

May 11, 2020

Joe Biden
Democratic Candidate for President
1500 Market Street
Philadelphia, PA 19102

Subject: Civil Rights, Programs, and Employment at the Department of Agriculture (USDA)

Congratulations upon your nomination to the presidency for the Democratic Party. The endorsements of Senator Bernie Sanders, former President Obama, and Senator Elizabeth Warren will ring true for your supporters and hopefully for those who are moving towards a better America.

In many ways, the USDA Coalition of Minority Employees and the Justice for Black Farmers Advocacy Group can find parts of your platforms with which we can agree and support. Of course, COVID-19 has us all concerned, and your interests in the Black community and in Rural America are affirmed by us. In particular, when you write of creating wealth, addressing housing and expanding Obamacare, environmental justice, and voting rights, amongst others, those are important to us. Addressing trade policies for farmers, support for beginning farmers, regional food systems, funding to land grant institutions for agricultural research, Medicaid expansion, and rural medical care are all things we can support.

However, we are bothered by the absence of key issues, one being the degree of ongoing Black land loss to this day at the USDA. We invite you to see documents that follow by Hinson and Robinson, 2008; Hinson, 2018; Rosenberg and Stucki, 2019; and Newkirk, 2020 as illustrations and confirmation that the playing field is not level for minority farmers, i.e., African American, American Indian, Hispanic, and Women farmers, by comparison to white farmers within the US Department of Agriculture. All evidence supports our contention that most of the funds go to the large, predominantly white corporate farmers to the exclusion of small family farmers and especially Black farmers. A lack of attention at the county USDA Farm Services Agency office surrounding farm operating loans, disaster relief funding, onsite consultations, and other factors indicate that the USDA, rightly so, continues to be called "the last plantation." In the late 1990s, the USDA held meetings across the country with minority farmers. These findings were the 1997 Civil Rights Action Team Report (see below). Later, the 1998 Civil Rights Implementation Team Report (see below) indicated that little had been done to address the grievances of minority farmers. Most recently, a team of advocates and investigative journalists engaged in a discussion on podcast radio program about the severity of these problems that have occurred historically within the USDA and the value of land loss and generational wealth (see below).

Between 1997 and 1999, fifteen African American farmers prevailed in their lawsuits against the USDA and the Department of Justice (DOJ) administratively. Little to nothing has been said of them during or since that time. Those farmers' plights led ultimately to the Pigford I settlement which resulted in thousands of Black farmers coming forward to have their grievances heard. That effort was a failure. Several years later, Pigford II, for late claimants, was settled, and that effort was another failure for Black farmers. The farmers received very little relief from their

trials, pain, and suffering. Most did not receive the promised debt relief, and the USDA continues to foreclose on them as they struggle to survive. These stories continue with the other class action lawsuits against the USDA: Love for women farmers; Keepseagle for American Indian farmers; and Garcia for Hispanic farmers.

With all of these class action lawsuits and with all of the money allocated by the federal government, it would seem that fair and equitable treatment would be evidenced with the USDA and its programming. We have more than enough evidence to indicate that things have not changed, but rather that the institution and people within the institution of the USDA continue to be entrenched and continue to discriminate against farmers and USDA employees as well.

The USDA has long used the term “socially disadvantaged” farmer and “historically underserved” farmer. While on the surface, the class action suits would suggest that things have changed, we believe that nothing has changed. Rosenberg and Stucki (2019) found that while the rhetoric under Secretary Tom Vilsack was that Civil Rights changes had come to the USDA, there is evidence that this was nothing more than words, while programming and institutional racism, sexism, and other abusive behavior discrimination went unchanged. There are those that will tell you that their Civil Rights administration is the best ever at the USDA. Facts differ with that false narrative. The Clinton administration had the best record regarding USDA civil rights. This was due to their inclusive approach. They understood that farmers and employees were working under a heavy burden of racism and civil rights abuses. They understood the importance of accountability and proper leadership. A current example of civil rights offenses is the USDA Forest Service, western division, in which harassment and sexual perpetrations continue (see podcast below).

Given these matters, we encourage you to meet with us to discuss the following and more:

- 1) The historical mistreatment of minority farmers and systemic factors that allow this to be an ongoing problem;
- 2) The institutional organizational structure that allows for a devolution of responsibility such that an absence of accountability exists;
- 3) The failures of the County Committee system in that people vote their prejudices such that few if any minority farmers and ranchers are found on these committees which wield such power at the local level;
- 4) The failures of the Office of Civil Rights to fully engage in its mission to protect the civil rights of members of the USDA and those whom it serves;
- 5) The entrenchment of the Office of General Counsel (OGC) in the affairs of the USDA Office of Civil Rights such that the OGC has the outright propensity to control decisions made on behalf of employees and constituents whose civil rights have been denied or violated.
- 6) An environment that lacks “accountability” such that if and when an employee violates the civil rights of employees or customers, that the employee receives appropriate discipline including being removed or fired.
- 7) An increase in funding for HBCUs that have agriculture departments.

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- 8) An inquiry into the inequities within Pigford I and Pigford II relative to denials.
- 9) An inquiry into the inequities of Pigford I and Pigford II relative to debt relief.
- 10) An inquiry into the absence of utilization of the USDA's land bank by minority farmers.
- 11) An inquiry into the incompetent manner in which Census of Agricultural data is misused by the USDA.
- 12) A complete organizational evaluation and set of changes created and implemented by a task force under your leadership once you have been elected.
- 13) Endorse a program of reparations for Black Americans who have had their land taken away.
- 14) Review and update the Endangered Black Farmer Act of 2007 and its subpoints relative to conservation, credit, and persistent discrimination.
- 15) Conduct a series of meetings in which Black farmers, their advocates, USDA abused employees, and other persons can speak openly as to their challenges in dealing with the racism and sexism at the USDA.
- 16) Create a plan to provide greater institutional and programmatic support for urban farmers and urban communities.

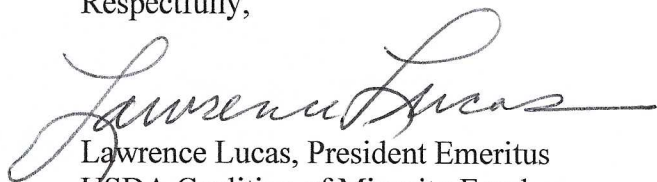
We were brought to the attention of Warren, Sanders, and Bloomberg's policy teams in numerous conversations, met on multiple occasions, and welcomed dialogue in late 2019 and early 2020 with them. We also encourage you to engage Senator Elizabeth Warren and her civil rights agenda (please see below) and her policies relative to these matters. We consider her agenda as a landmark document which articulates the challenges and shapes the future for the USDA and its failed treatment of minority farmers and employees as well. We also encourage you to engage Senator Bernie Sanders and his platform relative to minority farmers and civil rights at the USDA. While his platform and its various points did not become publicized, we believe that there are salient features of his proposal in that it addresses key issues and funding for each of the issues. Also, we encourage you to review Michael Bloomberg's policies in these areas as written by former Director, Office of Civil Rights in a recent OpEd for The Kansas City Star (see below) and more.

We do not wish to be mere complainants, Vice President Biden, but rather we are a coalition that wishes to work with you as parts of the solution to the widespread racism and sexism within the halls of the USDA in Washington and its various programs and services divisions nationwide. Our coalition includes rural farmers, urban farmers, advocates, and USDA employees from across the country, all of whom are committed to creating a more just food system.....from Minnesota to Louisiana and New York to California.

Specifically, Vice President Biden, our nation-wide coalition strongly encourage you to adopt Senator Elizabeth Warren's plan, "Addressing Discrimination and Ensuring Equity for Farmers of Color." We wish that you meet with us to explore ways and opportunities to fix the USDA's historical narrative of abuse to a host of decent Americans. We want systemic change within the USDA sooner rather than later.

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Respectfully,



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