



ORGANIC FARMING RESEARCH FOUNDATION

Fostering the improvement and widespread adoption of organic farming.

August 13, 2021

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Director, Office of Intergovernmental & External Affairs
U.S. Department of Agriculture
1400 Independence Ave SW
Washington DC 20250

Re: *Federal Register* Docket 2021-12612

The Organic Farming Research Foundation (OFRF) appreciates the United States Department of Agriculture (USDA) accepting public comments on its implementation of Executive Order 13985. Among federal agencies, USDA has a well-documented history of discrimination and OFRF is pleased the Department is making efforts to remedy its discriminatory past. By identifying barriers in USDA programs and services and seeking input on ways to reduce and eliminate those barriers, OFRF hopes that USDA can become an integral part of creating a more just and equitable food system.

OFRF is a national non-profit organization that works to foster the improvement and widespread adoption of organic farming systems. OFRF cultivates organic research, education, and federal policies that bring more farmers and acreage into organic production. Over the past 27 years, OFRF has awarded over 300 small grants (totaling over \$3 million) to producers and researchers trialing innovative organic strategies to build soil health and fertility; manage pests, plant pathogens, and weeds; and develop improved crop cultivars for organic farming systems. Many of these grants provided seed money for initial “proof of concept” studies that established a foundation for larger endeavors funded by the USDA and other sources, and led to substantial practical outcomes for organic producers and others.

Agriculture in the United States originated with farmers and ranchers who identify as Black, Indigenous, and People of Color (BIPOC).

Agriculture in the Americas occurs on land stolen from Indigenous people and is possible because those with advanced agricultural knowledge were brought, against their will, to the Americas and forced into chattel slavery. As a result, much of the knowledge, skills, and traditions relied upon today originated from theft and oppression.

Although not often acknowledged, traditional Native American food production systems include many advanced climate-mitigating and resilience practices, including “terra preta” soil management systems in the Amazon Basin of South America, the forest gardening methods in place in eastern North America before the arrival of Christopher Columbus, and the “three

sisters” polycultures adapted to various humid to semiarid agro-ecoregions by several Native American Tribes.

Similarly, the African Diaspora has made tremendous contributions to our knowledge of best sustainable, organic, soil-building, and climate-friendly farming systems. For example, at the beginning of the 20th Century, George Washington Carver of Tuskegee University taught and promoted key soil health practices such as crop diversity, cover cropping, and return of organic residues to the soil, which have been codified in the National Organic Program standards and promoted through Natural Resource Conservation Service (NRCS) conservation programs.

It is vital that USDA acknowledge these contributions as foundational to farming and ranching today, and appropriately compensate BIPOC producers and BIPOC-led organizations for their continued contributions to our shared existence. For example, when land races and other genetic resources that have been stewarded and maintained by Indigenous communities or through the African Diaspora, Latinx, Hmong, or other ethnic minority agricultural traditions are used to develop new crop cultivars or livestock breeds through USDA programs, the original stewards of this germplasm must be fully recognized and compensated, and not made invisible nor exploited through intellectual property provisions that privatize genetic resources for the benefit of white-majority entities or corporate interests. In addition, USDA research programs, especially Organic Agriculture Research and Extension Initiative (OREI), Organic Transitions (ORG), Sustainable Agriculture Research and Education (SARE), and Specialty Crops Research Initiative (SCRI) should add to their priorities the study, validation, and modernization of Indigenous, African, and other ethnic traditional agricultural, food, and land management systems that exemplify high levels of sustainability and make vital contributions to environmental, resource, and climate stewardship as well as food security. Requests for Applications should specifically invite proposals from BIPOC applicants to conduct research, education, and outreach endeavors to restore and advance these vital traditional systems.

Responses and Recommendations

As a member of the National Sustainable Agriculture Coalition (NSAC), OFRF agrees with and reiterates the comments submitted by NSAC. In addition, OFRF offers the following specific comments in response to each question noted below.

General Questions

4. Are there USDA policies, practices, or programs that perpetuate systemic barriers to opportunities and benefits for people of color or other underserved groups? How can those programs be modified, expanded, or made less complicated or streamlined, to deliver resources and benefits more equitably?

Historically, USDA and the programs it operates have been designed to benefit white people. In this regard, systemic inequity is baked into each policy, practice, and program at USDA and remedying that inequity will require vast, systemic changes.

While funds set aside specifically for socially disadvantaged farmers and ranchers are an important step towards achieving equity and eliminating existing barriers, the USDA must also make systemic changes that ensure the ideologies that led to historic discrimination and Civil Rights violations are purged from the Department. This public comment period is an important first step in identifying barriers, and any subsequent actions should look at the root cause of any particular barrier, not just cosmetic, programmatic shifts that can be easily undone by future administrations.

Train SES Employees and Include Equity in their Performance Management

All employees in the Senior Executive Service (SES) should be required to complete an equity audit of all programs and operations they oversee, and develop a subsequent equity action plan that creates actionable steps to remove identified barriers. Members of the SES are tasked with serving as the link between career civil servants and political appointees at the Department, yet many of them remain woefully uninformed about the Department's discriminatory past. Without knowing about this history, members of the SES are ill-equipped to remedy the harms and ensure fair and equitable treatment moving forward. Therefore, members of the SES are integral to eliminating barriers to access at the Department.

All SES members should be required to undergo extensive, third-party training about systemic inequities in general, and specifically, the Department's inequitable treatment of BIPOC customers. In order to ensure objectivity, the training should be completed by a professional third-party capable of conducting such trainings, such as the Kirwan Institute at Ohio State University, and to the degree they are willing, include the voices of those who have historically been denied access at the Department. Any such training must go well beyond a typical AgLearn course.

After completing this training, SES members should be required to complete an equity audit that closely examines all programs and operations under their control, and identifies ways in which, historically and at present, systemic inequity has prevented BIPOC customers from accessing those programs. Once this audit is complete, these members should then come up with an equity action plan that identifies at least one remedy for each and every barrier. Progress in enacting the equity action plan should be made an integral part of each SES member's annual performance review, and those who fail to make progress should be removed from their positions.

Refuse Grants to States that Don't Equitably Fund 1890 and 1994 Land Grant Universities

In any and all grant making processes, USDA should refuse to make grants to any 1862 land grant university where the state government fails to equitably fund--including equitable matching funds--any 1890 or 1994 land grant university in that state. Along with a history of discrimination at USDA, BIPOC farmers and ranchers have also been discriminated against by state governments who provide greater funding to primarily-white serving 1862 land grant colleges and universities and significantly less funding to 1890 and 1994 land grant colleges and

universities that specifically serve BIPOC students. By making equitable state funding a condition of grant applications, USDA will be reducing inequitable funding barriers and rewarding states who treat BIPOC-serving institutions equally.

Substantially Increase Technical Assistance

Given the Department's history and the lack of trust that exists between historically underserved communities and the USDA, the Department should substantially increase technical assistance across all programs and services. The American Rescue Plan Act appropriated \$3.6 billion to improve supply chain resiliency and help small and mid-sized producers through the pandemic. In May 2021, 50 members of Congress urged USDA to allocate \$300 million of this money specifically to technical assistance. Because many underserved customers are unfamiliar with USDA programs, technical assistance through BIPOC-led organizations would be an effective way to reach those who have previously been unable to access USDA programs.

Similarly, the technical assistance budget for NRCS should be substantially increased, and NRCS should partner with BIPOC-led organizations to provide effective conservation technical assistance to BIPOC producers. With NRCS's recently-stated priorities on racial equity and urban agriculture, as well as climate change mitigation and resilience, expanded technical assistance can and should be prioritized for urban farming and community gardening endeavors that provide healthful food and climate-mitigating green spaces for communities of color.

Meaningfully Diversify All Boards, Committees, and Advisory Groups

The USDA relies heavily on input from a number of boards, committees, and advisory groups. For example, the Farm Service Agency relies on county committees to operate many farm programs. The National Organic Program relies on recommendations from the National Organic Standards Board. And many specialty and commodity crops rely on marketing and promotion boards. The Secretary has the authority to appoint members to these boards and should make sure that each and every appointment during his tenure adds diversity to the board, committee, or group. In addition, wherever possible, the Secretary should ensure that a majority of a board or committee's members represent historically underserved communities. Without a majority of members representing the wonderfully diverse communities that make up the country, the boards and committees will continue to represent the interests of those already served by the Department—namely white male landowners.

Hire and Welcome a Representative Workforce

From specialists who interact directly with customers to members of the SES who make policy decisions, the USDA's workforce should be representative of *all* those who desire to participate in the Department's programs. USDA can build a pipeline of diverse employees by working with 1890 land grant universities, Hispanic-serving institutions, and Tribal colleges and universities to develop a diverse workforce. Using Pathways internship opportunities as well as those offered by organizations like the Hispanic Association of Colleges and Universities (HACU) and the Thurgood Marshall College Fund (TMCf), USDA can train the next generation of USDA leaders.

In addition to hiring more BIPOC employees, USDA must create an environment where BIPOC employees feel welcome and their contributions are valued. The programs during special emphasis months (e.g. Black History Month) are an important way to recognize the contributions of diverse communities, but creating a welcome environment goes well beyond a celebration one month out of the year. All employees should be required to take an annual course that adequately explains USDA's history of discrimination, including the long-term impact of that discrimination and how it led to structural inequity in food and agriculture today, so they understand how BIPOC employees and customers may feel when they interact with the Department. In addition, each employee should complete an annual implicit bias training so they understand how their actions, albeit unintentionally at times, may make BIPOC employees feel unsafe and uncomfortable.

5. How can USDA establish and maintain connections to a wider and more diverse set of stakeholders representing underserved communities?

Given the lack of trust that a lot of diverse communities have in the USDA, establishing and maintaining meaningful connections to these groups will, understandably, take significant time and effort. USDA has historically worked well with industry trade groups and many members of the SES routinely rely on these trade groups for input. As part of an equity audit and action plan, each member of the SES should be required to identify the stakeholder groups that represent underserved customers related to their specific programs, and routinely meet with them for the same assistance and input they seek from established trade groups.

6. Please describe USDA programs or interactions that have worked well for underserved communities. What successful approaches to advancing justice and equity have been undertaken by USDA that you recommend be used as a model for other programs or areas?

Hiring a representative work force of beginning farmer and rancher coordinators in both NRCS and FSA has been a useful approach for reaching BIPOC customers. Increasing the number of these coordinators and giving them broad authority to help BIPOC customers successfully navigate USDA programs would be helpful. The outreach should expand beyond just notifying people of existing programs to actually helping complete the application process for those who request it, including agency follow-up to ensure the application is successfully processed without discrimination.

7. Does USDA currently collect information, use forms, or require documentation that impede access to USDA programs or are not effective to achieve program objectives? If so, what are they and how can USDA revise them to reduce confusion or frustration, and increase equity in access to USDA programs?

Workspace is a very onerous program. The number of steps to set up and then apply for a grant involves multiple instruction guides and has very specific pdf upload requirements. Just the submittal process takes hours of uploading and deciphering requests from applications. It seems there could be a simpler system that doesn't require so many of the compliance attachments and information upfront in applying, particularly since applicants have to resubmit all of that once they are given an award. A program, from beginning to end, that doesn't request duplicate documents, would be helpful.

13. How can USDA remove or reduce barriers that underserved communities and individuals face when they participate or attempt to participate in agency procurement and contracting opportunities?

Cooperative agreements where the USDA reaches out to groups whose mission is to serve underserved communities is a better option than throwing everything into competitive grant opportunities, where organizations with fundraising and grant writing capacity are the only ones that can get through the process and are likely to be more competitive despite the fact that their primary clientele isn't typically underserved communities and individuals.

We thank you for the opportunity to submit these comments and look forward to monitoring the Department's progress on working towards racial justice. Please feel free to reach out to Trevor Findley at trevor@ofrf.org if you have any questions.

Thank you,



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