

For: State and County Offices

Bipartisan Budget Act Changes to TAP

Approved by: Acting Deputy Administrator, Farm Programs



1 Overview

A Background

On February 9, 2018, the Bipartisan Budget Act of 2018 (Pub. L. 115-123) amended Section 1501 of the 2014 Farm Bill with regard to TAP for tree, bush, and vine losses incurred on or after January 1, 2017, by:

- increasing the annual payment acreage limitation from 500 to 1,000 acres
- removing the \$125,000 per person and legal entity payment limitation.

County Offices will continue to follow procedure in 1-TAP (Rev. 4).

B Purpose

For eligible orchardists and nursery tree growers with losses incurred from January 1, 2017, this notice provides State and County Offices with:

- signup dates
- guidance for preparing for the new enrollment period.

Disposal Date	Distribution
October 1, 2018	State Offices; State Offices relay to County Offices

Notice TAP-53

2 Program Updates

A Signup Period

The signup period outlined in the following table applies to TAP applicants who:

- previously applied for 2017 losses who have not received an adverse determination

Exception: If an adverse determination was made solely based on late-filing the 2017 TAP application, a new application may be accepted.

- want to either file an application or revise an original application because of removal of the \$125,000 payment limitation
- did not apply by the prior 2017 program deadline
- apply for 2018 losses and have not received an adverse determination.

Exception: If an adverse determination was made solely based on late-filing the 2018 TAP application, a new application may be accepted.

Date of Loss	Final Date to Submit an Application and Supporting Documentation
On or after January 1, 2017	Later of 60 calendar days after publication of the regulation in the FR providing the new provisions, or within 90 calendar days of either of the following: <ul style="list-style-type: none">• the disaster event• date when the loss of trees, bushes, or vines is first apparent to the producer. <p>Note: A subsequent notice will be provided with the specific application dates associated with accepting applications for losses incurred after January 1, 2017.</p>

Notice TAP-53

2 Program Updates (Continued)

B Program Provisions and Regulations

1-TAP (Rev. 4) will be amended to provide program changes to the payment acreage limitation and payment limitation. Offices can access the handbook on the FSA Intranet at <https://inside.fsa.usda.gov/>. Click the “Handbooks” link.

Program regulations are included in 7 CFR Part 1416. The final rule will be published in the near future.

C Software

Software to remove the \$125,000 payment limitation was deployed to production on April 6, 2018. Payments issued and were limited because of the \$125,000 payment limitation have already been reprocessed. Therefore, eligible orchardists and nursery tree growers who before this notice previously applied for 2017 and/or 2018 losses and who have no additional losses do not need to revise their applications.

3 State and County Office Action

A State Office Action

State Offices will instruct all County Offices to:

- publicize the contents of this notice
- widely publicize the TAP signup start and end dates.

B County Office Action

County Offices will:

- publicize the contents of this notice by press release, newsletters, etc.
- continue to accept CCC-899 for losses according to procedure in 1-TAP (Rev. 4)
- use the web-based TAP application software to enter CCC-899's.