

# Advisory Committee on Minority Farmers

## Recommendations Report July 2023



Email: [acmf@usda.gov](mailto:acmf@usda.gov)

Website: <https://www.usda.gov/partnerships/advisory-committee-on-minority-farmers>

# Letter from the Chair

*William R. Miller*

Congress recognized the devastating impact of discriminatory practices within the USDA when it created the ACMF. The systematic exclusion of minorities from full participation in USDA programs meant to support and sustain all farmers and ranchers has taken a significant toll. While the ACMF focuses on the USDA, we are acutely aware that the Department is only one of many governmental entities that undermine minority prosperity and progress, causing grave inequities among U.S. citizens. Racism is pervasive in the institutions of our country. Historically and presently, issues of discrimination are easily observed in the banking and insurance industries, veterans' benefits programs, social security benefits systems, housing, and the criminal justice and educational systems, essentially encompassing every aspect of American life. These inequities are deeply rooted, and unless there is an *immediate and meaningful about-face* in how we do business, inequities will be static and difficult to reverse. These conditions are irreversible without bold and courageous *transformative* action.

There is much talk these days about promoting equity and reclaiming or building family wealth among minority communities, but equity is little more than a *dream long deferred* for too many. Parity is extremely difficult to achieve for minority groups, especially when their starting lines are so far *behind the curve*. Restoring or building family wealth is a long-term process extending for generations. Black Americans on whose backs this nation was built—*both during and after slavery*—*have yet to be recompensed for the huge wealth of a nation they created from forced labor*. Consider also our Native American brethren who have never been properly compensated for the lands stolen from them—not to mention the broken treaties. The experiences and predicament of African and Indigenous Americans anchor the ongoing discourse around all *socially disadvantaged* minorities. ***So many years, so many tears.*** It would seem an easy objective to justly recompense those minority Americans who continue to experience exclusions or attacks based on their condition and status as Black/Brown Indigenous People of Color (BIPOC). Many politicians proudly proclaim they support leveling the field for BIPOC or the socially disadvantaged, but barriers persist. Gains in minority voting rights – once settled – are now under renewed attack, and past gains are being dismantled as political district lines are purposely redrawn to diminish minority influence. We are better than this.

The USDA's new Equity Commission has also been tasked to identify barriers within the Department. Under the leadership of Dr. Dewayne Goldman, they have done a fine job of focusing on issues from an *inside* perspective. The ACMF is likewise tasked with considering how those issues adversely impact minority farmers and ranchers. And while both committees may recognize the same or similar barriers faced by BIPOC farmers and ranchers, the conclusions on how the USDA might effectively remove those barriers are not always aligned.

The ACMF has reached a consensus on each of the recommendations that follow in this report. The members have also explored other possible recommendations and determined that more information is required. We also considered the practicality of whether and how these recommendations may be implemented. For that reason, those draft recommendations have been tabled and will be further explored during the next term. The new committee is expected to hold its first meeting later this year.

It has been an absolute honor to have served this last term with my fellow members *under extraordinary circumstances*.

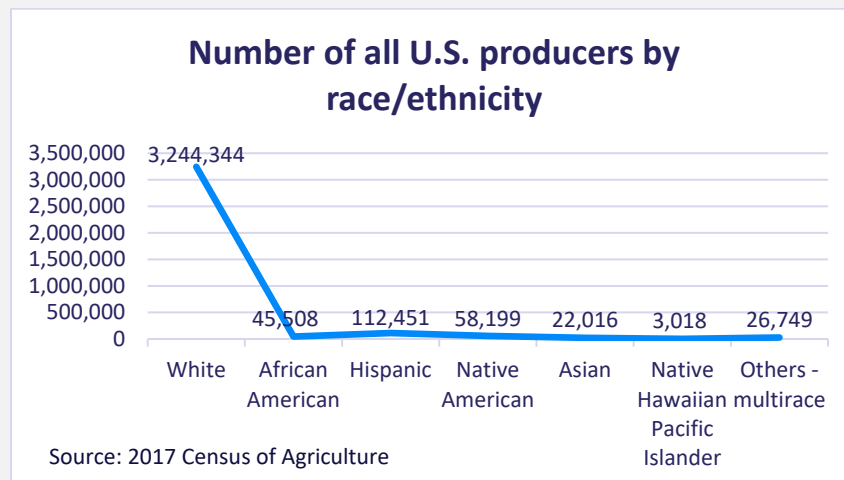
Thank you in advance, Mr. Vilsack, for your serious and timely consideration of our recommendations.

---

## Introduction

First, it is the strong position of our members that we *represent minority farmers*. In this context, *minority* has a very fixed and specific meaning as BIPOC. While we recognize the *socially disadvantaged* designation, it is discomfiting to know it is being considered in a broader fashion to include those citizens who have been “underserved” which, as you might imagine, would encompass a much greater number beyond BIPOC. The ACMF concludes that this outcome would tend to dilute the *equity correction* meant to benefit *minorities* within the plain use of the term.

By way of example, we expect the Inflation Reduction Act Section 22007 outlay of \$2.2 billion is slated to occur any day now. The members are not entirely sure it will encompass all “underserved” or those who are “economically distressed” who may have also endured discrimination from the Department in the past. The members note that the whole point of Section 22007 was and is to reduce inequities for “*socially disadvantaged*” farmers and ranchers, which historically includes BIPOC and those who are economically distressed. NASS data most certainly corroborates that *farmers of color* were predominantly *socially disadvantaged* and *underserved*. To this day, the USDA denies loans, credit, and program inclusion of *African American* farmers and ranchers, causing large losses of land ownership – further exacerbating the generational wealth gap. Research has uncovered the inevitable extinction of African American farmers and ranchers if extraordinary measures are not taken.



We, therefore, offer the following:

### Recommendations

- We, the ACMF members, are resolute that the term *minority* must mean actual ethnic minorities or BIPOC in its simplest terms. The ACMF recommends there should be no further *tampering* with the evolution of this term to encompass “underserved” farmers and ranchers.

## USDA Agencies

Below, we explore issues relevant to specific agencies/programs, while other issues may be applicable across the Department. These include implementing new or improved practices and procedures we believe can transform how the USDA engages with its minority farming communities.

### Farm Service Agency

Several ACMF members have personally experienced, observed, or heard from their BIPOC stakeholders, instances of being treated poorly with obvious bias, scorn, or condescension. Many complaints persist among FSA County Committee offices. It strains credulity as to why these offenses remain pervasive and only sporadically have been addressed. The ACMF met with a minority county committee member who confirmed our findings that challenges and issues that exist today remain squarely within the rules and designated authorities of county committees. The ACMF thoroughly researched 7 C.F.R. 7 Selection and Functions of Farm Service Agency State and County Committees, which was recently updated on June 23 and June 30, 2023, respectively. The changes appear to vest more authority with the County Executive Director (CED), who is ironically employed by the County Committee but compensated by the FSA. As such, to whom is the CED beholden since the County Committee has oversight, supervision, and hiring/firing authority? Are the CED and the County Committee tied to FSA and bound by nondiscriminatory conduct, fairness, and equity, or is the CED an *extension* of a seemingly autonomous County Committee?

One effective way the USDA might garner more support around its efforts to effectively engage with people from targeted areas is to hire more diverse staff to better reflect those communities. Something significant occurs when people who are seeking assistance or information are welcomed by those who mirror their community. ACMF members have themselves repeatedly endured what might be perceived as poor customer service, often cloaked in ignorance, bias, or rude behavior. Year after year, the ACMF has examined how many county committees operate with total impunity. Usually, the same members or families serve for decades (e.g., anyone may serve up to 9 years and need only take one (1) year off before serving another 9 years). The CFR section below makes clear that the USDA must not abdicate its authority but maintain managerial wherewithal over state and county committee offices.

#### ***7 CFR 7 Section 7.34 Retention of Authority***

- (a) Nothing in this part will preclude the Secretary, the Administrator, or the Deputy Administrator from administering any or all programs or exercising other functions

delegated to the county committee, State committee, or any employee of such committees.

(b) In exercising this authority, the Secretary, the Administrator, or the Deputy Administrator may designate for such time as deemed necessary a person or persons of their choice to be in charge with full authority to carry out the programs or other functions without regard to the normal duties of such employees.

### Recommendations

- The ACMF recommends that FSA firmly limit terms for all elected county committee members to serve no longer than a maximum of 9 years. Concerted efforts should be made to strongly encourage broader participation from among those communities who have been excluded by custom or practice or discouraged because “*it’s always been that way*”.
- The ACMF recommends that FSA take on an exerted effort to “*get the word out*” via county committee offices as USDA outreach partners. For example, the members recently discovered the recently updated 7 C.F.R. 7 suggests mere ‘*cooperation*’ by sharing one’s farm information with the county offices vests individuals voting eligibility.
- The ACMF recommends that the USDA reinforce activities that all county committees are currently bound to do, including but not limited to: (1) conducting greater outreach to all producers, (2) produce *actual* minutes (in addition to summaries) of committee meetings, (3) post notices for meetings beyond the office boards (e.g., digital and print media perhaps offering a virtual option for public attendance, whenever possible), and other more *targeted* communication blitzes regarding FSA program offerings or changes.
- The ACMF recommends displaying new posters in every county committee office describing what customers, stakeholders, clients, constituents, or the like should expect during their time in any FSA office. These posters should be placed in a highly visible location where visitors may review standard expected procedures during and after their visit. These next steps should also be added or incorporated on the back side of the Receipt for Service document, along with legible and complete instructions about their right to contact the National Appeals Division for free services.
- The ACMF recommends that the USDA increase *direct* technical or other assistance via its partners, who are embedded in the communities they serve. These partners would provide hands-on assistance for individuals in their minority farming communities to accurately

complete applications. They might also provide guidance on access (e.g., legal guidance or other barriers), or assist with other technical business requirements. This would require larger grants with longer time commitments to be effective. Navigating issues with heirs' property and legal technicalities, for instance, are areas where USDA partners could be helpful.

- Finally, the ACMF recommends that the Secretary utilize his authority to appoint members to the county committees to ensure more equitable representation reflecting the community whenever there is an opportunity to do so. These discretionary appointments should be deployed liberally to diversify local committees and should be for a full term of 3 years (versus 1-year).

### Rural Development

RD offers many programs designed to benefit minority farmers and ranchers and the communities they inhabit, but it must strengthen the way in which it engages with those it seeks to assist. RD is capable of servicing communities with great needs for infrastructure support, but there are not enough staffers to do the work. RD's 504 Grant Program provides financial assistance for homeowners requiring emergency repairs to dilapidated housing. However, there is a backlog of both 504 and 502 applications because all 504 emergency repairs compete with RD's better-known 502 program – all the applications flow into the same queue without distinction. It is problematic because those whose health and safety are at a critical juncture due to the conditions of their home should qualify for immediate assistance and be assigned to a packager once triaged. By its very construct (loans or grants to elderly very-low-income homeowners to remove health and safety hazards), 504 applicants should take priority over 502 applicants within the queue to have their applications processed within short turnaround times. At present, 12 months or longer is *just not acceptable*. It was also discovered that people generally, as well as many USDA employees, were *unaware* of the 504 program and its benefits. The USDA must do better in training its employees on its programs as well as *getting the word out* across the board. Per RD, the average applicant for the emergency 504 grant is usually a single 72-year-old woman with no dependents. Given that these 504 applicants are likely dealing with health and safety problems with their homes, these applicants should not undergo an extensive process for emergency services. It boggles the mind that one who is already on social security or receiving disability benefits or other public support must apply and substantiate her need for emergency services. This is the basis of recommending a 1-page intake form that could be useful

across the board for this and other agencies. It would provide baseline support for expeditiously pushing through an approval where health and safety are at risk.

### Recommendations

- The ACMF, therefore, recommends that the USDA beef up its staffing resources in the field. The members understand that not every state has a local RD office, so the next best thing is to expand the offices of neighboring states. We cannot address the following issue without first expanding and training personnel to take on more applicants from beginning to end, expediting where necessary.
- The ACMF recommends that the USDA begin targeted communications and outreach for its loan and grant programs because many people are unaware of its existence. We suggest a 6-month targeted campaign via multiple channels utilizing local offices, university extension systems, community-based organizations, nonprofits, and other partners to publicize or market in communities.
- The ACMF recommends that the USDA make its application process for the 504 emergency grant program less cumbersome (e.g., requiring the applicant to pay for an appraisal to apply). In consideration of age, health, and safety, the USDA needs to revisit its cumbersome requirements for the 504-grant program. It is a barrier in plain sight, and it must be removed.
- The ACMF recommends that the USDA rely on its partners (e.g., community-based organizations with an established history of working cooperatively with producers as determined by RD), who, in turn, would assist the applicants with hands-on guidance and direction. This training should be delivered by the USDA or one of its approved packaging trainers at no cost and without delay while RD builds its field personnel to staff those offices with backlogs exceeding a year.
- The ACMF also recommends that rural community centers and businesses, e.g., food pantries, local agricultural projects, etc., should be candidates for larger-scale cooperative agreements as they are trusted neighbors in the communities where they do business. These cooperative agreements could be tailored by the agencies to meet the immediate needs of the communities they serve. Once these businesses, or CBOs, and nonprofits are certified, they should be placed on statewide lists and quickly deployed or assigned to those needing immediate assistance.

### Department Wide All-Agency

The members have often observed insufficiencies with the current model of communicating information relative to new programs, funding, and other benefits for BIPOC communities. Often, the USDA has not made adequate efforts to timely advertise and publicly disseminate the availability of funds and programs that support minority communities. One factor is USDA's limited resources deployed for outreach and communication. The USDA has a broad mandate to support agriculture, rural development, and food safety initiatives across the U.S. but may not have dedicated sufficient resources to outreach efforts targeting minority communities. What's more, the USDA does not have a practical way to gauge the effectiveness of what outreach it does deploy. The USDA needs to invest resources to research this matter.

Another factor is a pervasive lack of trust between the USDA and many minorities who have faced discrimination and unequal treatment from USDA programs and initiatives. This factor alone makes it more difficult for the USDA to effectively communicate and engage with minority communities. Finally, the USDA's outreach efforts may not effectively reach all segments of minority communities. For example, the agency may primarily advertise funding opportunities through English-language media outlets or channels that are not widely accessed by minority communities that primarily speak other languages or rely on alternative media sources. The technology gap could be a contributing factor as well.

### Language Access

On a related topic, the members have observed that the USDA recognizes the importance of providing language access to individuals who have Limited English Proficiency, including those who are Indigenous or Native speaking.

### Recommendations

- The ACMF recommends that the USDA enhance the delivery of customer service from headquarters to the farthest reaches of its local offices. If the Department fails at customer service, it won't matter that outreach and engagement are delivered in the correct language. All too often, engagement fails when an office lacks diversity or is staffed with individuals who are not customer service minded.
- The ACMF recommends that the USDA determine, in consultation with community partners, which communities merit the necessary *additional* investment in time, expense, and effort to build and develop *dedicated* outreach and communications. It is necessary to inquire and



determine *who is out there* or who needs a dedicated line of communication, especially in relatively isolated areas.

- Once a determination is made, the ACMF recommends that the USDA should provide multilingual support at local offices to better serve minority farmers or ranchers who may not speak English as their first language. This might include hiring staff who speak multiple languages or providing interpretation and translation devices or services. USDA partners could be instrumental in relaying information in a more systematic, targeted, and resolute way by building extensive outreach networks. The American citizenry is morphing before our very eyes, and the USDA must respond accordingly.

### Cultural and Other Sensitivities

Several USDA programs remain insensitive to culturally specific agricultural practices and nontraditional methods. An example of note is how pollinator seeds are determined (or accepted) and required without regard for local customs or practices or alternative seeds, etc.

#### **Recommendation**

- The ACMF recommends that the USDA make allowances for greater flexibility in standard practices, which includes, but is not limited to, adjustments of EQIP and CRP to better integrate and equitably compensate for the use of cultural knowledge and land management practices by taking into consideration nontraditional methods of agriculture (i.e., subsistence farming including, for example - *plasticulture*, raised beds, hoop houses, hydroponics, *three-sisters* planting, aquaculture/fishing) for disaster relief purposes and other assistance programs. The adjustment will also accommodate for the unavailability of prescribed pollinator seeds by creating a substitute, alternative, or *use-in-place-of* list.
- One example of note herein is the community-based organization that serves food-insecure families but may require refrigeration that might be appropriated by surplus funding. Another example of note is the idea of building a *collaborator website* where one collaborator with a stated goal provides technical assistance for another under what one member coined as a *Micro Cooperative Agreement*.
- The ACMF recommends that the USDA establish direct *noncompetitive cooperative agreements* (versus grants) for greater flexibility with identifiable active nonprofit or community-based organizations that have experience with the USDA and/or commitment and a track record for serving BIPOC communities.