



## *Farm and Food Policy Diversity Initiative*

### **Farm and Food Policy Diversity Initiative**

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### **Farm Bill Wins on Equity**

The 2008 Food, Conservation and Energy Act (H.R. 6124) has been enacted into law. Reform is often a slow process and many issues of equity and fairness in agriculture have yet to be addressed, but the Diversity Initiative is pleased to announce that the H.R. 6124 contains many wins for socially disadvantaged farmers and ranchers and farmworkers. The new law includes many provisions that open new opportunities for American Indian, African-American, Latino, Asian-Pacific and other small farmers and to secure equitable access to all programs of the Department. It also supports nutrition and community food programs and establishes a farmworker coordinator.

The following summary includes highlights of some of the most prominent wins for socially disadvantaged farmers. The Farm and Food Policy Diversity Initiative's side-by-side matrix of all farm bill provisions pertaining to socially disadvantaged farmers will be available shortly at [www.ruralco.org](http://www.ruralco.org).

The process is not over and it is important for communities to remain engaged. We have already informed you of action needed to reverse severe cutbacks in the RMA Outreach Program made as a result of the implementation of the Farm Bill. USDA is actively engaged in implementing the Farm Bill, and will be listening to those who provide the most input to the Department. So keep the cards and letters and calls coming on the issues of most importance to your communities.

**Equitable Access to Programs** - The new law includes many measures that would significantly help expand and accelerate the growth, resources and viability of socially disadvantaged farmers, ranchers and farmworkers, and hold USDA accountable for equitable service, including:

#### **Conservation Programs**

- **Assistance to Improve Access to Conservation Programs** - Sec. 2704 provides set-asides in the Environmental Quality Incentives Program and the Conservation Stewardship Program for socially disadvantaged farmers and ranchers and beginning farmers and ranchers (5 percent each).
- **Increased payments within EQIP** - Sec. 2503 provides cost share rates of up to 90 percent in the Environmental Quality Incentives Program and advance payments up to 30 percent for socially disadvantaged, limited resource, and beginning farmers and ranchers.

- **Producer Associations and Farmer Cooperatives may act on behalf of their members in submitting EQIP applications** – Report language in Section 2503 expresses the intent of Congress that producer associations and farmer cooperatives may act on behalf of its members in submitting applications and plans to participate in EQIP, and directs the Secretary to clarify this option in any rule or procedure written for EQIP.
- **Conservation Reserve Program Transition Incentives Program** - Sec. 2111 provides \$25 million over 10 years to encourage owners of CRP land to sell or rent to beginning and socially disadvantaged farmers and ranchers.

### Credit Programs

- **Settlement of Civil Rights Claims** - Sec. 14001 calls upon the Secretary to resolve all civil rights claims and class actions brought against the department by socially disadvantaged producers in a fair and expeditious manner. These class action suits include Keepseagle (Indian producers, filed 11/24/1999), Garcia (Latino producers, filed 10/13/2000), and Love (Women producers, filed 10/19/2000).
- **Pigford Claims** - Sec. 14012 provides a new avenue for court consideration of late filed or unresolved claims in the Pigford v. Glickman Consent Decree, with funding of \$100 million and authority for additional funds for resolution of these claims of African American producers. Authority to file a claim under this section terminates 2 years after enactment of the Act.
- **Moratorium on Foreclosures** - Sec. 14002 places a moratorium on loan acceleration and foreclosure proceedings if a claim of discrimination is involved. It also waives interest and offsets accrued during the moratorium period and requires that the USDA Inspector General issue a report on SDFR loan foreclosure proceedings within a year of the legislation's enactment.
- **Inventory Sales Preferences** - Sec. 5302 restores priority to socially disadvantaged farmers and ranchers when USDA sells inventory property.
- **Better Lending Terms** - Sec. 5002 and 5004 gives priority to socially disadvantaged and beginning farmers and ranchers in credit programs (Sec. 5002), as well as lower interest rates, better lending terms, and higher maximum purchase price on first time land purchases (Sec 5004).
- **Loans to Purchasers of Highly Fractioned Lands** - Sec. 5501 allows FSA loans to be extended to individual Indians to purchase “highly fractionated” parcels of land according to the Indian Land Consolidation Act amendments of 2004.

### Specialty Crop Programs

- The new law includes numerous provisions related to improving technical assistance (Sec. 3203), research (Sec. 7311), transportation and distribution (Sec. 10403), market news (Sec. 10107) and census data (Sec. 10103) for specialty crops. These programs have the potential to benefit the socially disadvantaged farmers and ranchers who

comprise at least 12 percent of specialty crop producers if they are able to access these benefits.

- Conference Report language in the specialty crop block grant to states program (Sec. 10109) requires each state to develop and submit to USDA a plan for reaching socially disadvantaged producers when they apply to USDA for these funds. The block grant program will receive \$224 million in mandatory funding over five years.

### **Outreach and Accountability**

- **2501 Socially Disadvantaged Farmer and Rancher Outreach and Technical Assistance Program** - Sec. 14004 provides \$15-20 million annually in mandatory funds for this important program and strengthens its ability to assist socially disadvantaged producers to participate in agriculture programs. The program is relocated to the Office of Advocacy and Outreach.
- **USDA Offices on Indian Reservations and Extension Indian Reservation Program** - Sec. 14001 strikes the requirement that tribes provide office space for USDA offices on Indian Reservations and to EIRP agents, and directs extension agents to be placed in areas “where there has been a need demonstrated.”
- **Office of Outreach and Advocacy** - Sec. 14013 establishes a coordinated function for small, beginning and socially disadvantaged producers at USDA. The Office of Advocacy and Outreach includes two branches:
  - A **Socially Disadvantaged Farmers and Ranchers Group**, which includes the 2501 program, the Advisory Committee on Minority Farmers, the Farmworker Coordinator, and the functions and duties previously assigned to the Office of Outreach and Diversity under the Assistant Secretary for Civil Rights, and
  - A **Small Farms and Beginning Farmers and Ranchers Group**, which will include the Office of Small and Beginning Farms Coordination, a liaison to the Beginning Farmer and Rancher Development Program, and the Advisory Committee for Beginning Farmers and Ranchers.
- **Farmworker Coordinator** - Sec. 14013 establishes a farmworker coordinator within the Office of Outreach and Advocacy with specific functions and purposes, including serving as a liaison to community-based organizations working with farmworkers and coordinating entities, and administering the emergency program previously authorized to ensure that farmworker needs are met during disasters and other emergencies.
- **Improved Transparency and Accountability for Socially Disadvantaged Farmers and Ranchers, and USDA Oversight and Compliance** - Sec. 14006 requires the Secretary to compile annual application and participation rate data, including numbers and percentages, for each county or parish and state in the United States, organized by race, gender, and ethnicity. The section also provides authority necessary to agencies to collect the data to respond to the section. Sec. 14007 requires the Assistant Secretary for Civil Rights to use the aforementioned data collected on socially disadvantaged program

participation to conduct oversight and evaluation of civil right compliance.

- **Census of Agriculture** - Sec. 14005 requires accurate representation of socially disadvantaged farmers and ranchers in the Census of Agriculture.
- **Receipt for Service or Denial of Service** - Sec. 14003 mandates that the USDA's Farm Service Agency (FSA), Natural Resources Conservation Service (NRCS), and Rural Development programs provide, upon request, a receipt to producers who request service noting the outcome of their request and any further action needed.
- **Minority Farmer and Rancher Advisory Committee** - Sec. 14008 establishes an advisory committee in the Office of Outreach and Advocacy to provide advice on the implementation of the Outreach and Technical Assistance Program for Socially Disadvantaged Farmers and Ranchers, methods of maximizing participation in USDA programs, and civil rights activities within the Department.

### **Support for Socially Disadvantaged and Beginning Farmers**

- **Beginning Farmer and Rancher Development Program** - Sec. 7410 provides \$75 million mandatory over 4 years to fund the grant program for beginning farmers and ranchers, with an additional \$30 million in annual discretionary authority.
- **Value-Added Producer Grant Program** - Sec. 6202 provides \$15 million in mandatory funds, to be available until expended, with 10 percent set-aside for socially disadvantaged and beginning farmers and ranchers, for grants to producers to add value to their products. It also authorizes further appropriations of up to \$40 million annually.

### **Forestry**

- **Cultural and Heritage Cooperation Authority** - Sec. 8101-8107 authorize reburial of human remains and cultural items on National Forest System land, including human remains and cultural items repatriated under NAGPRA; prevent disclosure of information regarding reburial sites as well as other culturally sensitive information under the Freedom of Information Act (FOIA); allow the temporary closure of Forest System land for traditional and cultural purposes with Secretarial approval; allow free gathering of forest products for cultural and traditional purposes; increase the availability of Forest Service programs and resources to Indian tribes; and aim to strengthen support of traditional practices in accordance with the American Indian Religious Freedom Act.

### **Access to Food and Nutrition**

- **Food Stamps** – The Nutrition Title renames the Food Stamp program the Supplemental Nutrition Assistance Program (SNAP) (Sec. 4002), increases program funding by \$3.1 billion, indexes SNAP benefits to inflation (Sec. 4102), expands program eligibility for military (Sec. 4101) and working families with childcare expenses (Sec. 4103), and excludes certain education and retirement assets from eligibility criteria (Sec. 4104).
- **Food Distribution Program on Indian Reservations** - Sec. 4211 allows for the

purchase of bison meat from (a) Native American bison producers, and (b) producer-owned cooperatives of bison ranchers, establishes a “Traditional and Locally Grown Food Fund” that allows the purchase of foods designated “traditional” or locally grown for inclusion into food packages, and supports the procurement of the foods by Native American farmers and ranchers up to 50 percent where practicable, and directs the Secretary of Agriculture to submit a report to Congress, within 180 days of enactment, that assesses the nutritional value of the FDPIR food package, how foods are selected, and how the Secretary plans to update the packages, and if not, why.

- **Farmers Market Promotion** - Sec. 10106 provides \$33 million in mandatory funding over five years, with a 10 percent set-aside for EBT implementation projects, to promote farmers markets.
- **Community Food Projects** - Sec. 4402 provides \$5 million mandatory funding over four years to community-based projects that meet the food needs of low-income individuals, increase the food self-reliance of communities, and promote comprehensive responses to local food, farm, and agricultural needs.
- **Geographic Preference Language** - Sec. 4302 allows local schools the flexibility to specify “local” as a bid requirement in purchasing foods for school meals with school meal program funding.
- **Locally Produced Agricultural Products** - Sec. 6015 provides priority for entities involved in local food distribution and marketing to receive USDA loan guarantees through the Rural Business and Industries Loan and Loan Guarantee program, and sets aside 5 percent of annual funds.
- **Healthy Food Enterprise Development Program** - Sec. 4402 establishes a Center within CSREES to provide outreach, technical assistance, and feasibility study grants to support the development of enterprises which distribute and market healthy and locally produced foods to underserved urban, rural, and tribal communities; funded at \$3 million mandatory over 3 years.

### **Equity for Minority Serving Educational Institutions**

The new law supports equity for minority-serving institutions including funding increases to the 1890 and 1994 Land Grant Colleges and Universities, as well as new capacity building grants to Hispanic-Serving Institutions to promote and strengthen their ability to carry out education, applied research, and related community development (Sec. 7128). It also establishes an endowment fund to provide funds to Hispanic-Serving agricultural colleges and universities (Sec. 7129), and a leadership program to recruit and train Hispanics and other under-represented groups in forestry and related fields (Sec. 8402).

#### ***About the Diversity Initiative***

*Our nation's agricultural producers are becoming increasingly ethnically diverse, yet USDA policies and programs historically and currently under serve socially disadvantaged farmers and ranchers and have long failed to recognize farmworkers as a part of agriculture. They have also*

*failed to provide opportunities to engage socially disadvantaged farmers and ranchers in providing culturally appropriate and nutritious food to our increasingly diverse population.*

*The Farm and Food Policy Diversity Initiative, formed in 2006, was designed to ensure that organizations serving people of color in the food system had the opportunity to link their own knowledge, experience and initiatives into a comprehensive agenda of food and agriculture policy proposals developed by the Farm and Food Policy Project. The Initiative supported the efforts of its partners—each with many years of experience—to strengthen and diversify the content of farm bill. Through their work, they built and strengthened bridges between the diverse leaders engaged in food and farm policy development with the overall goal of securing access to the same opportunities that have benefited other producers, as well as farmworkers and people of color rural and urban communities.*

*The Diversity Initiative commends Congress and the Administration for its diligent efforts and success in turning into law the many issues American Indian, African American, Latino and Asian-Pacific American producers and farmworkers have worked hard to ensure were addressed. The numerous and substantive provisions included in the 2008 Food, Conservation and Energy Act will help counteract lasting patterns of past discrimination and recognize the importance of investing in these producers and farmworkers.*

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