

A photograph of an older man and a young girl standing in a field of tall grain, holding hands. They are seen from behind, looking towards a bright sunset on the horizon. The man is wearing a dark cap, a plaid shirt, and overalls. The girl is wearing a pink and white plaid shirt. The scene is bathed in the warm, golden light of the setting sun.

AACI in Action



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MESSAGE FROM THE PRESIDENT



In the midst of intense debate and a hyper-partisan atmosphere on Capitol Hill regarding critical issues facing our nation coupled with the ongoing challenges related to the COVID pandemic, I must commend AACI members for persevering and rising to the occasion.

We have adjusted to the challenges and continue to serve our core customer: America's farmers. And, we have adapted, maintained, and even strengthened our presence among Congressional offices and within the Administration. While not the preferred means of visiting and communicating with Members of Congress and their staff, we have taken advantage of remote opportunities for engagement and used them strategically to advance our message about the importance of crop insurance.

In this quarterly edition, we highlight some of the activity that is dominating the attention of lawmakers as well as provide legislative and policy updates. We also recognize board member, Doug Jakway of NAU Country Insurance, and his service to AACI and crop insurance in a member spotlight..

We appreciate your efforts, especially over the last one and half years, in advocating for the crop insurance program. We are grateful for your membership and dedication to our organization.

Sincerely,

SCOTT GRAVES
President

Capitol Hill Engagement

Even though the Senate and House were out on recess for six and seven weeks, respectively, AACI staff continued to engage with the Hill throughout the third quarter. For starters, AACI continued their monthly calls with Members of Congress and the association membership, including a call with Congresswoman Cindy Axne (D-IA-3) in July and another with Congressman Tracey Mann (R-KS-1) in September. During these calls, AACI members received updates regarding what's happening in Washington, DC on the agriculture front as well as the status of some of the larger policy initiatives moving through Congress.

AACI staff also met with several Members and staff in July before they left for the August break to continue building the AACI footprint on Capitol Hill. During these meetings, AACI staff gave the Members an overview of the association and the federal crop insurance program and explained how important the program is to farmers across the country. In addition, towards the end of July AACI and the rest of the crop insurance industry worked with the House Ag Committee on their reauthorization of WHIP+ for the 2020 and 2021 crop years. During these discussions, the industry convinced the Committee to maintain language that requires recipients of WHIP+ funds to purchase crop insurance for the following two crop years.

During the long August recess, AACI staff continued to connect with Hill staff to educate them on the importance of crop insurance and to have conversations about how the program is working in districts across the country. AACI is using the information provided in those discussions to determine where there are gaps in the program,

that way the industry can work with Congress to address those issues moving forward. The crop insurance industry also worked together to develop ideas for how the industry can help address the growing climate concerns without negatively impact the program. The goal is to have ideas prepared in case Congress and the Administration turn to production ag programs to address specific climate issues.

As Congress made its way back to DC in September, AACI reconvened their meetings with Members and staff. Realizing there were a lot of things on Congress's to-do list in September—infrastructure, reconciliation, debt ceiling, government funding deadline—AACI wanted to be sure Members were still thinking about production agriculture and crop insurance. Even though crop insurance is not a topline issue, AACI is encouraging Members and staff to use the association as a resource if questions related to crop insurance ever arise.



Debt Ceiling/CR

Hours before the federal government was set to shut down on September 30, the Senate and House passed a continuing resolution (CR) that will keep the government funded through December 3. Just days earlier, Senate Republicans defeated a different version of the CR that included a suspension of the debt limit until the end of 2022. Instead, Minority Leader McConnell suggested that Democrats include their debt limit provisions in their reconciliation package, which would keep Republicans from taking any blame on the future impacts. In the end, Congress decided to move forward with a CR that did not address the debt limit issue, and it passed both chambers and was signed into law prior to funding deadline of September 30 at midnight.

It's important to note that the CR did include several agricultural related provisions, some of which were in the original version and others that we're added that the 11 o'clock hour. Among those provisions, is one that provides \$28.6 billion in disaster relief with \$10 billion of that going to agriculture disasters in 2020 and 2021. These funds will mostly likely be distributed through USDA's WHIP+ program that was marked up by the House Ag Committee back in late July. In addition to that, there was also language added in the final hour that extends the authority for USDA's livestock price reporting system through December 31. You can view a factsheet on the ag disaster provisions [here](#).



General Infrastructure Update

On August 23, the House took a short break from their recess to get the ball rolling on its timing for fall work by adopting a budget resolution on the \$3.5 trillion budget reconciliation package that the Senate approved back in early August. The House also approved a rules package that would set the timing for committee work and floor votes. Shortly after the House action, committees began marking up their portions of the budget package and were given a deadline of September 15 in order for the budget to be assembled and ready for floor action around the same time as the infrastructure bill.

This came after several moderate members of the Democratic caucus wrote an [op-ed](#) and sent a [letter](#) to House Speaker Nancy Pelosi pressing her for a vote on the Senate-passed bipartisan infrastructure before the House takes up consideration of the budget reconciliation package. After a lengthy debate, on August 24 an agreement was reached between the group of 10 moderates who had threatened to vote against the budget and Democratic leadership. Leadership agreed to holding the infrastructure vote no later than September 27, a few days before surface transportation authorizations expire October.

On September 9, the House Ag Committee released details regarding the agricultural provisions in the reconciliation bill. According to a factsheet, the package will include: \$7.75 billion for research, extension, education and urban ag; \$18 billion for rural development, energy and biofuels; and \$40 billion for forestry. However, the Committee still has \$23 billion to spend as they were directed to have an overall price tag of \$89 billion. It's expected that the remaining funds will go towards conservation

purposes when it's all said and done. In the end, the bill passed on a party line voting making way for it to be folded into the massive \$3.5 trillion package.

Leading up to the September 27th deadline, many expected Speaker Pelosi to hold a vote on the bipartisan package, but progressive Democrats threatened to block the bill due to the lack of progress made on their \$3.5 trillion reconciliation package. The hold up on the reconciliation front is in the Senate where moderate Democrats Joe Manchin (D-WV) and Krysten Sinema (D-AZ) are refusing to agree to their party's massive spending package. President Biden and Democratic leadership met with both Manchin and Sinema, but in the end, both Senators remained unconvinced on supporting the measure. In fact, Manchin was quoted saying he would only support a bill if the overall price tag was no more than \$1.5 trillion, less than half of what Democrats originally offered.

Democrats must now go back to the drawing board to determine how to scale back their reconciliation package in order to gain the support of Manchin and Sinema but without jeopardizing the support of the progressive members. According to reports, Speaker Pelosi is planning on making another offer in the coming days, which is expected to have a top line of \$2.1 trillion broken into three buckets: 1) family issues; 2) health care; and 3) climate change. President Biden and the Democrats have reportedly put a new deadline of October 31 to pass both bills.

[View Summary Factsheet](#)

[View Full Bill Text](#)

Read more [here](#), [here](#) & [here](#).

RMA UPDATES

In the last three months, USDA issued the below press releases to update producers on changes and improvements to the federal crop insurance program

USDA Introduces New Insurance Policy for Farmers Who Sell Locally

Oct 6, 2021 — USDA is rolling out a new insurance option (available in 2022 crop year) specifically for agricultural producers with small farms who sell locally. The new Micro Farm policy simplifies record keeping and covers post-production costs like washing and value-added products. The new policy is offered through Whole-Farm Revenue Protection (WFRP) and it has distinct provisions that can provide more access to the program, including:

- No expense or individual commodity reporting needed, simplifying the recordkeeping requirements for producers
- Revenue from post-production costs, such as washing and packaging commodities and value-added products, are considered allowable revenue

[VIEW FULL RELEASE](#)

USDA to Offer New Insurance Option for Conservation-Minded Corn Farmers Who ‘Split-Apply’ Nitrogen

September 2, 2021 — Corn farmers who “split apply” nitrogen will soon have another option for insurance coverage. Beginning in crop year 2022, USDA’s Risk Management Agency (RMA) will offer the Post Application Coverage Endorsement (PACE) in certain states for non-irrigated corn, providing coverage for producers who use this practice that is considered better for natural resources and saves money for producers. To “split-apply” nitrogen, growers make multiple fertilizer applications during the growing season rather than providing all of the crop’s nitrogen requirements with a single treatment before or during planting. The PACE will provide payments for the projected yield lost when producers are unable to apply the in-season nitrogen application.

[VIEW FULL RELEASE](#)

RMA Makes Improvements to Whole-Farm Revenue Protection

September 1, 2021 — Organic and aquaculture producers can soon benefit from updates to the U.S. Department of Agriculture’s (USDA) Whole-Farm Revenue Protection (WFRP) plan. USDA’s Risk Management Agency (RMA) is revising the plan of insurance to make it more flexible and accessible to producers beginning in crop year 2022..

[VIEW FULL RELEASE](#)



RMA Revises Dates for the Pasture, Rangeland and Forage and Apiculture Insurance Programs

August 31, 2021 — Agricultural producers now will have until December 1 to make coverage decisions and complete reporting activities for the Pasture, Rangeland, and Forage Pilot Insurance Program (PRF) and Apiculture Pilot Insurance Program (API). The U.S. Department of Agriculture’s (USDA) Risk Management Agency (RMA) is making this change and other updates to these two policies based on feedback from stakeholders.

[VIEW FULL RELEASE](#)

Lenders Can Now Apply for New Heirs’ Property Relending Program

August 30, 2021 — Intermediary lenders can now apply for loans through the new Heirs’ Property Relending Program (HPRP). The U.S. Department of Agriculture (USDA) is accepting applications today through October 29, 2021, and cooperatives, credit unions and nonprofit organizations are encouraged to apply for these competitive loans, which ultimately will help agricultural producers and landowners resolve heirs’ land ownership and succession issues.

[VIEW FULL RELEASE](#)

Reports: Interest in Crop Insurance for Specialty and Organic Crops Grows as Options Expand

August 26, 2021 — The number of agricultural producers who purchase crop insurance for their specialty and organic crops continues to climb, which the USDA attributes to its work with producers and agricultural groups in recent years to create new crop insurance options, to expand and improve current options and to support local food efforts. RMA recently released reports on specialty crops, organic crops, local food production and greenhouse production, which highlighted insurance options improvements for specialty crops, such as fruits, vegetables, tree nuts and horticulture crops, as well as organic crops.

[VIEW FULL RELEASE](#)

USDA Establishes Dairy Donation Program, Part of Continuing USDA Pandemic Assistance

August 25, 2021 — USDA Deputy Secretary Jewel Bronaugh today announced the establishment of a \$400 million Dairy Donation Program (DDP) on a call with Senate Agriculture Committee Chair Debbie Stabenow. The DDP, established by USDA's Agricultural Marketing Service (AMS) in accordance with the Consolidated Appropriations Act of 2021, aims to facilitate timely dairy product donations while reducing food waste. The establishment of DDP is part of \$6 billion of pandemic assistance USDA announced in March and follows last week's announcement of \$350 million Pandemic Market Volatility Assistance Program for dairy farmers on August 19.

[VIEW FULL RELEASE](#)

USDA Updates Pandemic Assistance for Livestock, Poultry Contract Producers and Specialty Crop Growers

USDA Sets October 12 Deadline for CFAP 2

August 24, 2021 — The U.S. Department of Agriculture (USDA) is updating the Coronavirus Food Assistance Program 2 (CFAP 2) for contract producers of eligible livestock and poultry and producers of specialty crops and other sales-based commodities. CFAP 2, which assists producers who faced market disruptions in 2020 due to COVID-19, is part of USDA's broader Pandemic Assistance for Producers initiative. Additionally, USDA's Farm Service Agency (FSA) has set an Oct. 12 deadline for all eligible producers to apply for or modify applications for CFAP 2.

[VIEW FULL RELEASE](#)

USDA Accepts 2.8 Million Acres for the Conservation Reserve Program

Expects to reverse the trend of declining enrollment

August 23, 2021 — The U.S. Department of Agriculture (USDA) has accepted 2.8 million acres in offers from agricultural producers and private landowners for enrollment into the Conservation Reserve Program (CRP) in 2021. This year, almost 1.9 million acres in offers have been accepted through the General CRP Signup, and USDA's Farm Service Agency (FSA) has accepted over 897,000 acres for enrollment through the Continuous Signup. The Continuous Signup remains open and CRP Grasslands Signup closed last week, so USDA expects to enroll more acres into all of CRP than the 3 million acres that are expiring.

[VIEW FULL RELEASE](#)

USDA Funds Risk Management Education for Historically Underserved Producers

Expects to reverse the trend of declining enrollment

July 29, 2021 — The U.S. Department of Agriculture (USDA) is investing nearly \$1 million in funding for universities and nonprofits to develop risk management training and educational tools aimed to assist historically underserved farmers and ranchers. USDA's Risk Management Agency (RMA) is funding nine projects to help producers effectively manage long-term risks and challenges.

The projects offer a broad range of risk management training, including education on Federal crop insurance, wildfire preparedness, financial management, record keeping and risk analysis, among other topics. When determining which entities received funding, RMA considered organizations with a proven track record of success using USDA funds to serve socially disadvantaged producers, urban communities, and women producers, among others.

[VIEW FULL RELEASE](#)

RMA Extends Deadlines, Waives Interest Deferral for Emergency Drought Reliefs

July 27, 2021 — The U.S. Department of Agriculture (USDA) announced its Risk Management Agency (RMA) will authorize Approved Insurance Providers (AIPs) to extend deadlines for premium and administrative fee payments, defer and waive the resulting interest accrual and allow other flexibilities to help farmers and ranchers through widespread drought conditions in many parts of the nation. Producers now have additional time to pay premium and administrative fees, and interest will be waived for 60 days or the termination date on the policy, whichever comes first. RMA also authorized AIPs to waive interest for an additional 60 days for Written Payment Agreements due between August 1 and September 30, 2021.

[VIEW FULL RELEASE](#)

RMA Authorizes Emergency Procedures to Help Drought-Impacted Producers

July 13, 2021 — The U.S. Department of Agriculture (USDA) is authorizing emergency procedures to help agricultural producers impacted by extreme drought conditions. USDA's Risk Management Agency (RMA) is working with crop insurance companies to streamline and accelerate the adjustment of losses and issuance of indemnity payments to crop insurance policyholders in impacted areas. These new crop insurance flexibilities are part of USDA's broader response to help producers impacted by drought, in the West, Northern Great Plains, Caribbean and other areas.

[VIEW FULL RELEASE](#)

USDA to Provide Pandemic Assistance to Livestock Producers for Animal Losses

Farm Service Agency Will Begin Taking Applications for Indemnity Program July 20

July 13, 2021 — Livestock and poultry producers who suffered losses during the pandemic due to insufficient access to processing can apply for assistance for those losses and the cost of depopulation and disposal of the animals. USDA Secretary Vilsack announced the Pandemic Livestock Indemnity Program (PLIP) in remarks at the National Pork Industry Conference in Wisconsin. Livestock and poultry producers can apply for assistance through USDA's Farm Service Agency (FSA) July 20 through Sept. 17, 2021. PLIP payments will be based on 80% of the fair market value of the livestock and poultry and for the cost of depopulation and disposal of the animal. Eligible livestock and poultry include swine, chickens and turkeys, but pork producers are expected to be the primary recipients of the assistance.

[VIEW FULL RELEASE](#)

Texas A&M Tax Study

On June 15, 2021, the Agricultural & Food Policy Center (AFPC) at the Texas A&M University System released a study analyzing the the economic impacts of the tax provisions of the Sensible Taxation and Equity Promotion Act (STEP Act) and the For the 99.5 Percent Act (99.5% Act) on AFPC's 94 representative farms and ranches. Dr. Bart Fischer, one of the authors of the study and the co-director of AFPC, provides some of the highlights.

Under current law, when the owner of a farm or ranch dies, the estate is subjected to federal estate taxes. As of 2021, \$11.7 million per individual and \$23.4 million per couple in assets are exempted from the estate tax, effectively protecting most farms from the estate tax. In addition, when a decedent passes farm assets to an heir, the heir is allowed to take fair market values as their basis in the property (i.e. stepped-up basis), effectively avoiding capital gains taxes. Given that cropland values have roughly tripled over the past 25 years, most producers are extremely sensitive to any changes to the estate tax exemptions or stepped-up basis.

In Spring 2021, a number of proposals surfaced that would significantly change how inheritance is treated. For example, the *Sensible Taxation and Equity Promotion Act* (STEP Act)—announced by Sen. Chris Van Hollen (D- MD)—proposes to eliminate stepped-up basis upon death of the owner. The For the 99.5 Percent Act (99.5% Act)—introduced by Sen. Bernie Sanders (I-VT)—would decrease the estate tax exemption to \$3.5 million (\$7 million per couple), among other things. Senator John Boozman, Ranking Member, Senate Committee on Agriculture, Nutrition, and Forestry, and Representative G.T. Thompson, Ranking Member, House Committee on Agriculture, asked the Agricultural and Food Policy Center (AFPC) at Texas A&M University to examine the impact of the proposals on agricultural producers.



AFPC maintains a database of 94 representative farms in 30 different states. That data, in conjunction with a farm-level policy simulation model, allows AFPC to analyze policy changes on farms and ranches across the country. As part of this analysis, AFPC analyzed a total of five scenarios:

- **Scenario 1:**
No Generational Transfer under Current Tax Law.
- **Scenario 2:**
Generational Transfer under Current Tax Law.
- **Scenario 3:**
Generational Transfer under STEP Act.
- **Scenario 4:**
Generational Transfer under 99.5% Act.
- **Scenario 5:**
Generational Transfer under STEP Act and 99.5% Act.

As noted in the table below, under current tax law, only 2 of the 94 representative farms would be impacted by an event triggering a generational transfer. By contrast, under the STEP Act, 92 of the 94 representative farms would be impacted, with additional tax liabilities incurred averaging \$726,104 per farm. Under the 99.5% Act, 41 of the 92 representative farms would be impacted, with additional tax liabilities incurred averaging \$2.17 million per farm. If both the STEP Act and the 99.5% Act were simultaneously implemented, 92 of the 94 representative farms would be impacted, with additional tax liabilities incurred averaging \$1.43 million per farm across the 92 representative farms.

Summary of Results for the Representative Farms for the Five Tax Scenarios

	Scenario 1 No Generational Transfer Current Tax Law	Scenario 2 Generational Transfer Current Tax Law	Scenario 3 Generational Transfer STEP Act	Scenario 4 Generational Transfer 99.5% Act	Scenario 5 Generational Transfer STEP + 99.5% Acts
Number of Farms Impacted	n/a	2/94 (2%)	92/94 (98%)	41/94 (44%)	92/94 (98%)
Average Additonal Tax Liability Incurred for Farms Impacted	n/a	\$370,431	\$726,104	\$2,166,415	\$1,431,408
Average Change in Ending Cash Balance (2026)	n/a	-\$382,200	-\$796,627	-\$2,375,717	-\$1,588,365



Doug Jakway
NAU Country Insurance Company

Doug Jakway of NAU Country Insurance Company ("NAU"), a QBE Insurance Company, has served as Senior Vice President and General Counsel for NAU since 2006. Doug is responsible for managing all legal and regulatory affairs for NAU.

Doug directly oversees and manages the compliance and quality control department and agency licensing and appointment division of NAU. He directs the disposition of multiple complex legal and regulatory disputes, both with insureds and regulators. He's participated in the structuring, negotiation, and completion of many acquisitions within the crop insurance industry and has also participated in the industry-wide crop insurance negotiation with the Federal government for the current Standard Reinsurance Agreement with the Risk Management Agency.

Doug enjoys serving on the AACI Board advocating for the industry and listening to members of Congress and staff voice their concerns on how we can work together to ensure the preservation of the safety net the Federal Crop Insurance Program provides the American farmer. The challenges of more recent times have shown how the essential protection of crop insurance is to the American food supply and the impact of the supply chain,

as this is critical to the food security of the U.S. Furthermore, the recent progress of AACI under Scott Graves' leadership, will continue to provide further opportunities to demonstrate the critical role crop insurance plays. In addition to serving on the AACI Board, Doug also acts as Chair of the NCIS Legal Affairs Group, working closely with counsel from other Approved Insured Providers to address various legal issues that arise within the crop insurance industry.

When asked to be the representative for QBE's North America Sustainability committee, Doug was eager to get involved. Doug shares QBE's passion about sustainability, believing it is at the core of what we do and is relevant to every aspect of our business. By further integrating sustainability into the way we do business, we are making a positive contribution to the economies and communities we live and work.

The challenges of the COVID-19 pandemic have demonstrated how essential crop insurance is in protecting the American food supply. It is an exciting time at AACI as we continue to provide opportunities to demonstrate the critical role crop insurance plays.

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The challenges of more recent times have shown how essential protection of crop insurance is to the American food supply and the impact of the supply chain, as this is critical to the food security of the U.S.

Thank you to our PAC supporters

Contributions given between January 1 – September 17, 2021

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Zahn, Kevin
Zejdlik, James
Zillich, Bridget

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