

# **AG ISSUES UPDATE**

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**September 2022**

## **USApple updates**

### **USApple's Bair Urges Senate Action on FWMA at Capitol Hill Press Event**

USApple President & CEO Jim Bair yesterday spoke at a press conference on Capitol Hill urging Senate action on the Farm Workforce Modernization Act. He joined Rep. Dan Newhouse (Wash.) and Rep. Mike Simpson (Idaho), as well as other agriculture industry leaders, as part of the American Business Immigration Coalition. His statement is below.

Statement of Jim Bair

President & CEO, U.S. Apple Association

At the American Business Immigration Coalition Press Event

Capitol Hill

September 15, 2022

“Agriculture labor reform has been our top legislative priority for more than a decade. It’s the issue that keeps apple growers awake at night, whether they employ 500 workers or five. An entire year of care and input costs can be lost when it’s time to harvest and workers arrive late or not at all.

“Increasingly, apple growers are turning to the H-2A guestworker program, and today, apples are probably the largest single commodity user of the program. But workers are often delayed due to administrative red tape and the costs associated with the program have outpaced inflation for decades.

“The reforms in the House-passed Farm Workforce Modernization Act would bring the needed stability and predictability to the agriculture labor market as a whole and specifically to the H-2A program. Growers would know what their labor costs are for the year and could plan accordingly, instead of scrambling when they learn at the last minute the H-2A wage rate is increasing by 10% or more.

“Congressman Newhouse, who spoke earlier, represents the largest apple district in the country, and we are so grateful that he has put his shoulder to the wheel to work toward getting this important legislation across the finish line, not once, but twice. Representative Simpson, who is also here, has been a great leader, as well as those who on a bipartisan basis supported this effort.

“Attention must now turn to the Senate. I want to acknowledge and thank Senators Mike Bennett and Mike Crapo for their willingness to take on this critical issue. We implore the Senate leadership to put politics aside for the sake of food security and the economic viability of our rural communities.

“The past few years have created a perfect storm as growers’ input costs such as fuel, fertilizer and freight have risen as much as 300%, while lost export markets have left apples to overhang the market and make the strain even greater. Apple growers are making tough decisions to determine if they can hang to continue producing America’s favorite fruit for another year, or if what has been a livelihood for three, four or more generations stops with them.”

## **Additional Source Updates**

### **Applications Available for \$1B Rural High-speed Internet Program**

WASHINGTON — U.S. Department of Agriculture (USDA) Secretary Tom Vilsack today announced that USDA is now accepting applications for ReConnect Program loans and grants to expand access to high-speed internet for millions of people in rural America nationwide. The Department is making more than \$1 billion available, thanks to President Biden’s Bipartisan Infrastructure Law. The program is a critical piece of the Biden-Harris Administration’s commitment to connect every American to affordable, reliable, high-speed internet.

“Ensuring that the people of rural America are connected with reliable, high-speed internet brings new and innovative ideas to the rest of our country, and it remains a core priority for President Biden,” Vilsack said. “That’s why high-speed internet is an important part of USDA Rural Development’s work with rural communities. Reliable high-speed internet opens the world’s marketplace to rural business owners. It enables them to expand their businesses and give more jobs and opportunities to people in their own community.”

On Sept. 6, USDA began accepting applications for loans, with available funds of \$150 million, grants with available funds of \$700 million, and combination loan/grant awards using \$300 million under the ReConnect Program. These funds were appropriated under the Bipartisan Infrastructure Law, also known as the Infrastructure Investment and Jobs Act. Governmentwide, the law provides an historic \$65 billion investment to expand affordable, high-speed internet to all communities across the U.S.

The application deadline is Nov. 2. For additional information, see page 47690 of the Aug. 4 Federal Register (PDF, 231 KB).

USDA has made several improvements to the ReConnect Program for the current round of applications. Collectively, these improvements increase the availability of funding in rural areas where residents and businesses lack access to affordable, high-speed internet. They include:

- Allowing applicants to serve areas where at least 50% of households lack sufficient access to high-speed internet.
- Adding a funding category for projects where 90% of households lack sufficient access to high-speed internet. For applications submitted under this category, no matching funds will be required.
- Waiving the matching funds requirement for: (a) Alaska Native Corporations, (b) Tribal Governments, (c) projects proposing to provide service in colonias, (d) projects proposing to serve persistent poverty counties and (e) projects proposing to provide service in socially vulnerable communities.

Additionally, to ensure that rural households in need of internet service can afford it, all awardees under this funding round will be required to apply to participate in the Bipartisan Infrastructure Law's Affordable Connectivity Program (ACP). The ACP offers a discount of up to \$30 per month towards internet service to qualifying low-income households and up to \$75 per month for households on qualifying Tribal Lands. As a result, ACP-eligible households can receive internet at no cost and can sign up and check their eligibility at [GetInternet.gov](https://www.getinternet.gov). The Department's actions to expand high-speed internet access in rural areas are key components of the Biden-Harris Administration's efforts to help America build back better in its recovery from the COVID-19 pandemic.

In the first round of the ReConnect Program, USDA invested \$656 million to create or improve high-speed internet access for rural customers across 33 states and territories. In the second round of the

ReConnect Program, USDA invested \$850 million to create or improve high-speed internet access for rural customers across 37 states and territories. To date, USDA has announced \$356 million in critical investments through the third round of ReConnect funding, for a total of \$1.8 billion invested through the ReConnect Program since the program's inception. More investments will be announced in the coming weeks.

### **Background: ReConnect Program**

To be eligible for ReConnect Program funding, an applicant must serve an area where high-speed internet service is not available at speeds of 100 megabits per second (Mbps) (download) and 20 Mbps (upload). The applicant must also commit to building facilities capable of providing high-speed internet service at speeds of 100 Mbps (download and upload) to every location in its proposed service area.

To learn more about investment resources for rural areas, visit [www.rd.usda.gov](http://www.rd.usda.gov) or contact the nearest USDA Rural Development state office.

Under the Biden-Harris Administration, Rural Development provides loans and grants to help expand economic opportunities, create jobs and improve the quality of life for millions of Americans in rural areas. This assistance supports infrastructure improvements; business development; housing; community facilities such as schools, public safety and health care; and high-speed internet access in rural, tribal and high-poverty areas. For more information, visit [www.rd.usda.gov](http://www.rd.usda.gov). – *Morning Ag Clips* September 12<sup>th</sup>, 2022

### **Crop Insurance: USDA Announces Increased Revenue Limits, Update for Whole-Farm Revenue Protection and Micro Farm Insurance Programs**

On August 31, 2022, the U.S. Department of Agriculture's (USDA) Risk Management Agency (RMA) announced updates to its Whole-Farm Revenue Protection (WFRP) and Micro Farm insurance programs. Both programs increased the amount of revenue producers may insure: the WFRP revenue limit was raised to \$17 million (from \$8.5 million) and the Micro Farm revenue limit was raised to \$350,000 (from \$100,000). Additional changes to the WFRP include permitting producers to self-certify and report yields at the beginning of the year for otherwise uninsurable commodities and no longer requiring expense reporting in favor of lowering expected revenues to 60% from commodities unable to be

planted. The announced updates become effective for crop year 2023. – *Penn State Agricultural Law Weekly review September 2<sup>nd</sup>, 2022*

## **Agricultural Data: USDA Announces 2022 Census of Agriculture Details**

On August 29, 2022, the U.S. Department of Agriculture's (USDA) National Agricultural Statistics Service (NASS) announced that the agency will soon be mailing and accepting questionnaires for the 2022 Census of Agriculture. The Census of Agriculture includes all sizes of urban and rural farm operations that produced and sold at least \$1,000 worth of agricultural products. The census will survey producers on multiple issues, including land use and ownership, producer characteristics, farming practices, and income and expenses. The 2022 survey contains new questions on hemp production, hair sheep, precision agriculture, and updated internet access questions. USDA will send online invitations in November and paper forms in December. Reports are due from producers by February 6, 2023. -*Penn State Agricultural Law Weekly Review September 2<sup>nd</sup>, 2022*

## **Specialty Crop Farm Bill Alliance Issues Statement of Principles**

WASHINGTON — The **Specialty Crop Farm Bill Alliance (SCFBA)**, a national coalition of more than 200 specialty crop organizations representing growers of fruits, vegetables, dried fruit, tree nuts, nursery plants and other products, has released its statement of principles for consideration of the 2023 Farm Bill.

The SCFBA was established to advocate for broad-based Farm Bill policy initiatives to address the unique needs of a diverse sector of the agricultural economy, known as specialty crops, and to address their overall competitiveness in the face of increasing imports and rising global pressures on American exports. It is led by co-chairs **Mike Joyner, president of the Florida Fruit & Vegetable Association; Dave Puglia, president and CEO of Western Growers; and Kam Quarles, CEO of the National Potato Council**, along with **Robert Guenther, chief public policy officer for International Fresh Produce Association**, who serves as secretariat for the Alliance.

The co-chairs issued the following statement alongside the release of the SCFBA statement of principles:

“This statement of principles – which focuses on health, competitiveness and sustainability, trade and foreign competition, research and innovation, and natural resources and climate – is guiding our development of the Specialty Crop Farm Bill Alliance’s priorities for the 2023 Farm Bill. In the months ahead, specialty crop producers will continue to advocate for support under a common set of goals and intend to soon share recommendations to Congress. We continue to be encouraged by the support for our growers and look forward to working with industry leaders and policymakers to encourage access to broader resources for the specialty crop industry.”

Specialty crop production, including fruits, vegetables, tree nuts, nursery and greenhouse commodities, contributes significantly to the U.S economy, accounting for \$64.7 billion in farm gate value and 30 percent of farm cash receipts for crops.

### **The Specialty Crop Farm Bill Alliance Statement of Principles for Consideration of the 2023 Farm Bill:**

**Healthy Americans.** Investments in the competitiveness and sustainability of the U.S. specialty crop industry will produce a strong return for all Americans, not just farmers. Expanding access and availability to safe, wholesome, healthy, and affordable foods, as well as trees, flowers, and plants, will encourage life-long healthy eating habits, mental and physical well-being, and help address national priorities such as obesity, heart disease, and food and nutrition insecurity.

**Competitiveness and Sustainability.** In recognition of its significance to American agriculture, the American food supply, and the communities it supports across the United States, a proportional share of farm bill resources and mandatory spending should be allocated to specialty crop priorities. To foster a better understanding of the specialty crop industry in the United States, Congress and USDA should invest in the human resources, expertise, and data collection and analytics necessary throughout the government to better serve this diverse and vital agricultural sector and its supply chains.

**Trade and Foreign Competition.** Preserving the critical supply chain for domestically sourced healthy foods in the United States should be a national priority. Establishing a competitive playing field for American specialty crop producers includes assisting American producers with unfair foreign competition, promoting American specialty crops in foreign markets, and eliminating trade barriers that discriminate against American specialty crop exports.

**Research and Innovation.** Scientific breakthroughs, technological innovation and data-enabled decision making will continue to drive long-term sustainability and profitability of the specialty crop industry as it adapts to labor, climate and environmental challenges, pests and diseases, rising global competitiveness, shifting consumer preferences, supply chain disruptions, and other challenges. A sustained federal investment into research and innovation must be of meaningful scale to catalyze opportunities for the industry, alleviate existing challenges, and propel U.S. specialty crop industry to a new level of global competitiveness.

**Natural Resources and Climate.** The production methods and structure of certain specialty crop producers has historically inhibited their ability to participate in many USDA conservation programs. Recognizing the diverse nature and unique challenges involved in specialty crop production, enhance the ability of specialty crop producers to participate fully in all USDA conservation programs as well as any initiatives to address global climate change.

The release of the statement of principles follows a July statement and letter to the leadership of the Senate and House Agriculture Committees officially opposing any attempt to expand the definition of specialty crops beyond the commonly understood meaning set forth in the Specialty Crop Competitiveness Act of 2004 or to direct specialty crop funds to non-specialty crops, including natural stone, wild rice, and hemp. The Alliance is planning to release its full set of Farm Bill recommendations this fall. – *Morning Ag Clips August 30<sup>th</sup>, 2022*

## **National Agricultural Policy: USDA Announces \$121 Million for Rural Infrastructure and Energy Grants**

On August 24, 2022, the U.S. Department of Agriculture (USDA) announced \$121 million in grants to local governments, nonprofit organizations, and federally recognized Tribes across 49 states, Guam, and Puerto Rico for 289 infrastructure and renewable energy projects. The funds are provided through three programs targeting rural areas: 1) Community Facilities Disaster Grants, 2) Rural Energy for America Program (REAP) Renewable Energy & Energy Efficiency Improvement Guaranteed Loans & Grants, and 3) Rural Energy for America Program (REAP) Energy Audits and Renewable Energy Development Grants. Through the Community Facility Disaster Grant Program, Pennsylvania grant recipients include the Town of Bloomsburg (\$500,000) and the Eagles Mere Borough Authority

(\$46,700). Through the REAP Renewable Energy & Energy Efficiency Improvement Guaranteed Loans & Grants Program, Pennsylvania grant recipients include

- Allegheny Bradford Corporation (\$18,924),
- Anthony Ricci DbA Green Heron Farm (\$8,500),
- Clugston Farms, LLC (\$20,000),
- Frosty Hollows Farms, LLC (\$20,000),
- Goot Essa, LLC (\$7,912),
- Kelly RV, Inc. (\$11,000),
- Kriebel Security, Inc. dba Czarstar Security (\$12,877),
- Mat Plaza, LLC (\$12,410),
- Mcclarigan CPAs & Advisors (\$15,000),
- Michael L. Wilt dba Cedar Grove Farm (\$12,398),
- Maple Lawn Entertainment, Inc. dba Maize Quest (\$15,000)
- Three Rivers Grown, LLC (\$20,000),
- Troyer Growers, Inc. (\$11,654), and
- Vacuum Processes, Inc. (\$8,825).

*-Penn State Agricultural Law Weekly Review, August 26<sup>th</sup>, 2022*