



Office of the Secretary
Washington, DC 20250

June 28, 2023

THE HONORABLE BENNIE G. THOMPSON
Congressman
U.S. House of Representatives
2466 Rayburn House Office Building
Washington, DC 20515

Dear Congressman Thompson:

Thank you for your letter of May 30, 2023, cosigned by your colleagues requesting the U.S. Department of Agriculture (USDA) provide racial demographics for applicants and participants for programs implemented by USDA.

First and foremost, I would like to extend my appreciation to you and your colleagues for your efforts to ensure there is transparency and accountability within our government agencies, and specifically in the design, implementation, and accessibility of USDA programs for every American. I am committed to ensuring all USDA customers feel welcomed, valued, and supported.

While the Transparency and Accountability provision in section 14006 of the 2008 Farm Bill outlines annual requirements for USDA to provide racial demographics for applicants and participants for programs implemented by USDA, it does not supersede the Privacy Act of 1974. USDA customers are not required to share private demographic information when applying for USDA programs. Therefore, USDA agencies can only transmit information that was voluntarily provided by producers, farmers, and ranchers.

To implement the provisions of the 2008 Farm Bill, USDA's National Agricultural Statistics Service (NASS) maintains USDA's Race, Ethnicity, and Gender Program Statistics Database, referred to as REGStats. REGStats is a database hosted by NASS that houses data provided by USDA Mission Areas and Agencies. As program participation data is provided, NASS updates the REGStats database. As of June 12, 2023, all data received by NASS from Mission Areas and Agencies has been updated within the REGStats database. The public may access the REGStats dataset at <https://www.regstats.usda.gov/>. The REGStats database is not very user-friendly, and my staff is reviewing how we can improve it.

Outside of REGStats, USDA agencies have also maintained and reported their own Agency-level participation data on their publicly accessible websites. For example, the Farm Service Agency (FSA) reports data on the agency's loans to beginning, veteran, and socially disadvantaged producers on its website (which you can access at: [USDA Loan Programs & Services](#)). FSA has also closely monitored underserved producer participation in its programs and made specific changes and investments to ensure equitable participation in its programs.

Notably, at the start of the Biden-Harris Administration, we learned, under the previous Administration's Coronavirus Food Assistance Program (CFAP), only four percent of funding went to socially disadvantaged farmers (among those who identified their race and/or ethnicity). After identifying this gap, along with others, in previous COVID-19 relief funding, USDA announced Pandemic Assistance for Producers, an initiative focused on distributing and directing resources more equitably, particularly to the people and sectors who traditionally faced barriers in accessing USDA assistance. Among other funding opportunities, the Pandemic Assistance for Producer initiative included reopening sign-up for CFAP 2, along with \$2 million to establish partnerships with organizations to provide outreach and technical assistance to historically underserved farmers and ranchers. CFAP 2 saw an approximately 21 percent increase of CFAP enrollment applications from socially disadvantaged producers. More recently, FSA also made automatic CFAP top-up payments to underserved producers. Data on all CFAP 2 payments, including the top-up payments, is available on [Farmers.Gov](https://www.farmers.gov).

In addition to the data FSA provides, USDA's Natural Resources Conservation Service (NRCS) reports data using new data visualization tools on its website (which you can access at: [NRCS Resources Data & Reports](#) and the Rural Development (RD) Mission Area reports data on rural investments in socially vulnerable communities on its website as well (which you can access at: [RD - Rural Data Gateway](#)). Wherever possible, USDA will continue to report data on underserved producer participation in its programs to ensure transparency and accountability. This information is not only important to our stakeholders and the public, but also to our employees, who continue to work hard to make improvements to the programs they administer, to ensure they are available and accessible to all who may need them.

I also want to provide an update on the Department's work with the USDA's Equity Commission ([USDA.Gov/Equity](https://www.usda.gov/equity)) to implement their recommendations to increase transparency through annual compliance reviews and equity audits. USDA continues to cultivate a learning culture whereby evidence is available, accessible, and used at all levels of the organization, and we are working to strengthen our evidence gathering capacity to better support data-driven decisions and program implementation. Specifically, USDA is focused on strengthening data collection, performance measure design, and formal program evaluation so these efforts incorporate an equity lens in the initial design. For example, FSA's Farm Programs Deputy Area has established a new data team to query data, build reports, and develop interactive dashboards, including numerous data calls from diversity and race, ethnicity, and gender reports. The work of this team supplements the work of another team that already exists within FSA's Farm Loan Programs Deputy Area that analyzes customer loan data and policy needs. Both the Farm Programs and Farm Loan Programs Deputy Areas' diversity dashboards are internal, as they include detailed statistics on participation, loan obligations, and payment rates to underserved producers. The dashboards provide critical information to FSA that informs the agency's outreach efforts and is helping guide the agency in the creation of other tools to better communicate its programs and services to all producers.

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Finally, as of April 15, 2023, the Office of the Assistant Secretary for Civil Rights has implemented a new program complaint data tracking system to monitor accountability. Complaint processing times are tracked and reported through the new case tracking Civil Rights Management System (CRMS). OASCR implemented a goal to reduce average processing time for program discrimination complaints from 464 days to 225 days.

USDA recognizes critical work remains to ensure program participation data is available to the public in a manner that is accessible and easy to understand, while maintaining our customers' privacy. We appreciate the recent investments you and your colleagues have made to improve the lives of farmers and ranchers and the communities they call home. As I offered to you and other CBC Members when we met in person last week, my staff is happy to provide a briefing on these issues to complement this written response. If you have additional questions or to arrange for a briefing, please have a member of your staff contact the USDA Office of Congressional Relations at (202) 720-7095. A similar response has been sent to your colleagues.

Sincerely,

THOMAS J. VILSACK
Secretary