



Trade Adjustment Assistance (TAA) for Farmers Program

March 2010

Program Description

The American Recovery and Reinvestment Act of 2009 (ARRA) reauthorized and modified the Trade Adjustment Assistance (TAA) for Farmers Program. Under the program, the U.S. Department of Agriculture (USDA) provides technical assistance and cash benefits to eligible producers of raw agricultural commodities and fishermen who have been hurt by import competition.

When the Administrator of USDA's Foreign Agricultural Service (FAS) determines that increased imports have contributed importantly to a greater than 15 percent decrease in 1) the national average price, or 2) quantity of production, or 3) value of production, or 4) cash receipts, compared to the average of the three preceding marketing years, producers may be eligible to receive technical training and cash benefits.

Program Benefits

Program benefits include free technical training on how to develop and implement business adjustment plans, and cash payments.

Producers who develop an approved 'initial business plan' will receive up to \$4,000 as payment toward implementing the plan or developing a 'long-term business adjustment plan.' Producers who subsequently develop approved 'long-term business adjustment plans' are entitled to receive an additional cash payment of up to \$8,000 to be applied toward

implementing the plan. A producer may not receive more than \$12,000 during the 36-month period following certification of a group petition. Travel and subsistence expenses related to attending training sessions may also be reimbursable.

How Does A Commodity Qualify?

A group of producers (three or more) or a commodity organization may request, on behalf of producers in their state or group of states, that a commodity be certified as eligible by submitting form FAS-930, *Petition for Certification*. This form is available online at <http://www.fas.usda.gov/itp/taa/taafoms.asp>

To be eligible, a commodity must be in its raw or natural state found in chapters 1, 3, 4, 5, 6, 7, 8, 10, 12, 14, 23, 24, 41, 51, or 52 of the Harmonized Tariff Schedule of the United States.

These schedules are located on the web at <http://www.usitc.gov/tata/hts/bychapter/index.htm>

When a petition has been accepted for review, FAS will publish a notice in the *Federal Register* and initiate an investigation. Such notice shall identify the agricultural commodity, including any similar or directly competitive commodities, the marketing year under investigation, the data being used for comparison or determination, and the production

area covered by the petition. This notice provides an opportunity for other producers of the same or a related commodity to join or request a public hearing about the petition.

FAS will complete its review of each petition no later than 40 calendar days and announce whether the commodity has been “certified” (approved for benefits) and the marketing-year of such certification. The certification announcement is also made by a *Federal Register* notice.

Submitting An Application

Producers of a certified commodity may apply for benefits under the TAA for Farmers Program by submitting a written application (FSA-229-1) to their local FSA Service Center within the 90 calendar-day application period announced in the *Federal Register*. The application form is available at FSA offices or at: <http://www.fas.usda.gov/itp/taa/taafoms.asp>

Applicants should check eligibility requirements in the *Federal Register* notice to determine their eligibility.

Appeals

Producers may appeal any eligibility or benefit disapprovals to the Deputy Administrator, Office of Trade Programs, FAS. Any final determination provided by FAS may be appealed to the U.S. Court of International Trade. Detailed instructions for submitting appeals are provided to producers whose requested benefits are denied or reduced.

USDA Agencies Involved

Lead agency: Foreign Agricultural Service
Delivery of training: National Institute for Food and Agriculture (*contracted to University of Minnesota's National Training Center*)
Delivery of applications and payments to producers: Farm Service Agency

The American Recovery and Reinvestment Act of 2009

The American Recovery and Reinvestment Act of 2009 was signed into law by President Barack Obama on Feb. 17, 2009, as an unprecedented effort to jumpstart the U.S. economy in response to a crisis unlike any since the Great Depression. The Act includes measures to modernize the nation's infrastructure, enhance energy independence, expand educational opportunities, preserve and improve affordable health care, provide tax relief, and protect those in greatest need.

More Information

For more information, visit <http://www.fas.usda.gov/itp/taa> or contact the TAA for Farmers Program staff, Office of Trade Programs, at tele. (202) 720-0638, or (202) 690-0633, or by e-mail at tradeadjustment@fas.usda.gov