

**Application for Financial Assistance
Inflation Reduction Act Section
22007
USDA Discrimination Financial Assistance Program
Last updated: 8/19/2024**

Note: The application period has now closed. Much of the information that follows is no longer applicable because no further applications are being accepted.

The U.S. Department of Agriculture Discrimination Financial Assistance Program (DFAP) will provide financial assistance to farmers, ranchers, and forest landowners who experienced discrimination in a USDA farm loan program (programs administered by the Farm Service Agency (FSA), or its predecessor the Farmers Home Administration) prior to 2021. The program is one step for USDA to acknowledge past wrongdoing and help build a more just future.

IMPORTANT: DEADLINE: JANUARY 13, 2024

- Applications submitted by U.S. mail or other overnight mail service must be postmarked no later than January 13, 2024.
- Applications submitted in person at a Regional Office must be delivered by 8 p.m. local time on January 13, 2024.
- Applications submitted online must be submitted by 11:59 p.m. PST on January 13, 2024.

If your application is **late**, it will **not** be reviewed, and you will not receive financial assistance. If your application is incomplete, it will be evaluated on the basis of the information that is included; there will be no extensions.

Important: Retaliation and reprisals against applicants to or participants in this program are strictly prohibited by USDA. If you believe that you are experiencing such retaliation or reprisal, contact the Office of Assistant Secretary for Civil Rights (OASCR) at (866) 632-9992 (toll free) or by emailing CR-INFO@usda.gov. Si prefieres que lo atiendan en español, llame al (800) 845-6136. Individuals who use sign language to communicate may contact OASCR through the Federal Relay Service on 711.

Important: There is no fee to apply for financial assistance under this program.

- Para recibir asistencia en español, llame al 1-800-721-0970, o escriba un correo electrónico al info@22007apply.gov, o visite https://22007apply.gov/home_es.html para obtener información y documentación en español.
- Rau kev pab ua lus Hmoob, hu 1-800-721-0970 los sis sau email rau info@22007apply.gov.
- 如需中文协助，请致电 1-800-721-0970 或发送电子邮件至info@22007apply.gov.
- 如需中文協助，請致電 1-800-721-0970 或傳送電子郵件至info@22007apply.gov.
- 한국어로 지원을 받으려면, 1-800-721-0970번으로 전화하시거나 info@22007apply.gov 으로 이메일을 보내주세요.
- Để được hỗ trợ bằng tiếng Việt, hãy gọi số 1-800-721-0970 hoặc gửi email đến info@22007apply.gov.
- ਪੰਜਾਬੀ ਵਿੱਚ ਸਹਾਇਤਾ ਲਈ, 1-800-721-0970 'ਤੇ ਕਾਲ ਕਰੋ ਜਾਂ info@22007apply.gov 'ਤੇ ਈਮੇਲ ਕਰੋ।

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- Frequently Asked Questions (FAQ)
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- Application Form, steps 1 through 10

Frequently Asked Questions (FAQ):

1. Who is eligible for this program?

This application is for individuals who:

- (1) Experienced discrimination, prior to January 1, 2021, by the Department of Agriculture (USDA) in USDA farm loan programs, which are currently administered by the Farm Service Agency (FSA);

AND/OR
- (2) Are currently debtors with assigned or assumed USDA farm loan debt that was the subject of USDA discrimination that occurred prior to January 1, 2021. (This applies, for example, if you inherited the debt that was the subject of USDA farm loan program discrimination.)

**IMPORTANT: IF YOU DO NOT MEET AT LEAST ONE OF THESE REQUIREMENTS,
YOU ARE NOT ELIGIBLE TO APPLY FOR THIS FINANCIAL ASSISTANCE.**

2. Am I eligible to participate in this program if I received money or loan forgiveness as part of another program addressing discrimination in USDA farm loan programs?

Yes. There have been several prior cases and matters addressing discrimination in USDA farm loan programs. These include the cases commonly known as Pigford 1; In Re Black Farmers Discrimination Litigation (BFDL or Pigford 2); Keepseagle; and Hispanic and Women Farmers and Ranchers Claim Resolution Process (HWFRCP) / Love / Garcia. People who prevailed and obtained money or loan forgiveness in these cases or claims processes are eligible for this program as well. The information from those cases or claims processes will be helpful to applicants when the program administrators are determining if you experienced discrimination. Any prior payments received will be taken into account when your claim for this program is evaluated regarding the consequences of discrimination you suffered.

3. Can I participate in both this program and in FSA's program providing assistance for distressed borrowers?

Yes. If you are eligible for both, you can participate both in this program under IRA Section 22007 and in the program providing assistance for distressed borrowers under IRA Section 22006.

4. Do I have to choose between this program and a discrimination complaint made to the USDA Office of the Assistant Secretary for Civil Rights (OASCR)?

No. This program is available only if the discrimination you experienced occurred prior to January 1, 2021. If you have filed a discrimination complaint with OASCR that deals with discrimination prior to 2021, you do not need to close or stay that complaint in order to be eligible for this program—and financial assistance awarded under this program does not bar consideration of that complaint by OASCR (although it may reduce the damages, if you are awarded such damages).

For discrimination that occurred after January 1, 2021, you may contact the Office of Assistant Secretary for Civil Rights (OASCR), Information Research Service, at (866) 632-9992 (toll free) or by emailing CR-INFO@usda.gov. If you prefer Spanish, you can use (800) 845-6136. Individuals who use sign language to communicate may contact OASCR through the Federal Relay Service on 711. Your written complaint must be filed within 180 calendar days from the date you knew or reasonably should have known of the alleged discrimination, unless the time is extended for good cause by the Assistant Secretary for Civil Rights or designee.

4a. Do I have to sign a waiver of any rights in order to apply or receive an award? (New, 3/22/2024)

No. If you are awarded financial assistance, you will not be required to waive any other rights.

4b. If I receive DFAP financial assistance, will that make me ineligible to apply for USDA loans in the future? (New, 3/22/2024)

No. Eligibility to participate in FSA farm lending depends on your individual circumstances; participation in DFAP, or the receipt of a DFAP award does not disqualify you. For more information on FSA loans, go to <https://www.farmers.gov/loans>.

4c. What if I experience retaliation by a USDA employee or office because of my DFAP application? (New, 4/23/2024)

Retaliation and reprisals against applicants to or participants in this program are **strictly prohibited** by USDA. If you believe that you are experiencing such retaliation or reprisal, contact the Office of Assistant Secretary for Civil Rights (OASCR) at (866) 632-9992 (toll free) or by emailing CR-INFO@usda.gov. Si prefieres que lo atiendan en español, llame al (800) 845-6136. Individuals who use sign language to communicate may contact OASCR through the Federal Relay Service on 711.

5. Am I eligible to participate in this program if I inherited debt from a family member who experienced discrimination in a USDA farm loan program, or as a representative of the estate of a now-deceased borrower?

You can participate only if you experienced covered discrimination, or if you are currently a debtor with assigned or assumed USDA farm loan debt incurred by a person who was the subject of USDA discrimination. You cannot participate as the representative of the estate of a now-deceased borrower.

5a. Is an application considered ineligible if the applicant died after submitting the application? (New, 4/23/2024)

No. The applicant must have been alive when the application was submitted. If an applicant has died since submission, their family/estate should contact the DFAP Call Center at 1-800-721-0970 for further instructions.

5b. Is an application considered ineligible if the applicant becomes incapacitated after submitting the application? (New, 4/23/2024)

No. Applicants deemed eligible for an award will still receive it even if they have become incapacitated after submitting an application. If family members and other caregivers need to act on the applicant's behalf (for example to change an address or sign a document), they should use a power of attorney as appropriate for authorization. Please contact the DFAP Call Center at 1-800-721-0970 if you need further information.

6. What types of lending are covered by this program?

The program covers farm loan programs: Farm Ownership Loans (FO); Farm Operating Loans (OL); Microloans (ML); Youth Loans (YL); Farm Storage Facility Loans (FSFL); Emergency Loans (EM); Economic Emergency Loans

(EE); Emergency Livestock Loans (EL); Soil and Water Loans (SW); Conservation Loans (CL); Softwood Timber Loans (ST), and Grazing Loans. Rural Development loans are not covered by this program.

The program covers both direct and guaranteed lending through USDA's Farm Service Agency (or its predecessor, the Farmers Home Administration)—but for applicants who participated in guaranteed loan programs, discrimination by the non-USDA lender does *not* qualify for this program; only discrimination by USDA personnel is covered.

7. What is discrimination, for purposes of this program?

Discrimination means treating some people differently from others, for illegitimate reasons. In this program, a claim of discrimination may be based on different treatment you experienced because of race, color, national origin or ethnicity, sex, sexual orientation, gender identity, religion, age, marital status, or disability, or in reprisal/retaliation for prior civil rights activity. Covered discrimination could include, for example: failure to provide appropriate assistance; delay in processing a loan or loan servicing application; denial of a loan or loan servicing; prevention from applying for a loan or loan servicing; adverse loan terms; unduly onerous supervision of loan requirements—where these were due to the customer's race, color, national origin or ethnicity, sex, sexual orientation, gender identity, religion, age, marital status, or disability, or in reprisal/retaliation for prior civil rights activity.

8. I was discriminated against because I'm a member of a Native American Tribe. Is that covered?

Yes, discrimination because you're a Tribal citizen is covered by this program. We know that Tribal members can experience discrimination of different varieties, including, but not limited to, because of their status as enrolled members of a federally or state-recognized Tribe or because they operate on lands within Tribal jurisdiction. For purposes of this program, if you believe USDA discriminated against you in a USDA lending program because you are a member of a Native American Tribe, you may proceed with your claim by choosing one, or both, of the following answers in STEP 5 of the application:

- You can check "race discrimination," and list your race as "American Indian or Alaska Native" and/or
- You can check "national origin discrimination," and list your tribal membership.

Choosing one or both options will not work against you, but you will be required to submit proof of the claim you pursue. Either way, please provide documentation of Tribal membership to accompany the application.

9. How do I apply to the Discrimination Financial Assistance Program?

Note: The application period has now closed. The information in this FAQ is no longer applicable because no further applications are being accepted.

Submitting your information through this application form is all that is required for you to be considered for this program. There will not be any hearings, appeals, or other application processes. You only need to file the application and any supporting documentation as attachments. Applying to this program is free. The application form asks you to provide information in response to detailed questions. The answers are important to help the program administrators assess your eligibility for the program.

To submit your application, you must also agree to allow program administrators to obtain any information USDA or other federal agencies possess relating to the application. This will assist the administrators as they review the claim.

USDA is committed to ensuring the integrity of this program and each applicant must sign the application and certify, under penalty of perjury, that the information submitted is true to the best of their recollection.

Submissions will be verified for accuracy and completeness. False statements made in connection with the application may result in fines, imprisonment and/or any other remedy available by law to the Federal Government, including as provided in 18 U.S.C. § 1001. Applications that appear to be potentially fraudulent or to contain false information will be forwarded to federal, state, and local law enforcement authorities for possible investigation and prosecution.

10. How will it be decided whether discrimination occurred?

You must provide specific evidence that you experienced discrimination in by USDA in USDA farm lending before January 1, 2021. Some specified documents are required; you are also permitted to provide additional evidence to support your claim of discrimination. The evidentiary standard for this application is “substantial evidence” (which is less than “preponderance of the evidence”). To meet this standard, you should provide relevant evidence that a reasonable person could accept as adequate to support the conclusion that discrimination occurred. Accordingly, your application will be stronger if you provide documentation and a full description of your experience.

11. What if the loan(s) relevant to this program were made to a business entity, or to multiple co-borrowers?

Financial assistance under this program is available only to individuals. Therefore, if the loans that are the subject of the program application were made to a business entity or to multiple co-borrowers, the financial assistance provided by this program will be allocated to each DFAP applicant based on the applicant's interest in the relevant business entity. If only one co-borrower or business entity participant submits a DFAP application, and that application is successful, then only the person submitting the application will receive financial assistance. If you are or were a participant in multiple business entities, list and describe any that were affected by the discrimination described in the application; be sure to explain the effects of the discrimination on each one.

If you don't have any current contact with the co-borrower or other participant in a business entity, just fill out as much information as you can about the co-borrower or other participant. If you don't know the answer to a question about them, just leave it blank.

11a. What if I was one of several co-borrowers, or one of several participants in a business entity, in the loan that is the subject of my DFAP application – and it was the other co-borrower or participant who directly experienced discrimination. Am I still eligible for financial assistance?

Yes, if you can provide evidence that the discrimination occurred, and that it adversely affected your participation in USDA farm lending.

12. How much financial assistance is available?

Congress provided a total of \$2.2 billion for this program. The amount of money awarded to individuals through this program therefore depends on the number of eligible applicants and the consequences of the discrimination. The statute caps any single award at \$500,000. However, it is important to understand that nearly all awards of financial assistance will be less than this amount. The average potential size of award under this program will depend on the number of applicants. For example, if there are 50,000 eligible applicants, the average total award amount per applicant would be approximately \$40,000; if there are 85,000 eligible applicants, the average total award amount would be approximately \$25,000. Financial assistance will be based on the nature and consequences of the discrimination experienced, so individual amounts of financial assistance will vary.

Additionally, individuals who have never farmed, due to discrimination by USDA, can generally be expected to have experienced less severe consequences from discrimination than those who *have* farmed. This is because those who never farmed generally did not invest as much into a farming operation. For this reason, under this

program, applicants who never farmed will receive substantially less financial assistance than those who did.

Importantly, the program is not designed to and will not attempt to compensate applicants comprehensively for actual economic losses. Rather, the program will provide financial assistance to applicants who have experienced discrimination in USDA's farm loan programs.

13. Does the amount of financial assistance I can get depend on when I apply?

No. This is not a "first-come, first-served" program. The program has a set application period: all applications submitted on or before the deadline will be treated the same and awards will be based on the individual claim. Applications submitted after the deadline will **not** be reviewed. If your application is late, you will not receive financial assistance.

14. When will decisions be made, and by whom? (Updated, 3/22/2024)

As required by the Inflation Reduction Act, individual decisions are being made by the non-governmental program administrators, using standards set by USDA and with oversight by USDA. Decisions will be made for all applications at the same time, within several months after the close of the application period. All applications will be referred to USDA for approval of payments. Upon approval, the program administrators will deliver DFAP financial assistance by check through the U.S. mail shortly after decisions are made, targeted for summer 2024.

14a. Is the Farm Service Agency managing DFAP, and can I receive updates on my application from my local field office? (New, 4/23/2024)

No. The Farm Service Agency is **not** managing DFAP processes or decision-making. USDA is required by statute to work with nongovernmental entities to administer the program and is doing so through the selected National Administrator and Regional Hubs. Farm Service Agency field office staff have no role in DFAP and will not be able to assist you with information regarding the status of your application, other than to suggest that you call the DFAP Call Center at 1-800-721-0970. For more information about the organizations working on the program, see this link: <https://22007apply.gov/program-overview.html>.

14b. When can I expect to hear from program administrators about my application? (New, 4/23/2024)

As of mid-April, the program administrators have completed initial intake, and have mailed receipts for all received applications, supporting documents, and responses to deficiency letters. DFAP program staff have also completed review of deficiencies in identity verification and certification-related items and, where applicable, have mailed letters explaining what further information is needed. (Many of these letters are being mailed in mid-April and may take a week or more to arrive.) If you mail a response to a deficiency letter you should receive a receipt; if you do not, you can call the DFAP Call Center at 1-800-721-0970 to check whether your response was received. You can also call the DFAP Call Center for other information about your application's status. Other than these letters and receipts, the next time you can expect to hear from DFAP will be regarding issuance of the awards, targeted for summer 2024.

14c. If I submitted an application but am not going to receive financial assistance, will I be notified? (New, 4/23/2024)

Yes. The Program Administrators will inform all applicants of the results of their application's review, targeted for summer 2024.

15. Will I have to pay taxes on any financial assistance? Is USDA pursuing a way to provide money for taxes owed on awards? (Updated, 3/22/2024)

Financial assistance received in this program is includible in gross income, for tax purposes. See <https://www.irs.gov/newsroom/frequently-asked-questions-about-usdas-discrimination-financial-assistance-program>. Individuals receiving financial assistance will receive an IRS Form-1099 showing the amount of assistance they have received. USDA is unable to determine if you will owe taxes, because every individual's circumstances are different, and USDA recommends that you speak with a tax professional. USDA has partnered with Southern Extension Risk Management Education Center, the National Farm Income Tax Extension Committee and other tax experts across the country to provide general information and resources regarding USDA program payments and agricultural taxes. These resources are available online at farmers.gov/taxes, ruraltax.org, and agftap.org. In addition, tax information related to this particular program will be available at 22007apply.gov.

USDA has no current statutory authority to pay the taxes on DFAP financial assistance. The law that created this financial assistance program – IRA Section 22007 – does not provide for payment of taxes by USDA.

15a. If I owe the federal government money, will that money be taken out of my DFAP award (i.e., offset by the federal government), if I get one?

No. If you receive a DFAP award, you will receive a paper check in the mail for the award's full amount, regardless of whether you owe the federal government money. This award in no way impacts whether or not any debt to the federal government remains, or how such a debt may be collected.

16. Is this where I file a discrimination complaint if I am currently experiencing discrimination in USDA programs or need to find answers about a previously filed complaint?

No. If you are currently experiencing discrimination, you may contact the Office of Assistant Secretary for Civil Rights (OASCR), Information Research Service, at (866) 632-9992 (toll free) or by emailing CR-INFO@usda.gov. If you prefer Spanish, you can use (800) 845-6136. Individuals who use sign language to communicate may contact OASCR through the Federal Relay Service on 711.

16a. What should I do if I wish to report suspected fraud in the DFAP program? (New, 4/23/2024)

If you suspect someone of submitting fraudulent applications, or of scamming or defrauding potentially legitimate applicants, please call the DFAP Call Center at 1-800-721-0970 and USDA Office of the Inspector General at 800-424-9121 to report the suspicious activity.

17. What documents should I submit with my application?

Note: The application period has now closed. The information in this FAQ is no longer applicable because no further applications are being accepted.

For some parts of the application, documentation is required. For every part of the application, you should include all evidence you feel may be beneficial. At each step of the application, a sidebar tells you whether documentation is required or recommended, and there are boxes for you to check if you are submitting such additional evidence. Examples of written documentation include:

- Personal identity documentation, such as driver's license, passport, state photo ID, SSN card, Form W9/W8.
- Business documents, such as bank statements, deeds, leases, easement documents, purchase agreements, business plans, marketing materials, equipment receipts, tax returns, utility bills, tax bills for farm parcel(s). These are particularly helpful if they are dated close in time to the events you describe.
- USDA documentation, such as loan applications or other paperwork; agency letters noting complete or incomplete loan application or withdrawn, denied, or approved loan application; receipts for service.

- Documentation of prior claims to USDA or in court, such as complaints, appeals, decisions, judgments.
- Letter(s) that support the claims or details in your application, written close in time to when you experienced the discrimination, particularly if from a non-family member addressed to you, or from you to a non-family member.
- Statements under penalty of perjury, using the form available at [22007apply.gov](https://www.22007apply.gov) or a document substantially like it, by individuals other than yourself who have knowledge of the facts asserted.

The program administrators will consider all available evidence, including your application, the additional evidence you supply, and government records.

17a. At several points in the application, the instructions say that I may choose to submit a statement under penalty of perjury from a “non-family member” in support of my answer to a particular question. How is “family member” defined for this purpose?

For this program, “family member” includes:

- Parents (including stepparents)
- Children (including stepchildren)
- Siblings (including step-siblings and half-siblings)
- Spouses or domestic partners
- Grandparents
- Grandchildren

18. Should I request necessary or helpful documents from FSA? How?

Note: The application period has now closed. The information in this FAQ is no longer applicable because no further applications are being accepted.

November 3, 2023, was the records request deadline to receive the response in time for your Discrimination Financial Assistance Program application. This November 3 date was based on FSA’s expected turnaround time for records processing given demand. Now that the DFAP deadline—January 13, 2023—is less than a month away, there is no longer time to provide records prior to that deadline.

FSA records are not required for this application. Even without FSA records, you can provide any other evidence to show you were a farmer or intended to farm, and experienced discrimination by USDA in USDA farm lending. In addition, where possible, FSA has already provided digital records to the program administrators to assist them as they conduct the program.

If you still wish to request your records from FSA—even though they will not arrive in time for your DFAP application—you may request your records at your local FSA office.

18a. How will USDA handle applications submitted without FSA records? (New, 3/22/2024)

FSA records are not required for this application. The program’s administrators will evaluate your application and any other evidence you provided, along with available FSA databases, to verify if you were a farmer or intended to farm, and if you experienced discrimination by USDA in USDA farm lending.

18b. I received a letter from DFAP indicating that I needed to submit a Form W-9 or W-8, or a correction to one. Do I really need to? (New, 4/23/2024)

No. After further consultation with the Department of Treasury, USDA has updated program policy and W-9 forms are no longer required to process a potential payment. Therefore, no response to a DFAP request

relating to a Form W-9 or W-8 is required. However, if the letter from DFAP also requested other information, a response on those other items is required. If you have a question about whether the information requested of you is still required, contact the DFAP Call Center at 1-800-721-0970.

18c. I received a letter from DFAP indicating that I need to submit a correction because there was a slight variation of my name on my identification documents. I can't resolve that because my official identity cards have those variations as well (for example Jim rather James). What can I do? (New, 4/23/2024)

After hearing from applicants about name variation difficulties, USDA has updated program policy; slight name variations will be accommodated. Therefore, no response to a DFAP request relating to a slight name variation is required. If you have a question about whether the information requested is still required, contact the DFAP Call Center at 1-800-721-0970.

19. How will the amount of financial assistance for eligible applicants be determined? What information will be considered in determining the consequences of the discrimination to me?

The statute that provides the authority for this program does not authorize comprehensively compensating applicants for all losses incurred due to discrimination. Instead, the statute authorizes eligible applicants to receive financial assistance based on the consequences of the discrimination. The questions in the application seek the information that will be used to assess the consequences of the discrimination. By responding to the questions in the application carefully and fully, you will be providing the information that will be used to determine the amount of financial assistance you will receive if you are eligible. As you can see in reviewing the application, the information sought from farmers who apply includes: the number of acres of owned agricultural land lost due to discrimination; whether a home was lost due to the discrimination; the fact and amounts of any offsets, garnishments, or deficiency judgments incurred due to discrimination; economic loss due to discrimination; and the number of discriminatory acts suffered.

Note: Payments you received in a prior claim based on the same discrimination will be taken into account and will somewhat reduce the financial assistance provided in this program.

20. What if I need assistance or language support to complete this application?

Note: The application period has now closed. The information in this FAQ is no longer applicable because no further applications are being accepted.

More information about this application is available at 22007apply.gov, including videos and other resources.

Additional assistance is also available. If you need assistance completing this application, or have any questions, please call the toll-free Helpline at 1-800-721-0970 (English and Spanish). In addition, you can visit 22007apply.gov for a list of available walk-in locations available to receive assistance with completing this application. If you use sign language to communicate, you can use the 711 relay service to call. If you have a disability and need another accommodation, please call 1-800-721-0970 or email info@22007apply.gov.

21. If I call the program Helpline for technical assistance, do I have to enter their information as a preparer?

No.

22. I'm a preparer for many DFAP applicants; is there a process to allow submission of many applications at the same time?

Note: The application period has now closed. The information in this FAQ is no longer applicable because no further applications are being accepted.

Yes. If you are a law firm or other preparer for 50 or more DFAP applicants, and have entirely digital fillable PDF applications (plus digital supporting documents) you can use a special “bulk upload process.” (Users who do not meet the 50-or-more threshold must use the normal application submission procedures. See <https://22007apply.gov/how-do-i-apply.html>.)

Users who wish to upload in bulk should email info@22007apply.gov with the subject line “**Bulk Application Upload Request**”.

Please include the following in your email:

- i. Submitting Organization Name
- ii. Organization Point of Contact (POC) Name
- iii. POC Phone Number
- iv. POC Email
- v. State(s) of the applicants intended for upload
- vi. Number of applications ready to be submitted now
- vii. Total anticipated number of applications by application deadline (January 13, 2024).

Your request will be acknowledged, and a specialist will contact you directly. Because this process is likely to take some time, including back-and-forth instructions and verifications, **the deadline for requesting access is December 29, 2023, and the deadline for initially submitting applications using this method is January 5, 2024. Any technical problems that arise during the submission process must be resolved prior to the close of the application period.**

23. Do I need an attorney?

You are not required to have an attorney assist you in completing this application. If you do choose to use an attorney, please note that you will be responsible for paying any attorneys’ fees. The law that created this financial assistance program – IRA Section 22007 – does not provide for attorneys’ fees, and no attorneys’ fees will be paid to you or your counsel by USDA or any other agency or department of the United States. The total amount of financial assistance will not be increased for you to cover any attorneys’ fees or costs. USDA and the program administrators will not encourage or discourage you to retain counsel or retain a specific attorney or law firm. However, if you have legal questions, you are advised to consult with licensed attorneys.

24. Why is the application so long?

The application for this program is extensive so that you can tell your full story and provide as much supporting documentation as you like.

25. How can I be sure you’ve received my application?

How you will receive a receipt for your application depends on how you choose to submit it. If you drop a paper application off at a local program office, you should get a printed receipt on the spot. If you mail a paper application in, you should receive a receipt within a week; it will be emailed to you if you included an email address, and mailed to you if you did not include an email address. If you e-file, you will receive an automatic email receipt when you hit “submit” on the application. If you have not received a receipt when you should have, you can call the DFAP Call Center at 1-800-721-0970. They will look up whether your application has been received and arrange to get you a receipt if it has been received.

26. What address should I use as my mailing address?

Application Step 1 asks for your mailing address. You should list the address where you, yourself, receive mail.

- **Do not** list your attorney’s or preparer’s address in this step.
- **Do not** list an out-of-date address where you do not receive mail.

- **Do not** list the address of your farm if it is different from your mailing address. You will have the opportunity to provide information about your farming operations elsewhere in the application.

The application asks for different addresses in different questions. For example, Step 3.A.2 asks for your farm's street address. You should follow the instructions for each question.

26a. What if I need to update my mailing address? (Updated, 8/16/2024)

If you need to update your mailing address, you may do so by submitting an Address Change Request Form and supporting documentation listed in the Address Change Request Form to your Regional Processing Center. The Address Change Request form is located at https://22007apply.gov/media/DFAP_Address_Change_Request_Form_V2_MS.pdf.

If you do not provide requested supporting documentation or provide an incomplete Address Change Request Form, your change-of-address request will not be processed. After May 3, 2024, if you need to request a change of address, please call the DFAP call center at 1-800-721-0970.

27. Can I direct that any financial assistance awarded be mailed to an address other than my mailing address? (Updated, 4/23/2024)

To minimize the potential for identity theft and fraudulent interference with checks mailed out, and to avoid lost checks or other administrative problems, in most cases the DFAP Administrator intends to mail checks to the address listed in your application, in response to Step 1. Previously, DFAP announced that *all* checks would be mailed to the applicant's address. As of April 22, 2024, USDA amended this rule, as follows, to ensure timely payments to eligible recipients:

If you are represented by an attorney and prefer that USDA mail your DFAP award to your attorney's address, that will be allowed under certain conditions to protect against potential fraud and abuse. A DFAP award check made out to an applicant may be mailed to the address of the applicant's attorney if all the following conditions are met:

- The applicant's address is provided to DFAP administrators in an approved electronic format.
- The applicant has signed a power of attorney authorizing payment to be sent to the applicant's attorney, and the power of attorney is either properly notarized or was submitted contemporaneously with the DFAP application.
- The application is in full compliance with Step 10 of the DFAP application requirements.
- Using an approved electronic format, attorneys who are mailed DFAP payments must confirm within 30 days of payment receipt that funds have been disbursed to each applicant.

Any attorney whose DFAP-applicant client wishes to direct the program to mail an award check to the attorney, rather than to the client, must contact info@22007apply.gov no later than 5 pm Eastern on Monday, April 29, 2024, to receive detailed information about the above conditions, including about time limits, processes, and next steps. Note: separate program rules govern situations in which an applicant has filed more than one DFAP application.

28. What if I made a mistake on an application that I already submitted? Can I make changes?

No. The application period closed on January 17, 2024. Applications are no longer being accepted; applications already submitted are under review. However, if you need to update your mailing address, see FAQ 26a.

Instructions to Applicant:

This is your submission for financial assistance from the Inflation Reduction Act's (IRA) Section 22007 USDA Discrimination Financial Assistance Program (DFAP). The form and the submitted documents constitute the entire application; there will be no hearings and no appeals.

IMPORTANT: DEADLINE: JANUARY 13, 2024

- **Applications submitted by U.S. mail or other overnight mail service must be postmarked no later than January 13, 2024.**
- **Applications submitted in person at a Regional Office must be delivered by 8 p.m. local time on January 13, 2024.**
- **Applications submitted online must be submitted by 11:59 p.m. PST on January 13, 2024.**

If your application is **late**, it will **not** be reviewed, and you will not receive financial assistance. If your application is incomplete, it will be evaluated on the basis of the information that is included; there will be no extensions.

Important: Both written and video guides to this application form are available at 22007apply.gov.

Additional assistance is also available:

If you need assistance completing this application, or have any questions, please call the toll-free Helpline at 1-800-721-0970. If you use sign language to communicate, you can use the 711 relay service for a phone call. If you have a disability and need another accommodation, please call 1-800-721-0970 or email info@22007apply.gov.

In addition, you can visit 22007apply.gov for a list of available walk-in locations available to receive assistance with completing this application.

This application has 10 steps. Some of the steps have several parts. Review the instructions for each step and each part to determine which parts are applicable to you. Each and every question is important and will help ensure that your application is reviewed and evaluated correctly.

Reviewing the documentation checklist, even before you begin, may assist you in gathering and submitting documents helpful to process your application. Throughout the application, a sidebar tells you whether documentation is required or recommended, and there are check boxes for you to check if you are submitting such additional evidence.

The purpose of this application is to allow you to explain what kind of discrimination in a USDA farm loan program you experienced, and to provide as much detail as possible, so that the program administrators can evaluate your application. The application is designed to help you establish your eligibility; that is why it asks for a lot of details, using both checklists and free-form questions.

The application has 10 steps:

- **STEP 1: About You**
 - Who are you?
 - Who (if anyone) is your representative, and for what purpose?
 - Who (if anyone) has assisted you in preparation of this application?

- **STEP 2: Type of Applicant**
 - What type of applicant are you?
 - Co-borrowers: Identify all co-borrowers (if applicable) to your USDA farm loan.
 - Entity Members: Provide your interest and that of other members if your participation in a USDA farm loan program was as a member of an entity or entities.
 - Assigned/Assumed Debt: Who is the original borrower, if not you?

- **STEP 3: Eligibility for this Program as a Farmer or Rancher**
 - Details of your farm/ranch/forest operation or planned operation.

- **STEP 4: Eligibility for this Program as a Borrower or Attempted Borrower in a USDA Farm Loan Program**
 - What type of USDA farm loan program did you participate in or attempt to participate in during the period of discrimination?
 - If you have assumed or assigned debt, what type of USDA farm loan program covered that debt during the period of discrimination?

- **STEP 5: Discrimination in USDA Farm Loan Programs**
 - What kind of discrimination did you, or the original borrower, experience?
 - Details: when/where/by whom.

- **STEP 6: Losses from Discrimination for Applicants Who Have Operated a Farm or Ranch**
 - What kind of loss was the result of the discrimination?

- **STEP 7: Prior Claims, Complaints, and Appeals.**
 - If you, or the original borrower, participated in a prior discrimination claims process for the same conduct, what were the details and results of that claim?

- **STEP 8: Additional Information (Optional)**
 - Available space to share any additional information relevant to the application.

- **STEP 9: Taxpayer Information Request**
 - Indicate which IRS tax form you are submitting along with this application.

- **STEP 10: Signatures and Certifications**
 - Your signature, and initials, certifying and swearing to the truth of the application.
 - Signature, and initials, of anyone who helped prepare the application, with appropriate disclosures.

- **Documentation Summary:** The online application includes a documentation summary page for you to indicate how your documentation will be submitted and provides a mechanism to upload PDF files.

How to submit your application:

We strongly encourage you to fill out and submit your application online, using the E-Filing form available at 22007apply.gov. This will provide you with instant access to your application status and to any correspondence sent by the program administrators, and it will allow you to upload relevant documents directly to the program website. Even more important, using the E-Filing form will also mean that you get instant information on the completeness of your application and whether you have skipped any part of it—so you will be more likely to avoid an incomplete application. Visit 22007apply.gov for full details on how to fill out and submit your application online.

If you choose to use the E-Filing form and have paper documents that you wish to upload as support to your application, the documents must first be saved as PDF files. PDF files can be created in one of many ways, including, but not limited to: scanning paper documents and saving as PDF files, converting and saving electronic documents as PDF files, or downloading an app such as Adobe Scan, or utilizing the Scan Documents option in your Notes app on your iPhone or iPad, which will permit you to take a picture of the pages with your phone or tablet and create a PDF file.

Alternatively, you may proceed with submission of your online application and indicate that you will be delivering your supporting documentation separately to your Regional Office. Please note that all supporting documentation sent to your Regional Office **must** contain your Social Security Number or Individual Taxpayer Identification Number (SSN/ITIN) on the top of each document, you must include a cover letter which references your name, your online application Confirmation ID (which will be emailed to you upon submission of your online application), and a list of the supporting documentation being provided, and **must either be postmarked (if mailed) or received (if delivered) within the second business day** after your online submission, to be considered in the application review process. You may submit your supporting documentation to your Regional Office in-person or via first class or overnight mail.

If you don't have access to a computer or device that will allow you to use the E-Filing system, but you wish to take advantage of these features, you may submit an application and supporting documentation in person at one of the locations listed at 22007apply.gov. Staff will be able to assist you in creating a login, filing an online application, scanning, and uploading your supporting documentation.

If you decide to use a paper (or PDF) application, you must follow these instructions for submission:

- Type or print your answers using black or blue ink. Your application must be readable by our representatives. If we are unable to read your application, this may result in its denial.
- Use either of the following to make your selection when answering a question that has a box or a circle:
✓ – or – X
- A signature is required; include a signed Signature Page (STEP 10) with your completed application form. You may use whatever form of signature is easiest for you to provide, including a digital signature, an image of a signature, or a photocopy or scan of a signed signature page. (The same is true for other signatures in the application, including for the preparer or for attached statements under penalty of perjury.)
- Be sure all documents you submit have your Social Security Number or Individual Taxpayer Identification Number printed at the top of the first page of each document.
- If you submit a statement (under penalty of perjury) by another person, in support of your application, you should use the form available at 22007apply.gov or a document substantially like it.
- Please make and keep your own copies of all supporting documents that accompany your application. Do not include original supporting documents with your submission. They will not be returned to you and may be destroyed after the program concludes, in accordance with records management requirements.

- To submit your paper application, you can send the form itself, appendices, and copies of your supporting documents in one of the following ways:
 - Mail (first class or overnight) to the appropriate Regional Office; choose based on the location of the farm that is the subject of this application. (See list of states, commonwealths, and territories below.)
 - Drop off at the appropriate Regional Office; walk-in locations are available at 22007apply.gov.

Applications and/or documentation will not be accepted via email, thumb drive, or facsimile.

Mailing Address	States, Commonwealths and Territories Covered by <u>East</u> DFAP Application Processing Center		
22007 Application Processing Center Attn: Windsor Group, LLC Gainesville Technology Entrepreneurship Center (GTEC) 2153 SE Hawthorne Rd, Suite 217 Gainesville, FL 32641	Alabama Connecticut Delaware District of Columbia Florida Georgia Illinois Indiana Kentucky Maine	Maryland Massachusetts Michigan Mississippi New Hampshire New Jersey New York North Carolina Ohio Pennsylvania	Puerto Rico Rhode Island South Carolina Tennessee Vermont Virginia West Virginia Wisconsin US Virgin Islands
Mailing Address	States, Commonwealths and Territories Covered by <u>West</u> DFAP Application Processing Center		
22007 Application Processing Center Attn: Analytic Acquisitions c/o Mon Abri Business Center 2524 N Broadway, Suite 338 North Edmond, OK 73034	Alaska Arizona Arkansas California Colorado Hawaii Iowa Idaho Kansas Louisiana	Minnesota Missouri Montana Nebraska Nevada New Mexico North Dakota Oklahoma Oregon South Dakota	Texas Utah Washington Wyoming American Samoa Commonwealth of the Northern Marina Islands Guam

Important: The Regional Offices will provide confirmation of receipt once they process the application. If you wish to receive more immediate confirmation that your paper application was delivered to the Regional Office, please use a delivery method that provides delivery confirmation (e.g., USPS Certified Mail, USPS Registered Mail, USPS Return Receipt or an overnight mail courier service).

IMPORTANT NOTE: Submit only ONE copy of your application via your preferred method of submission. Please do not submit the same application via multiple methods.

Understanding certain terms used in this application:

- **“Assigned or assumed debt”** refers to a situation in which a new debtor becomes responsible for the former debtor’s outstanding loan.
- **“Co-borrower”** refers to a person who applied (and shares in the liability) for your USDA/FSA farm loan.
- **“Direct Lending”** refers to loans issued and backed directly by USDA.
- **“Discrimination”** means treating some people differently from others, for covered, illegitimate reasons. See FAQ # 7.
- **“Entity” or “business entity”** means any organization formed to conduct business. Common entities: corporation, association, limited liability company, limited liability partnership, partnership.
- **“Entity member”** means a person who has an ownership interest in an entity.
- **“Farm” or “Farmer”** includes all types of farming, including forestry operations eligible for FSA farm loans.
- **“Farmland”** includes farmland, ranchland, and land used for forestry operations eligible for FSA farm loans.
- **“Guaranteed Lending”** refers to loans issued by a banking institution and guaranteed (backed) by USDA.
- **“Legal guardian”** is a person who has been appointed by a court or otherwise and has the legal authority to make decisions relevant to the interests of another person.
- **“Original borrower”** refers to the person who was originally liable for the USDA/FSA farm loan.
- **“You”** refers to the applicant under this Discrimination Financial Assistance Program.