The U.S. Department of Agriculture (USDA) Equity Commission was convened for its third meeting on September 21st, 9am Central Standard Time, at the University of Arkansas, Pine Bluff. Co-Chairs Dr. Jewel Bronaugh and Arturo S. Rodriguez presided over the meeting along with Designated Federal Officer, Cecilia Hernandez.

In accordance with the provisions of Public Law 92-463, the meeting was open to the public from 9:00am to 4:30pm CST on September 21st and 9:00am to 4:30pm CST on September 22nd.
**Day One – September 21, 2022**

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<th><strong>Equity Commission Members</strong></th>
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<td>Co-Chair Bronaugh</td>
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<td>Co-Chair Rodriguez</td>
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<td>Shorlette Ammons</td>
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<td>Todd Corley</td>
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<td>Ertharin Cousin</td>
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<td>Derrick Johnson</td>
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<td>Yvonne Lee</td>
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<td>Elizabeth Lower-Basch</td>
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<th><strong>Agriculture Subcommittee Members</strong></th>
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<td>Dr. Gina Eubanks</td>
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<td>Janssen Hang</td>
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<td>PJ Haynie III</td>
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<td>Savi Horne</td>
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<td>Michelle Hughes</td>
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<td>Kari Jo Lawrence</td>
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<td>Erica Lomeli Corcoran</td>
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<td>Cheryal Hills</td>
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<td>David Carrasquillo-Medrano</td>
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<td>Calvin Allen</td>
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<td>Lakota Vogel (Virtual)</td>
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<td>Valerie (Mann) Beel</td>
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<td>LaTonya Keaton</td>
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<th><strong>USDA Staff in Attendance</strong></th>
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<tr>
<td>Cecilia Hernandez, Designated Federal Officer</td>
<td>Gbenga Ajilore, Senior Advisor, Rural Development</td>
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<tr>
<td>Rick Gibson, Senior Council</td>
<td>Eric Deeble, Deputy Assistant Secretary for Congressional Relations</td>
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<td>Dr. Dewayne Goldman, Senior Advisor for Racial Justice and Equity</td>
<td>Leslie Weldon, Acting Chief Diversity and Inclusion Officer</td>
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<td>Claudette Fernandez, Director of Program Equity</td>
<td>Heather Dawn Thompson, Director of the Office of Tribal Relations</td>
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<tr>
<td>Janie Hipp, General Counsel</td>
<td>Gloria Montaño Greene, Deputy Under Secretary for Farm Production and Conservation</td>
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<tr>
<td>Zach Ducheneaux, Administrator of the Farm Service Agency</td>
<td>Marcus Graham, Deputy Administrator for Field Operations</td>
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*Attendance list for members of the public can be found [here](#).*
1. Opening of the Meeting

- **Designated Federal Officer (DFO) Hernandez** called the 3rd Public Meeting of the Equity Commission meeting to order and took attendance.
- **Co-Chair Bronaugh** welcomed the members and thanked the University of Arkansas Pine Bluff for hosting the meeting.
- **Co-Chair Rodriguez** welcomed the members and thanked members for the work they did over the summer to develop recommendations to ensure all people in the agriculture industry are represented in a fair and equitable way.
- **Dr. Laurence B. Alexander (Chancellor of the University of Arkansas Pine Bluff)** welcomed the USDA Equity Commission to the State of Arkansas and to the University of Arkansas Pine Bluff.
- **Dr. Bruce McGowan (Interim Dean of Agriculture, Fisheries and Human Sciences)** welcomed USDA and the distinguished members of the Commission to the State of Arkansas and the City of Pine Bluff.

2. Introduction of the Rural Economic Development Subcommittee (RCED)

- **Co-Chair Bronaugh** welcomed the new members of the Rural Community Economic Development (RCED) Subcommittee and spoke to their future contributions and recommendations for systemic change at USDA. Co-Chair Bronaugh provided an overview on the purpose of the new RCED Subcommittee and the goals.
- **DFO Hernandez** introduced each member of the RCED Subcommittee and opened the floor for all Commission and Subcommittee members to introduce themselves.
- **Member Holland** provided background on his business and the issues he faces in his community. He also shared that he is looking forward to addressing those challenges with the Equity Commission.
- **Member Horne** welcomed the members of the RCED Subcommittee and expressed how important Rural America is and the issues they are facing.
- **Member Carrasquillo-Medrano** thanked USDA for the opportunity to serve and for helping amplify the voices of the many groups that are usually left out.
- **Member Hills** expressed gratitude for the opportunity to serve and be part of this effort.
- **Member Stanger-McLaughlin** gave a brief background on a few of the RCED members who currently were not in attendance such as: Lakota Vogel, Doug O’Brien, and Terry Rambler.
- **Member Christoffersen** expressed gratitude to be serving on the RCED Subcommittee.
3. Compilation of Historical Recommendations
   - Dr. Dewayne Goldmon (Sr. Advisor for Racial Justice & Equity, USDA) presented on the status of the Compilation of Historical Recommendations.
   - Zach Ducheneaux (Administrator for USDA’s Farm Service Agency) gave an overview of issues with County Committees.
   - Marcus Graham (Deputy Administrator for USDA Field Operations) provided more insights on County Committees.
   - Member Carrasquillo-Medrano asked if it was possible for USDA to provide a high-level overview of the decision-making path to the public.
   - Member Sias-Hernandez asked for a definition of the governmental processes theme because it was the second to the lowest number of implementations on the report.
   - Dr. Dewayne Goldmon responded that the Governmental Processes theme identifies any historical recommendations that have to do with processes established by the federal government/USDA such as application processes, Diversity, Equity, Inclusion, and Accessibility (DEIA), or the Secretary’s decision to appoint voting members to a County Committee based on representation.
   - Member Wynn asked if there has been any movement around increasing the use of hybrid work to recruit talent.
   - Leslie Weldon (Acting Chief Diversity and Inclusion Officer, USDA) answered Member Wynn’s question on recruiting talent and Member Hernandez’s previous question on Governmental Processes.
   - Member Haynie III asked if there was any update on the voting rights of minority Advisors.
   - Member Lomeli Corcoran requested that USDA add the words “farmworker” to get a complete reflection of the agriculture system.
   - Co-Chair Bronaugh presented a few remarks before the lunch break.

4. Interim Report Writing Team
   - DFO Hernandez thanked the following members of the Interim Report Writing Team: Charlie Rawls, Toni Stanger-McLaughlin, Michelle Hughes, Elizabeth Lower-Basch and Dr. Mireya Loza.
   - Member Rawls gave an overview of the current status of the Interim Report.
5. Summer Workgroup Updates

- **Member Corley** gave a high-level overview of how the summer work group was formed and how they worked together.
- **Member Rainey** explained how the process of the summer work group was to refine specific core areas and give a little more background.
- **Member Sias-Hernandez** gave a detailed explanation of the process and intersectional opportunity for work.

6. Workgroup Presentations

- **DFO Hernandez** provided an overview of the presentation process and purpose of this portion of the meeting – members were to present the recommendation, then allow for a question-and-answer section to provide more clarity over each recommendation. She emphasized that deliberations would take place on Day 2 of the meeting.

**Access Workgroup Presentation (See slides for full recommendations)**

**Recommendation #1**

Ensure equitable access to information and knowledge including 1:1 matching for land grant universities, federally designated Minority Serving Institutions, and Hispanic Serving Agricultural Colleges and Universities, and Community Based Organizations.

- **Member Racelis** provided the historical context of disparities in land-grant funding and introduced the Workgroup’s recommendation to enhance equity in funding.
- **Member Reed** requested clarification about the land grant universities mentioned in the recommendation.

**Recommendation #2**

Provide non-loan options for producers to prevent the creation of heirs’ property and reduce the barriers this type of land ownership encounters when accessing USDA programs.

- **Member Stephens** presented on non-loan options for producers to prevent the creation of heirs’ property and to reduce barriers that this type of land ownership encounters when accessing USDA programs.
- **Member Horne** inquired if Rural Development (RD) could be added on to the heirs’ property recommendation to be a resource and intervention to help the population of people living in colonias in Texas (communities along the Texas-Mexico border) to gain title to their homes. Member Horne clarified she will recommend language around home ownership to expand the existing heirs’ property language around farmland if not already included.
• **Member Stephens** responded in agreeing that heirs’ property does not just affect producers. Member Stephens elaborated that heirs’ property is really from an economic vantage point, not a racial vantage point.

• **Member Haynie III** asked if there are states that have been targeted or identified for this pilot and if so what other states.

• **Member Stephens** responded that Alabama and South Carolina are the pilot states that are setting aside funding. She is not aware of any other states piloting this effort.

• **Member Haynie III** recommended that if there were to be other states considered for a pilot that they focus across the Black Belt, similar to the StrikeForce initiative, where there are higher concentrations of African American farmers, landowners, and heirs’ property issues.

• **Member Holland** requested clarification on the issue of heirs’ property.

• **Member Stephens** clarified that the process is challenging, depending on how many generations have been involved as well as lawyers. She continued to explain that part of the issue was to not have families be completely on the hook for a loan, but wanted to include a grant side to the loan. She added that there is a need for the loan process but suggested a grant program for legal services and education.

• **Member Holland** asked for a further clarification on whether the Commission is recommending support to the families that are going through the heirs’ property issues.

• **Member Stephens** clarified that the recommendation is to make the grants to the nonprofits and community-based organizations who will then provide the education and legal services to the landowners.

• **DFO Hernandez** called on Member Lawrence and Member Stanger-McLaughlin to present their recommendation. Member Stanger-McLaughlin was not available to present and DFO Hernandez explained they would be recognized again once both members were available.

**Recommendation #4**


• **Member Lee** presented the fourth Access Workgroup recommendation – which aimed to ensure equitable access to USDA services and programs to persons who have limited English proficiency. She provided background information on Americans that do not speak English at home and the anticipated changes in trends due to immigration and the agricultural community affecting these numbers in the future. She continued to explain that due to language and cultural barriers, these populations have been shut out of services. Member Lee shared that an executive order was issued to provide meaningful access to limited English proficient persons to federal services.

• **Member Racelis** presented the two specific actions the Workgroup recommended, including designating an executive level career staff member to be housed in the Office of Civil Rights to focus on language access and invest in long-term partnerships with
community-service organization, minority, and tribal service institutions to build language access.

- **Co-Chair Rodriguez** asked Members Lee and Member Racelis why they were recommending the Office of Civil Rights for this person to be housed; could it be any other office or place in the organization that this person could be effective?
- **Member Lee** responded that traditionally the Office Civil Rights across the federal government are responsible for language access.
- **Member Haynie III** questioned whether adding additional burdens to the Office of Civil Rights is the best option due to the already existing problems with capacity in this office. Member Haynie, asserted that there are still many items that stakeholders are waiting for from the Office of Civil Rights.
- **Member Sias-Hernandez** asked if the Office of Civil Rights component of the recommendation was hardline.
- **Member Lee** responded with a “no” and explained that the Workgroup just wanted a designated person to oversee language access.
- **Member Racelis** added additional context around leaning on community based and minority servicing institution partners for an internal and external change.
- **Member Lower-Basch** commented there may be overlap with another recommendation. She asked if there was discussion on less commonly used languages to gain access.
- **Member Lee** responded that language resource availability will be based on regions and applied according to that region’s needs and it would be flexible. She shared that this is part of why there needs to be a designated person and there isn’t a one size fits all.
- **Member Racelis** responded that this is also why they included the community based and minority serving institutions. He shared that less prominent languages, for example, Tribal languages, may be reflected in Tribal serving institutions.

**Recommendation #5**

**Improve USDA Loan Programs and Processes.**

- **Member Rogge-Fidler** presented on the Improve USDA Loan Programs and Processes recommendations. She explained that the recommendation is not focused on money, but on process. She spoke on each sub-recommendation related to improving the USDA loan programs and processes. She spoke on the fact that the Workgroup was working during the release of the Inflation Reduction Act (IRA) and they acknowledged that they hope to address gaps within the IRA. She highlighted that if one doesn’t have capital, many of the other recommendations don’t matter.
- **Member Haynie III** asked is there an answer on the voting rights of Minority Advisors when it comes to recommendations on County Committee voting rights and loan processes that came through? He asked about the Minority Advisor and their voting rights.
- **Dr. Goldman** requested to get back to Member Haynie III with an official response at another time.
- **Member Haynie III** followed up with the importance of an answer on having a vote in the County Committee to be able to have a voice on the loan process.
- **Dr. Goldmon** mentioned that he does not believe that as the process stands today that voting members in the County Committee affect the loan process, but the Farm Service Agency (FSA) does.
- **Member Horne** spoke to the network that exists in these County Committee circles that can influence and have a detrimental effect on a farmer seeking loans. Member Horne added that a network carries a lot of weight within rural communities.
- **Member Hill** asked why the recommendations is it limited to just FSA programs and no other USDA lending program and other programs that use intermediaries?
- **Co-Chair Bronaugh** responded and explained that there will be other opportunities to include them, but because this is specifically the Agriculture Subcommittee that’s why this recommendation is reflective of agriculture and FSA.
- **Member Rawls** requested clarification from FSA and the Office of the General Counsel (OGC) on the status on the proposed change or requests to redefine the term “distressed borrower”? He expressed that he believes this is already being worked at USDA but curious if the Commission could know where things stand on that issue.
- **Dr. Goldmon** requested to clarify that the term “distressed borrower” is included in the Inflation Reduction Act. Dr. Goldmon stated USDA would keep the Equity Commission abreast of the updates of the act moving forward.
- **Co-Chair Rodriguez** asked what the amount of money is for the loan grant modification program right now.
- **Member Rawls** responded that there is a 3.1-billion-dollar fund for loan modification for this term “distressed borrowers” as outlined in the Inflation Reduction Act.
- **Member Haynie III** provided an account of a visit he had with a first-generation farmer. He mentioned the importance of this young man’s network. He recommended that the Commission focus the language as they’re drafting to target and identify the young African American farmers the Commission is trying to support.
- **DFO Hernandez** opened the floor for any additional questions on recommendations already presented.
- **Member Sias-Hernandez** asked the decision to go with this language of “limited English proficient” was made for the recommendation and not “language access plan”; “planning”; or “language accessibility”?  
- **Member Lee** responded that the original executive order used the term Limited English Proficient (LEP). She explained that is why it is interchangeable but the current law outlines LEP.
- **Dr. Goldmon** stated that in all discussions around heirs’ property, it is more prominent in the African American community, and highly fractionated land that is more prominent in the Native American community. He mentioned it was an opportunity to talk about the solution together.
• **Member Lawrence** commented on the goal to maintain and expand the level of funding and technical assistance related to the Highly Fractionated Indian Land Loan Program (HFIL), created by the 2014 Farm Bill. She explained why fractionated land is different from heirs’ property, even though they do have similarities. She said that on the Tribal side, they will never truly own their land and are categorized differently via jurisdiction.

• **Member Charleston** asked the group that worked on heirs’ property if that might allow room for research as an effective component for this recommendation.

• **Member Horne** asked a clarification question to Member Charleston by asking if he was referring to looking at the family tree and land records for research?

• **Member Charleston** explained that the research component will give access to these community-based organization to help people who might not know they are having an heirs’ problem.

• **Member Horne** asked if maybe Historically Black College and Universities’ (HBCUs) land tenure specialists can research taxes to create a database as part of the research.

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**Department-Wide Workgroup Presentation**

**Recommendation #6**

Ensure equitable funding to community-led land access and transition projects.

- **Member Hughes and Member Horne** presented on “Ensure equitable funding to community-led land access and transition projects”. Member Hughes provided some context up front that farming is now much more diverse and complex and there is an expectation that USDA’s support and that policies would reflect that complexity and diversity. From the community of Young Farmers she is a part of, they are not approaching land access in the same way of private land ownership but stewarding land with their surrounding community. Member Hughes emphasized that land access is an urgent issue, and she believes these recommendations will ensure the transition of a large body of land to the next generation of farmers.

- **Member Horne** called out the need for data for systemic reform outlined in one of the recommendations. She asserted that data coordination across USDA will enable accountability.

- **Member Racelis** said regarding recommendation 6-G, “Provide continued funding for cooperative agreements with community-based organizations, such as the Natural Resources Conservation Service (NRCS) Cooperative Agreements for Racial Justice and Equity”, he hopes that this recommendation will come with additional support to help Natural Resources Conservation Service (NRCS) to help meet all the requirements. NRCS was overwhelmed with applicants and had asked retirees to come back to negotiate and process agreements. He went on to share that it took seven months to finalize an agreement due to the back and forth. Member Racelis requested funding to assist organizations to process these applications.
• **Member Horne** expressed support for Member Racelis’ idea on additional support to help NCRS. Member Horne added that something for the Commission to consider is that smaller non-governmental organizations (NGOs) and community-based organizations (CBOs), that had difficulty qualifying may want to cluster funding so they can help each other with capacity building. She continued that it may be a stretch but a good learning opportunity regarding clustering the work.

• **Member Sias-Hernandez** asked if recommendation #6: “Ensure equitable funding to community-led land access and transition projects” and its subsections that address organizational structure and data evaluation, would be put together with the other equity planning and data sharing recommendations. She asked if members would be open to putting them under the same umbrella?

• **Member Hughes** spoke to there being another recommendation potentially speaking more directly to equity planning and data sharing, but she and member Horne are open.

• **Dr. Goldmon** asked for a clarification. He asked if Member Sias-Hernandez’s question was if these could be bundled and the answer was “yes,” correct? He continued that he wants to be held accountable, and he expressed that if members look at the data, the proportion of funding is more than the amount of underserved customers that have been identified. He continued that he knows some actions that organizations are taking are working and hopes that as part of this process, the Commission will be able to dialogue with those organizations that have identified what works and to bring it back to USDA to better serve customers to accomplish equity.

**Recommendation #7**

Include equitable climate actions in USDA conservation programs to address environmental justice.

- **Member Horne** presented on “Include equitable climate actions in USDA conservation program to address environmental justice.” She commented that it is self-explanatory. She continued that she would like to see NRCS concentrate on small producers and reduce the required number of years they must be on a particular parcel to qualify for the Environmental Quality Incentives Program (EQIP). Additionally, requested to adjust EQIP and commented that there is much to be learned from subsistence farming and that traditional knowledge systems have much to offer.

- **DFO Hernandez** opened it up for questions.

- **Member Racelis** asked that regarding recommendation 7-A) “Increase incentive payments for implementation of climate-resilient practices to ensure limited-resource farmers can participate in cost-share programs. Automatically provide Environmental Quality Incentives Program (EQIP) advance payments for Socially Disadvantaged and Economically Distressed producers. We recommend that (NRCS) reduce the required number of years a producer must be in production on a particular parcel of land to qualify for EQIP advance payments.” He continued that he knows some actions that organizations are taking are working and hopes that as part of this process, the Commission will be able to dialogue with those organizations that have identified what works and to bring it back to USDA to better serve customers to accomplish equity.
for (EQIP)”, how many years members trying to reduce it from the current required three years in order to qualify for EQIP?

- **Member Horne** explained that there are some young farmers who have done apprenticeship and grown up in a farm family, so Member Horne and others felt like there should be equitable adjustment, not measured linearly but collectively.

- **Member Racelis** called out that training should be considered a substitute for time. He continued that regarding recommendation “7-D) Provide funding for technical assistance to be culturally appropriate and invest in local experts and communities through cooperative agreements with tribes, acequias, and other experts”, which aligned with what Member Lee and he presented, maybe members can combine some of their deliberation on Access. He continued that recommendation “7-F) Require the collection and public reporting of demographic data on all conservation programs to better understand how producers who are young and BIPOC are utilizing the conservation programs” and “7-L) Mandate NRCS provide the public with an impact report on how EQIP funding has been used, and the impact those dollars have had on the environment” can be combined to see how the funding has been used by demographic and the impact the dollars may have had on both of those communities and the environment.

- **Member Horne** agreed.

- **Member Holland** thanked the members for their recommendations. He offered reflections on NRCS as a user versus a member and asked where NRCS users were reflected within the recommendations. He offers to think about NRCS the same ways we think about FSA regarding access.

- **Member Haynie III** echoed Member Holland’s comment. He offered some reflections on land-leveling and irrigation, allowing farmers to borrow more money and have higher guarantees of crop insurance. He urged members to keep in mind how to get farmers’ land caught up to their neighbors.

- **Co-Chair Rodriguez** asked regarding this recommendation whether this included disaster relief as members are talking about climate changes.

- **Member Horne** responded that it does include disaster relief. She additionally offered a reflection on seeing a foreclosure crisis and the coordination with NRCS turning an operation around. She furthered that it speaks volumes when NRCS and FSA are working in tandem.

- **Member Hughes** uplifted that the two recommendations members presented on to be thought of as in service to the next generation of farmers.

**Recommendation #8**

Increase funding for the Federally Recognized Tribal Extension Program (FRTEP) and remove the competitive nature of the current application process to allow for more collaboration across Tribal extensions.

- **Member Lawrence** presented on “Increase funding for the Federally Recognized Tribal Extension Program (FRTEP) to increase funding and remove the competitive nature of
the current application process to allow for more collaboration across Tribal extension.” She shared that there is a lack of access to technical assistance when compared to other producers as a significant barrier. She continued that the land grant extension program has historically left Tribal producers behind and to resolve the issue, has created FRTEP but it’s been underfunded and hasn’t had an influx of funding since 1990. Member Lawrence explained that the Farm Bill did include 1994 tribal colleges and universities for FRTEP but no funding came with this. She continued that, thirty-eight FRTEP agents support 2,000 producers per person across the country while counterparts serve 200. This results in inequitable support to Tribal producers.

- **Member Matteson** asked members to imagine extension in your state and every employee of extension is an at-will employee. They could be employed from outside your state- because of how the program is currently funded, that is how this plays out.
- **Member Vogel** pointed out that this has been a recommendation from the Council for Native American Farming and Ranching (CNAFR) every year. She explained that this is really big and very important.
- **Dr. Goldmon** asked for clarification as to whether CNAFR has forwarded this recommendation every time they bring forth their recommendations. He asked whether it has been advanced before and USDA hasn’t implemented it?
- **Member Lawrence** responded that the funding is not there and the funding that is available is competitive.
- **Dr. Goldmon** asked if is this issue is better handled in the Office of Tribal relations?
- **Member Vogel** responded that this would at the Secretarial level because of budget and law changes. She continued that FRTEP has worked hard on this and have worked on various pieces of language to be changed.
- **Co-Chair Bronaugh** added that funding for extension comes from the National Institute of Food and Agriculture (NIFA).
- **DFO** added that it would probably be a collaboration between Office of Tribal Relations, Office of the Secretary and NIFA.
- **Member Lawrence** suggested this be asked for in the President’s budget.
- **Dr. Goldmon** highlighted the continued need to build in accountability as persistent issues are being brought forth over and over, calling back to the recurring CNAFR recommendation.

**Recommendation #9**

Enhance Private-Public Partnership through Pilot Programs.

- **Member Corley** presented on “Enhancing Private-Public Partnership through Pilot Programs.” He highlighted the need for private sector organizations and companies supporting what’s happening in the public sector. He asked members on how can we support colleges and universities, students, farming and agriculture careers, and the pipeline of the next generation and allow them to be set up to succeed? He mentioned the need for holding the private sector accountable for advancing farming and agriculture.
Co-Chair Bronaugh asked a question regarding “9-A) Pilot a "private-public" partnership whereby the private sector partner matches each $1,000 award from USDA to a nonprofit or community-based organization that is serving members of a distressed community and has a diversity, equity, and inclusion plan on file with the USDA’s office of equity”, where did the $1,000 award number come from?

Member Corley responded that it was just a starting number and is open to $1,000 or more.

Member Racelis asked regarding recommendation 9-A where it says “diversity, equity, and inclusion plan on file with USDA’s office of equity”, does that exist already or is that a separate process where organizations will have to file that plan? He additionally mentioned existing scholarships and whether we need to further identify Hispanic Serving Institutions as having a scholarship fund in the recommendation since one does not currently exist.

Member Corley responded that the recommendation is calling for those non-profit organizations to themselves have something on file with the [proposed] Office of Equity at USDA to ensure those organizations are doing the work. He added, in response to the comment on scholarships, he is open to other groups being covered but the recommendation is focused on the student regardless of the institution that student is attending.

Co-Chair Bronaugh clarified that USDA is setting up an office of Equity and Inclusion.

Member Hughes voiced that she backed more funds towards the recommendation based on other organizations’ goals on increasing access to USDA programming and the potential for different amounts based on the goal of the program. She commented that some organizations may already have a diversity, equity, and inclusion plan on file, in lieu of an application she suggested they could provide their existing plans.

Member Corley responded that he accepts the idea about organizations providing an existing plan.

Recommendation #10

Institutionalize an equity office at the Department that drives compliance and culture change across all of USDA.

Member Sias-Hernandez and Member Rawls presented on “Institutionalize an equity office at the Department that drives compliance and culture change across all USDA.”

Member Sias-Hernandez expressed that what they put forth is to operationalize equity at USDA. They put forth key ideas around driving compliance and culture change. Historically, USDA’s focus has been on compliance vs. culture change. She explained that the proposed equity office would be housed in the Office of the Secretary.

Member Rawls highlighted the lessons learned from the historical recommendations presented earlier, he stated that it is why the members are proposing what they are. He highlighted the importance of internal accountability. That group would be part of an annual process and would review agency budgets and ask for status updates. He further
stated that this recommendation could be done under current authority or potentially amend Department regulation that describes authorities to hold the Deputy Secretary in charge and to work with other bodies.

- **Co-chair Bronaugh** commented on the tasking of the Deputy Secretary, to consider that whoever is in the position, they should be able to institutionalize equity.
- **Member Rawls** responded to the Deputy Secretary and acknowledged the potential changes in priorities of each Administration but that the responsibilities would fall within that office and position.
- **Member Corley** asked point of clarification in reference to Recommendation 10 if there is a job description that can be updated to reflect this?
- **Co-Chair Bronaugh** responded that there was.

**Recommendation #11**

Support legislation to provide standing authority and accountability for the Secretary and senior leadership to carry out a continuous program to measurably improve the equitable availability and distribution of services and programs’ benefits to all eligible Americans.

- **Member Rawls** presented on “Support legislation to provide standing authority and accountability for the Secretary and senior leadership to carry out a continuous program to measurably improve the equitable availability and distribution of services and programs benefits to all eligible Americans”. He recommended to put into law some key things that need to be done to make a clear statement of responsibility and authority for the Secretary to implement an equity program. He further stated that it would be helpful to have something in law that Congress could review at a later time.
- **Member Haynie III** commented on equity versus equality. He explained in order for some of the systems to work, the Commission and USDA have to catch these young men and women up to their neighbors. He explained that young men and women don’t necessarily have four generations of land to set them up compared to their neighbors.
- **Member Rawls** responded that the detail of the recommendation proposes that the Secretary and/or Department identifies gaps in access and have the authority to implement a remedial program.
- **Member Sias-Hernandez** brought up the cumulative impact of discrimination and how the members are very aware of this highly entrenched discriminatory system is impacting minority communities negatively. At the same time, there is a divided climate across issues and the Commission has to come up with recommendations that are feasible and trackable.
- **Member Haynie III** responded with the fact that he lives that reality every day and reflected on the changing of hands of land for African Americans over time.
- **Co-Chair Bronaugh** asked a question on how would members implement this recommendation to ensure accountability and make sure this is done? How does the public know that this has been done, how would Congress and others hold USDA accountable with this recommendation?
• **Member Rawls** responded that the idea is similar to how the Secretary is held accountable to items similarly written into the Farm Bill; that the Secretary and USDA would have to figure out those details. He continued that it would be a standing authority and requirement going forward across Administrations.

• **Member Lower-Basch** added that a publicly available annual report is mentioned in the appendix materials.

• **Member Rawls** urged members to look back at the supplemental materials to get more details.

**Recommendation #12**

Conduct an annual convening on Equity to have data available to inform the ongoing work of the Equity Commission.

• **Member Lawrence** presented on “Conduct an annual convening on Equity to have data available to inform the ongoing work of the Equity Commission”. She spoke to existing equity gaps and accountability, separate set-asides, and how else are the Commission and the public able to know if set-asides are reaching the right people. Public reporting of demographics from recommendation “7F) Require the collection and public reporting of demographic data on all conservation programs to better understand how producers who are young and BIPOC are utilizing the conservation programs”, finding the gaps and this annual convening to have the data available to share. Member Lawrence continued that there is a need for metrics to ensure USDA programs are achieving equity. She touched on the different subsections of the recommendation such as capturing equity training and its efficacy and leveraging Tribal government and producers to gather data.

• **DFO Hernandez** opened for questions, and none were voiced.

**Recommendation #13**

Direct the National Agricultural Statistics Service (NASS) to include subsistence farmers and ranchers in the next Census of Agriculture to account for the nature of many traditional forms of tribal agriculture.

• **DFO Hernandez** called upon Member Lawrence to present if she was able, otherwise they could revisit. DFO Hernandez added that there were no supplemental materials for this recommendation, and it could potentially stand on its own.

**Recommendation #14**

Under existing USDA Secretary’s existing authorities, conduct periodic audit across USDA system-wide to look at service by race, gender, etc. Publish results on the USDA website and release underlying data to independent researchers.

• **Member Horne** presented recommendation 14, “Under existing USDA Secretary’s existing authorities, conduct periodic audit across USDA system-wide to look at service by race, gender, etc. Publish results on the USDA website and release underlying data to
She mentioned that the Commission has been asking for this data, and that it’s important to get state directors, mission areas, and others to get this data. She explained that it may inform fixes in the Farm Bill and inform how data may be provided to researchers. She concluded that it is important to know what the benchmark is for how USDA is spending their money.

- **Co-Chair Arturo** asked if there is a research department at USDA that currently looks at this data?
- **Dr. Goldmon** responded that in the 2008 or 2014 Farm Bill, there was a report required by the Office of Civil Rights [now named the Office of the Assistance Secretary for Civil Rights] to cover these types of data reports, but he would have to verify.
- **Member Horne** added that they may be doing it in Civil Rights, but it needs to be done across the Department.
- **Co-Chair Bronaugh** added that the challenge is USDA does complete the report, but it is inconsistent in how this is done system-wide.
- **DFO Hernandez** added that there is a public database with the raw data, but that may currently answer the ask of the recommendation, but the report assessing the raw data is not being done.
- **Member Horne** added that NIFA may be able to assist with this.

**Recommendation #15**

Enhance and improve writing job descriptions/hiring requirements that include cultural competencies.

- **Member Lower-Basch** presented recommendation 15, “Enhance and improve writing job descriptions/hiring requirements that include cultural competencies.” She added that Dr. Goldmon really made the case for this recommendation earlier with his presentation.
- **Member Stanger- McLaughlin** flagged the need for hiring more Tribal roles especially those Tribal serving roles.
- **Member Lower-Basch** responded that partnerships with minority serving institutions may also cover part of this; having diversity across all levels of the career service is important.
- **Member Hughes** asked is there a connection between 15-C) “Create an Equity Corps to develop the next generation of USDA leadership” and From Learning to Leading program that just received $250 million dollar funding in the American Rescue Plan funding that just came out.
- **Member Lower-Basch** responded that the EC didn’t know about that when this recommendation was written so it may make sense to drop this or think about how to institutionalize the From Learning to Leading systemically.
- **Member Hughes** offered that the recommendation may be a possible accountability measure for the funding.
**Recommendation #16**

Move discrimination complaints to National Appeals Division (NAD) and out of the Civil Rights office.

- **Member Vogel** presented recommendation 16, “Move discrimination complaints to National Appeals Division (NAD) and out of the Civil Rights office.” She outlined the problem of the broken civil rights process at USDA, class action lawsuits brought to USDA from African American, Tribal farmers, Hispanic and Women farmers resulting from the poor handling of complaints. Member Vogel explained that every class action lawsuit successfully showed that they rightfully filed complaints that were not handled appropriately. She shared that there was a very bad appeal system, which was called out over the years by Congress and eventually resulted in the National Appeals Division. The Office of Civil Rights continues to be a perpetual problem when dealing with discrimination complaints. She expressed she believes the Secretary has the authority to allow people to have NAD address their complaints moving forward but not retroactively. People would be able to have a neutral hearing officer, sworn testimony, and it could lead to systemic change and swift results. She did recognize that the NAD deadlines are tight, and therefore may need to be adjusted by Congress.

- **Member Rainey** asked whether NAD conducts investigations.

- **Member Vogel** responded that yes, investigations happen; however, they are not timely. She added that complainant can request individuals from USDA to come in and make a sworn testimony. Member Vogel shared that she also sees farm advocates really playing a role in the new process. She also stated that the Director of NAD has a six-year term that is one of the benefits.

- **Member Reed** commented that when you look at recommendation 16 and 17, his position would be to “beef up” the office of the Office of the Assistant Secretary of Civil Rights and give them the capacity to do their job and then NAD could still function in their role. He explained that he understands the argument, but it may complicate the process.

**Admin Note:** Members mentioned OCR, an old acronym used previously at USDA for the Office of Civil Rights. The current structure and office name and acronym is the Office of the Assistance Secretary for Civil Rights (OASCR).

**Recommendation #17**

Transform and adequately fund the Office of the Assistant Secretary for Civil Rights.

- **Member Rainey** presented recommendation 17, “Transform and adequately fund the Office of the Assistant Secretary for Civil Rights.” Member Rainey explained that this recommendation is to address and fix the Office of Civil Rights- there is a lack of commitment and a lack of budget. He added that they should get adequate budget and adequate training. He added that the Commission should not dismantle the Office of Civil Rights, it has been defunded in the past.
• Co-Chair Rodriguez asked who would have responsibility to act on that recommendation, the Secretary?

• Co-Chair Bronaugh responded that it would be the Secretary who would have that authority to act on that recommendation.

• Member Lower-Basch asked whose budget is more protected? NAD or Civil Rights?

• DFO Hernandez responded that from a budget process perspective, they are equal in that they are both staff offices and go through the same budget process.

• Member Horne commented that this is a serious recommendation for NAD and Civil Rights, USDA should have Civil Rights come defend its record and let the EC hear from them. Member Horne added that there is the OGC overlay as well; it is not a simple fix and it is very layered. She suggested that Civil Rights account for themselves before the Equity Commission.

• Co-Chair Bronaugh answered that there will be an opportunity to do so in the future.

• DFO Hernandez added that from a process standpoint that deliberations happen tomorrow for interim recommendations, but there is still an opportunity to receive additional information and presentations. She explained that this is ongoing work and that USDA will continue to provide support.

• Member Sias-Hernandez asked for clarity on whether they could vote to require more information.

• DFO Hernandez responded with, “Yes.”

Admin Note: Members mentioned OCR, an old acronym used previously at USDA for the Office of Civil Rights. The current structure and office name and acronym is the Office of the Assistance Secretary for Civil Rights (OASCR).

Recommendation #18

Elevate the Office of Tribal Relations from its current office to become The Office of the Assistant Secretary of Tribal Affairs.

• DFO Hernandez read the following recommendation stating, “Elevate the Office of Tribal Relations from its current office to become The Office of the Assistant Secretary of Tribal Affairs” and the sub-bullets of the recommendation.

• Member Rawls asked for clarification if this would be an Assistant Deputy Secretary for Tribal Affairs or a Deputy Under Secretary position?

• DFO Hernandez responded that it’s her understanding that this would be its own separate office that’s not under any of the mission areas.

• Member Sias-Hernandez asked a clarifying question about the existing tribal liaison if they can coordinate across? Because Tribes are sovereign bodies it can make it difficult for the tribal liaisons to know how to operate.

• DFO Hernandez responded that they would get clarity tomorrow during the deliberation process.

• Member Haynie III questioned whether there is an office for the underserved?
• **DFO Hernandez** answered that the Office of Partnerships and Public Engagement are the most similar but that there is not a specific office.

• **Member Lee** asked if the person who proposed this recommendation is open to expanding it to include Native Hawaiian and Pacific Islander as part of this office.

• **DFO Hernandez** responded that Member Stanger-McLaughlin would be available tomorrow for this discussion during the deliberation period.

• **Member Rogge-Fiddler** requested that when describing farmers, to be inclusive of women and to hold each other accountable to continue to do so tomorrow as well.

Co-Chair Rodriguez & Co-Chair Bronaugh gave Day 1 Closing Remarks

DAY 1 MEETING AJOURNED
## Day Two – September 22, 2022

### Equity Commission Members

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<tr>
<td>Co-Chair Bronaugh</td>
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<td>Dr. Mireya Loza</td>
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<td>Charlie Rawls</td>
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<td>Dr. Ronald Rainey</td>
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<td>Derrick Johnson</td>
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<td>Rick Smith (Virtual)</td>
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<td>Elizabeth Lower-Basch</td>
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### Agriculture Subcommittee Members

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<td>Savi Horne</td>
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<td>Kari Jo Lawrence</td>
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<td>Sarah Vogel</td>
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<td>Erica Lomeli Corcoran</td>
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### Rural Community & Economic Development Subcommittee Members

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<td>Nils Christoffersen (Virtual)</td>
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<td>Valerie (Mann) Beel</td>
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<td>Shonterria Charleston</td>
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<td>LaTonya Keaton</td>
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<td>Doug O'Brien (Virtual)</td>
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### USDA Staff in Attendance

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<tr>
<td>Cecilia Hernandez, Designated Federal Officer</td>
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<td>Gabenga Ajilore, Senior Advisor, Rural Development</td>
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<td>Dr. Dewayne Goldmon, Racial and Justice Equity Advisor</td>
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*Attendance list for members of the public can be found here.*

### 1. Opening of the Meeting

- **Designated Federal Officer (DFO) Hernandez** called the meeting to order and took attendance.
Co-Chair Rodriguez welcomed the members to the second day of the meeting and stated he is looking forward to the remaining Workgroup presentations and conversations.

Co-Chair Bronaugh shared her excitement for the day ahead and thanked the members for their commitment to the process.

DFO Hernandez presented the agenda for the day then opened the oral comments section of the meeting.

2. Public Oral Comments

- The Commission heard comments from:
  - Mara Momenee
  - Roberto Meza
- DFO Hernandez reminded members of the public they could submit written public comments to equitycommission@usda.gov and in future meetings they can register to provide an oral comment by visiting https://www.usda.gov/equity-commission.

3. Farmworker Workgroup Presentation

- DFO Hernandez reminded members of the presentation process and purpose of the portion of the meeting – including a presentation of the recommendation, then a question-and-answer section to provide more clarity over each recommendation. She then introduced the Farmworker Workgroup to present their recommendations.

Recommendation #19

Institutionalize Equity Office that drives compliance and culture change across all of USDA, and includes staff and resources dedicated to specific constituencies, such as farmworkers.

- Member Sias-Hernandez expressed the need for recommendations focused on farmworkers due to the vulnerability farmworkers face. She then presented recommendation 19, which recommends that USDA institutionalize equity through an Equity Office. She also asked that the Commission consider recommending an interagency Migrant Service Council to further institutionalize equity.

Recommendation #20

Ensure farmworkers’ access to USDA nutrition programs.

- Member Loza presented the next farmworker recommendation that focuses on improving farmworkers’ access to USDA nutrition programs.

Recommendation #21

Fund Farmworkers.
• **Member Lomeli Corcoran** emphasized the difficulty and danger farmworkers face on the job and the existential importance of farmworkers in the United States. She then presented the recommendation to fund programs targeted at improving living and working conditions for farmworkers. She also expressed the need for USDA to leverage existing funding to improve working conditions.

**Recommendation #22**

Request the USDA Congressional Research Service or Government of Accountability Office report on farm worker access to USDA programs.

• **Member Loza** presented the recommendation to request a biannual report from either the Congressional Research Service or the Government Accountability Office (GAO) on farmworkers ability to access USDA programs.

**Q&A**

• **Member Racelis** asked whether the Farmworkers Workgroup had considered folding in language regarding access to healthcare. He also asked for further clarification on the recommendation to ensure USDA’s procurement process improves living/working conditions for farmworkers.

• **Member Lomeli Corcoran** responded by emphasizing the need for transparency from businesses and farms that benefit from USDA programs to ensure they do not take advantage of farmworkers.

• **Member Racelis** followed up on his question and asked if recommendation 21 was intended to only account for food purchased by the agency themselves or if it included food sponsored by programs funded by USDA.

• **Member Lomeli Corcoran** responded that the recommendation is intended to cover both, and that the food purchased should be cropped/harvested from farms where workers have protections.

• **Member Sias-Hernandez** responded to Member Racelis’ first question over healthcare access by stating that access to healthcare would be included in the recommendation to fund programs targeted and improving the living and working conditions of farmworkers.

• **Member Corley** asked the Workgroup to expand on what the Interagency Migrant Service Council would do and asked if the Workgroup had considered language to define how the Government Accountability Office report would be shared.

• **Member Sias-Hernandez** responded by stating that the opportunity of the Council at the federal level would be to identify system level change and the request for reports would allow for more data to be shared with this Council.

• **Member Rogge-Fidler** asked for clarification on how the Workgroup arrived at the five billion dollars in recommended funding for farmworker programs.

• **Member Loza** shared that the Workgroup came up with this number by looking at the total amount of money tied up in the Farm Bill.
• Member Lomeli Corcoran further expressed how the five billion in funding was minuscule relative to the subsidies businesses and farms receive from USDA.
• Member Lee asked whether the Workgroup considered making a recommendation on immigration reform.
• Member Lomeli Corcoran acknowledged that the Workgroup had considered adding a recommendation on immigration reform and spoke to the efforts USDA is currently supporting though legislation. She also said she would be open to memorializing the Commission’s support for this legislation in the interim report.
• Member Lower-Basch asked whether the Workgroup would consider ensuring their recommendations included farmworkers and their families rather than just farmworkers.
• Member Sias-Hernandez responded that Workgroup members would support that change and believe it is an important point to raise.
• Member Rainey asked if the Workgroup knew what percent of farmworkers are guestworkers.
• Member Loza stated that about 300,000 of the 2.4 million farmworkers were guestworkers and that this number is likely to continue growing rapidly in the next few years.
• Member Rainey asked whether the Workgroup knew how many states had a state-level Migrant Services Council.
• Member Sias-Hernandez stated the Workgroup did not have the information on hand regarding member Racelis’ question.
• Member Hainey III expressed that he recognizes the importance of farmworkers, but, in his experience as a farmer, he believes that most farmers take care of their farmworkers and, through finding a balance in taking care of the farmer, the farmer can take care of the farmworkers.
• Member Horne asked for clarification on the recommended Migrant Services Council on where the Council would land, and if USDA has an office for farmworker issues already.
• DFO Hernandez responded that the Office of Partnerships and Public Engagement (OPPE) focuses on creating partnerships with all stakeholders, but no one office focuses exclusively on farmworkers.
• Member Loza responded that ideally, the Workgroup would like to see collaboration across different departments of the federal government.
• Member Horne expressed her concerns that too many efforts and programs have been assigned to the Office of Partnership and Public Engagement (OPPE).
• Member Loza responded to Member Hainey’s comment and mentioned that, although many farmers do treat their farmworkers well, there is not accountability for those that do abuse their farmworkers.
• Member Sias-Hernandez echoed Member Loza’s point and explained that the recommendations the Workgroup presented would incentivize farmers that treat their farmworkers well without adding any costs.
• **Member Hainey III** asked if the proposed funding would go to the farmworkers directly or the farmers employing the farmworkers.

• **Member Loza** responded that this funding should go directly to farmworker support and not to contractors or farmers.

• **Member Hainey III** stated that, as a farmer, he is required to give farmworkers a certain number of hours of work and asked how to ensure that this funding would help farmers continue to pay farmworkers in emergencies, like the pandemic or a drought.

• **Member Lomeli Corcoran** emphasized the need to see the larger picture which includes ample funding for farmers in the Farm Bill, but that this relatively small portion would be reserved directly for farmworkers in coordination with farmers. She continued that the industry gets the majority of funding currently while farmworkers do not receive any.

• **Member Rawls** asked if the Workgroup had identified the different agencies they would like to include in the Migrant Services Council.

• **Member Sias-Hernandez** responded that they do have a list and will be adding the Environmental Protection Agency based on feedback from earlier discussions.

• **Member Rawls** asked whether the Workgroup had considered existing authorities could be used to implement some of Recommendation 21.

• **Member Sias-Hernandez** responded that Workgroup members were unsure of exactly how or if legislation would be needed for all sections of this Recommendation, but they intend to recommend that USDA look at the authority needed for implementation.

• **Member Rawls** asked if for Recommendation 22 of the Workgroup recommended that the Secretary ask Congress for the GAO reports. The Workgroup affirmed that this was correct.

• **Member Reed** emphasized that the broad range of farmworkers, especially the different skillsets in terms of farmworkers in commodity crops versus vegetable or fruit farmers, may not have been considered when these recommendations were drafted.

• **Member Loza** stated the Workgroup did take these differences into consideration and discussed them extensively. She continued that these recommendations are intended to support and center the lives of all farmworkers into this process and that the rest of these recommendations do not focus on farmworkers.

• **Member Rogge-Fidler** encouraged further conversation regarding the definitions tied to the five-billion-dollar level of funding and stated this would be important to explicitly state in this recommendation.

• **Member Loza** mentioned Workgroup members did have extensive discussions on this topic but did not come to an agreement on recommending the expansion of the guestworker program.

• **Member Cousin** suggested the Workgroup consider making the Migrant Services Council recommendation directed towards the White House but housed in USDA and that the Workgroup consider adding further language on immigration reform and status to direct resources more concisely.
• **Member Holland** echoed Member Hainey’s comments and reiterated the importance of farmworkers. He suggested that the Workgroup distinguish between the sizes of farms and the bad versus good actors in terms of farmworker conditions. He also asked for clarification on where the boundaries are between USDA and the Department of Labor on farmworker issues.

• **Co-Chair Bronaugh** encouraged the Workgroup to ensure the recommended funding levels are sufficient to make the necessary changes.

### 4. Nutrition Workgroup Presentation

**Recommendations #23-#26**

23 - Support legislative action to remove eligibility restrictions on Supplemental Nutrition Assistance Programs (SNAP) that disproportionately limit access to nutrition supports by people of color, including the restrictions on immigrants, residents of Puerto Rico, participants in the Food Distribution Program on Indian Reservations (FDPIR), the time limit on benefit receipt, and the drug felony ban.

24 - Continue to revise the thrifty food plan to reflect the needs of today’s consumers, explore options for boosting the minimum benefit and increasing benefits more than annually during period of high inflation, and consider basing SNAP benefit levels on the low-cost food plan.

25 - Monitor state SNAP agencies to ensure that SNAP is administered in a way that treats applicants and participants with dignity and respect, including holding states accountable for barriers to access, and requiring states to develop processes for beneficiaries to be involved in program and systems design and evaluation.

26 - Review the nutrition programs to identify and remove any barriers to vendor and procurement opportunities for disadvantaged and underrepresented communities.

• **Member Lower-Basch** presented the Nutrition Workgroup’s presentation. She emphasized the need for these recommendations due to the size and importance of nutrition programs managed by USDA. She mentioned that nutrition programs account for more than half of USDA’s budget and impacts around 40 million Americans. She then presented that the first nutrition Workgroup recommendation aimed to remove eligibility barriers to the Supplemental Nutrition Assistance Programs (SNAP)—including immigration status, drug felony bans, and time limits on the benefits. She then presented the next recommendation, which focuses on improving SNAP benefits through adjustments to the minimum benefits and increasing benefits during times of high inflation. The next recommendation she presented focused on holding state offices accountable and providing further federal oversight. The final recommendation she presented focused on ensuring that underserved communities have equal opportunity to access procurement opportunities through USDA’s nutrition programs.
Q&A

- **Member Corley** asked the Nutrition Workgroup if they had any ideas regarding auditing or accountability methods for these recommendations.
- **Member Lower-Basch** suggested that it would be helpful if the regularly released reports are reaching people.
- **Member Haynie III** suggested that the Workgroup ensure Recommendation 26 include all underserved communities.
- **Member Lower-Basch** confirmed that it does include all underserved communities and that she is open to changing the language to ensure this is more explicit.
- **Member Rawls** asked about the intersection between the nutrition recommendations and the Farmworker Workgroups and if they are compatible.
- **Member Lower-Basch** responded that she believed they have some overlap, and that these recommendations could be compatible.
- **Member Racelis** asked whether the Nutrition Workgroup uncovered any barriers to access in USDA’s child nutrition programs. He expressed his view that the National Lunch School Program could provide a tremendous opportunity to transform this program and support local and smaller producers. He mentioned his current research, which confirms that in his region of Texas, almost zero percent of school lunches are sourced locally.
- **Member Lower-Basch** agreed with Member Racelis’ comments and suggested that this would be important add to Recommendation 26.
- **Member Eubanks** mentioned that the Department of Education is also working on a farm to school program.
- **Member Hainey III** echoed Member Racelis’ comment and suggested that Commission members should look into ensuring procurement from the National School Lunch Program come from at least 50 percent underserved farmers.
- **Member Lee** asked whether the Nutrition Workgroup would consider changes in language to Recommendation 23 to expand access to all U.S. territories.
- **Member Racelis** spoke to the significant barriers faced by small farmers in competing for contracts to supply to schools, he stated specifically small farmers are usually unlikely to meet the request because schools are looking for a single vendor that can supply 30 different items rather than 30 vendors.
- **Member Hang** echoed previous comments and added that the Commission should advocate for the structural investments needed for small and disadvantaged farmers as well due to higher costs of production. He also suggested that the Workgroup approach the SNAP program with innovative ideas including supporting procurement from local producers.
- **DFO Hernandez** closed this section of the meeting.
- **Co-Chair Bronaugh** shared a few updates on USDA’s ongoing work in the National School Lunch Program following the break. She expressed that the Secretary is
committed to this issue and that USDA recently announced funding of 200 million to cooperatives for local producers to be able to participate in the program.

5. Service Workgroup Presentation

- **DFO Hernandez** introduced the next Workgroup presenters.

**Recommendation #27**

Enhance the role and financial investment in organizations (non-profit, non-governmental, community-based) to provide technical assistance.

- **Member Stanger-McLaughlin and Member Lawrence** presented the recommendation that USDA enhance funding and support for community-based organizations and non-profits focused on providing technical assistance.

**Recommendation #28**

Address historical inequitable services by making County Committees more equitable.

- **Member Eubanks** presented the recommendation that focused on making County Committees more equitable. Member Eubanks spoke to the barriers that are faced by local underserved farmers to participating in County Committees. She also outlined the responsibilities of the County Committee and the degree of power they have in decisions impacting farmers.
- **Member Haynie III** presented the remaining portion of the County Committee recommendation. He spoke to the history of County Committees and the power these committees have. He described his personal experiences of discrimination he faced at the hands of County Committees and connected the committees to the drastic fall of Black farmers.
- **Member Eubanks** shared the specific recommendations the Service Workgroup brought forward to overhaul the County Committee System.
- **Member Racelis** asked whether Artificial Intelligence has been considered as an option to remove the human bias in the decision-making process in terms of loans and services.
- **Member Horne** emphasized the need for real accountability and transparency in terms of County Committee decisions. She suggested that a full system of accountability should be put into place, including appointing equity officials in each state, and ensuring all County Committee decisions can be appealed and reviewed by an unbiased system.
- **Member Reed** asked whether the Workgroup considered ideas to move local applications to different states for review.
- **Member Sias-Hernandez** asked for clarity on the recommendation to ensure County Committees reflect their local populations and mentioned that this could work against equity in some regions of the Country.
• **Member Rainey** answered by emphasizing the need to focus on underrepresented counties and the disparities in these counties.

• **Member Eubanks** stated that the previous comments from Member Horne, Member Racelis, and Member Reed may be partially answered through recommendations that will be presented by the Service Workgroup following this recommendation.

• **Member Vogel** spoke to the problems Native land holders face in relation to the County Committee system. She questioned how the County Committee system could be given so much authority.

**Recommendation #29**

Hold USDA accountable to execute/conduct annual civil rights compliance reviews across all USDA agencies.

• **Member Rainey** presented the recommendation that focuses on holding USDA accountable through transparent, annual civil rights reviews.

• **Member Rogge-Fidler** asked if the Workgroup would be open to consolidating this recommendation with Recommendation 14.

• **Member Rainey** answered yes, however, to be sure that the data of the recommended reports reaches underserved populations.

**Recommendation #30**

Improve Customer Service.

• **Member Eubanks** presented the recommendation focused on improving customer service through consistent feedback from customers, a receipt for service, and to improve equitable language.

• **Member Holland** emphasized the need to focus on the Farm Service Agency due to the widespread and persistent discrimination. He encouraged the Commission to act radically in terms of structural change.

• **Member Rawls** recalled several meetings decades ago with Member Haynie III and his father. He thanked Member Haynie III for his persistence on this issue.

• **Member Racelis** asked if USDA should consider methods to eliminate personal contact in the loan process.

• **Member Matteson** suggested that the Commission deliberate these recommendations in reverse order so they can dedicate sufficient time to the Service Workgroup’s recommendations.

• **Co-Chair Bronaugh** shared that USDA was releasing a DEIA strategic plan that day, which will serve as the next step the Administration is taking to reassess DEIA. This plan would include a plan to establish a full office of Diversity, Equity, and Inclusion. She encouraged the Commission to also provide feedback on this process.
• Member Cousin underscored the importance of considering the consequences of the lack of accountability. She emphasized the need for accountability to be built into the DEIA report.

• DFO Hernandez closed this section of the meeting and adjourned the meeting for lunch. The Rural Community and Economic Development and the Agriculture Subcommittees were dismissed for the remainder of the meeting.

6. Deliberations

• DFO Hernandez opened the deliberation process. The Commission decided to deliberate on the recommendations in reverse order.

• Member Rawls suggested the Commission ensure each recommendation be edited into a consistent format.

• DFO Hernandez responded that formatting and grammatical edits could be done after the public meeting for the interim report.

Recommendation #30: Improve Customer Service.

• Member Corley and Member Rainey discussed the method used to collect data on customer service feedback, they opted to broadly capture this and not amend the recommendation.

• Equity Commission Members then agreed to proceed to the next recommendation.

Recommendation #29: Hold USDA accountable to execute/conduct annual civil rights compliance reviews across all USDA agencies.

• Member Lower-Basch suggested “Encourage” in subpart A be changed to “Complete”. All members agreed to this change.

• Member Corley stated Farm Bill specific language be added to support this recommendation for the interim report.

• Member Rawls put forward discussions on combining recommendation 29 and 14 due to overlapping objectives.

• Member Rainey distinguished the difference between recommendation 14 and 29 based on which programs each recommendation intended to audit. Members agreed to keep these recommendations separate.

• Member Rainey, based on conversation between members regarding the date of implementation of this recommendation, suggested the addition of language to explicitly show this requirement should already be in progress based on the 2008 Farm Bill. Members agreed.

• Member Rawls, Corley, and Rainey discussed how to include accountability in the recommendations.

• Equity Commission Members then agreed to proceed to the next recommendation.
Recommendation #28: Address historical inequitable services by making County Committees more equitable.

- **Member Reed** discussed the possibility of eliminating the County Committee system and encouraged further discussion on this topic.
- **Member Stanger-McLaughlin** echoed Dr. Rainey’s sentiment and proposed two additions to this recommendation: 1) to conduct an assessment to determine the effectiveness of County Committees and to identify alternatives, and 2) to immediately ensure that minority advisors have direct access to the Farm Service Agency Administrator.
- **Member Rawls** focused on changing the wording to focus on what value County Committees have in the proposed assessment.
- **Member Sias-Hernandez** shared that she does not feel ready to recommend abolishing the County Committee system without further analysis.
- **Member Rainey** emphasized the fact that Black farmers have lost significant amounts of land because of the lack of access to loans and markets. The County Committee is a part of this.
- **Member Reed** stated that Member Rainey’s experience with County Committees is not unique. He mentioned his firsthand experience with the discrimination of County Committees. He asked the Commission to be bold on this recommendation.
- **Member Loza** encouraged the Commission to rewrite the recommendation to include assessing viable alternatives to the County Committee system.
- **Member Stanger-McLaughlin** suggested that more background information is needed to inform a needs analysis of County Committees.
- **Member Lower-Basch** emphasized the need to include an assessment of the historical role of County Committees in the recommendation.
- **Member Sias-Hernandez** asked whether USDA needs to conduct an analysis because USDA already has the data and knows the impact County Committees have had on Black farmers.
- **Member Lower-Basch** stated that USDA may not need it, but the analysis is needed to communicate to decision makers.
- **Member Stanger-McLaughlin** argued that she did not believe that an analysis framed this manner, which includes looking at alternatives, has been done in the past.
- **Member Corley** suggested that they put a date on this analysis.
- **Member Rainey** stated that County Committees do work for 90% of farmers, but that for the remaining 10%, the Committees are destroying them. He spoke to the need to ensure that the analysis focuses on inequity not just overall effectiveness.
- The Commission Members continued to deliberate on the specific language and order of Recommendation 29. Member Stanger-McLaughlin reorganized the sub recommendations to ensure the analysis was on top, Member Loza drew from other member’s comments to reword the recommendation to include consideration of the
termination of County Committees, and Member Lee ensured Native Hawaiians and Pacific Islanders were included in the County Committee recommendation.

- Equity Commission Members then agreed to proceed to the next recommendation.

**Recommendation #27:** Enhance the role and financial investment in organizations (non-profit, non-governmental, community-based) to provide technical assistance.

- Equity Commission Members did not have any amendments and agreed to proceed to the next recommendation.

**Recommendation #26:** Review the nutrition programs to identify and remove any barriers to vendor and procurement opportunities for disadvantaged and underrepresented communities.

- **Member Lower-Basch** suggested the addition of several bullet points that were included in the background information be moved to be a section of the recommendation.
- Equity Commission Members agreed to this edit and proceeded to the next recommendation.

**Recommendation #25:** Monitor state SNAP agencies to ensure that SNAP is administered in a way that treats applicants and participants with dignity and respect, including holding states accountable for barriers to access, and requiring states to develop processes for beneficiaries to be involved in program and systems design and evaluation.

- **Member Lower-Basch** requested the recommendation be edited to explicitly state that SNAP data should be disaggregated by race and ethnicity.
- Equity Commission Members agreed to this edit and proceeded to the next recommendation.

**Recommendation #24:** Continue to revise the thrifty food plan to reflect the needs of today’s consumers, explore options for boosting the minimum benefit and increasing benefits more than annually during period of high inflation, and consider basing SNAP benefit levels on the low-cost food plan.

- Equity Commission Members did not have any amendments and agreed to proceed to the next recommendation.

**Recommendation #23:** Support legislative action to remove eligibility restrictions on Supplemental Nutrition Assistance Programs (SNAP) that disproportionately limit access to nutrition supports by people of color, including the restrictions on immigrants, residents of Puerto Rico, participants in the Food Distribution Program on Indian Reservations (FDPIR), the time limit on benefit receipt, and the drug felony ban.

- **Member Lee** amended the recommendation to include all U.S. territories rather than just Puerto Rico.

**Recommendation #22:** Request the USDA Congressional Research Service or Government of Accountability Office report on farm worker access to USDA programs.
• **Member Corley** discussed the need to ensure a GAO farmworker report is shared widely.

• **Equity Commission Members** discussed the mechanism that should be used to conduct farmworker-focused accountability reports. Members also discussed language to bolster the strength of the recommendation.

• **Member Loza** emphasized the need to explore innovative ways to include farmworkers in the research methods design – including keeping farmworkers anonymous.

**Recommendation #21**: Fund Farmworkers.

• **Member Loza** proposed removing subsection “F) USDA should include farmworkers in existing funding opportunities” from this recommendation. All Equity Commission Members agreed.

• **Member Rainey and Member Loza** debated whether this recommendation should explicitly state that farm labor contractors are not the intended target of this recommendation.

**Recommendation #20**: Ensure farmworkers’ access to USDA nutrition programs.

• Equity Commission Members made minor changes to the language of this recommendation including adding healthcare to the list of issues that should be central to policies to improve farm worker living and working conditions.

**Recommendation #19**: Institutionalize Equity Office that drives compliance and culture change across all of USDA, and includes staff and resources dedicated to specific constituencies, such as farmworkers.

• **Member Rawls** suggested that specificity on how an Interagency Council would be established would be useful.

• **Member Sias-Hernandez** ensured Member Rawl’s language for the White House to establish the Interagency Council was added to the recommendation. She then worked with members to list out all Federal Agencies and Departments that would be included in this Council.

• **Member Smith and Member Sias-Hernandez** discussed the utility of bringing in too many organizations in this context.

**Recommendation #18**: Elevate the Office of Tribal Relations from its current office to become The Office of the Assistant Secretary of Tribal Affairs.

• **Member Rainey** asked if elevating a position of a tribal liaison to an Office of the Assistant Secretary level was equitable to all the other marginalized communities.

• **Member Stanger-McLaughlin** responded that the difference is a tribal liaison deals with government-to-government relationships. The Members decided not to make any changes to this recommendation.
Recommendation #16 and #17: Move discrimination complaints to National Appeals Division (NAD) and out of the Civil Rights office. AND Transform and adequately fund the Office of the Assistant Secretary for Civil Rights.

- **DFO Hernandez** read both recommendations together. Members then deliberated on these recommendations together.
- **Member Rainey** discussed tabling this recommendation to gather more information on the civil rights process and to receive feedback on the recommendations from the Office of the Assistant Secretary for Civil Rights.
- Members discussed the importance of this issue indicated that they need more information and time to establish a more effective process.

Recommendation #15: Enhance and improve writing job descriptions/hiring requirements that include cultural competencies.

- **Member Sias-Hernandez** suggested condensing this recommendation into a sub-recommendation in Recommendation 10. All Members agreed with this change.
- Members then discussed and refined the language included in this recommendation.

Recommendation #14: Under existing USDA Secretary’s existing authorities, conduct periodic audit across USDA system-wide to look at service by race, gender, etc. Publish results on the USDA website and release underlying data to independent researchers.

- **Member Rainey** suggested deleting subpart “B) Conduct periodic audit across USDA system-wide to look at service by race, gender, etc. Publish results on USDA website. Release underlying data (with personally identifiable information removed) for independent researchers to replicate and build on official audits” of this recommendation to avoid repetition with Recommendation 29.
- **Member Rogge-Fidler** emphasized the difference between these recommendations. The Commission decided not to edit this recommendation.

Recommendation #13: Direct the National Agricultural Statistics Service (NASS) to include subsistence farmers and ranchers in the next Census of Agriculture to account for the nature of many traditional forms of tribal agriculture.

- **Member Rainey** asked for clarification on how USDA currently classifies farmers.
- **Member Stanger-McLaughlin** mentioned that some traditional methods of farming used by tribes do not usually get counted in the Agriculture Census.
- **Member Lee** requested that the language be refined to be sure to include Native Hawaiians and Alaskans.

Recommendation #12: Conduct an annual convening on Equity to have data available to inform the ongoing work of the Equity Commission.

- **Member Sias-Hernandez** suggested this recommendation be added as a sub-recommendation to a broader recommendation regarding an Equity Office. This, in turn,
would institutionalize annual convenings for sharing equity-related data. All Members of
the Commission agreed to this change.

**Recommendation #11:** Support legislation to provide standing authority and accountability for
the Secretary and senior leadership to carry out a continuous program to measurably improve the
equitable availability and distribution of services and programs’ benefits to all eligible
Americans.

- **Member Rawls** suggested that the background information be used in place of the
  original bullet points because this language is more descriptive. All Members agreed with
  the edit.

**Recommendation #10:** Institutionalize an equity office at the Department that drives
compliance and culture change across all of USDA.

- Equity Commission Members did not have any amendments and agreed to proceed to the
  next recommendation.

**Recommendation #9:** Enhance Private-Public Partnership through Pilot Programs.

- Equity Commission Members had minor amendments to this recommendation and agreed
  to proceed to the next recommendation.

**Recommendation #8:** Increase funding for the Federally Recognized Tribal Extension Program
(FRTEP) and remove the competitive nature of the current application process to allow for more
collaboration across Tribal extensions.

- **Member Rainey** asked for clarification on what “removing competitive nature” means.
- **Member Stanger-McLaughlin** responded that the nature of tribal extension programs
  and projects result in different groups competing for a small pool of money and resulting
  in loss of collaboration and pushing out some groups.
- **Member Rawls** amended the recommendation to state “seek increased funding.”

**Recommendation #7:** Include equitable climate actions in USDA conservation programs to
address environmental justice.

- **Member Reed** expressed that sub-recommendation “D) Provide funding for technical
  assistance to be culturally appropriate and invest in local experts and communities
  through cooperative agreements with tribes, acequias, and other experts” may be
  redundant because USDA is already providing some funding to provide linguistically and
  culturally appropriate technical assistance.
- Members agreed to edit this sub-recommendation to read increase funding rather than
  provide funding.

**Recommendation #6:** Ensure equitable funding to community-led land access and transition
projects.
• Member Stanger-McLaughlin added tribal highly fractionalized land to this recommendation.
• Member Reed expressed that he believed heirs’ property and highly fractionalized land should be included separately rather than in the same sentence because they are different.
• Member Sias-Hernandez mentioned that both issues resulted in disenfranchising people.
• Equity Commission Members continued to refine the language of this recommendation and agreed to proceed.

Recommendation #5: Improve USDA Loan Programs and Processes.
• Equity Commission Members did not have any amendments and agreed to proceed to the next recommendation.

• Member Sias-Hernandez proposed refining the wording for language access and moving this recommendation to a DEIA office rather than Civil Rights.
• Member Lee agreed with Member Sias-Hernandez and subsequently refined the language. She disagreed with the idea of moving this recommendation to a DEIA office because Civil Rights currently oversees language access.
• Members debated where to assign this recommendation. This discussion resulted in rewording the recommendation to state that a Language Access Plan would need to be assigned to a career staff member that oversees department wide efforts.

Recommendation #3: Maintain and expand on the level of funding and technical assistance related to the Highly Fractionated Indian Land Loan Program (HFIL), created by the 2014 Farm Bill.
• Members agreed to make this a sub recommendation of recommendation 6: “Ensure equitable funding to community-led land access and transition projects”.

Recommendation #2: Provide non-loan options for producers to prevent the creation of heirs’ property and reduce the barriers this type of land ownership encounters when accessing USDA programs.
• Equity Commission Members had minor amendments to this recommendation and agreed to proceed to the next recommendation.

Recommendation #1: Ensure equitable access to information and knowledge including 1:1 matching for land grant universities, federally designated Minority Serving Institutions, and Hispanic Serving Agricultural Colleges and Universities, and Community Based Organizations.
• Equity Commission Members refined the language of this recommendation and agreed to proceed to voting. Members ensured that all minority serving institutions were covered by the recommendation.

7. Voting

• Equity Commission Members unanimously voted in favor of recommending recommendation 1: Ensure equitable access to information and knowledge including 1:1 matching for land grant universities, federally designated Minority Serving Institutions, and Hispanic Serving Agricultural Colleges and Universities, and Community Based Organizations.

• Equity Commission Members unanimously voted in favor of recommending recommendation 2: Provide non-loan options for producers to prevent the creation of heirs’ property and reduce the barriers this type of land ownership encounters when accessing USDA programs.


• Equity Commission Members unanimously voted in favor of recommending recommendation 5: Improve USDA Loan Programs and Processes.

• Equity Commission Members unanimously voted in favor of recommending recommendation 6: Ensure equitable funding to community-led land access and transition projects.

• Equity Commission Members unanimously voted in favor of recommending recommendation 7: Include equitable climate actions in USDA conservation programs to address environmental justice.

• Equity Commission Members unanimously voted in favor of recommending recommendation 8: Increase funding for the Federally Recognized Tribal Extension Program (FRTEP) and remove the competitive nature of the current application process to allow for more collaboration across Tribal extensions.

• Equity Commission Members unanimously voted in favor of recommending recommendation 9: Enhance Private-Public Partnership through Pilot Programs.

• Equity Commission Members unanimously voted in favor of recommending recommendation 11: Support legislation to provide standing authority and accountability for the Secretary and senior leadership to carry out a continuous program to measurably improve the equitable availability and distribution of services and programs’ benefits to all eligible Americans.
• Equity Commission Members unanimously voted in favor of recommending recommendation 13: Direct the National Agricultural Statistics Service (NASS) to include subsistence farmers and ranchers in the next Census of Agriculture to account for the nature of many traditional forms of tribal agriculture.
• Equity Commission Members unanimously voted in favor of recommending recommendation 14: Under existing USDA Secretary’s existing authorities, conduct periodic audit across USDA system-wide to look at service by race, gender, etc. Publish results on the USDA website and release underlying data to independent researchers.
• Equity Commission Members unanimously voted to table recommendation 16: Move discrimination complaints to National Appeals Division (NAD) and out of the Civil Rights office.
• Equity Commission Members unanimously voted to table recommendation 17: Transform and adequately fund the Office of Civil Rights.
• Equity Commission Members unanimously voted in favor of recommending recommendation 18: Elevate the Office of Tribal Relations from its current office to become The Office of the Assistant Secretary of Tribal Affairs.
• Equity Commission Members unanimously voted in favor of recommending recommendation 19: Institutionalize Equity Office that drives compliance and culture change across all of USDA, and includes staff and resources dedicated to specific constituencies, such as farmworkers.
• Equity Commission Members unanimously voted in favor of recommending recommendation 20: Ensure farmworkers’ access to USDA nutrition programs.
• Equity Commission Members unanimously voted in favor of recommending recommendation 21: Fund Farmworkers. Members also voted between three alternative options for language. Option X stated that recommendation 21 was intended to support farmworkers and farmworker organizations. Option Y stated this recommendation intended to support farmworker organizations and not farm labor contractors. Option Z stated this recommendation intents to support farmworkers, farmworker organizations, and farmworker employers. Option X received 1 vote, option Y received 6 votes, option Z received 2 votes.
• Equity Commission Members unanimously voted in favor of recommending recommendation 22: Request the USDA Congressional Research Service or Government of Accountability Office report on farm worker access to USDA programs.
• Equity Commission Members unanimously voted in favor of recommending recommendation 23: Support legislative action to remove eligibility restrictions on SNAP that disproportionately limit access to nutrition supports by people of color, including the restrictions on immigrants, residents of Puerto Rico, participants in the FDPIR, the time limit on benefit receipt, and the drug felony ban.
• Equity Commission Members unanimously voted in favor of recommending recommendation 24: Continue to revise the thrifty food plan to reflect the needs of today’s consumers, explore options for boosting the minimum benefit and increasing
benefits more than annually during period of high inflation, and consider basing SNAP benefit levels on the low-cost food plan.

- Equity Commission Members unanimously voted in favor of recommending recommendation 25: Monitor state SNAP agencies to ensure that SNAP is administered in a way that treats applicants and participants with dignity and respect, including holding states accountable for barriers to access, and requiring states to develop processes for beneficiaries to be involved in program and systems design and evaluation.

- Equity Commission Members unanimously voted in favor of recommending recommendation 26: Review the nutrition programs to identify and remove any barriers to vendor and procurement opportunities for disadvantaged and underrepresented communities.

- Equity Commission Members unanimously voted in favor of recommending recommendation 27: Enhance the role and financial investment in organizations (non-profit, non-governmental, community-based) to provide technical assistance.

- Equity Commission Members unanimously voted in favor of recommending recommendation 28: Address historical inequitable services by making County Committees more equitable.

- Equity Commission Members unanimously voted in favor of recommending recommendation 29: Hold USDA accountable to execute/conduct annual civil rights compliance reviews across all USDA agencies.

- Equity Commission Members unanimously voted in favor of recommending recommendation 30: Improve Customer Service.

- DFO Hernandez congratulated the members and reminded the public audience that the passed recommendations will be included in an interim report that will be presented to the Secretary later this year. DFO Hernandez then adjourned the meeting.

MEETING AJOURNED
I hereby certify that, to the best of my knowledge, the foregoing minutes are accurate and complete.

Jewel Bronaugh, PhD.
Co-Chair, USDA Equity Commission
Deputy Secretary, USDA

Arturo S. Rodriguez
Co-Chair USDA Equity Commission
## APPENDIX

Members of the Public: Attendance List

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