advisory set by the Environmental Protection Agency.

So far, this contamination has had a particularly severe impact on Highland Dairy in Curry County, which borders CAFB. Highland Dairy has lost about 15,000 gallons of milk a day since testing results on October 30, 2018 showed PFOA and PFOS, beyond which the State of New Mexico has prohibited milk sales to protect public health. As a result, Highland Dairy is no longer producing milk for sale and is now in the process of shutting down to reduce milk production, losing business and income each day, and leading to an increasing risk of bankruptcy.

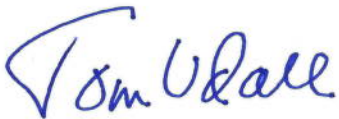
Like many dairy producers in New Mexico, Highland Dairy has been a dairy business for generations. The entire family, including children and grandchildren participate in the dairy's operations. Highland Dairy also employs 40 people. In addition to Highland Dairy, this family runs additional dairies in the Clovis, New Mexico area and their ability to pay bills and keep businesses and employees working depends on the success of all of them. This situation is having a severe impact on this dairy and all who depend on it. The federal government owes them an adequate response.

In response, our offices and Secretary Jeff Witte of the New Mexico Department of Agriculture have been in touch with USDA to identify a pathway for the Dairy Indemnity Program (7 U.S.C. 4551-4553, 7 C.F.R. 760, Subpart A) to provide immediate assistance and help to this family dairy and any others who may find themselves in a similar situation. It is our understanding that indemnity payments for the month of October, November and December have already been approved, but that payments have not been transmitted.

We understand that you are currently working to continue USDA payments for other programs and ask that you ensure that these payments are made to Highland Dairy and any other affected dairies in the vicinity of CAFB as needed. Ensuring fair compensation for milk lost to contamination from a federal facility near Highland Dairy is a matter of basic fairness.

Thank you again to you and your staff who have already been working hard to address this issue, and for your work leading the USDA. If we can be of any assistance on this matter, do not hesitate to contact me.

Sincerely,



Tom Udall  
U.S. Senate



Martin Heinrich  
U.S. Senate



Ben Ray Lujan  
U.S. House of Representatives