

AG ISSUES UPDATE

Edited by Sara Hricko

July 2025

USApple Updates

“One Big Beautiful Bill” Delivers for Apple Growers

The budget reconciliation bill (officially titled the *One Big Beautiful Bill Act*) was signed into law by President Trump on July 4 and includes Farm Bill priorities championed by USApple and the Specialty Crop Farm Bill Alliance (SCFBA)

USApple plays a key leadership role within the SCFBA, with President & CEO Jim Bair serving on the Steering Committee and Senior Vice President Diane Kurrle co-chairing the Legislative Committee.

Thanks to strong advocacy from USApple and our partners, the final bill includes:

- Doubled funding for the Market Access Program (MAP)
- Increased funding for the Specialty Crop Research Initiative and Specialty Crop Block Grant Program
- Improvements to the Tree Assistance Program and crop insurance
- Expanded eligibility for USDA disaster and conservation programs by waiving AGI caps for producers earning 75% or more of their income from agriculture

This marks a significant victory for apple growers and the broader specialty crop community. USApple and SCFBA worked closely with congressional allies and the leadership of the House and Senate Agriculture Committees to ensure these priorities made it into the final bill.

Latest Trump Farm Labor Position: No Amnesty – July 9th

After weeks of mixed messaging, the Trump Administration revised its stance on the agricultural workforce again Tuesday stating there will be “no amnesty for [undocumented] farm workers,” and that the Administration’s policy is to transition to a “100% American workforce in agriculture.” USApple continues to push for practical, bipartisan solutions, meeting with staff at the White House, Dept. of

Agriculture, Dept. of Labor, and Dept. of Homeland Security to push for H-2A reforms and emphasize the importance of a stable, reliable workforce.

Enforcement of H-2A Worker Protection Rule Suspended

On Friday 6/20, the Department of Labor (DOL) announced it will suspend enforcement of its Biden-era H-2A Worker Protection Rule—the same rule USApple and several other agricultural groups successfully challenged in court last fall. While key provisions of the rule had already been paused due to our legal victory, this broader suspension is a welcome development. It reflects the commonsense changes USApple has urged since the court ruling in November 2024.

DOL Establishes New Office of Immigration Policy

This week, DOL Secretary Lori Chavez DeRemer announced the establishment of an Office of Immigration Policy. The Director of this new office will work closely with the Deputy Secretary of Labor Keith Sonderling, who met with the USApple Government Affairs Committee in March to discuss industry labor priorities.

According to DOL, the new office will support employers navigating legal pathways, particularly employment-based visa programs, as the Administration increases border enforcement and interior immigration controls.

This move signals growing recognition of the importance of streamlined, lawful labor access for sectors like agriculture. USApple will remain closely engaged with senior staff at DOL, DHS, and USDA as these developments progress.

Farm Bureau Updates

Pennsylvania Farm Bureau is pleased to see the Pennsylvania Senate vote to pass Senate Bill 518 and House Bill 1431 on Thursday, June 26th. The bills offer meaningful reforms for farmers to fight crop damage. Both bills passed the Senate with strong bipartisan support.

Senate Bill 518, introduced by Senator Greg Rothman, amends Title 34 (Pennsylvania Game Code) of the Pennsylvania Consolidated Statutes which stated that it is unlawful to refuse to answer questions from representatives of the Game Commission, violating the Fifth Amendment of the U.S. Constitution which ensures no person may be “compelled in any criminal case to be a witness against himself.” Senate Bill

518 passed the House on June 25th, 199-3. The Senate voted unanimously on concurrence on June 26th. The bill was then signed into law.

House Bill 1431, introduced by Mandy Steele, is especially important for farmers who continue to face significant crop damage and financial burdens caused by the overpopulation of deer in Pennsylvania. House Bill 1431 includes increased trespass penalties and fully repeals Pennsylvania's Sunday hunting ban, expanding opportunities for hunters while preserving important protections for landowners through clear written permission requirements. House Bill 1431 passed the Senate on a 34-16 vote. It is now on the governor's desk waiting to be signed into law.

USDA estimates from federal crop insurance data that Pennsylvania suffered north of \$20 million in losses on corn in 2017 – the highest reported number in the nation. That same study showed that Pennsylvania farmers suffered north of \$15 million in losses to soybean crops in 2017.

Agricultural Law updates

National Agricultural Policy: Pennsylvania Challenges USDA Termination of \$13 Million Local Food Assistance

On June 4, 2025, Pennsylvania Governor Josh Shapiro and the Pennsylvania Department of Agriculture (PDA) filed a [complaint](#) in the U.S. District Court for the Middle District of Pennsylvania challenging the U.S. Department of Agriculture's (USDA) determination that the Local Food Purchase Assistance 2025 Cooperative Agreement (LFPA) "no longer effectuates USDA's priorities" without "identif[ing] what its priorities are or how the program fails to advance them." *Shapiro v. U.S. Department of Agriculture*, No. [1:25-cv-00998](#). According to a concurrent [announcement](#), the program was to provide \$13 million to "suppl[y] 14 food banks with fresh, locally grown food," "directly support[ing] 189 Pennsylvania farms." The complaint cites letters from USDA terminating the LFPA25 "in accordance with [2 CFR § 200.340\(a\)\(4\)](#) and the terms and conditions of the award," but noting that the same regulation "expressly provides that the federal agency 'must clearly and unambiguously specify all termination provisions in the . . . award'" and that the agreement "does not specify any circumstances under which the agreement can be terminated." The complaint seeks vacatur of USDA's determination.

Other articles of interest Regarding Immigration:

DHS Counters Trump on Ag Labor, ICE Immigration Raids on Farms will Resume Despite Trump's Take on Ag Labor

6/17/2025 | 8:39 AM CDT

By Jerry Hagstrom, DTN Political Correspondent, and Chris Clayton, DTN Ag Policy Editor

WASHINGTON (DTN) -- Despite comments from President Donald Trump to back off immigration raids on farms, the Department of Homeland Security told Immigration and Customs Enforcement leaders of its 30 field agencies on Monday that agents must continue conducting immigration raids at agricultural businesses, hotels and restaurants, The Washington Post reported late Monday.

The reversal seems to reflect divisions within the Trump administration over whether to exempt industries with long-standing undocumented immigrant workforces from the immigration raids.

Last week, Trump acknowledged the ag and hospitality businesses had lost workers and said changes were coming. On Friday, the White House told ICE not to raid agricultural and hospitality businesses.

Farms were raided in California throughout last week while ICE also raided a small meat processor in Omaha, Nebraska, arresting at least 70 workers.

The New York Times credited Agriculture Secretary Brooke Rollins with convincing Trump to stop the immigration raids on agricultural businesses, but USDA in a statement said only that Rollins supported the White House position on immigration and deportations.

The American Farm Bureau Federation, the National Council of Farmer Cooperatives and the International Fresh Produce Association praised the White House for pulling back on the raids.

The National Council of Agricultural Employers (NCAE) also wrote Cabinet secretaries and the White House chief of staff over the weekend, highlighting the challenges farmers face in finding workers.

"The Council and our members are encouraged by President Trump's recent comments recognizing the critical importance of the agricultural workforce. His comments are spot on," wrote Michael Marsh, president and CEO of NCAE. Marsh noted farmers need a steady workforce to grow and harvest food.

"Particularly where labor-intensive agriculture is concerned, America's farmers and ranchers cannot complete the task to feed the nation and the world on their own -- they must have ready, willing, available and skilled labor," the letter stated.

The International Fresh Produce Association (IFPA) has called last week's immigration "disruptive" to the industry.

"To meet the ongoing demand for our nutritious products, the industry needs a stable, legal, and predictable workforce. We employ U.S. and foreign workers, but labor shortages and legislative uncertainty threaten the agricultural industry's ability (to) ensure fresh fruits and vegetables reach consumers," IFPA said.

"Enforcement actions targeting agricultural laborers are highly disruptive to farm operations and the produce supply chain consumers rely on. They are also the culmination of decades of inaction from policymakers and a broken labor system. These actions are exacerbating an already fragile labor

situation, threatening the long-term viability of U.S. agriculture, and impacting the broader supply chain, from packers and wholesalers to retailers and transportation providers.

"IFPA appreciates President Trump's comments acknowledging the importance of protecting the agricultural workforce for food security of the American people. We welcome the opportunity to collaborate with the president on urgent steps to safeguard the food supply and call on Congress to deliver long-overdue, permanent reforms to the country's broken farmworker system," IFPA said.

The group United Farm Workers was more pessimistic about Trump's direction to pause raids at agricultural worksites. The group noted Border Patrol and ICE continued to sweep farm worker communities even after Trump's comments.

On Sunday, President Trump said on social media that ICE would focus on cities controlled by Democrats.

But on Monday, ICE shared instructions to continue the raids on a call to representatives from 30 field offices across the country, the Post said.

"There will be no safe spaces for industries who harbor violent criminals or purposely try to undermine ICE's efforts," Tricia McLaughlin, an assistant secretary for DHS, told the Post on Monday. "Worksite enforcement remains a cornerstone of our efforts to safeguard public safety, national security and economic stability."

Asked about whether ICE would continue to conduct raids in areas outside large Democratic cities, a White House official told the Post, "While we will expand efforts in sanctuary cities, President Trump remains committed to enforcing federal immigration law -- anyone present in the United States illegally is at risk of deportation."

Administration Changes Course Again on Immigration Enforcement

Farms, hospitality sites will again be subject to inspections

06/17/25 10:47 AM By Steve Davies

Agri-Pulse

Farms, hotels and restaurants will continue to be targets of immigration raids conducted by the Department of Homeland Security, the department says, reversing itself only a few days after ag producers thought they had gotten a reprieve.

"The President has been incredibly clear," DHS Assistant Secretary Tricia McLaughlin said in a brief statement issued late Monday. "There will be no safe spaces for industries who harbor violent criminals or purposely try to undermine ICE's efforts."

"Worksite enforcement remains a cornerstone of our efforts to safeguard public safety, national security and economic stability," she continued.

"These operations target illegal employment networks that undermine American workers, destabilize labor markets and expose critical infrastructure to exploitation."

Just last Thursday, Immigration and Customs Enforcement had told regional staff to "hold on all work site enforcement investigations/operations on agriculture (including aquaculture and meat packing plants), restaurants and operating hotels," according to the New York Times.

The email added that investigations involving "human trafficking, money laundering, drug smuggling into these industries are OK" but that arrests should not be made of "noncriminal collaterals."

In the Oval Office Thursday, Trump said that farmers and the hospitality industry shouldn't lose long-term workers who had been working for them without incident. The comments followed a social media post from the president on the issue and a series of attempts by ICE to arrest laborers at farms in Ventura County, California, and at milk and meat processing facilities.

In a statement, the National Council of Farmer Cooperatives said it was "deeply concerned with reports that [DHS] has issued new guidance reversing course on last week's actions and urging a resumption of enforcement actions on farms and other agribusinesses. This directly contradicts the commitments made by President Trump to America's farmers and ranchers, first in April and again last week. We continue to monitor the situation on-the-ground at farms, packing houses, and other ag facilities around the country so that all parts of this Administration are held to that commitment. In addition, the uncertainty created by these seeming policy shifts are doing grave damage to producers and their ability to help feed their fellow citizens."

Does Trump's temporary pass for some migrants create more limbo?

By Jeff Arnold

Jul 1, 2025 / 01:19 PM CDT

NewsNation

President Donald Trump's proposed temporary free pass for some migrant workers remains in the development phase but a lack of details designed to protect farming and the hospitality industries has some worried that working migrants will remain targets for arrests and deportation.

White House Press Secretary Karoline Leavitt says the administration is working with the U.S. Department of Agriculture and the Department of Homeland Security to develop the temporary pass. But without providing specifics on an idea Trump floated in a weekend televised interview, she said the priority remains on removing public safety threats and deporting violent criminals.

However, in the latest shift in policy regarding workplace enforcement operations, Trump's "temporary free pass" suggests protection for some migrants may be coming. But until the plan fully takes shape, many advocates fear the same workers the pass could cover will instead live in continued limbo.

"(Trump) putting things on social media and saying things in interviews doesn't change anything," United Farm Workers President Teresa Romero told NewsNation. "We are guessing what (Trump) will do because there is no plan. It's just him saying what he feels at that moment."

What is President Trump proposing with a temporary free pass?

Trump told Fox News that the temporary pass is being worked on for people who pay taxes, giving farm owners more control to avoid ICE raids similar to those that took place at California farms last month.

Trump and DHS have bounced between pausing workplace raids and saying they will continue calling them a "cornerstone" of preserving public safety. White House Border Czar Tom Homan told reporters he would not "get ahead" of Trump on the temporary pass and declined to give more specifics despite being part of ongoing conversations.

Trump said he understands what taking migrants away from farms means for those running agricultural operations.

"You end up destroying a farmer because you took all the people away," Trump said. "It's a problem."

Spokespersons for DHS and the White House declined to give more specifics to NewsNation on Monday, deferring to Trump and Leavitt's comments.

But Romero said that, like Trump, farm owners understand the difficulty of empty jobs in the American farming industry. The Center for Migration Studies found 86% of workers are foreign-born, and 45% are in the U.S. illegally, often without documentation.

Despite Trump's commitment to protect farming, Romero said high levels of fear and anxiety continue to keep some migrants from going to work, convinced ICE agents will turn up to take more migrants into federal custody.

"The workers say that the way (the administration) is treating them, they feel like they're disposable," Romero said.

Migrants seeking a permanent solution

United Farm Workers, the nation's largest union representing farm workers, has backed the bipartisan Farm Workforce Modernization Act that is designed to reform the H-2A visa program. Without legislation in place, however, Romero said that the immigrant workers that the union represents remain fearful that they will be targeted by ICE because of their status as undocumented immigrants.

She said that while Trump deemed farm workers as "essential" during the COVID-19 pandemic, migrants don't fall into that category today. Instead, she said they are part of a population that is targeted by an administration with set goals for both daily arrests and annual deportations.

Romero said her goal is that migrant farm workers are instead rewarded as loyal professionals who, in many cases, have worked in the farming industry for decades. For now, the current climate surrounding immigration is changing the way they go about their lives, forcing them to miss work and miss their children's school events, anxious about what could happen.

"Not only do they feel like they're being used, but their families and children are being terrorized," Romero said. "(ICE) doesn't have a court order (during raids), they don't have any documents signed by a judge, they are now covering their faces, they're not wearing their uniform and they're driving unmarked vehicles. To me, that's kidnapping."

Valerie Lacarte, a senior U.S. immigration policy analyst with the Migration Policy Institute, said that the goals for arrests and deportation have made who is being taken into custody feel indiscriminate.

As of mid-June, the Transactional Records Access Clearinghouse showed that of the 56,397 in ICE custody, 28% have criminal convictions and 25% have pending criminal charges. Meanwhile, 46% have other immigration violations. Just more than 11% have been fast-tracked for deportation, data shows.

Lacarte said it also affects the U.S. economy. Farming, for instance, contributed about \$223 million to the nation's gross domestic product in 2023, while data shows that the hospitality industry contributed \$1.7 trillion to the U.S. economy in 2024.

However, although Trump has acknowledged that he does not want to harm key industries, Lacarte said that if more of the president's immigration policies were built on logic, the idea of a pathway for migrant workers would extend to other industries such as the health sector, childcare and other environments in which migrants are working.

Lacarte suggests that perhaps, Trump and his administration may be more aware and sensitive to some professions than others. However, she believes migrant workers remain vulnerable to being detained by ICE while they are trying to support themselves and their families.

“If (the administration) pursued the real costs of what the mass deportation plan is, (the free pass) would extend really to the whole economy,” Lacarte told NewsNation, adding if arresting “the worst of the worst” remained Trump’s main priority, workplaces would likely go unaffected by ICE raids.

“It’s a mixed bag right now” Lacarte said. “And there’s definitely a lack of focus there.”

Planning for Immigration Enforcement Actions and Policy Changes: Best Practices for Employer Compliance and Response

By Andrew J. Mahon

July 7, 2025

This year, with the second Trump Administration well underway, the contours of different legal areas have undergone dramatic shifts, none more prominent than in immigration. There have been significant changes in the first half of this year, with no signs of abating. Just last month, the Supreme Court placed restrictions on judges’ ability to issue nationwide injunctions, potentially allowing the executive order limiting birthright citizenship to take effect in some states. That decision, and the flurry of immigration-related executive orders, illustrates why it is more important than ever for employers to not only be aware of the changing landscape but also know how to respond when immigration enforcement actions arrive at their doorstep. This update covers the areas employers should focus on to ensure compliance with the nation’s ever-changing immigration policies.

1. Expecting and preparing for Immigration Enforcement Actions

The second Trump Administration has placed an enhanced focus on immigration enforcement, including targeted enforcement operations, judicial warrant enforcement actions, I-9 audits, and compliance reviews and audits of applications for immigration benefits. Each of these actions can vary in scope and complexity and are enforced by various agencies. Nevertheless, employers can prepare to respond to all enforcement actions by implementing the following measures:

Creating a team. Employers should have a dedicated team within their organization that is responsible for responding to immigration enforcement actions. The team should be familiar with the various issues that these actions present and should be able to work with counsel to identify a particular action when it occurs. The team should understand the different agencies that may be involved, such as ICE Enforcement and Removal Operations and ICE Homeland Security Investigations. The team should also be familiar with the documentation that distinguishes one type of action from another, such as an administrative arrest warrant, judicial warrant, and Notice of Inspection.

Preparing a written response plan. With the assistance of counsel, employers should have a plan in writing that outlines an appropriate response when confronted with each type of enforcement action. The response plan should identify employees of the organization who are most likely to make initial contact with immigration authorities and provide those employees with precise guidance on several points, including: the limitation of their authority to consent to searches; who in the organization is a member of the team responsible for responding to immigration enforcement actions; how to collect documentation and request identification from law enforcement; where to send documentation within the organization; and where to direct immigration authorities during an investigation.

Practicing. Once a response plan is in place, ensure that the plan is disseminated throughout the organization and that employees with responsibilities understand their roles and how to perform them. A response plan is only as good as the organization's ability to implement it correctly.

Staying Updated. As enforcement priorities and practices change, it is important to work with counsel to adjust your response plans accordingly.

2. Impact of ending parole programs and Temporary Protected Status.

In addition to an enhanced focus on enforcement actions, the second Trump Administration has enacted policies to terminate categorical parole programs and Temporary Protected Status (TPS) programs. These decisions have resulted in monumental and swift changes in the status of noncitizens, including their ability to work legally in the United States.

Parole is a form of humanitarian relief for noncitizens that provides temporary legal status, allowing individuals to remain in the country and apply for work authorization. However, it does not offer a pathway to citizenship.

Categorical parole programs, in effect, are blanket programs that provide temporary legal status to noncitizens from designated countries. Last month, the Supreme Court upheld the Trump Administration's decision to terminate the Cuba, Haiti, Nicaragua, and Venezuela (CHNV) program, affecting over 500,000 noncitizens from these countries who, under the program, were allowed to legally remain in the United States. Additionally, a parole program for Ukrainians has been suspended, although not outright terminated.

In addition to terminating categorical parole programs, the Trump Administration has moved to terminate the Temporary Protected Status (TPS) for many noncitizens, including Venezuelans. Akin to parole programs, termination of TPS status effectively terminates work authorization for affected noncitizens.

Employers must not only be cognizant of the changing policies affecting parole and TPS programs, but also take proactive steps to ensure any potentially affected employees are still authorized to work. To do so, employers should:

- Review I-9 forms and supporting documentation for all employees.
- Check expiration dates on Employment Authorization Documents.
- Identify employees who may have parole-based or TPS-based work authorization.
- Monitor official announcements from USCIS or DHS regarding termination of programs.
- Check employees' status in E-Verify, if applicable, by running a report. *Do not* wait for notifications—actively monitor employees' status.
- Contact outside counsel to determine appropriate steps if employees are subject to early termination.

As with enforcement actions, employers must stay current on changes to programs that provide temporary legal status, ensuring all employees remain authorized to work.

Some other helpful information:

The National Immigration Law Center – A Guide for Employers: What to do if Immigration comes to Your Workplace - <https://www.nilc.org/resources/a-guide-for-employers-what-to-do-if-immigration-comes-to-your-workplace/>