

Draft

June 10, 2020

Secretary Sonny Perdue
US Department of Agriculture
1400 Independence Ave, SW
Washington, DC 20250

Deputy Under Secretary Scott Hutchins
US Department of Agriculture
1400 Independence Ave, SW
Washington, DC 20250

RE: Need for USDA to renew its commitment to correct discriminatory policies, programs and practices that adversely affect black communities and black farmers and ranchers

Dear Sirs,

The National Agricultural Research, Extension, Education, and Economics (NAREEE) executive board has witnessed the racial discrimination and inequities adversely affecting black communities in connection with the recent wave of racial violence and racism which have been made manifest by the inhuman and brutal deaths of George Floyd, Breonna Taylor and Ahmaud Arbery. These deaths have shined a national spotlight on racial discrimination and inequality directed against black people which have persisted for over 400 years in America.

Racial discrimination and inequality are particularly problematic for black farmers and ranchers and black communities. Black farmers and ranchers and black communities have been subjected to a history of discrimination and inequality by USDA. This is evidenced by the disproportionate decline of black farming and ranching in the U.S. since the early 1900's. In recent history, this is due in large part to a lack of commitment by USDA to develop and sustain a civil rights office which includes permanent leadership that adequately addresses the needs of small and disadvantaged black farmers and ranchers. Other contributing factors include historic discriminatory lending practices, discriminatory farm program sign-ups, a lack of transparency and accountability in the agency, the decline of rural black communities and the historic denial of equitable public education for black children in rural communities.

In order to address the above historic inequities, the NAREEE Advisory Board recommends the Secretary address the following issues:

- 1) Adopt internal administrative rules and strategies (at the Secretary level) which prioritizes the design, development, and implementation of coherent USDA policies and programs at the Federal, state, and local levels that will contribute towards resolving the disparate and discriminatory treatment of Black farmers and ranchers that have led to the loss of property and farms.

- 2) Create a new/revised 2501 program within the USDA Office of Civil Rights which specifically addresses the needs of black farmers and ranchers and black communities. The current 2501 program no longer meets the needs of black farmers and ranchers. It has been expanded to be all inclusive to the exclusion of black farmers and ranchers. design and development of new and improved outreach and technical assistance programs to support Black farmers and to promote farm ownership. The existing 2501 program has been expanded to the extent that it no longer serves the needs of Black farmers. The new outreach and technical assistance program should provide funds to community-based organizations and 1890 land grant universities to have them provide one-on-one outreach and technical assistance to black farmers and ranchers.
- 3) USDA currently is not producing section 10708 reports as directed in section 14006 of the 2008 Farm Bill. These annual reports, and the required information is not available to the public. Moreover, the Assistant Secretary for Civil Rights is not using the information to conduct oversight and evaluation of national civil rights compliance and should include section 10708 data in their oversight and evaluation.
- 4) The loss of black owned heirs' property is major issue. Forced sales of heirs' property have long been one of the most effective practices that helped in depleting Black land ownership, especially across the South. To reverse these devastating trends, we ask the Secretary to establish policies and programs to assist heirs' property owners in maintaining ownership of their land; allow/provide access to USDA and other Federal programs in FEMA and HUD; fully fund relending programs and expand support services and technical assistance for Black farmers and ranchers including legal and technical assistance; and prioritize lending organizations in states that have passed model legislation to help agricultural landowners hold onto their land.
- 5) We ask the Secretary to address the credit issues impacting Black farmers and ranchers. Black farmers and landowners are still losing their farms and homes to foreclosures at a rate much higher than any other racial group in the U.S. We ask that a moratorium on foreclosures be implemented immediately to prevent further farm foreclosures until common sense policies and programs can be developed and implemented to prevent future foreclosures on loans. We also ask that black farmers and ranchers be provided direct USDA loans so that they will not have to apply for local bank loans. We ask USDA to develop a plan and outline new policies needed to ensure that the Farm Credit System (FCS) provide loans to Black farmers and track the extent to which loans are provided to Black farmers.
- 6) We ask that the Secretary provide the directive and the resources to the Under Secretary for Civil Rights and Enforcement (USCRE) to ensure the full implementation of the provisions of the Pigford Class Action lawsuit that was adjudicated favorably on behalf of Black farmers to address the many years of racial discriminatory practices by the USDA against Black farmers in the allocation of farm loans and technical assistance between 1981 and 1996.
- 7) Compared to 1862 land grant institutions, historically Black 1890 land grant institutions have been and remain woefully underfunded. These universities are critical to providing the education, training and research needed by marginalized farmers, so plans to invest in U.S.

agriculture must include these institutions, as well as the local farm advocacy groups that are also vitally important to Black farmers. We ask that the Secretary direct funds to equitably fund 1890 Centers, academic programs, capacity grants, formula funds and outreach programs.

- 8) We ask that the Secretary support of the National Socially Disadvantaged Farmers and Ranchers Policy Research Center located at Alcorn State University to enable the Center to provide critical analysis of USDA policies, programs and practices that impact black farmers and ranchers, and provide support to non-profit organizations focused on Black farmer issues.
- 9) We ask the Secretary to work with the Under Secretary for Rural Development to develop a plan to address infrastructure and related needs in rural communities. We ask that USDA work closely with rural communities to design, develop and implement policies and programs to effectively address infrastructure, environmental justice, housing, food in-security, jobs, health care, education and other issues. We ask USDA to work with the Federal Communications Commission to ensure that broadband access is provided to rural communities. We ask the USDA Under Secretary for Rural Development address and provide grants to rural communities to repair and upgrade the infrastructure. USDA will collaborate with other Federal agencies as appropriate to provide economic opportunities to the citizens of these communities. The USDA will also collaborate with the US Environmental Protection Agency (EPA) and other agencies as appropriate to ensure that the drinking water in these rural communities meet Federal standards.
- 10) Homeownership for Black rural America is becoming increasingly tenuous for numerous reasons, including current USDA policy and regulations. We ask the Secretary ensure that all Federal programs and Federal insured banks to include the Community Reinvestment Act (CRA, P.L. 95-128, 91 Stat. 1147, title VIII of the Housing and Community Development Act of 1977) be used to assist Black homeowners.
- 11) We ask that USDA take the lead in ensuring that food security is addressed in rural Black communities, where residents typically have less income and face a range of financial, environmental, and discriminatory issues that adversely impacts their access to nutritional foods. The issue of food security in both rural and urban socially disadvantaged communities relates to three concerns: 1) is food available to the community? 2) is the food healthy? and 3) is the food affordable? Permanent sources of fresh and local food markets must be made available, and sufficient funding provided to help Black farmers and ranchers market the food they produce including increased production of organic foods. We ask USDA to assist Black farmers to acquire liability insurance so they can provide food to the urban communities nearby. Assistance to create infrastructure (storage, processing, trucking and etc.) is also necessary.

We respectfully request the NAREEE Advisory Board be informed of progress and challenges so that the agencies are held accountable and that we may provide additional guidance for a successful future. The NAREEE Advisory Board looks forward to hearing from you regarding

our continued work and collaboration on this important issue.

Sincerely,

David Baltensperger

Chair, NAREEE Advisory Board

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