U.S. GOVERNMENT ACCOUNTABILITY OFFICE
441 G St. N.W.
Washington, DC 20548

B-338531

July 14, 2026

The Honorable John Boozman
Chairman
The Honorable Amy Klobuchar
Ranking Member
Committee on Agriculture, Nutrition, and Forestry
United States Senate

The Honorable Glenn Thompson
Chairman
The Honorable Angie Craig
Ranking Member
Committee on Agriculture
House of Representatives

Subject: *U.S. Department of Agriculture, Commodity Credit Corporation: Assistance for Specialty Crop Farmers (ASCF) Program*

Pursuant to section 801(a)(2)(A) of title 5, United States Code, this is our report on a major rule promulgated by the U.S. Department of Agriculture, Commodity Credit Corporation (CCC) titled "Assistance for Specialty Crop Farmers (ASCF) Program" (RIN: 0560-AI88). We received the rule on June 29, 2026. It was published in the *Federal Register* on June 1, 2026. 91 Fed. Reg. 32307. The effective date of the rule is June 1, 2026.

According to CCC, it issued this rule to provide assistance to producers of eligible specialty crops through the ASCF Program. CCC stated that these one-time bridge payments will help address elevated input costs incurred by producers and market disruptions stemming from foreign competitors engaging in unfair trade practices that impede specialty crop exports.

The Congressional Review Act requires a 60-day delay in the effective date of a major rule from the date of publication in the *Federal Register* or receipt of the rule by Congress, whichever is later. 5 U.S.C. § 801(a)(3)(A). The 60-day delay in effective date does not apply, however, if the agency finds for good cause that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest, and the agency incorporates the finding and a brief statement of its reasons in the rule. 5 U.S.C. § 808(2). CCC determined that that good cause exists because notice and comment is not legally required, and thus unnecessary. 91 Fed. Reg. at 32309–10.

Enclosed is our assessment of CCC's compliance with the procedural steps required by section 801(a)(1)(B)(i) through (iv) of title 5 with respect to the rule. If you have any questions about this report or wish to contact GAO officials responsible for the evaluation work relating to the subject matter of the rule, please Shari Brewster, Assistant General Counsel, at (202) 512-6398.

Shirley A. Jones
Managing Associate General Counsel

Enclosure

cc: William Beam
Executive Vice President
Commodity Credit Corporation

ENCLOSURE

REPORT UNDER 5 U.S.C. § 801(a)(2)(A) ON A MAJOR RULE
ISSUED BY THE
U.S. DEPARTMENT OF AGRICULTURE,
COMMODITY CREDIT CORPORATION
TITLED
"ASSISTANCE FOR SPECIALTY CROP FARMERS (ASCF) PROGRAM"
(RIN: 0560-AI88)

(i) Cost-benefit analysis

The U.S. Department of Agriculture, Commodity Credit Corporation (CCC) prepared an analysis of the costs and benefits of this rule. 91 Fed. Reg. 32307, 32310 (June 1, 2026). CCC estimated the total program cost of the rule to be $1.625 billion, which also represents the benefit to producers, but that the final amount will depend on the number of applications submitted and approved. *Id*.

(ii) Agency actions relevant to the Regulatory Flexibility Act (RFA), 5 U.S.C. §§ 603–605, 607, and 609

CCC stated that this rule is exempt from the requirements of the Act because those requirements are specifically tied to the Administrative Procedure Act or other requirements for a proposed rule, which did not apply to the rule because it involves matters relating to benefits. 91 Fed. Reg. at 32309.

(iii) Agency actions relevant to sections 202–205 of the Unfunded Mandates Reform Act of 1995, 2 U.S.C. §§ 1532–1535

CCC stated that this rule contains no federal mandates, as defined by the Act, for state, local, and Tribal governments, or the private sector. 91 Fed. Reg. at 32310.

(iv) Other relevant information or requirements under acts and executive orders

Administrative Procedure Act, 5 U.S.C. §§ 551 *et seq.*

CCC stated that the Act's notice-and-comment and delayed effective date requirements do not apply when the rule involves specified actions, including matters relating to loans, grants, benefits, and contracts, and this rule falls within the exemption. 91 Fed. Reg. at 32309.

Paperwork Reduction Act (PRA), 44 U.S.C. §§ 3501–3520

CCC determined that this rule contains information collection requirements under the Act. 91 Fed. Reg. at 32310–11.

Statutory authorization for the rule

CCC promulgated this rule pursuant to section 714 *et seq*. of title 15, United States Code.

Executive Order No. 12866 (Regulatory Planning and Review)

CCC stated that this rule is economically significant under the Order and was reviewed by the Office of Management and Budget. 91 Fed. Reg. at 32310.

Executive Order No. 13132 (Federalism)

CCC indicated in its submission to us that it did not discuss the Order in this rule.