



Office of the Secretary
Washington, D.C. 20250

March 25, 2022

The Honorable Raphael Warnock
United States Senate
388 Russell Senate Office Building
Washington, D.C. 20510

Dear Senator Warnock:

Thank you for your letter of December 10, 2021, concerning the United States Department of Agriculture's (USDA) implementation of the American Rescue Plan Act of 2021 (ARPA).

ARPA responds to decades of well-documented discrimination against socially disadvantaged farmers and ranchers by the USDA. Specifically, Section 1005 of ARPA includes provisions for USDA to pay up to 120% of outstanding loan indebtedness, as of January 1, 2021, for certain Farm Service Agency (FSA) Direct and Guaranteed Farm Loans and Farm Storage Facility Loans to any socially disadvantaged farmer or rancher who has a qualifying loan with the FSA. Since passage of ARPA, FSA works intensively on the implementation of this program; as you noted in your letter, however, preliminary injunctions issued in federal district court cases have halted the agency from making debt relief payments.

Since the beginning of this Administration, FSA provided all direct borrowers, including historically underserved borrowers, with additional loan servicing options to help cope with the challenges of the pandemic. We take steps to ensure all USDA's borrowers have the information and assistance to understand their options and make sound decisions. We ensure our staff around the country fully understand and abide by USDA's guidance issued on January 27, 2021, to suspend all debt collection, foreclosures, and adverse actions for distressed borrowers under the Direct Farm Loan and Farm Storage Facility Loan Programs administered by USDA's FSA during the COVID-19 pandemic.

Additionally, after learning producers were denied Marketing Assistance Loans because of existing procedures related to the Debt Collection Improvement Act (DCIA), I moved to waive the implementation of these procedures. FSA works to ensure our customers are aware the Agency will treat the denial due to the DCIA of previously denied and new Marketing Assistance Loans, Loan Deficiency Payments, and Farm Storage Facility Loans as an adverse action during this COVID-19 pandemic suspension period. FSA directed field staff to allow additional flexibility in releasing collateral proceeds to cover essential farm and family living expenses. USDA works with agencies to maximize flexibility for producers impacted by the COVID-19 pandemic.

The Honorable Raphael Warnock
Page 2

I will be the first to acknowledge USDA has continued work to do, and I appreciate your partnership in ensuring our staff can support producers in Georgia, and across the country, who have been historically underserved by the USDA. I want to thank you and your staff for welcoming me to Georgia on January 10, 2022, and giving me the opportunity to participate in a small roundtable discussion with leaders and producers. I deeply value the opportunity to hear directly from leaders and producers in Georgia. I am glad I was able to share USDA's commitment to doing better by producers who have previously been left out of our programs. Moreover, I was pleased USDA staff were able to join for a subsequent virtual meeting on February 17, 2022, with Georgia farmers who had been unable to join in person in January due to scheduling conflicts and COVID concerns.

USDA remains committed to engaging stakeholder organizations and producers through virtual webinars, meetings, and newsletters. Through cooperative agreements with our partner organizations, we provide an additional layer of outreach and technical assistance for historically underserved producers across the country, including 10 such organizations funded by the FSA in Georgia. Additionally, USDA's Office of Partnerships and Public Engagement is leading the strategy on outreach and engagement across all USDA agencies, including FSA. Efforts are underway to announce goals for outreach and technical assistance related to Section 1006 of the ARPA.

Finally, I wanted to share we announced the members of the newly established Equity Commission and its Subcommittee on Agriculture, both authorized and funded by ARPA, which includes representation from Georgia. The Committee held its first public meeting on February 28, 2022. USDA acknowledges we have not done enough to provide all farmers and ranchers an equal chance of success and prosperity, and we strive to change that. This Commission will support our work to build a USDA which does not ignore or leave anyone behind as we dismantle barriers historically underserved communities have faced in accessing USDA programs and services.

I assure you each day, USDA continues to work within our authority to assist our producers and enhance equity in our policies and implementation of programs. We appreciate you reaching out and look forward to working with you to address historic discrimination at USDA and chart pathways to progress and equity.

Again, thank you for your letter.

Sincerely,



Thomas J. Vilsack
Secretary