

Discrimination Financial Assistance Program Application Training Guide¹

The Federation of Southern Cooperatives Land Assistance Fund and the Lawyers' Committee for Civil Rights Under Law²

APPLICATION DEADLINE: OCTOBER 31, 2023

OVERVIEW OF THE DISCRIMINATION FINANCIAL ASSISTANCE PROGRAM

The U.S. Department of Agriculture (“USDA”) launched the Discrimination Financial Assistance Program (the “Program”) [application](#) on July 7, 2023 and the application will remain open until October 31, 2023.

Under the Program, farmers, ranchers, and forest landowners who experienced discrimination by the USDA prior to January 1, 2021 have the opportunity to receive financial assistance of up to \$500,000. Such financial assistance will be based on the nature and consequences of the discrimination experienced.

WHO MAY BE ELIGIBLE?

Overview

The Program is intended to provide financial assistance to farmers, ranchers, and forest landowners (producers) who:

- Experienced discrimination by the USDA, prior to January 1, 2021, in USDA farm loan programs, which are currently administered by the Farm Service Agency; and/or
- 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.

If an applicant is *currently* experiencing discrimination, they should 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 they prefer Spanish, they can use (800) 845-6136. Individuals who use sign language to communicate may contact OASCR through the Federal Relay Service on 711.

Covered Lending Programs

Any farmer, rancher, and forest landowner (producer) who has experienced discrimination by the USDA in the following farm loan programs may be eligible for relief under the Program:

- Farm Ownership Loans (FO);
- Farm Operating Loans (OL);
- Microloans (ML);
- Youth Loans (YL);

¹ This guide is designed for informational purposes only. It is not legal advice and is not intended to create an attorney-client relationship. The Federation of Southern Cooperatives Land Assistance Fund and the Lawyers' Committee for Civil Rights Under Law do not warrant any information contained in this guide and do not suggest that the information in this guide should be used as a basis to pursue legal advice or decision-making.

² The Federation of Southern Cooperatives Land Assistance Fund and the Lawyers' Committee for Civil Rights Under Law would like to thank our pro bono partner Winston & Strawn LLP for the invaluable help they provided with drafting this comprehensive training guide. Special thanks to Sean Kelly, Kobi Brinson, Christina Wheaton, Brittni Reaser, and Hamza Khan from the Winston & Strawn team.

- 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 the Program.*

The Program covers both direct and guaranteed lending through USDA's Farm Service Agency (or its predecessor, the Farmers Home Administration). However, for lenders who participated in guaranteed loan programs, if the person or entity that discriminated against the lender was not a USDA employee, then the discrimination is not covered under the Program.

WHAT IS DISCRIMINATION?

Discrimination means treating some people differently from others, for illegitimate reasons. Under the Program, a claim of discrimination may be based on different treatment that the applicant experienced by the USDA because of race, color, national origin or ethnicity, sex, sexual orientation, gender identity, religion, age, marital status, or disability, or in retaliation for prior civil rights activity.

Experiencing discrimination by the USDA in farm loan programs may include, but is not limited to, any of the following: (1) failure to provide appropriate assistance; (2) delay in processing loan or loan servicing application; (3) outright denial of a Farm Service Agency ("FSA") loan or loan servicing; (4) prevention from applying for a loan or loan servicing; (5) receipt of an FSA loan with unfavorable or adverse loan terms; (6) unduly onerous supervision of loan requirements where these were due to discrimination; and/or (7) approval of an FSA loan with unworkably late disbursement.

Model Examples of Discrimination (These examples are exclusively meant as a guide for the kind of discriminatory incidents that could potentially make a farmer eligible for relief under the Discrimination Financial Assistance Program):

- I received approval for an FSA loan that I applied for in January 2008, but I received the funds much later than the white farmers (who submitted their applications at the same time) received their funds. I did not receive my funds until July 2008, which is much too late to take advantage of a full growing season. Meanwhile, white farmers in my area, who applied for the same or similar loans at the same time, received their funds in March and were able to take advantage of the funds. I incurred more debt because I received my FSA loan too late to optimize my crop. The late disbursement of my loan funds required me to borrow money from elsewhere at higher rates to stay afloat until I received the FSA loan.
- I currently owe the USDA \$750,000 in loan payments after I inherited my late father's USDA loan. My father, who farmed for 50 years and passed away in 2019, applied for a USDA operation loan, in 2015. Our local FSA agents asked my father to justify certain expenses that white farmers in our area did not have to justify to receive their operation loans. The FSA agents repeatedly required my father to justify his expenses to delay his application. My father applied for the loan immediately after he discovered that insects invaded his crop. He would have had time to save them if his application was approved in a reasonable amount of time. However, because he received the operation loan after his entire crop was devastated by the insects, he was not able to use the funds to turn a profit. As a result, he was never able to pay the loan back and the debt was assigned to me. I am afraid that I will lose the land my family has farmed on for generations due to the

discrimination we have experienced at the hands of USDA and the subsequent debt we incurred as a result of that discrimination.

- In 2018, I went to my local FSA office to receive an application for a farm loan, but when I got to the front of the line, the FSA officer refused to hand me an application. The FSA officer told me that the FSA loan program I was applying had run out of money, but as soon as I turned around to leave, the same officer handed a male farmer the application I had asked for. I know that the only reason the officer refused to give me an application was because I was a woman. Many of the other women farmers I know have experienced similar incidents. FSA officers often tell us things like “farming is for men” or ask questions like “shouldn’t your father be the one applying for the loan?” before refusing to hand us applications.
- In January of 2001, I submitted my application for an FSA loan and received a notification that my application was “completed” a few weeks later. Despite being told my application was officially completed, I later received several more letters requesting additional unnecessary documents in support of my application. These additional requests led me to not receive my FSA loan funds until the summer, which was much too late in the farming season to yield a successful crop of soybeans. The local white farmers who submitted their applications at the same time that I submitted my application received their FSA loans much earlier in the farming season, which allowed them to yield a successful, robust crop. The earlier disbursement of FSA funds to white farmers gave them a significant advantage over Black farmers like myself because they were able to plant their soybeans earlier, harvest them earlier, and sell them earlier than I was able to.
- It took two and a half years for me to receive a farm ownership loan from the FSA after I submitted my application in February of 2007. If I was not able to borrow money from friends and family, I would have lost my farm. My application was initially denied, so I had to go through the appeals process, which included three unnecessary site visits from a white FSA representative who forced me to prove that I owned my farm. Even before the 2007 – 2009 incident, FSA representatives have lost or misplaced loan applications I previously submitted. I know white farmers who have been able to get loans as quickly as 30 days after they apply.

WHERE, HOW, AND WHEN TO SUBMIT AN APPLICATION

Overview

The application (the “Application”) can be found online at 22007apply.gov. Applicants can apply online using the E-Filing system, by mailing the Application to the appropriate Regional Office or delivering the Application to the appropriate Regional Office in person. If applicants are able to complete their application online, it may be significantly easier than completing it in print, because the online application platform will automatically skip questions that are not required and/or relevant to the applicant.

Applicants should submit only **one** copy of their Application via their preferred method of submission. Please do not submit the same Application via multiple methods.

Completing and submitting the Application is the only requirement to apply for financial assistance through the Program. There will not be any hearings, appeals, or other application processes. The applicant only needs to file the Application and any supporting documentation as attachments.

When submitting the Application, the applicant must also agree to allow program administrators to obtain any information the USDA or any other federal, state, or local agencies (including the IRS) possess relating to the applicant’s financial status and the Application. This will assist the administrators as they review the Application.

Applying to the program is **free**. There is no cost associated with submitting the Application.

Application Submission Deadline

Applications must be submitted by **October 31, 2023**. There will be no extensions or exceptions to the deadline. If an application is late, it will not be reviewed, and the applicant will not receive financial assistance. If an application is incomplete, it will be evaluated on the basis of the information that is included.

- Applications submitted **online must be submitted by 11:59 p.m. PDT on October 31, 2023.**
- Applications submitted **by U.S. mail** or other overnight mail service **must be postmarked no later than October 31, 2023.**
- Applications submitted **in person** at a Regional Office **must be delivered by 8 p.m. local time on October 31, 2023.**

When Will Decisions Be Made Regarding My Application?

Decisions will be made for all Applications, at the same time, within several months after the close of the Application period and any financial assistance payment will be issued via check mailed to the address listed on the Application.

Supportive Documentation

At each step of the Application, a sidebar explains whether documentation is required or recommended, and there are boxes for the applicant to check if they are submitting such additional evidence. *Please* refer to the documentation checklist attached as **Annex A** to this guidebook before beginning the Application to gather the necessary documentation to support the Application.

- For some parts of the Application, documentation is required.
- For every part of the Application, the applicant should include all evidence that they feel may be beneficial. Documents that are not officially required by the terms of the Application are likely to be important supporting documentation for many applicants. Details of the applicant's farming, ranching, forestry, or other applicable operation help fill in the story of the applicant, the discrimination, and the harm done by the discrimination.

The applicant may not have precise legal documents or other records that support, for example, farming activities. Seemingly unimportant or forgotten records, however, can serve a similar purpose. Old checkbook records can show farm expenses, for example. Property tax records might be online and go back several years. For each question on the Application, it is critical that you refer to the documentation checklist attached as **Annex A** with the applicant to determine what documents or records they might have to support their Application.

The Application allows sworn statements to be a part of the Application. Neighbors, bankers, people at the mill or cooperative, and many other people may have specific recollections that they would be willing to share. There is a form for sworn statements at 22007apply.gov.

Requesting Documents from USDA

Important applicant records may be USDA documents. If the applicant does not have them, the applicant can request them from USDA. Applicants must request records in writing by emailing info@22007apply.gov. The deadline for requesting documents from USDA is **September 29, 2023**. The text of the applicant's email should include the following information:

- The applicant's name, address, phone number, and email.

- The last four digits of the applicant’s social security number to protect their file.
- If the request is on behalf of someone else’s records, the applicant will also need to provide proof of their identity and proof of authorization to request the records from that person.
- The state and county/counties where loans and loan servicing were sought.
- The type of records the applicant wants (for example, farm loan records).
- The relevant year or range of years in which the records requested were created.
- How the applicant would like to receive the copy of the records: mailed paper-copy or electronic file.

How to Submit Documents Electronically

Review the Important Information Regarding Documentation Requirements section of the online Application before having the applicant upload their documentation.

Applicants can upload their documentation in the Documentation Summary section of the online Application.

- The Documentation Summary Section will detail what, if anything, the applicant indicated they would provide as support throughout their online Application.
 - If the applicant needs to change or remove a document selection(s), they must go back to the related sections of the online Application and make the applicable modifications.
- Applicants can upload documentation to support their Application in two ways:
 1. Press Select Files, then browse for the file using the File Explorer; or
 2. Drag and Drop the file directly into the designated area.
- Files must be in PDF format. Documents will not be accepted via email, thumb drive, or facsimile.
- There is no limit to the number of PDF files an applicant can attach.
- The total PDF upload file size, for all uploaded files combined, is limited to 100MB.
- Do not encrypt or password protect any files.

How to Submit Documents via Hard Copy

- Supporting documentation can be delivered to a DFAP Regional Office.
 - The mailing address of each Regional Office is copied below.
- ***DO NOT SUBMIT ORIGINAL DOCUMENTS AS THEY WILL NOT BE RETURNED TO THE APPLICANT***
- If the applicant is providing all or some of their documentation directly to their DFAP Regional Office, they are required to complete the Documentation Cover Letter Template:
 - www.22007apply.gov/media/Documentation_Cover_Letter_Fillable_English.pdf
- Any additional documentation must actually be postmarked (if mailed) or received (if delivered) by the second business day after the applicant’s online submission.

Mailing Address	States, Commonwealths and Territories Covered by Each Region		
Region 1 22007 Application Processing Center Attn: The Windsor Group c/o DFAP Region 1 6710A Rockledge Dr., Ste 400 Bethesda, MD 20817	Connecticut Delaware District of Columbia Georgia Maine Maryland	Massachusetts New Hampshire New Jersey New York North Carolina Pennsylvania	Rhode Island South Carolina Vermont Virginia West Virginia
Region 2 22007 Application Processing Center Attn: The Windsor Group c/o DFAP Region 2 22595 N Highway 441 Micanopy, FL 32667	Alabama Florida Illinois Indiana	Kentucky Michigan Mississippi Ohio	Puerto Rico Tennessee US Virgin Islands Wisconsin
Region 3 22007 Application Processing Center c/o Mon Abri Business Center 2524 N Broadway North Edmond, OK 73034	Arkansas Iowa Kansas Louisiana	Minnesota Missouri Nebraska North Dakota	Oklahoma South Dakota Texas
Region 4 22007 Application Processing Center c/o Mon Abri Business Center 2524 N Broadway North Edmond, OK 73034	Alaska American Samoa Arizona California Colorado Guam	Hawaii Idaho Montana Nevada New Mexico Oregon	Utah Washington Wyoming Commonwealth of the No. Mariana Islands

APPLICATION AND DOCUMENTATION SUMMARY

How to Complete the Application

The remaining pages of this guidebook include instructions for assisting an applicant with completing each question of the Application.

For each question on the Application, you should ask the applicant to respond to the question as written. If the applicant is struggling to respond to the open-ended questions on the Application, you may ask follow-up questions suggested in this guidebook.

STEP ONE: ABOUT THE APPLICANT

Step One asks for basic identifying information about the applicant, including name, date of birth, address, phone number, email, social security number, contact information for alternative contacts, and information about anyone helping the applicant in preparing the form.

You should review the list of required supportive documentation on **Annex A** with the applicant and determine what supportive documentation they can provide.

STEP TWO: TYPE OF APPLICANT

Step Two asks the applicant to describe what type of applicant they are. The applicant should identify whether they are applying for:

- (i) self (skip to Step Three.);
- (ii) self, and had a co-borrower (fill out Part B of Step Two);
- (iii) self, and participated in USDA farm lending as a member of an entity (fill out Part C of Step Two);
- (iv) debtor for assigned/assumed debt that is the subject of this Application, and no co-borrowers (fill out Part D of Step Two); or
- (v) debtor for assigned/assumed debt that is the subject of this Application, and co-borrower(s) (fill out Parts B and D of Step Two).

Questions to Ask the Applicant Include:

- Is the applicant applying for themselves or with a co-borrower?
 - If with a co-borrower, how many entities are there?
 - If with a co-borrower, what percentage of ownership interest in the entity is owned by the applicant?
- If the applicant is applying for themselves or with a co-borrower or as a member of an entity, what supportive documentation do they have to identify all entities applying for assistance?
 - Examples may include FSA-2001, a promissory note, a mortgage deed (if it lists co-borrowers), tax returns, etc. You should refer to the list of supportive documentation included on **Annex A** with the applicant.
- If the applicant is applying as a debtor for assigned/assumed debt, what supportive documentation do they have to show the assignment?
 - Examples may include a copy of a loan or mortgage assignment or assumption. You should refer to the list of supportive documentation included on Annex A with the applicant.

STEP THREE: ELIGIBILITY FOR THE PROGRAM AS A FARMER OR RANCHER

Step Three asks the applicant to demonstrate their eligibility for the Program as:

- (i) an applicant who is or has ever been a farmer or rancher or
- (ii) an applicant who intended to become a farmer or rancher but was unable to do so because they were discriminatorily denied access to a USDA farm loan program.

Questions to Ask Applicants Who Are (or Were) Farmers or Ranchers:

- Ask the applicant to complete the basic questions regarding their farmland in Part A of Step Three. These include whether the farmland was owned or leased, the address, farm number or FSA Tract number, years leased or owned, a description of the operation, livestock owned, etc.
 - Applicants who *owned* a farm must submit at least one of the following: deed, property tax records, or producer farm report listing the applicant as the owner.

- Applicants who *leased* a farm should review the supportive documentation listed on **Annex A** to determine which documentation they need to show to prove they leased and operated a farm.

Questions to Ask Applicants Who Never Farmed, but Who Would Have Operated a Farm or Ranch If They Had Received a Loan through the Program:

- Ask the applicant to complete the basic questions regarding their intentions in Part B of Step Three.
- Ask the applicant about their plans to farm or ranch and what steps they took to accomplish their goal, including any investments made, education enrolled in, etc. This is important because applicants must demonstrate that they wanted to or intended to farm or ranch and should provide information to establish they attempted to do so.
- Ask the applicant who intended to farm or ranch to submit as much information as possible to demonstrate concrete plans to farm or ranch.

Supporting Documentation

Supportive Documentation is listed on **Annex A** and may include:

- a business plan
- marketing plan
- a loan application
- receipts from relevant purchases or equipment leases
- a statement under penalty of perjury from a non-family member who knew the applicant's plans that describes both the applicant's plans and how the author of the statement has knowledge of the applicant's attempt
- documentation of farm-related education;
- documentation of farm-related employment.

STEP FOUR: ELIGIBILITY FOR THE PROGRAM AS A BORROWER OR ATTEMPTED BORROWER IN A USDA FARM LOAN PROGRAM

Step Four asks the applicant to describe their eligibility for the Program.

The applicant may have participated or attempted to participate in a direct lending program or a guaranteed lending program.

Questions to Ask the Applicant Include:

- Did the applicant participate in a direct lending program?
- Did the applicant attempt to participate in a direct lending program?
- Did the applicant participate in a guaranteed lending program?
- Did the applicant attempt to participate in a guaranteed lending program?

After the applicant confirms which category they fall in, complete the applicable questions in Step Four based on the applicant's response.

Supporting Documentation

- For applicants who *participated in* a direct lending or guaranteed lending program, supportive documentation may include:
 - loan documentation (e.g. USDA loan application or agency letters indicating loan approval),
 - a promissory note that the applicant signed at the beginning of the loan, or
 - proof of loan payments made (canceled checks or bank statements showing payments were made).

- For applicants who *attempted to participate* in a direct lending or guaranteed lending program, supportive documentation may include:
 - a loan application,
 - FSA-2211 (Application for Guarantee),
 - receipt for service,
 - statement under penalty of perjury by a non-relative explaining how the applicant attempted to participate in USDA direct or guaranteed lending, and how they have knowledge of the applicant’s attempt,
 - agency letter(s) relating to the loan,
 - prior complaint by the applicant in a court or to USDA,
 - letter or other document by a nonrelative, close in time to the event, explaining how the applicant attempted to participate in USDA direct or guaranteed lending.

Please refer to the documentation on **Annex A** for a detailed list of supportive documentation the applicant may provide to support eligibility for the Program.

STEP FIVE: DISCRIMINATION IN USDA FARM LOAN PROGRAMS

Step Five asks the applicant to describe the discriminatory actions they believe USDA took in administration of a USDA farm loan program. Please refer to the “Discrimination” section of this guidebook for more detailed examples of discrimination.

Questions to Ask the Applicant Include:

- Part A Question 1
 - Ask the applicant to describe why they believe the discrimination occurred?
 - Why does the applicant feel they were treated differently?
 - Was the applicant treated differently based on race, color, nationality or ethnicity, sex, sexual orientation, gender, religion, age, marital status, disability, reprisal or retaliation for civil rights activity?
 - If discrimination was based on the applicant’s “perceived” status or identity rather than actual status or identity, ask the applicant to describe to complete Part A Question 2.
 - The following scenarios are examples of discrimination based on the applicant’s “perceived” status or identity rather than their actual status or identity:
 - The USDA or FSA official discriminated against the applicant because they thought the applicant was Black, but the applicant was not Black.
 - The USDA or FSA official discriminated against the applicant because they thought the applicant was Muslim, but the applicant was not Muslim.
 - The USDA or FSA official discriminated against the applicant because they thought the applicant previously filed a civil rights complaint against them, but the applicant didn’t file a civil rights complaint against them –

someone who was the same race, gender, religion, etc...as the applicant did.

- Part B: Run through each question with the applicant and ask the applicant to provide as much detail as possible in response to each question. For each instance of discrimination, print and complete an additional copy of pages 23 – 27 of the Application. Write the Instance Number on the top of each page and any additional pages.
 - Ask the applicant to add up the number of individual instances of discrimination and describe in detail all of the individual instances of discrimination that occurred.
 - Ask the applicant to describe why they were eligible for the loan and include a description of the following:
 - any education farm experience
 - farm loan history
 - farm loan credit
 - farm loan collateral
 - how the applicant met the financial requirements or program requirements for obtaining the requested loan or loan action.
 - Ask the applicant what was the date and location of this discrimination?
 - Ask the applicant exactly what happened to make the applicant believe the USDA's actions were discriminatory? For example:
 - Did someone say something directly to the applicant?
 - How were other applicants treated in similar circumstances?
 - What was the reason the applicant was given (if any) for the discriminatory action?
 - Ask the applicant to provide as much information as possible about who committed the instance of discrimination (including a name, title, position, etc.).
 - Ask the applicant if anyone else observed the discrimination or otherwise become aware of the discriminatory action, including how they learned about the discrimination.
 - Ask the applicant if they have any other information not already requested in Part B that they believe supports their claim of discrimination.

Please refer to the documentation on **Annex A** for a detailed list of supportive documentation the applicant may provide to support eligibility for the Program.

STEP SIX: LOSSES FROM DISCRIMINATION FOR APPLICANTS WHO HAVE OPERATED A FARM OR RANCH

Step Six asks the applicant to describe the losses experienced due to discrimination by the USDA.

Instruction for Assistant: In each case, have the applicant describe in detail what happened and the losses they experienced and complete the questions in **Step Six** using their responses. You should refer to the documentation listed on **Annex A** to determine what supportive documentation the applicant may have to support their losses.

Questions to Ask the Applicant Include

- Did the applicant lose owned agricultural land, if so, when and how many acres?
- If the applicant's home was used as collateral, did they lose their home as a result of the discrimination?
 - Was the loss a result of foreclosure, or other action?
- Were debt offsets, garnishments, or deficiency judgments imposed on the applicant as a result of defaulting on or foreclosing on their USDA farm loan?

- If so, what were the approximate value of offsets, garnishments, or deficiency judgments?
- Did the applicant experience any other economic loss due to the discrimination? If the applicant alleges any other economic loss, the applicant must provide the following:
 - Calculations of the amount of the loss
 - Details regarding each component of the loss
 - Dates and amounts of the loss(es)
 - Supportive documentation including tax documents that show pre-loss revenue and profits, receipts, or business plans.
 - Applicants should read “any other economic loss” broadly. For example, “any other economic loss” could include an economic loss from a divorce that happened because the applicant lost their farm after being discriminated against by the USDA.
- Ask the applicant to explain how the losses experienced were the result of the discrimination by the USDA described earlier in Step Five. In other words, how did the discrimination by the USDA lead to the applicant experiencing these losses?

STEP SEVEN: PRIOR CLAIMS, COMPLAINTS, AND APPEALS

The applicant must complete Step Seven if they received any money or other relief in any of the specified USDA claims resolution programs (such as Pigford I, Pigford II, Love, Garcia, etc...) for the same discriminatory conduct that is the subject of this Application. ***Be sure to emphasize to applicants that receiving money in a prior claims resolution program does not prohibit them from receiving money under this program.*** You should run through each question in Step Seven with the applicant, and complete each question based on their response.

STEP EIGHT (OPTIONAL): ADDITIONAL INFORMATION RESPONSE TEMPLATE

Step Eight is optional. The applicant may add additional details to any answers already provided or provide any additional information to support their application.

Write in the step, part, and question number for the relevant question if the applicant is providing additional details to answer a previous question. If the applicant is providing additional information, check the small box above that reads “Additional Details.” The applicant may copy the page as many times as needed.

STEP NINE: TAXPAYER INFORMATION REQUEST

The applicant must complete Step Nine and provide the requested documentation in order to receive financial assistance. The applicant will not be issued any financial assistance payment, even if the Application is approved, if the applicant does not include one of these documents listed below:

For U.S. Citizens, U.S. Resident Aliens and U.S. Entities:

- A completed IRS Form W-9

For Non-U.S. Citizens, Non-U.S. Resident Aliens:

- Form W-8BEN
- Form W-8ECI
- Other Form W-8

Any financial assistance received in this program will very likely be considered income, for tax purposes. Individuals receiving financial assistance will receive an IRS-1099 form 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.

STEP TEN: SIGNATURES AND CERTIFICATIONS

The applicant should write in their Social Security Number or Individual Taxpayer ID Number on the top right corner of pages 39 and 40 in the designated area. All applicants must write in their initials for each of the acknowledgements and sign at the bottom of the page, write the date, and print their name.

The applicant must swear under penalty of perjury that the information in the application is true and correct to the best of their knowledge.

Instruction for Assistant: The Preparer, guardian or lawyer helping to prepare the Application should complete page 40 of the Application and must also swear under penalty of perjury that:

- You prepared the Application for the applicant, based on information provided to you by the applicant or obtained by you, and have fully provided all relevant information that has been shared with you.
- You informed the applicant that the government is not charging any fee to apply for financial assistance under this program.
- That you do not have knowledge or information that the information provided in this Application and its documents is incorrect or untruthful.

ANNEX A

USDA Discrimination Financial Assistance Program (DFAP) Application: Documentation Checklist