

United States Senate

WASHINGTON, DC 20510

December 10, 2021

The Honorable Tom Vilsack
Secretary of Agriculture
U.S. Department of Agriculture
1400 Independence Avenue SW
Washington, DC 20250

Dear Secretary Vilsack,

I write regarding your commitment to address the U.S. Department of Agriculture's (USDA or Department) long and painful history of racial discrimination. I share your vision for a more equitable USDA that serves the needs of all farmers, and I am encouraged by recent actions your Department has taken to support underserved individuals. However, I am concerned that farmers who anticipated relief from USDA may now be subject to potential adverse actions through no fault of their own. I ask that USDA continue to shield these farmers from adverse actions, provide clear guidance to farmers on the status of their loans, and ensure the voices of Georgia's farmers are heard and incorporated into USDA's equity work.

In March 2021, President Biden signed the *American Rescue Plan Act* into law. This legislation includes targeted debt relief payments aimed at remedying USDA's well-documented history of racial discrimination. As USDA prepared to implement this legislation, it told eligible farmers that they would not be subject to punishment for failing to make payments on forgivable debts. On a public-facing website regarding the *American Rescue Plan Act* debt relief payments, USDA states "USDA is not taking any adverse actions on any eligible borrower who does not make payments" on Farm Service Agency direct loans or farm storage facility loans.

With ongoing litigation temporarily preventing USDA from making debt relief payments, I ask the Department to continue protecting these farmers from adverse actions and use all available administrative flexibilities to ensure they are not harmed and can remain on their land. USDA must provide clear guidance to these farmers in any and all communications regarding the status of their loans, including all options available to avoid future adverse actions and keep their operations financially viable. Without continued protections and guidance, these farmers will struggle to make management decisions that best benefit their farms and their families.

Clear guidance and open communication should not be limited to just the status of debt relief payments. As USDA works to address systemic discrimination, the Department must operate in a manner that is transparent and instills trust with the very farmers USDA is attempting to serve. I ask that USDA take every step necessary to effectively communicate all equity-related initiatives with stakeholders who have all too often been left behind by USDA. From frequent stakeholder engagement to public-facing resources and webinars, USDA must develop a comprehensive, proactive outreach strategy for reaching underserved farmers, including opportunities for these farmers to share their perspectives and lived experiences with USDA staff and leadership.

As soon as it is feasible, please provide my office with a detailed briefing regarding USDA's outreach strategy for engaging underserved farmers in Georgia and through the country. This briefing should include how USDA plans to ensure these farmers are made aware of all funding opportunities and requests for applications made available under the *American Rescue Plan Act*. It should also include how USDA plans to provide technical assistance to historically underserved entities that might be in a position to apply for funding. Finally, this briefing should include USDA's strategy for communicating to farmers how they will be protected from adverse actions related to their eligible USDA debts.

In my travels across rural Georgia, I have heard directly from farmers who have suffered discrimination at the hands of USDA. Their painful stories have strengthened my resolve to deliver justice and tackle systemic discrimination in federal farm programs. As USDA moves forward with this critical work, I specifically ask that you hear directly from Georgia's farmers on their concerns and possible solutions for how USDA can improve service, and provide a plan to me regarding how you plan to do so. Their voices deserve to be heard, and I stand ready to facilitate conversations with Georgia's farmers for you and your staff.

Too many farmers have been stripped of their land and livelihoods due to USDA's systemic discriminatory practices, and I remain committed to providing relief to farmers who have been harmed. USDA must prioritize efforts to prevent adverse actions and clearly communicate with all affected farmers. I look forward to continuing to work with you in order to right these historical wrongs and improve service to the farmers I represent in Georgia.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Warnock" with a stylized flourish at the end.

Reverend Raphael Warnock
United States Senator