

GROWERTALKS

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Southern Border Visit Leads to Some Action

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In early January, President Biden traveled to El Paso, Texas, to assess enforcement operations at the border. This was his first border trip since being sworn into office and came just days after his administration announced new restrictions on asylum seekers amidst high numbers of migrants attempting to cross into the U.S. and the larger back-and-forth with Republicans over the administration's immigration policy.

Following the visit, Biden traveled to Mexico City for the North American Leaders' Summit. During the meetings, Mexican President Andrés Manuel López Obrador urged Biden to insist that Congress make more accommodations to allow Mexican migrants to work in industries where American employers are struggling to hire.

As a result of these events, the Biden Administration has announced a new program that will allow U.S. citizens and permanent residents to sponsor an individual to enter the United States as a formal refugee. The private sponsorship program complements the traditional U.S. Refugee Admissions Program (USRAP) by permitting ordinary people to come together in groups of five or more to apply to sponsor a new refugee. This new model could help fulfill the Biden administration's goal of resettling 125,000 refugees each year, a target it has yet to meet since taking office.

The complex immigration landscape in the 118th Congress—with Republicans in control of the House, Democrats controlling the Senate and 2024 election politics bearing down—will provide few, if any, meaningful windows of opportunity for legislative reform. Against that backdrop, we expect the Administration to continue to pursue executive actions that do not require Congress to act.

—Sara Neagu-Reed, Director of Advocacy & Government Affairs, AmericanHort

USDA Opens Assistance Programs

In January, the period for agricultural producers to apply for two new important programs for revenue losses opened. These include losses that occurred between 2020 and 2021 pertaining to natural disasters or the COVID-19 pandemic. Both programs equitably fill gaps in earlier assistance.

First, you may be eligible for assistance through the Emergency Relief Program (ERP) Phase Two if you

experienced revenue losses from eligible natural disasters in 2020 or 2021. ERP Phase Two is for producers who didn't receive assistance from ERP Phase One.

You also may be eligible for the Pandemic Assistance Revenue Program (PARP) if you experienced revenue losses in calendar year 2020. PARP addresses gaps in previous pandemic assistance, which was targeted at price loss or lack of market access rather than overall revenue losses.

Applications for both new programs are due June 2, 2023, and you can apply for both programs during your same appointment with USDA's Farm Service Agency (FSA).

Historically, FSA programs have been designed to make direct payments to producers based on a single disaster event or for a single commodity loss. For many of you, this may be the first revenue-based program you've applied for with FSA.

Why revenue-based programs?

ERP Phase Two and PARP take a much more holistic approach to disaster assistance, ensuring that producers not just make it through a single growing season, but have the financial stability to invest in the long-term well-being of their operations and employees.

In general, ERP Phase Two payments are based on the difference in allowable gross revenue between a benchmark year, representing a typical year of revenue for the producer and the disaster year. It was designed to target the remaining needs of producers impacted by qualifying natural disasters and avoid duplicative payments. ERP Phase Two revenue loss is based on tax years.

For PARP, an agricultural producer must have been in the business of farming during at least part of the 2020 calendar year and had a decrease in revenue for the 2020 calendar year, as compared to a typical year. PARP revenue loss is based on calendar years.

How to apply

In preparation for enrollment, producers should gather supporting documentation including:

- Schedule F (Form 1040); and
- Profit or Loss from Farming or similar tax documents for tax years 2018, 2019, 2020, 2021 and 2022 for ERP and for calendar years 2018, 2019 and 2020 for PARP.

Producers should also have, or be prepared to have, the following forms on file for both ERP and PARP program participation:

- Form AD-2047, Customer Data Worksheet (as applicable to the program participant);
- Form CCC-902, Farm Operating Plan for an individual or legal entity;
- Form CCC-901, Member Information for Legal Entities (if applicable); and
- Form AD-1026 Highly Erodible Land Conservation (HELC) and Wetland Conservation (WC) Certification.
- Form CCC-860, Socially Disadvantaged, Limited Resource, Beginning and Veteran Farmer or Rancher Certification, as certain existing permanent and ad-hoc disaster programs provide increased benefits or reduced fees and premiums.

Most producers, especially those who have previously participated in FSA programs, will likely have these required forms on file. However, those who are uncertain or want to confirm should contact FSA at their local USDA Service

Center at farmers.gov/working-with-us/service-center-locator.

—Tal Coley, CEO, Florida Nursery, Growers & Landscape Association

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