

June 30, 2020

## Pace-NRDC Food Law Initiative

The following chart summarizes federal legislation, executive orders, and federal agency relief efforts that may be helpful to farmers during the COVID-19 pandemic as of June 30, 2020. Each topic has an “Overview” of the legislation or relief effort as well as “Action Steps for Relief” if applicable.

	TOPIC	LEGISLATION/ PENDING ACTION	STATUS	SUMMARY
1.	Meat and Poultry Processing	Executive Order—Defense Production Act Designation for Meat and Poultry Processors	Announced 04/28/2020 <sup>[1]</sup>	<p><b>Overview:</b></p> <p>On April 28, 2020, President Trump issued an executive order under the Defense Production Act to protect national meat and poultry supply chains and ensure processing plants remain open during the COVID-19 emergency.</p> <p>Per this directive, the U.S. Department of Agriculture has worked in conjunction with the Centers for Disease Control and Prevention (CDC), the Department of Labor’s Occupational Safety and Health Administration (OSHA), as well as state and local health officials to set safety requirements for processing plants. Particular facilities may have their own additional requirements.</p>

Pace-NRDC Food Law Initiative COVID-19 Federal Legislation and Federal Agency Relief for Farmers Chart | June 2020

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				<p><b>Action Steps for Relief:</b></p> <p>CDC and OSHA guidelines for reopening meat packing facilities can be found at the following websites:</p> <ul style="list-style-type: none"> <li>• CDC Guidelines: <a href="https://www.cdc.gov/coronavirus/2019-ncov/community/organizations/meat-poultry-processing-workers-employers.html">https://www.cdc.gov/coronavirus/2019-ncov/community/organizations/meat-poultry-processing-workers-employers.html</a>.</li> <li>• OSHA Guidelines: <a href="https://www.osha.gov/SLTC/meatpacking/">https://www.osha.gov/SLTC/meatpacking/</a>.</li> </ul>
2.	Direct Payments and Monthly Purchases from USDA	Coronavirus Food Assistance Program <sup>[2]</sup>	Updated 05/19/2020	<p><b>Overview:</b></p> <p>The USDA Coronavirus Food Assistance Program (CFAP) will provide \$19 billion in relief to the agriculture sector (\$16 billion of which will be in the form of direct payments to farmers and ranchers and \$3 billion which will be distributed through large monthly purchases of dairy, meat and produce).</p> <p>Farmers and ranchers who have faced at least a 5% decline in the price of their products or who have had losses due to</p>

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				<p>market supply chain disruptions and face additional market costs due to COVID-19 may be eligible for CFAP payments.</p> <p>Eligibility: To be eligible a person or legal entity must have an average adjusted gross income of less than \$900,000 (unless 75% of income is from farming, ranching or forestry, in which case the income limit does not apply). They must also:</p> <ul style="list-style-type: none"> <li>• Comply with the provisions of the Highly Erodible Land and Wetland Conservation regulations;</li> <li>• Not have a controlled substance violation; and</li> <li>• If a foreign person, provide land, capital and a substantial amount of active personal labor to the farming operation.</li> </ul> <p>Payment Limitations:</p> <ul style="list-style-type: none"> <li>• Payments are limited to \$250,000 per person/legal entity and \$750,000 for corporate entities (subject to certain limitations).</li> </ul>

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				<ul style="list-style-type: none"> <li>Upon approval of applications, 80% of the amount will be paid, with the remaining 20% withheld until a later date to help ensure that funds are not used up too quickly.</li> </ul> <p><b>Action Steps for Relief:</b></p> <p>Applications must be submitted by August 28, 2020. To complete the process, applicants will need to use the CFAP payment calculator spreadsheet to determine their payment amount, complete a form AD-3114 application, and potentially complete certain other industry specific forms. These documents must be submitted to the applicant’s local Farm Service Agency Service Center.</p> <p>The CFAP Payment Calculator is available at:  <a href="https://www.farmers.gov/sites/default/files/documents/CFAP-Payment-Calculator_farmers.gov%20_Version-1.2_final.xls">https://www.farmers.gov/sites/default/files/documents/CFAP-Payment-Calculator_farmers.gov%20_Version-1.2_final.xls</a></p> <p>Application forms can be found at:  <a href="https://www.farmers.gov/cfap#apply">https://www.farmers.gov/cfap#apply</a></p>

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				A USDA service center locator is available at: <a href="https://offices.sc.egov.usda.gov/locator/app">https://offices.sc.egov.usda.gov/locator/app</a>
3.	Small Business Relief	Coronavirus Aid, Relief, and Economic Security Act (the “CARES Act”)	Enacted 3/27/2020 <sup>[3]</sup> and Updated on 5/31/2020 <sup>[4]</sup>	<p><b>Overview:</b></p> <p>Among other things, the CARES Act provided relief to small businesses through the:</p> <ul style="list-style-type: none"> <li>• Paycheck Protection Program;</li> <li>• Economic Injury Disaster Loans; and</li> <li>• Family First Act Benefits.</li> </ul>
		Paycheck Protection Program	Enacted 3/27/2020 and Updated on 5/31/2020.	<p><b>Overview:</b></p> <p>The Paycheck Protection Program (PPP) permits eligible agricultural producers, farmers and ranchers with 500 or fewer employees to apply for loans guaranteed by the Small Business Administration (SBA). The final day to apply was originally June 30, but the Senate has since passed an extension to accept applications until August 8.<sup>[5]</sup></p> <ul style="list-style-type: none"> <li>• Loans can be used for payroll support, including paid sick, medical or family leave.</li> </ul>

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				<ul style="list-style-type: none"> <li>• Loans can also be used for costs related to the continuation of group health care benefits during those periods of leave, employee salaries, mortgage or rent payments, utilities or any other debt obligations.</li> <li>• The loans have a maturity of 2 years if issued before June 5, 2020 (unless the borrower and lender mutually agree to an extension) and a maturity of 5 years if issued after June 5, 2020. The loans all have an interest rate of 1%.</li> <li>• Borrowers must retain all documentation submitted with the application for 6 years.</li> <li>• To be eligible for loan forgiveness, an applicant must file a separate loan forgiveness application and submit it to his or her lender. A copy of the application is available at: <a href="https://www.sba.gov/funding-programs/loans/coronavirus-relief-options/paycheck-protection-program">https://www.sba.gov/funding-programs/loans/coronavirus-relief-options/paycheck-protection-program</a>.</li> <li>• NOTE: The rules governing PPP loans have been updated several times and can be difficult to understand.</li> </ul>

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				<p>If you have questions about the program or your particular situation, it may be helpful to contact a local SBA assistance center or your local SBA lender: <a href="https://www.sba.gov/local-assistance">https://www.sba.gov/local-assistance</a>.</p> <p><b>Action Steps for Relief:</b></p> <ul style="list-style-type: none"> <li>• Applications must be submitted through existing SBA lenders or through any federally insured depository institution, federally insured credit union or Farm Credit System institution that is participating in the program. A tool for finding a lender is available at: <a href="https://www.sba.gov/paycheckprotection/find">https://www.sba.gov/paycheckprotection/find</a>.</li> <li>• A form for requesting a PPP loan from participating institutions is available at the following site: <a href="https://www.sba.gov/sites/default/files/2020-06/PPP%20Borrower%20Application%20Form%20%28Revised%20June%2012%202020%29-Fillable-508.pdf">https://www.sba.gov/sites/default/files/2020-06/PPP%20Borrower%20Application%20Form%20%28Revised%20June%2012%202020%29-Fillable-508.pdf</a>.</li> <li>• A form for requesting PPP loan forgiveness can be found at: <a 40="" 644="" 781="" 801"="" data-label="Page-Footer" href="https://www.sba.gov/sites/default/files/2020-05/3245-&lt;/a&gt;&lt;/li&gt; &lt;/ul&gt; &lt;/td&gt; &lt;/tr&gt; &lt;/tbody&gt; &lt;/table&gt; &lt;/div&gt; &lt;div data-bbox="> <p>Pace-NRDC Food Law Initiative COVID-19 Federal Legislation and Federal Agency Relief for Farmers Chart   June 2020</p> </a></li></ul>

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				<a href="#">0407%20SBA%20Form%203508%20PPP%20Forgiveness%20Application.pdf</a> .
		The Paycheck Protection Program Flexibility Act of 2020	Enacted 06/05/2020	<p><b>Overview:</b></p> <ul style="list-style-type: none"> <li>On June 3, 2020, Congress passed the Paycheck Protection Program Flexibility Act which was signed into law by President Trump two days later.<sup>[6]</sup> The Act extends the period to submit a forgiveness application from 8 weeks after spending the loan amount to the first of either (i) 24 weeks after spending the loan amount or (ii) December 31, 2020.</li> <li>The Act also allows for a greater percentage of non-payroll expenses to qualify for loan forgiveness (up to 40% of non-payroll expenses rather than 25%).<sup>[7]</sup></li> </ul>
		Economic Injury Disaster Loans	Modifications to Existing Program Enacted 4/24/2020 and Updated 6/29/2020.	<p><b>Overview:</b></p> <ul style="list-style-type: none"> <li>The Economic Injury Disaster Loan (EIDL) program is generally available to businesses with 500 or fewer employees that have experienced a temporary loss of revenue due to a disaster.</li> </ul>

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				<ul style="list-style-type: none"> <li>The EIDL program is open to small business owners and certain agricultural businesses including those engaged in the production of food and fiber, ranching and raising of livestock, aquaculture and all other farming and agricultural related industries.</li> <li>The SBA also changed the maximum loan amount to \$150,000.</li> <li>Applicants are also eligible for emergency grants of up to \$10,000 while the loan is being processed.</li> </ul> <p><b>Action Steps for Relief:</b></p> <ul style="list-style-type: none"> <li>Additional information about the program and a link to the application can be found at:  <a href="https://www.sba.gov/funding-programs/loans/coronavirus-relief-options/economic-injury-disaster-loan-emergency-advance">https://www.sba.gov/funding-programs/loans/coronavirus-relief-options/economic-injury-disaster-loan-emergency-advance</a>.</li> </ul>
		Families First Coronavirus Response Act <sup>[8]</sup>	Enacted 3/18/2020	<p><b>Overview:</b></p> <ul style="list-style-type: none"> <li>Businesses with 500 or fewer employees can receive two new refundable payroll tax credits, which would</li> </ul>

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				<p>reimburse them for the cost of providing COVID-19–related leave to their employees.</p> <ul style="list-style-type: none"> <li>• The businesses can use the funds to provide employees with paid leave for their health care or a family member’s healthcare.</li> <li>• Employees will be able to receive up to 80 hours of paid sick leave. Employers will receive full reimbursement for this paid leave and will not face any payroll tax liability.</li> <li>• Eligible employers can claim these credits based on qualifying leave they provide between now and December 31, 2020.</li> </ul> <p><b>Action Steps for Relief:</b></p> <ul style="list-style-type: none"> <li>• Eligible employers can claim tax credits on their federal employment tax returns for qualified leave wages paid to employees on leave due to paid sick leave or expanded family and medical leave for reasons related to COVID-19 from April 1, 2020 to December 31, 2020.</li> <li>• Eligible employers must retain records and documentation related to and supporting each</li> </ul>

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				<p>employee's leave to substantiate the claim for the credits, and retain the Forms 941, Employer's Quarterly Federal Tax Return, and 7200, Advance of Employer Credits Due To COVID-19, and any other applicable filings made to the IRS requesting the credit.</p> <ul style="list-style-type: none"> <li>• Specific IRS requirements for eligibility and claiming the credits is available at: "<a href="#">COVID-19-Related Tax Credits for Required Paid Leave Provided by Small and Midsize Businesses FAQs.</a>"</li> </ul>
4.	Stimulus Check/Economic Impact Payments	CARES Act	Enacted 3/27/2020	<p><b>Overview:</b></p> <ul style="list-style-type: none"> <li>• Individuals with gross incomes up to \$75,000 per year will receive \$1,200.</li> <li>• Individuals with gross incomes between \$75,000–\$99,000 will receive a reduced check.</li> <li>• Married couples with a gross income of under \$150,000 per year will receive \$2,400.</li> <li>• Married couples with gross incomes between \$150,000–\$198,000 will receive a reduced check.</li> </ul>

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				<ul style="list-style-type: none"> <li>• Married couples who qualify based on the criteria above will also receive an additional \$500 for every child under 17.</li> <li>• Individuals earning more than \$99,000 and couples earning more than \$198,000 will not receive a check.</li> <li>• The checks will be based on 2018 or 2019 tax returns.</li> </ul> <p><b>Action Steps for Relief:</b></p> <ul style="list-style-type: none"> <li>• The amount will automatically be deposited directly into the same banking account reflected on the tax return an individual filed in 2019 (if an individual has not filed a return for 2019, it will be deposited into the account specified on the individual’s 2018 return).</li> <li>• If an individual is not typically required to file a tax return, the IRS will use the information on Form SSA-1099 or Form RRB-1099 to generate Economic Impact Payments.</li> <li>• If the IRS does not have direct deposit information on file, the IRS may issue a paper check or a prepaid debit card</li> </ul>

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				delivered in a plain envelope from “Money Network Cardholder Services.”

5.	Student Loan Relief	CARES Act	Enacted 3/27/2020	<p><b>Overview:</b></p> <ul style="list-style-type: none"> <li>• Involuntary payment of federal student loans held by the Department of Education (DOE) has been suspended, and accrual of interest on those loans has been waived until September 30, 2020. Borrowers may still choose to make loan payments during the relief period.</li> <li>• For participants in certain federal loan forgiveness programs, each month that a loan payment is suspended will be treated as if the borrower had made a payment for purposes of the program.</li> </ul> <p><b>Action Steps for Relief:</b></p> <ul style="list-style-type: none"> <li>• NOT ALL STUDENT LOANS QUALIFY FOR RELIEF.</li> <li>• Certain federal loans qualify for relief, including Direct Loans, Federal Perkins Loans and loans under the Federal Family Education Loan Program of the DOE. A general description of these loans is available at: <a href="https://studentaid.gov/understand-aid/types/loans">https://studentaid.gov/understand-aid/types/loans</a>.</li> <li>• Loans that are owned by the Department of Education will automatically have interest waived as of March 13, 2020.</li> </ul>
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				<ul style="list-style-type: none"> <li>• Certain federal loans may also qualify for forbearance. Individuals with qualifying loans can contact their loan providers to request forbearance. Individuals who are 31 days behind on payments on qualifying loans as of March 13, 2020, or who become more than 31 days delinquent after that date, will have their loans automatically placed in administrative forbearance.</li> <li>• Loan servicers can determine whether an individual’s loans qualify for relief by phone or online. Information about who is servicing a given loan can be found at <a href="http://StudentAid.gov">StudentAid.gov</a> or by calling 1-800-4-FED-AID (1-800-433-3243; TTY for the deaf or hearing-impaired 1-800-730-8913).</li> </ul>
6.	Mortgage/Debt Relief—Farm Properties	Farm Credit Administration Guidance Letter <sup>[9]</sup>	Updated 5/31/2020	<p><b>Overview:</b></p> <ul style="list-style-type: none"> <li>• The Farm Credit Administration is the regulator of the Farm Credit System and Farmer Mac. The Farm Credit Administration sent a letter to the Farm Credit System encouraging it to work with borrowers whose operations have been affected by COVID-19 to:</li> </ul>

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				<ul style="list-style-type: none"> <li>• extend the terms of loan repayments;</li> <li>• restructure borrowers’ debt obligations; and</li> <li>• ease some loan documentation or credit-extension terms for new loans to certain borrowers.</li> </ul> <p><b>Action Steps for Relief:</b></p> <ul style="list-style-type: none"> <li>• Farmers who are having difficulty paying debts owed under the Farm Credit System can contact their local lenders.</li> <li>• If a local lender under the Farm Credit System is not providing necessary flexibility, farmers may also consider contacting the Farm Credit Administration directly at 703-883-4056 (Voice &amp; TTY) or <a href="mailto:info-line@fca.gov">info-line@fca.gov</a>.</li> </ul>
		Farmer Mac Business Update <sup>[10]</sup>	Issued 03/26/2020	<p><b>Overview:</b></p> <ul style="list-style-type: none"> <li>• Farmer Mac has stated that the organization is “committed to helping [our customers, including agricultural lenders] provide flexibility and assistance to</li> </ul>

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				<p>their borrowers who are experiencing financial challenges due to COVID-19.”</p> <p><b>Action Steps for Relief:</b></p> <ul style="list-style-type: none"> <li>• There are no action steps at this time.</li> </ul>
7.	Mortgage Relief— Homes Not on Farm Property	Federal Housing Finance Agency Directives for Home Mortgages	Updated 05/13/2020	<p><b>Overview:</b></p> <ul style="list-style-type: none"> <li>• Under the CARES Act, mortgage holders with qualifying federally owned mortgages that are experiencing financial hardship due to COVID-19 are entitled to a forbearance period.</li> <li>• The Federal Housing Finance Agency (FHFA) has announced<sup>[1]</sup> that Fannie Mae<sup>[2]</sup> and Freddie Mac<sup>[3]</sup> are both offering COVID-19 forbearance programs aka “Payment Deferral” solutions for mortgage holders unable to make their monthly payments. Under these programs, up to 12 months of missed payments can be added to the end of the mortgage term without accruing additional interest or late fees.</li> </ul>

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				<p><b>Action Steps for Relief:</b></p> <ul style="list-style-type: none"> <li>• Homeowners with a qualifying mortgage who anticipate having difficulty paying any or all of the mortgage are required to contact their loan services to request forbearance.</li> <li>• To determine whether a loan is owned by Fannie Mae or Freddie Mac, farmers can search on <a href="https://ww3.freddiemac.com/loanlookup/">https://ww3.freddiemac.com/loanlookup/</a> (Freddie Mac) or <a href="https://www.knowyouroptions.com/loanlookup">https://www.knowyouroptions.com/loanlookup</a> (Fannie Mae).</li> </ul>
		Freddie Mac FAQ for Farm Properties <sup>[14]</sup>	Updated 2020	<p><b>Overview:</b></p> <ul style="list-style-type: none"> <li>• <i>Properties used primarily for farming or ranching are ineligible for the relief listed above. An exception may be made for:</i> <ul style="list-style-type: none"> <li>• hobby farms, which are “typically small farms where the homeowner engages in farming activity for personal use and are eligible properties” or</li> <li>• a farmer whose primary use of the property is residential and the secondary use of the property</li> </ul> </li> </ul>

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				<p>is for insignificant farming activity (such as a small roadside stand used for selling fruits and vegetables).</p> <p><b>Action Steps for Relief:</b></p> <ul style="list-style-type: none"> <li>• There are no action steps at this time.</li> </ul>
		State and Institution Specific Relief for Mortgages and Renters	Various Dates	<p><b>Overview:</b></p> <p>Many states and financial institutions have issued their own guidance and relief for mortgages and renters struggling due to COVID-19.</p> <p><b>Action Steps for Relief:</b></p> <p>More information about state and institution specific relief can be found on state and financial institution websites.</p>
8.	Unemployment Relief—Pandemic Unemployment Assistance & Federal Pandemic Unemployment Compensation	CARES Act	Enacted 3/27/2020	<p><b>Overview:</b></p> <ul style="list-style-type: none"> <li>• The CARES Act created the Pandemic Unemployment Assistance program<sup>[15]</sup> that will run through December 31, 2020 and provide payment to individuals not traditionally eligible for unemployment benefits. The</li> </ul>

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				<p>program is run by individual states. Certain self-employed farmers may be eligible for benefits.</p> <ul style="list-style-type: none"> <li>• The program will cover individuals who are able and available to work but are unemployed due to COVID-19.</li> <li>• The program provides benefits for up to 39 weeks.</li> </ul> <ul style="list-style-type: none"> <li>• The CARES Act also established the Federal Pandemic Unemployment Compensation (FPUC) Program to be administered by state unemployment programs.               <ul style="list-style-type: none"> <li>• Certain states have extended the program to farmers that would typically be ineligible for unemployment insurance benefits under the state program.</li> <li>• The FPUC program will provide eligible individuals with \$600 per week in benefits to supplement the weekly benefit amount they receive from other unemployment compensation programs (including the PUA mentioned above)</li> </ul> </li> </ul>

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	TOPIC	LEGISLATION/ PENDING ACTION	STATUS	SUMMARY
				<ul style="list-style-type: none"> <li>• The FPUC program will be administered through existing state unemployment compensation programs.</li> <li>• Payment dates will vary by state, but most will begin in early April and end in late July 2020.</li> </ul> <p><b>Action Steps for Relief:</b></p> <ul style="list-style-type: none"> <li>• Benefits will be made available through state unemployment insurance programs. For more information about eligibility and requirements, individuals can check their state unemployment agency websites.</li> <li>• A list of state unemployment insurance programs is available at: <a href="https://www.dol.gov/general/location">https://www.dol.gov/general/location</a>.</li> <li>• General information about the application process is available at: <a href="https://www.dol.gov/general/topic/unemployment-insurance">https://www.dol.gov/general/topic/unemployment-insurance</a>.</li> </ul>

9.	Health Insurance	CARES Act	Enacted 3/27/2020	<p><b>Overview:</b></p> <ul style="list-style-type: none"> <li>• Health plans must provide no-cost coverage for COVID-19 testing and related services that are medically necessary, though the Act does not require plans to cover treatment for COVID-19.</li> <li>• Providers must post the cash price of their diagnostic tests publicly on their websites.</li> <li>• Within 15 days of a vaccine or preventive service being recommended by the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention, or receiving an “A” or “B” from the U.S. Preventative Services Task Force, health insurance issuers must provide coverage for that measure.</li> <li>• Telemedicine services are to be provided free of cost for high-deductible plans with health savings accounts for plan years beginning on or before Dec. 31, 2021.</li> <li>• Telehealth services are to be covered if they are furnished via a telecommunications system by a federally qualified health center or a rural health clinic to an eligible telehealth individual.</li> </ul>
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	TOPIC	LEGISLATION/ PENDING ACTION	STATUS	SUMMARY
				<ul style="list-style-type: none"> <li>The Affordable Care Act's ban on pretax reimbursement of the costs for over-the-counter drugs not prescribed by a physician, including menstrual care products, is no longer in force.</li> </ul> <p><b>Action Steps for Relief:</b></p> <ul style="list-style-type: none"> <li>Medically necessary COVID-19 testing and related services (not treatment) should be provided free of charge.<sup>[16]</sup> An individual's health insurance providers will have further information about any additional requirements.</li> <li>Health insurance providers will also be able to offer information on telemedicine options, which may be provided free of charge.</li> </ul>
10.	Visas/Labor	U.S. Department of State Essential Service Designation <sup>[17]</sup>	Announced 03/26/2020	<p><b>Overview:</b></p> <ul style="list-style-type: none"> <li>On March 26, 2020, the U.S. Department of State designated the H-2A visa program as essential to the economy and food security of the United States and stated that it will continue to process applications to the extent possible using the following measures:</li> </ul>

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	TOPIC	LEGISLATION/ PENDING ACTION	STATUS	SUMMARY
				<ul style="list-style-type: none"> <li>• Consular officers can, in their own discretion, waive visa interview requirements for first-time and returning applicants who have no apparent or potential ineligibility.</li> <li>• Applicants who have had visas expire in the last 48 months that did not need a waiver of ineligibility during their previous application do not need an in-person interview.</li> <li>• The State Department anticipates that the above provisions will mean that “the vast majority of otherwise qualified H-2A applicants will now be adjudicated without an interview.”</li> </ul> <p><b>Action Steps for Relief:</b></p> <p>Information about the application process and the interview waiver program will be made available for workers on the websites of the U.S. Consulates in their respective countries.</p>

	TOPIC	LEGISLATION/ PENDING ACTION	STATUS	SUMMARY
		Amendments to Certain H-2A Requirements During the COVID-19 Pandemic <sup>[18]</sup>	Announced 4/15/2020	<p><b>Overview:</b></p> <p>To alleviate concern that travel restrictions will prevent enough H-2A workers from entering the country and contributing to farm labor, on April 15, 2020, the Department of Homeland Security and U.S. Department of Agriculture announced two new temporary measures.</p> <p>First, they are allowing H-2A petitioners with a valid temporary labor certification to hire H-2A workers that are currently in the United States immediately after the U.S. Citizenship and Immigration Services (USCIS) receives the petition, but no earlier than the start date listed on the petition.</p> <p>Second, the USCIS is temporarily allowing H-2A workers to stay beyond the normal three-year maximum allowable period of stay in the United States.</p> <p><b>Action Steps for Relief:</b></p> <p>More information can be found at <a href="https://www.usda.gov/media/press-releases/2020/04/15/dhs-">https://www.usda.gov/media/press-releases/2020/04/15/dhs-</a></p>

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	TOPIC	LEGISLATION/ PENDING ACTION	STATUS	SUMMARY
				<a href="#">and-usda-move-protect-american-farmers-and-ensure-continued</a>
		Suspension of Entry for Certain Visa Holders	Announced 06/22/2020	<p><b>Overview:</b></p> <p>On June 22, President Trump issued a proclamation suspending entry to the United States for certain classes of alien visa holders including H-1B, H-2B, J Visa and L visa holders.<sup>[19]</sup> The administration has since clarified that the suspension will not affect people outside the United States who already have valid visas or seasonal farm workers.<sup>[20]</sup></p> <p><b>Action Steps for Relief:</b></p> <p>More information about the suspension of entry is available at: <a href="https://www.whitehouse.gov/presidential-actions/proclamation-suspending-entry-aliens-present-risk-u-s-labor-market-following-coronavirus-outbreak/">https://www.whitehouse.gov/presidential-actions/proclamation-suspending-entry-aliens-present-risk-u-s-labor-market-following-coronavirus-outbreak/</a>.</p>
		Transfer of Workers Partnership between the U.S. Department of Agriculture and the U.S. Department of Labor <sup>[21]</sup>	Announced 03/19/2020	<p><b>Overview:</b></p> <ul style="list-style-type: none"> <li>U.S. Secretary of Agriculture Sonny Perdue announced a partnership between the U.S. Department of Agriculture (USDA) and the U.S. Department of Labor (DOL) to</li> </ul>

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	TOPIC	LEGISLATION/ PENDING ACTION	STATUS	SUMMARY
				<p>identify and facilitate the transfer of eligible foreign and domestic workers to other U.S. agricultural sector employers to fulfill critical workforce needs within the United States. during the COVID-19 outbreak.<sup>[22]</sup></p> <p><b>Action Steps for Relief:</b></p> <ul style="list-style-type: none"> <li>A list of workers eligible for transfer is available at: <a href="https://www.farmers.gov/sites/default/files/2020-04/H-2A_H-2B_end_date_of_need_March-June_2020_consolidated.xlsx">https://www.farmers.gov/sites/default/files/2020-04/H-2A_H-2B_end_date_of_need_March-June_2020_consolidated.xlsx</a>.</li> </ul>
11.	Support for Agricultural Producers	CARES Act	Enacted 3/27/2020	<p><b>Overview:</b></p> <ul style="list-style-type: none"> <li>The CARES Act earmarked \$9.5 billion to support agricultural producers impacted by COVID-19, including producers of specialty crops, producers that supply local food systems and farmers markets and livestock producers. It also allotted \$14 billion to replenish the Commodity Credit Corporation, which supports programs to help farmers mitigate market risk such as the</li> </ul>

	TOPIC	LEGISLATION/ PENDING ACTION	STATUS	SUMMARY
				<p>Agriculture Risk Coverage, Price Loss Coverage, and Market Facilitation Coverage Programs.</p> <p><b>Action Steps for Relief:</b></p> <ul style="list-style-type: none"> <li>• More information about programs related to risk including crop insurance flexibilities, commodity loan flexibilities, farm loan flexibilities, and others can be found at: <a href="https://www.farmers.gov/coronavirus">https://www.farmers.gov/coronavirus</a>.</li> </ul>

[1] See “Executive Order on Delegating Authority Under the DPA with Respect to Food Supply Chain Resources During the National Emergency Caused by the Outbreak of COVID-19” (April 28, 2020) available at: <https://www.whitehouse.gov/presidential-actions/executive-order-delegating-authority-dpa-respect-food-supply-chain-resources-national-emergency-caused-outbreak-covid-19/> and “America’s Meatpacking Facilities Practicing Safe Reopening to Ensure a Stable Food Supply” (May 8, 2020) available at: <https://www.usda.gov/media/press-releases/2020/05/08/americas-meatpacking-facilities-practicing-safe-reopening-ensure>.

[2] “USDA Announces Coronavirus Food Assistance Program” (April 17, 2020) available at: <https://www.usda.gov/media/press-releases/2020/04/17/usda-announces-coronavirus-food-assistance-program>.

[3] Coronavirus Aid, Relief, and Economic Security Act (CARES Act), H.R. Res. 748, 116<sup>th</sup> Cong. (March 27, 2020), available at <https://www.congress.gov/bill/116th-congress/house-bill/748/text>.

[4] The text of the bill is available at: <https://www.congress.gov/116/bills/hr266/BILLS-116hr266enr.pdf>.

[5] Jordain Carney “Senate passes extension of application deadline for PPP small-business loans” The Hill (06/30/2020) available at: <https://thehill.com/homenews/505360-senate-extends-application-deadline-for-ppp-small-business-loans>.

[6] “Statement by the President” (June 5, 2020) available at <https://www.whitehouse.gov/briefings-statements/statement-by-the-president-40/>.

[7] “H.R.7010 - Paycheck Protection Program Flexibility Act of 2020” (June 5, 2020) available at <https://www.congress.gov/bill/116th-congress/house-bill/7010>.

[8] Families First Coronavirus Response Act, H.R. 6201, 116<sup>th</sup> Cong. (March 18, 2020), available at <https://www.congress.gov/bill/116th-congress/house-bill/6201>.

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- [9] Farm Credit Administration, FCA Encourages Farm Credit System Institutions to Work with Borrowers Affected by COVID-19 (March 17, 2020), available at <https://www3.fca.gov/news/Lists/News%20Releases/Attachments/606/NR-20-04-03-17-20.pdf>.
- [10] Farmer Mac, Farmer Mac CEO Provides COVID-19 Business Update (March 26, 2020), available at <https://www.farmermac.com/wp-content/uploads/Farmer-Mac-CEO-Provides-COVID-19-Business-Update.pdf>.
- [11] “FHFA Announces Payment Deferral as New Repayment Option for Homeowners in COVID-19 Forbearance Plans” (May 13, 2020) available at: <https://www.fhfa.gov/Media/PublicAffairs/Pages/FHFA-Announces-Payment-Deferral-as-New-Repayment-Option-for-Homeowners-in-COVID-19-Forbearance-Plans.aspx>.
- [12] “Fannie Mae Announces COVID-19 Payment Deferral” (May 13, 2020) available at: <https://www.fanniemae.com/portal/media/corporate-news/2020/covid-payment-deferral-7018.html>.
- [13] “Freddie Mac Announces COVID-19 Payment Deferral” (May 13, 2020) available at: [https://freddiemac.gcs-web.com/news-releases/news-release-details/freddie-mac-announces-covid-19-payment-deferral?\\_ga=2.41409762.1340126622.1593444000-1865880929.1589833611](https://freddiemac.gcs-web.com/news-releases/news-release-details/freddie-mac-announces-covid-19-payment-deferral?_ga=2.41409762.1340126622.1593444000-1865880929.1589833611).
- [14] Freddie Mac, Freddie Mac Requirements for Rural Properties Q&A (2020), available at [http://www.freddiemac.com/singlefamily/purchasemarket/sell/rural\\_properties\\_QA.html](http://www.freddiemac.com/singlefamily/purchasemarket/sell/rural_properties_QA.html).
- [15] See “Unemployment Insurance Program Letter No. 16-20,” available at [https://wdr.doleta.gov/directives/attach/UIPL/UIPL\\_16-20.pdf](https://wdr.doleta.gov/directives/attach/UIPL/UIPL_16-20.pdf).
- [16] Testing must be provided without cost “when medically appropriate for the individual, as determined by the individual’s attending healthcare provider in accordance with accepted standards of current medical practice.” See “FAQs About Families First Coronavirus Response Act and Coronavirus Aid, Relief, and Economic Security Act Implementation” (Parts 42 and 43) available at: <https://www.cms.gov/files/document/FFCRA-Part-42-FAQs.pdf> and <https://www.cms.gov/files/document/FFCRA-Part-43-FAQs.pdf>.
- [17] U.S. Department of State, Important Announcement on H2 Visas (March 26, 2020), available at <https://travel.state.gov/content/travel/en/News/visas-news/important-announcement-on-h2-visas.html>.
- [18] See “DHS and USDA Move to Protect American Farmers and Ensure Continued Flow of America’s Food Supply” (April 15, 2020) available at: <https://www.usda.gov/media/press-releases/2020/04/15/dhs-and-usda-move-protect-american-farmers-and-ensure-continued>.
- [19] See “Proclamation Suspending Entry of Aliens Who Present a Risk to the U.S. Labor Market Following the Coronavirus Outbreak” available at: <https://www.whitehouse.gov/presidential-actions/proclamation-suspending-entry-aliens-present-risk-u-s-labor-market-following-coronavirus-outbreak/>
- [20] Michael D. Shear and Miriam Jordan, “Trump Suspends Visas Allowing Hundreds of Thousands of Foreigners to Work in the U.S.” New York Times (June 22, 2020) available at: <https://www.nytimes.com/2020/06/22/us/politics/trump-h1b-work-visas.html>.
- [21] U.S. Department of Agriculture, Release No. 0197.20, available at <https://www.usda.gov/media/press-releases/2020/03/19/usda-and-dol-announce-information-sharing-assist-h-2a-employers>.
- [22] A list is available at <https://www.farmers.gov/sites/default/files/documents/H2-Certified-Positions-Ending-March-April-2020.pdf> (current as of 3/31/2020).

## Authors & Contributors

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Jennifer D. Morton

Taylor Pugliese

Andrew Lewis

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