

**Overview of Black Farmers and Advocates Meeting**  
**January 6, 2022**  
**Zoom Call: 5:00 to 7:00pm EST**

On January 6, 2022, nineteen Black farmers and advocates assembled via Zoom for a discussion regarding efforts to achieve debt cancellation and direct payments for Black farmers as well as to dismantle institutional discrimination within the U.S. Department of Agriculture (USDA), the Farm Service Agency (FSA) county offices, and the county committee system. Participating farmers and advocates included: Lucious Abrams (GA), Bernice Atchison (AR), Rod Bradshaw (KS), Everlyn Bryant (AR), Dexter Davis (LA), Gary Grant (NC), Ariel Green, Esq. (LA), Willie Head Jr. (GA), Dr. Waymon Hinson (TX), Carolyn Jones (MS), Howard Gunn Jr. (FL), Lawrence Lucas (NJ), Tracy Lloyd McCurty, Esq. (DC), Carl Parker (GA), Angela Provost (LA), June Provost (LA), Gary Redding (NC), Eddie Slaughter (GA), and Lloyd Wright (VA).

Robert Binion (AL), Abraham Carpenter Jr. (AR), and Donual McCoo (TX) were unable to attend the discussion.

The discussion was chaired by Tracy Lloyd McCurty, Esq., Executive Director of the Black Belt Justice Center and Co-Organizer of the Black Farmers' Appeal: Cancel Pigford Debt Campaign. McCurty provided an in-depth historical roadmap of Black farmers' organizing efforts from the 1997 *Pigford v. Glickman* class action racial discrimination lawsuit to the present (this year marks the 25<sup>th</sup> Anniversary of the *Pigford* lawsuit debacle). The *Pigford* lawsuit did not uproot systemic anti-Black racism within USDA and thus the continuation of malfeasance directed at Black farmers at all levels of USDA, including the county committee system, the Office of Civil Rights, and the Office of the Secretary.

In 2018, Senator Elizabeth Warren engaged with advocates and farmers from the USDA Coalition of Minority Employees and the Justice for Black Farmers Group and expanded her public position as to the primary source of the steady erosion of the Black agricultural land base—shifting dramatically from the narrow analysis of heirs property to the persistent shenanigans of the USDA, which are well-documented in congressional hearings, investigative reports, peer-reviewed publications, and the lived experiences of Black farmers captured via archival footage and documentary film. Encouraging a community-based participatory policymaking process that included numerous Black farmers and advocates, Senator Warren produced a comprehensive policy platform to dismantle institutional discrimination within USDA. Senator Warren also engaged Senator Cory Booker and others in developing the Justice for Black Farmers Act, originally submitted to the Senate in 2020 and then refiled in 2021. This historic bill provided full debt cancellation, federal and state tax relief, and the return of debt offsets to *Pigford* legacy farmers. While the Justice for Black Farmers Act was never enacted, two pivotal sections of the bill were further developed by Senator Reverend Raphael Warnock and inserted into the American Rescue Plan Act of 2021 (signed into law in March 2021 by President Joe Biden).

These two sections combined, 1005 and 1006, provided debt cancellation and a \$1B Fund for outreach and other technical assistance services for farmers of color. Notably, the scope of debt cancellation expanded from *Pigford* legacy farmers to include farmers designated as Socially Disadvantaged Farmers and Ranchers (SDFR). Of significant importance, section 1006 also

included a provision to provide direct payments to farmers who had experienced USDA discrimination including farmers who had to pay USDA via private bank loans to maintain ownership of their multigenerational family farms.

A month after the passage of the American Rescue Plan Act, our coalition, backed by over a hundred signatories, submitted a letter to Secretary of Agriculture Thomas Vilsack urging for swift implementation of the \$5B debt cancellation and related services provisions of section 1005 and 1006 of the Act to alleviate the economic devastation caused by the COVID pandemic and exacerbated by decades of systemic racial discrimination by USDA against Black farmers and other farmers of color. Specifically, our coalition requested that Secretary Vilsack develop an inclusive implementation process rooted in a community-based participatory framework that valued racial equity, respect, humility, shared decision making, and knowledge democracy. Under this framework, USDA would be required to provide numerous opportunities to obtain meaningful input directly from Black farmers and other farmers of color regarding the implementation process for the \$1B Fund and to address the tax consequences of the debt cancellation. Our coalition also requested that Secretary Vilsack prioritize the restoration of Black farmers through financial compensation, land acquisition, and grantmaking for regenerative food and fiber re-entry and innovation.

White farmers backed by conservative political organizations filed numerous lawsuits in federal courts challenging the debt cancellation program for SDFR, which ultimately resulted in the halt of the debt cancellation program. As a result of the poor implementation of the debt cancellation program by Secretary Vilsack (over 100 days of inaction), justice was delayed once again for Black farmers. During this same period, Secretary Vilsack provided billions of dollars in funding to a variety of entities including the timber and meat-packing industries through the Commodity Credit Corporation (CCC) Fund (taxpayer dollars), and nonprofits through cooperative agreements, while continuing his inaction regarding the relentless economic suffering of Black farmers. One of Secretary Vilsack's most egregious decisions was funding 20 nonprofits \$75M in cooperative agreements from Section 1006 of the American Rescue Plan Act, ranging from \$2M to \$10M, with no oversight, accountability, nor transparency. Many of these nonprofits have received numerous cooperative agreements from USDA since 2021. Notably, none of the nonprofits that signed our coalition's letter back in April 2021 received funding; thus, creating a cloud of cronyism and political retribution over the stewardship of the \$1B Fund.

Eddie Slaughter, Black farmer from Buena Vista, Georgia, summarized a key meeting of Black farmers who met in Vicksburg, Mississippi in December 2021. The plan coming from this meeting was to secure a permit from the National Park Service for a Black farmer demonstration at Lafayette Park in Washington, DC on January 18, 2022 (the day after MLK Holiday). The demonstration would culminate in the demand for Secretary Vilsack's resignation; the return of farmlands and debt offsets to Black farmers; issuance of direct payments to Black farmers; and Operation Exodus (withholding support from the Democratic Party if these demands are not met). To date, Mr. Slaughter has secured a permit from the National Park Service. However, the National Park Service has placed a variety of obstacles in the way including where to disembark the buses (Union Station), the potential for arrests, the absence of restroom facilities, and the absence of garbage cans.

Mr. Slaughter also reported that the situation in Georgia with several farmers having liens placed on their crops has been resolved with the assistance of the newly appointed Georgia State Executive Director for FSA, Arthur Tripp Jr. Our group sought the intervention of the Senate Agriculture Committee and USDA after we were made aware of several cases of USDA loan officers in Georgia accelerating the loans and issuing foreclosure notices against Black farmers in violation of President' Biden's existing USDA foreclosure moratorium.

A meeting has been tentatively scheduled with Senator Reverend Warnock, key representatives from USDA including Secretary Vilsack, and Dr. Dewayne Goldmon, Senior Advisor for Racial Equity to Secretary Vilsack, and a hand-selected group of five Black farmers from Georgia. One farmer in particular, Willie Head, Jr., Black farmer from Pavo, Georgia, was dismissed as a potential attendee. The group affirmed the importance of Senator Reverend Warnock and USDA meeting with all farmers and not just Georgia farmers. This was particularly insulting to the group. The group also affirmed a commitment to unity and not falling into the political trap of divide and conquer. We espouse a systemic approach to resolving the problems at USDA and not a band aid on a cancer. We also understand the crisis of Black farming and refuse to wait for racial equity and human progress—twenty-five years is long enough.

Several farmers and advocates addressed the issues of a specific set of demands as well as a well-defined strategy. The history of the Justice for Black Farmers Group's engagement with Secretary Vilsack is well-documented in the four letters the USDA Coalition of Minority Employees and the Justice for Black Farmers Group sent Secretary Vilsack during the first year of his third term. Combined, the advocacy letters reveal entrenched institutional discrimination within USDA as well as Secretary Vilsack's continued abysmal track record of civil rights, inaction, and indifference toward Black farmers. These letters have not been answered by Secretary Vilsack or the Biden-Harris Administration. The Office of Inspector General's September 2021 USDA Oversight of Civil Rights Complaints audit report (the report evaluated the Office of the Assistant Secretary for Civil Rights' (OASCR) controls over the civil rights complaints process) is the latest incriminating report as to the dysfunctions and failures of the Office of Civil Rights. The report found that OASCR did not timely process civil rights program complaints. Specifically, in fiscal year 2019, OASCR averaged 799 days to process program complaints compared to the 180-day standard. Dubiously, the report was heavily redacted "due to concerns about the risk of the circumvention of the law."

The group agreed that the Equity Commission authorized by section 1006 in the American Rescue Plan Act is a complete waste of taxpayer dollars (\$10M was allocated for the Commission) given the numerous published reports and previous commissions constituted that have been disregarded over the decades including during Secretary Vilsack's previous eight-year tenure. During his previous tenure as Secretary of Agriculture, Secretary Vilsack failed to implement any of the recommendations that were offered by many. Continuing USDA's decades-long legacy of inaction, the Equity Commission will not publish its final report until 2023 and thus should be viewed as an ineffective sham. Several of the farmers recalled how Secretary Vilsack wrongly and hastily fired Shirley Sherrod, Georgia State Director for Rural Development, back in 2010 due to false allegations of discrimination against white farmers but took no action against any of the racist USDA loan officers with well-documented complaints of discrimination and racial animus against Black farmers.

Several farmers articulated their own history of abuses, unconscionable amounts of dollars in debt offsets, the years of engaging in battle(s) for justice, and the failures of USDA to settle their discrimination cases. Rod Bradshaw, Black farmer from Jetmore, Kansas, shared that the USDA took over \$186K in debt offsets from him since the *Pigford* lawsuit debacle. Mr. Bradshaw stressed that Secretary Vilsack has the authority to pay Black farmers through the CCC Fund. The farmers voiced the pivotal importance of debt cancellation with planting season, acceleration letters, and offsets continuing. Currently, the disparities in debt offsets are being investigated by the Harvard Law School Food Law and Policy Clinic and the Center for Public Integrity.

The need for a specific set of demands was affirmed as was a clearly defined strategy. The demands were as follows:

- 1) Secretary of Agriculture Thomas Vilsack's resignation;
- 2) Debt cancellation for those with direct loans and guaranteed loans as well as those who used private bank loans to pay off indebtedness to USDA;
- 3) Debt cancellation via section 1005 that does not center white farmers and provides 100 percent debt cancellation for Black legacy and beginning farmers;
- 4) \$750M direct payments to Black farmers via the Commodity Credit Corporation (CCC) Fund or the American Rescue Plan Act with no cap on payments;
- 5) Prioritizing wealth creation;
- 6) Resolving the 14K discrimination complaints that remain;
- 7) Address the use of the CCC Fund to restore Black farmers and their agricultural land base;
- 8) Address county committee and OASCR dysfunctions and injustices;
- 9) Remove the Office of General Counsel from Civil Rights affairs; and
- 10) Address accountability, transparency, and oversight within USDA.

The strategies that were agreed upon were as follows:

- 1) Community over Chaos;
- 2) Dictate the conditions of meeting with Senator Reverend Warnock on Monday, January 10, 2022;
- 3) Insist on USDA and Senator Reverend Warnock having a meeting with all Black farmers and not just Georgia farmers;
- 4) Keep the date for the DC farmer demonstration at Lafayette Park on the books and issue a Press Statement at an appropriate time relative to its cancellation;
- 5) Release documents relative to this meeting to illustrate transparency, accountability, oversight, and community; and
- 6) Demand that the Biden-Harris Administration address unresolved issues with discrimination against Black farmers.

These demands and strategies were unanimously approved by the farmers and advocates. We agreed to draft a letter to Senator Reverend Warnock requesting that the meeting be expanded to include Black farmer representatives and advocates from various states and be made public through Zoom so that the larger Black farmer community can participate in the discussion. The

group decided unanimously not to participate in the meeting in Georgia with Secretary Vilsack, Dr. Dewayne Goldmon, and Senator Reverend Raphael Warnock.

We remain committed to changing the plantation culture at USDA.

An overview of the meeting will be provided to the attendees and larger Black farming community.

*Attached is the overview, letter from Mr. Eddie Slaughter, and summary of the OIG audit report.*