



August 13, 2021

Dockets Management Staff
United States Department of Agriculture
1400 Independence Ave., S.W.
Washington, DC 20250

RE: Docket ID: FSA-2021-0006: Identifying Barriers in USDA Programs and Services; Advancing Racial Justice and Equity and Support for Underserved Communities at USDA

Dear Director Archuleta,

The National Sustainable Agriculture Coalition (NSAC) welcomes the opportunity to submit comments to inform efforts by the U.S. Department of Agriculture (USDA) to advance racial justice and equity for underserved communities as part of its implementation of Executive Order 13985, *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*, as requested in the Federal Register Vol. 86, No 32013 (pages 32013-32015) on June 16, 2021.

The National Sustainable Agriculture Coalition is a national alliance of over 130¹ family farm, food, rural, and conservation organizations that together take common positions on federal agriculture and food policies to advance sustainable agriculture. NSAC's vision of agriculture is one where a safe, nutritious, ample, and affordable food supply is produced by a legion of family

¹ Represented NSAC Members: Agriculture and Land-Based Training Association Salinas, CA; CCOF Santa Cruz, CA; California FarmLink Santa Cruz, CA; C.A.S.A. del Llano (Communities Assuring a Sustainable Agriculture) Hereford, TX; Catholic Rural Life St Paul, MN; Center for Rural Affairs Lyons, NE; Clagett Farm/Chesapeake Bay Foundation Upper Marlboro, MD; Community Alliance with Family Farmers Davis, CA; Community Involved in Sustaining Agriculture South Deerfield, MA; Dakota Rural Action Brookings, SD; Delta Land and Community, Inc. Almyra, AR; Ecological Farming Association Soquel, CA; Farmer-Veteran Coalition Davis, CA; Florida Organic Growers Gainesville, FL; FoodCorps, OR; GrassWorks New Holstein, WI; Hmong National Development, Inc. St Paul, MN and Washington, DC; Illinois Stewardship Alliance Springfield, IL; Institute for Agriculture and Trade Policy Minneapolis, MN; Interfaith Sustainable Food Collaborative Sebastopol, CA; Iowa Natural Heritage Foundation Des Moines, IA; Izaak Walton League of America St. Paul, MN/Gaithersburg, MD; Kansas Rural Center Topeka, KS; The Kerr Center for Sustainable Agriculture Poteau, OK; Land Stewardship Project Minneapolis, MN; LiveWell Colorado Denver, CO; MAFO St Cloud, MN; Michael Fields Agricultural Institute East Troy, WI; Michigan Food & Farming Systems – MIFFS East Lansing, MI; Michigan Organic Food and Farm Alliance Lansing, MI; Midwest Organic and Sustainable Education Service Spring Valley, WI; Missouri Coalition for the Environment St. Louis, MO; Montana Organic Association Eureka, MT; The National Center for Appropriate Technology Butte, MT; National Center for Frontier Communities Silver City, NM; National Hmong American Farmers Fresno, CA; Nebraska Sustainable Agriculture Society Ceresco, NE; Northeast Organic Dairy Producers Alliance Deerfield, MA; Northern Plains Sustainable Agriculture Society LaMoure, ND; Northwest Center for Alternatives to Pesticides Eugene, OR; Ohio Ecological Food & Farm Association Columbus, OH; Oregon Tilth Corvallis, OR; Organic Farming Research Foundation Santa Cruz, CA; Organic Seed Alliance Port Townsend, WA; Rural Advancement Foundation International – USA Pittsboro, NC; Union of Concerned Scientists Food and Environment Program Cambridge, MA; Virginia Association for Biological Farming Lexington, VA; Wild Farm Alliance, Watsonville, CA; Women, Food, and Agriculture Network Ames, IA. Full membership list, including participating members: <https://sustainableagriculture.net/about-us/members/>

farmers who make a decent living pursuing their trade, while protecting the environment, and contributing to the strength and stability of their communities. Advancing racial equity – including an understanding and acknowledgement of historical and ongoing racial inequities and a commitment to actions challenging those inequities – is critical to achieving this vision.

NSAC continues to work with our members, partner organizations, Congress, and the current Administration to address the structural racism and unjust policies that have created our current food and farm system.

It is well understood that Black, Indigenous, and People of Color (BIPOC) have been at the heart of sustainable agriculture throughout history although their wisdom and leadership has seldom been recognized or acknowledged. By issuing Executive Order 13985, the Administration is taking a step toward upholding its promise to create a dedicated agenda to address longstanding inequities in agriculture and begin the long overdue process to redress the harms done to these communities of farmers, ranchers, and fishers by the federal government. Prior to the issuance of this Executive Order, the Administration has made specific commitments to establish an Equity Commission to ensure that all USDA programs and policies support BIPOC producers, assist with credit access and in securing farmland, protect the rights of heirs' property, provide farmworkers with much needed personal, labor, and safety protections, and commit to fairness, accountability, and transparency across USDA. NSAC commends the USDA for the work that has already begun and hopes that these separate efforts will continue in a more integrated and systematic fashion as USDA seeks to implement the recommendations submitted as part of this comment process.

NSAC firmly believes that there cannot be a just, resilient, and sustainable food system without meaningful action by the Administration to meet its commitment to racial equity at USDA and in every Agency, and across every program and administrative action. To support that commitment, this comment responds to several of the questions put forward in the Federal Register with specific recommendations intended to help USDA to center racial equity in program design and implementation as they staff, engage, prioritize, plan, implement, monitor, and evaluate their work to “Advance racial economic equity in rural America, including by tackling long standing inequities in agriculture.”

We note that this comment period was originally open for only 30 days during the height of the growing season for many agricultural regions. Our member organizations report that this short timeline directly limited farmers' capacity to comment and farmers-serving organizations' capacity to provide technical assistance, contrary to the intent of the first series of questions. NSAC appreciates the extension of the comment period to 60 days, but it is still insufficient to ensure robust BIPOC farmer participation. We recommend that USDA consider additional steps, including:

- Consider a longer comment period (at least 120 days) and commit to providing additional materials and assistance in additional languages beyond English.

- Move beyond a comment process to host a series of regional listening sessions (virtual or in person, with dedicated language support and additional accessibility measures) to create the best opportunity for USDA to hear from farmers and ranchers who have essential perspectives that could help identify needs that must be addressed.
- Conduct proactive outreach to engage with BIPOC-led and serving farming and food organizations for additional recommendations.
- Conduct these meetings in a trusted forum where BIPOC producers can be confident that they will be able to share their experiences and perspectives without fear of reprisal or further discriminatory action.

The recommendations contained within this comment were developed through our member driven policy process and reflect perspectives shared by organizations working nationwide. In addition, in certain instances cited within this comment we include recommendations developed by key BIPOC-led and serving partners. We have focused our recommendations on a selected subset of the questions posed by USDA for which we have direct input from members and stakeholders. Given the short comment window for this EO, this comment should not be taken as a fully comprehensive outline of all necessary changes or improvements at USDA but rather a starting point for further dialogue and exploration.

Recognizing the importance of the lived experience of Black, Indigenous, and farmers of color, and the accountable relationships held by BIPOC-led and serving organizations, we encourage USDA to listen carefully to the commentary shared by these individual growers and organizations.

We thank you for the consideration of our recommendations and would welcome the opportunity to provide additional details and insight as part of our ongoing dialogue.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric Deeble". The signature is fluid and cursive, with a large initial "E" and "D".

Eric Deeble, V.M.D.
Policy Director
National Sustainable Agriculture Coalition

Customer Service Questions

3. How can USDA, its cooperators, grantees, and partners, better share information with underserved stakeholders about our programs and services? What are the best ways to notify and engage underserved stakeholders about new programs and services or changes to existing services?

If USDA is to fulfill all the obligations described in Executive Order 13985, many longstanding patterns of exclusion, marginalization, and disinvestment must be reversed. Processes must be changed to make programs relevant, accessible, and effective to communities of color, barriers lowered, and outreach extended. And most importantly, material restitution and reparations must be given to correct past disinvestment. Before any of these actions can be taken, USDA must begin the difficult work of rebuilding trust with BIPOC farmers, ranchers, farmworkers, food system workers, and their communities.

There are many simple actions that USDA can take using existing authority to begin to demonstrate their good faith efforts which NSAC members have raised in previous comments on program design, implementation, and outreach. Ensuring that all USDA forms are available in languages commonly spoken within farming communities is one example and this could be reinforced by providing technical assistance, either directly by USDA personnel or through the use of cooperative agreements established with trusted organizations based in those communities, to increase the accessibility of existing programs. USDA should also simplify the application processes for programs intended to support BIPOC or other limited resource producers and align application windows so that they do not coincide with the busiest times of the farm production calendar.

Because the Farm Service Agency (FSA) is often the primary interface for farmers seeking services, assistance, or information from the USDA, we focus the remainder of this answer on how USDA should fundamentally reimagine the purpose of FSA offices from spaces that serve existing 'customers' to become places where USDA can engage the whole of rural communities. The first step in this reorientation should be the expansion of the Farm Service Agency Office of Outreach and Education (OOE) with appropriate staffing resources. This would allow the OOE to provide FSA field staff with training on how to conduct listening sessions, outreach, and education in an inclusive and equitable manner that is sensitive to the diversity of cropping systems, models, and markets. FSA field staff should also be given training that includes the historic role of USDA in the implementation of discriminatory practices that have created our current system of agricultural production and in cultural awareness to help them engage more effectively with a diversifying rural population. FSA should also prioritize hiring a diverse field staff that is representative of its communities served. With this greater context and awareness, FSA staff can develop relationships by listening to the underserved producers, in their own communities, before attempting to provide them with USDA programming and services.

Building trust between the USDA and marginalized producers and communities is essential if they are to be served equitably but it can be a complicated, time-consuming process that is

difficult to quantify. While the efforts of FSA staff to demonstrate their integrity and restore community trust should be thoroughly monitored and evaluated to ensure progress, it is imperative that USDA leadership resist the tendency to apply simple metrics to track this relationship building work that will yield a checklist-based approach and emphasize the number of points of engagement rather than the changing perceptions of the community served. We offer specific recommendations to build trust between USDA and the communities of color that they exist to serve in response to the sixth question posed in the Federal Register, below.

An additional element of improved engagement is to provide all resources, information, and services across all core USDA mission areas and programs in a variety of languages that may be spoken in diverse communities. One proximate example of an opportunity: ensure FSIS compliance documents, HACCP resources, guidebooks, newsletters, and education and outreach materials for small plant operators and employees are available in Spanish and other appropriate languages on the FSIS website. USDA should also work with the Occupational Safety and Health Administration (OSHA) website to provide accurate and comprehensive safety and wage information related to meat and poultry processing plant employees in Spanish and other appropriate languages. Ensuring that processors that are members of a farming community where English may not be the primary language can provide services to their neighbors will be increasingly important as USDA seeks to expand resilient regional processing networks and ensure all farmers have more direct access marketing opportunities.

6. What are the barriers to applying for loan and grant programs? How can USDA make loan and grant processes easier to understand and more accessible to underserved groups?

Credit and access to capital, especially USDA credit programs, have been at the center of racial discrimination and abuse and have been the primary tools for the dispossession of communities of color. Primary discrimination charges brought against the USDA in class action lawsuits such as *Pigford v. Glickman* focused on the administration of USDA credit programs, including both denial and predatory administration of loans to farmers of color. By denying farmers of color access to capital - and by extension access to risk management tools and to increase mechanization, achieve the economies of scale, and efficiencies required for modern commodity production – USDA systematically denied farmers of color the opportunity to be profitable and successful.

To inform this perspective, we offer the following USDA internal assessments, all of which have been published since the Pigford settlement, documenting discrimination in the administration of USDA programs which served as barriers when applying for loans and grant programs:

- 1998 GAO report [“Evaluation of the Office of Civil Rights’ Efforts to Reduce the Backlog of Program Complaints”](#)
- 2011 Jackson Lewis Report to USDA, [“Independent Assessment of the Delivery of Technical and Financial Assistance, Civil Rights Assessment”](#)
- 2012 GAO report [“Progress toward Implementing GAO’s Civil Rights Recommendations”](#)
- 2013 Congressional Research Service report [“Garcia v. Vilsack, A Policy and Legal Analysis of a USDA Discrimination Case”](#)

- 2013 Congressional Research Service report [“The Pigford Cases: USDA Settlement of Discrimination Suits by Black Farmers”](#)
- 2019 Government Accountability Office report [“Agricultural Lending; Information on Credit and Outreach to Socially Disadvantaged Farmers and Ranchers Is Limited”](#)

It is critical that we not just “extend” the current system to better serve the farmers that we represent, but that we re-calibrate, to the greatest of our ability, the current underlying principles of agricultural credit and finance in order to balance resilience with efficiency, justice and equity with return on investment, and the future sustainability with the immediate profitability.

Efforts that USDA may take to make loan and grant processors easier to understand and more accessible to underserved groups will not matter unless USDA first addresses the well-documented history of racial discrimination in program implementation by USDA and creates an agency culture of accountability and transparency in both program design and implementation.

To build trust between USDA and the communities of color that they exist to serve through accountability and transparency, we offer the following recommendations:

- Reform FSA oversight to ensure timely, Federal-level review of denied FSA loan applications, withdrawn loan applications, and withdrawn NAD appeals. This should include an annual, systematic review of FSA officers’ loan portfolios for discriminatory action and a publicly available report of 5 years of historical data on application time to completion.
- Ensure that demographic data is uniformly collected and publicly reported across all FSA programs (including for existing FSA customers). This should include releasing disaggregated demographic annual loan data to Congress and the public, as required by the 2018 Farm Bill, to increase transparency and accountability in FSA lending.

To create a culture of accountability within USDA:

- Take concrete and immediate actions to reform the culture of FSA to ensure zero tolerance for unfair treatment for any farmer based on race, gender, sexual orientation, enterprise, markets, or other status. Everyone who walks through FSA’s doors should be treated equitably and as a legitimate farmer. There should be no tolerance for either outright discrimination or overt mistreatment, or the subtle discouragement and patronizing attitude that often tells farmers that they are not welcome or not viewed as a legitimate ‘customer’ in need of service.
- Institute an annual, systematic review of FSA officers’ active loan portfolios for discriminatory action, with appropriate actions taken in cases where discrimination or other forms of abuse are indicated including but not limited to direct supervision, more in-depth investigation, probation, and dismissal.
- Reform FSA practices and policies across all programs to ensure that all county offices are adequately staffed to meet producer needs and that FSA county office staff reflect the full diversity of the communities that they serve. When offices are understaffed, staff will prioritize customers whose applications can be handled most quickly and are unable to provide the level of assistance needed for underserved farmer participation. FSA

should develop a staffing plan to achieve greater staff diversity within field offices and use direct hiring authority to accomplish these hiring goals.

- Reform the County Committee election process to increase inclusion of members of underserved and socially disadvantaged communities including clear dissemination of election guidelines and districts, enforcement of term limits, dissemination of candidate information to potential voters, and allowing the “minority Advisor” position to be a voting member of the committee.
- Extend these reforms to FSA guaranteed lenders as practicable. FSA has tremendous leverage with other agricultural lenders by guaranteeing their loans. Requiring fair and equitable lending practices by guaranteed lenders should be part of that relationship. (see below section on guaranteed lenders for additional details.)
- Modify the NAD administrative judge performance evaluation process to remove NAD appeal outcomes from evaluation criteria.

To increase transparency in program delivery:

- Ensure that demographic data is uniformly collected and publicly reported across all FSA loan programs (including for existing FSA borrowers). This should include releasing disaggregated demographic annual loan data to Congress and the public, as required by Section 5413 of the 2018 Farm Bill, to increase transparency and accountability in FSA lending.
- Create an independent Civil Rights Oversight Board to oversee civil rights within USDA and to protect the rights of farmers and ranchers. The Board should review civil rights appeals, conduct regular reviews to assess USDA compliance with applicable civil rights laws, investigate reports of discrimination within USDA, and recommend improvements to USDA policies and procedures to prevent future discrimination. The Board should also provide oversight over FSA county committees and report publicly on the treatment of socially disadvantaged farmers.
- Reform FSA oversight to ensure timely, Federal-level review of all denied FSA loan applications or applications where farmers indicate possible discrimination or abuse, withdrawn FSA loan applications, and withdrawn National Appeals Division appeals with a publicly available report of 5 years of historical data on application time to completion.

To ensure redress for farmers who have been subjected to discrimination or abuse:

- Establish an Equity Commission to study the legacy of discrimination against Black agricultural producers, including investigating discrimination in Farm Service Agency county committees and recommending solutions to improve the status of socially-disadvantaged producers.
- Require automatic provision of receipt for services provided by FSA county offices for all farmers and conduct robust oversight to ensure every county office is adhering to this statutory mandate.
- Issue guidance on equitable relief provisions of the 2018 Farm Bill to ensure that farmers who incurred an economic loss or were denied credit because of the actions of, or information provided by, a USDA employee can be compensated and otherwise made whole for lost farming revenue and any consequential losses.

- Clarify National Appeals Division (NAD) implementation regulations to require implementation of appeal findings based on the facts before the loan officer regardless of the age of application documents, eliminating the need for farmers to restart the application process.

These recommendations were born from a multi-month internal policy scoping project that NSAC undertook in Fall 2020 through Spring 2021 to explore federal policy issues related to agricultural credit in order to inform the Coalition's future policy priorities and administrative and legislative policy campaigns. NSAC undertook this process with the explicit intent to center racial equity as a core principle of sustainable agriculture, acknowledging the wide-reaching impacts agricultural credit policy has on Black, Indigenous, and People of Color (BIPOC) producers.

We welcome the opportunity to begin a dialogue with USDA on our full recommendations, which extend beyond building trust through accountability and transparency and into increasing capital opportunity for underserved producers as well as reorienting lending towards resilience.

7. Have you attended stakeholder meetings and informational sessions in the past? Describe when and how helpful and useful the information was including follow-up by USDA.

Collectively, NSAC members attend, participate in, and host hundreds of USDA stakeholder meetings and informational sessions each year. A recurring observation by our members is that USDA often presents subjects or material that staff feel is compelling without seeking the input of the target audience. USDA should engage a diverse range of producers and processors when designing prospective stakeholder meetings and informational sessions so that the content is as relevant as it is timely and accurate. This could include direct outreach to individual producers – rather than relying on associations and stakeholder organizations - through survey tools to ensure that the most compelling information will be presented which will lead naturally to greater interest and increased participation. Because farmers are more receptive to messages delivered by other producers – particularly those with whom they identify personally - it is important that USDA include BIPOC producers on panels or otherwise feature their work when promoting programs. These farmers should be fairly compensated for their time when they participate.

Additionally, NSAC members identified insufficient support for the Advisory Committee on Beginning Farmers and Ranchers and the Advisory Committee on Minority Farmers and Ranchers as a barrier to promoting greater BIPOC producer participation in USDA programming. Both committees should both have regular, annual convenings and every effort to increase the transparency of committee activities should be undertaken, including posting up-to-date information on committee membership, how to become a member of the committee, meeting minutes, and agendas on the committee websites.

General Questions

4. Are there USDA policies, practices, or programs that perpetuate systemic barriers to opportunities and benefits for people of color or other underserved groups? How can those programs be modified, expanded, or made less complicated or streamlined, to deliver resources and benefits more equitably?

USDA must commit to racial equity in the design and implementation of all programs – not just in rhetoric, but in deed. The Administration should prioritize the recommendations submitted by individuals of color and BIPOC led or serving groups and then act on the following recommendations that support farmers' access to credit, fairness in markets, and a robust farm safety net.

To improve access to risk management tools:

- Conduct a review of existing RMA policy to assess barriers to participation for farmers of color in federal crop insurance programs and undertake a systematic review of federal crop insurance servicing to determine any patterns of discriminatory action or program application.

To ensure the needs of BIPOC producers are fully considered in program design:

- Institute new protocols and provide resources to ensure that the Office of Partnerships and Public Engagement (OPPE) meets its statutory mission to both advocate for small, minority, and beginning farmers within USDA, as well as coordinate outreach activities. This includes taking steps to ensure OPPE will be a place where:
 - New policy initiatives and policy coordination ideas are developed for the consideration of the Secretary;
 - All regulatory matters get reviewed for impacts on Small Farmers, Beginning Farmers and Ranchers, Socially Disadvantaged Farmers and Ranchers, Military Veteran Farmers and Ranchers, and Women Farmers and Ranchers;
 - Departmental goals and objectives related to the structure of agriculture get articulated and benchmarks get set by which to measure future outcomes;
 - Operations and functions of the Office of Small Farms Coordination and the Farmworker Coordinator have the resources, authority, and coordinating capacity to assure diverse perspectives and needs are fully integrated into interagency functions; and
 - Oversight, accountability, and transparency of OPPE activities is enhanced by conducting annual reports on office initiatives, achievements, and recommendations for future activities. Evaluation reports should be made publicly available and provide opportunity for public comment.

To ensure that BIPOC producers have equitable access to land to begin and expand their farms:

- Launch a USDA wide initiative to expand opportunities for new farmers, particularly new farmers of color, with focus on farm transfer and farmland transition, farmland access, and tenure. A particular focus should be given to resolving heirs property issues and outreach to non-operating landowners. As part of this initiative, USDA should actively conduct outreach to spread awareness about the new Heirs Property relending program, issue an updated Tenure, Ownership, and Transfer of Agricultural Land (TOTAL) survey, and seek input from the USDA Advisory Committee on Beginning Farmers and Ranchers (ACBFR), including recommendations previously developed by the ACBFR Land Tenure Subcommittee.
- Launch a robust outreach initiative utilizing targeted funding provided by the 2018 Farm Bill to more effectively use the Conservation Reserve Program - Transition Incentive Program (CRP TIP) to facilitate land transition to the next generation of farmers, with a particular focus on transitioning land to farmers of color. Specific actions include:
 - Funding organizations who work on the ground with farmers to lead outreach efforts, with a particular focus on partnering with organizations serving farmers of color
 - Enabling CRP landowners to opt-in to communications around CRP-TIP to better facilitate connection with interested farmers looking for farmland
 - Contacting CRP contract holders earlier, more often, and through a variety of methods
 - Ensuring all FSA field office staff are trained and knowledgeable about CRP-TIP, and are familiar with land-linking resources and partners in their region
 - Conducting an analysis of CRP-TIP land attributes and characteristics to facilitate a better understanding of what type of land is available through CRP-TIP

To deliver targeted program benefits more equitably and effectively:

- Commit to doubling the total funding available for programs and projects serving underserved communities – including farmers of color, women, urban, immigrant, and refugee farmers, as well as military veterans – and submit budget requests that prioritize that investment.
- Reform the administration and peer review of the Outreach and Assistance for Socially Disadvantaged and Veteran Farmers and Ranchers (i.e. 2501) competitive grant program to ensure a more transparent, timely, and responsive process by establishing a consistent Fall/Winter application period, with a minimum 90-day application window, to allow ample time for individuals to prepare and submit applications. USDA should seek external expertise to manage and improve the 2501 peer review process, in a similar manner to grant programs administered by the Agricultural Marketing Service
- Ensure that all funding provided by Congress for the 2501 program exclusively supports projects that benefit farmers of color and military veterans. Funding should not in any way be used for other purposes - such as developing rural prosperity councils, limiting

funding to faith-based organizations, or narrowing scope to solely address persistent poverty communities.

- Increase transparency and public access to program grantee and project information. Coordinate with NIFA to explore ways that the 2501 program can leverage the grant-making agency's CRIS and REEport data reporting interface and online portal to ensure stakeholders and policymakers are able to obtain up-to-date information on the status and outcomes of funded projects. Make information publicly available on project outcomes, and impacts, including evaluation metrics and more robust evaluation and reporting requirements for project grantees.

To promote BIPOC producer access to existing conservation programs:

- Revise the Conservation Stewardship Program (CSP) Final Rule so it equitably serves historically underserved producers by ensuring that separate ranking pools for beginning farmers and ranchers, socially disadvantaged producers, military veteran farmers and ranchers, and organic and transitioning to organic producers are included in the revised Interim Final Rule. This is a key equity consideration in the program, and it is very concerning that the Final Rule hinted that this practice may change in the future. To ensure adequate resources for historically underserved producers, the national set-aside percentage should be doubled to 10 percent or the states could be given the option to increase set-asides to parallel the demographics of their farming population. Setting aside only 5 percent is simply not ambitious enough for most states, so we urge NRCS to at least double the set-aside to 10 percent. While the CSP Manual clearly requires separate ranking pools and spending plans for beginning, socially disadvantaged, military veteran, and organic/transitioning to organic farmers, that is not reflected in the Final Rule. NRCS should address this oversight in the revised Interim Final Rule by including separate pools of funding for each group.
- Create new Regional Conservation Partnership Program (RCP) Critical Conservation Areas to cover significant gaps in geographic regions – including the black belt and the entirety of the Rio Grande Valley from Colorado through Texas, the Okeechobee/Everglades water system in South Florida, Alaska, Hawaii , Puerto Rico - where many small-scale farmers of color operate.
- Ensure program eligibility rules do not exclude or pose barriers to tenant farmers who wish to participate in conservation programs, and payment structures that ensure tenants, not the cash landlords, collect the payments and other program cost shares.
- Improve outreach and service delivery to farmers and ranchers of color and other historically underserved producers, including technical assistance with conservation planning and program application, and informing eligible producers of the EQIP advance payment option at time of enrollment and the set asides in Conservation Stewardship Program (CSP) and EQIP for socially disadvantaged and beginning farmers and ranchers.
- Provide targeted technical assistance to help producers and communities of color and other historically underserved populations mitigate and adapt to the impacts of weather extremes and climate disruption through participation in conservation programs like CSP and EQIP, farmer-centered research and education through programs like the

Sustainable Agriculture Research and Education Program (SARE), and local food systems through the Local Agriculture Marketing Program (LAMP) and other local food and urban agriculture programs.

To promote BIPOC producer access to new markets:

- Use the authority granted by the 2018 farm bill to establish a simplified application for Local Agriculture Market Program (LAMP) subprogram of the Farmers Market and Local Food Promotion Program (FMLFPP) grants under \$50,000 and prioritize applications serving socially disadvantaged producers and underserved communities. In FY2016, AMS increased the minimum grant size for FMPP “Capacity Building Project” grants from \$15,000 to \$50,000 and increased the maximum from \$100,000 to \$250,000. Program stakeholders have consistently expressed concerns that this decision led to fewer awards and increased competition for a limited pool of funding. Stakeholders have also expressed frustration with the complexity of applying to the program. This new streamlined grant application option could be modeled on the FNS Farm to School ‘Turnkey’ Grant Program and include a specific, limited set of activities with pre-defined requirements. Potential FMLFPP turnkey options could include:
 - Promotional campaigns
 - Healthy food access/EBT
 - Farmer training (marketing, sales, food safety)
 - Data collection
- Remove barriers to funding by eliminating or greatly reducing the match requirements for small to midsize producers and start up processors in programs including the Value Added Producer Grant (VAPG) and FMLFPP.

To ensure research supports and includes BIPOC communities:

- Expand NIFA capacity-building grants for Black, Indigenous, People of Color (BIPOC) farmers within key NIFA programs that offer grants for capacity building such as: the Farming Opportunities Training and Outreach program, the Sustainable Agriculture Research and Education (SARE) program, and the Gus Schumacher Nutrition Incentive Program (GusNIP).
- Provide oversight to ensure that states meet their obligation for providing the one-to-one matching requirement to 1890 land grant institutions, and ensure that the process to request and receive state matching funds is standardized and equitable across the states and land-grant university system.
- Require non-industry stakeholders, including academic or non-academic research institutions, non-profit organizations, and organizations that represent women, Black, indigenous, and people of color farmers, and alternative food system stakeholders, are fully engaged in USDA policy and program decisions.
- Ensure that USDA research is equitable and complementary to, and not duplicative of, research supported by the Foundation for Food and Agriculture Research (FFAR) and advances USDA’s mission at both FFAR and USDA to conduct research that benefits all people, including BIPOC individuals.

- Direct a dramatic increase in climate adaptation and mitigation funding towards 1890 Institutions, Hispanic-Serving Agricultural Colleges and Universities, and Tribal Colleges and Universities to provide solutions that help historically underserved communities not only mitigate and adapt to climate impacts, but prosper economically.
- Support the development of tribal research and education by making research programs and funding more accessible to Tribal Colleges and Universities so that funded programs and projects can focus on tribally led traditional knowledge and practices and provide additional opportunities for education for tribal communities.
- Focus Extension resources towards 1890 institutions, 1994 tribal colleges and universities, and underserved and marginalized communities to address the reprehensible civil rights record of the Cooperative Extension System (CES) as documented by numerous investigations, lawsuits, and congressional hearings. Since being reorganized under NIFA in 2009, the CES has made improvements but still lacks diversity in staff and too often fails to meet the needs of underserved populations, particularly farmworkers and non-white farmers. Additionally, funding for these extension services, including the Federally Recognized Tribes Extension Program (FRTEP), must be significantly increased to meet the technical assistance, management, entrepreneurship, and business development needs of tribal and other BIPOC farming communities.
- Require all institutions receiving federal research funding that includes education and extension outreach to BIPOC producers and communities, including tribal governments, report and make publicly available project outcomes, deliverables, and impact on the community in which they are serving.
- Increase emphasis on diversity in the evaluation of applicants for USDA extramural peer review panels and federal advisory committees (i.e. National Agricultural Research, Extension, Education, and Economics Advisory Board (NAREEEAB) with particular priority extended to applicants who, individually or through their organizational affiliation, represent women, Black, Indigenous, Hispanic, Asian, or other racial and ethnic group that identifies as non-white farmers or communities.
- Commit to research on the impacts of climate change on farmers of color, farmworkers and food system workers, members of low-income communities, and how public investment can restore racial equity and environmental justice, mitigate climate change impacts, and build resilience for vulnerable communities.

To support our BIPOC farmworkers and their communities:

Our food supply is much greater than the sum of the production of our farmers and ranchers and it can only be made secure and resilient through the labor of our farmworkers. USDA's mandate to provide opportunities, benefits, and programming for people of color or other underserved groups therefore must extend to include farmworkers. Farmworkers deserve the same rights and protections as the farmers they work beside and as all other laborers. USDA should take steps to ensure people working on farms, often with decades of farming experience, are included in their outreach and programs. BIPOC farmworkers are a majority of all individuals that work on farms. NSAC supports the following policy recommendations put forward by other

organizations with extensive histories of supporting farmworkers who we recognize as leaders and important advocates.

- Implement the Farmworker Coordinator position at USDA, created by Congress, and support the position with adequate resources.
- Increase outreach and surveying efforts to ensure the Census of Agriculture and Farm Labor Survey data on farmworkers is accurate, because data gaps currently exist, and farmworker wages are adversely impacted by these data gaps.
- Create specific grant programs for farmworker-serving organizations for education and services to farmworker communities.
- Work with EPA, OSHA, and HHS to address the pesticides, heat stress, wildfires, and other environmental risks to farmworkers and their families.
- Support legislation that provides farmworkers with a path to citizenship.
- Support legislation removes the long-standing discriminatory laws against farmworkers.
- Support legislation that implements strong labor protections, and support regulatory policies and actions that create similar protections, including the right to freedom of association and collective bargaining, federal minimum wage, and federal overtime pay. Workers, regardless of their immigration status, should receive these rights, as well as the ability to collect on insurance payments, unemployment, workers compensation, disability, and social security.

5. How can USDA establish and maintain connections to a wider and more diverse set of stakeholders representing underserved communities?

USDA should ensure diverse representation on all advisory committees. For example, the National Advisory Committee on Meat and Poultry Inspection should include equitable participation, including plant employees and BIPOC small plant operators and farmers and ranchers.

NSAC members identified insufficient support for the Advisory Committee on Beginning Farmers and Ranchers and the Advisory Committee on Minority Farmers and Ranchers as a barrier to promoting greater BIPOC producer participation in USDA programming. Both committees should both have regular, annual convenings and every effort to increase the transparency of committee activities should be undertaken, including posting up-to-date information on committee membership, how to become a member of the committee, meeting minutes, and agendas on the committee websites

10. How can USDA use technology to improve customer service? Do you have suggestions on how technology or online services can help streamline and reduce regulatory or policy requirements? What are those technological programs or processes and how can USDA use them to achieve equity for all?

As USDA undertakes the necessary work to rebuild trust with BIPOC communities and producers it will be important to provide them with access to USDA resources that does not rely on FSA field offices. USDA should undertake an initiative to improve online accessibility for

USDA programs, in consultation with the US Digital Service, and develop specific options for loan servicing, self-registration of farms, applying for grants, and accessing resources and research for farmers comparable to those available in person at FSA offices. Improved access will also directly benefit farmers, especially tribal producers, that may farm on land that is very far from the nearest FSA office.

12. What suggestions do you have for how USDA can effectively assess and measure its outreach and inclusion of underserved groups and individuals?

Without accurate, disaggregated demographic data on program applications and participation it will be impossible to monitor whether USDA is making significant progress towards its goal of affirmatively advancing equity, civil rights, racial justice, and equal opportunity for all farmers, ranchers, and producers. To ensure that USDA has sufficient data to ensure its continued progress and Congress can conduct rigorous oversight, USDA should:

- Collect and report demographic participation data on current and future Agricultural Marketing Service (AMS) and Rural Development (RD) programs that support small processing plants and capture demographic data on plant owners and operators for each plant with a grant of federal inspection.
- Conduct and share transparent data collection on rates of farmers of color application and enrollment in all USDA conservation and easement programs, fund a study to identify causal factors in under-representation of farmers of color in program participation, and recommend strategies to create racial equity in program delivery.
- Study and report of the impact of Environmental Quality Incentives Program (EQIP) funding of CAFOs on surrounding communities, which are often communities of color.
- Obtain baseline Diversity, Equity, and Inclusion (DEI) data on grant applicants with the goal of producing more equitable funding outcomes

14. Have you made recommendations for improvement in the past to USDA? If so, please list or attach those recommendations.

NSAC has worked with NIFA staff to support racial equity in the Food Safety Outreach Program (FSOP), and we applaud the staff that have pushed this work forward through additional outreach, changes to the RFP, and other efforts. NSAC looks forward to continuing these discussions with USDA NIFA about FSOP.