Dear Director Beatty:

During this difficult time, farmers across the U.S. face unprecedented challenges in keeping their farms afloat and their livelihoods intact. For many producers, the impacts of this current crisis are compounded by years of depressed prices, volatile markets, and historic levels of farm debt. We are increasingly concerned about the sustainability of our nation’s most underserved farmers who often have the fewest resources to draw on and who most need our support in these challenging times.

In this regard, we write to raise concerns that funding appropriated in Fiscal Year 2020 to support the Outreach and Assistance for Socially Disadvantaged and Veteran Farmers and Ranchers (i.e. Section 2501) program has been redirected for other purposes.

As you are aware, the Section 2501 program has served as the only Farm Bill program dedicated to addressing the specific needs of Black, American Indian, Asian American, Latino, and military veteran family farmers and ranchers. The Section 2501 program aims to reverse the disparities that have existed for these historically underserved communities by funding innovative outreach and technical assistance programs through the community-based organizations, Tribes, and educational institutions best prepared to reach and serve them.

In the 2018 Farm Bill, Congress affirmed its support by providing mandatory funding for the Section 2501 program under the new Farming Opportunities Training and Outreach (FOTO) program. In recent years, Congress has provided additional funding through annual appropriations to further boost resources for Section 2501 projects that directly address the urgent needs of traditionally underserved farmers and ranchers.

We were therefore concerned to learn that instead of directing Fiscal Year 2020 Section 2501 appropriations to grants established through the 2018 Farm Bill, the United States Department of Agriculture (USDA) redirected this funding to a new initiative created by the Administration – the Centers for Community Prosperity (CCP), as published in the Federal Register on July 10, 2020 (85 FR 41516). Additionally, we understand this decision was made without a thorough process for input and consultation with Section 2501 stakeholders and the communities of color and veterans that they serve.
Because of the importance of the Section 2501 program to many of our constituents, we ask that you answer the following questions regarding the CCP:

1) What specific Farm Bill authorities and funding is USDA using to authorize and administer CCP? Did USDA transfer any funding for this purpose, and were any transfers in line with USDA’s 7 percent transfer authority under 7 U.S.C. § 2257 (or any other authority USDA relied on to do so)?

2) What differentiates CCP from the Section 2501 program? How will CCP projects overlap or be duplicative with projects funded through Section 2501? What justification can the Department provide for the decision to create a separate outreach and technical assistance program rather than a single program to serve socially disadvantaged farmers?

3) Will all CCP projects be required to focus exclusively on socially disadvantaged (SDA) and veteran farmers, as required under 7 U.S.C. 2279(c)? Will CCP grantees be required to demonstrate experience and provide documentary evidence of working with SDA farmers during the three year period preceding the submission of applications for CCP funding, as required under 7 U.S.C. 2279(c)? Provide specifics on how socially disadvantaged farmers will benefit from CCP.

4) How will funding decisions be made as to which grants are awarded under the CCP? Will USDA employ an external peer review panel as required by 7 U.S.C. 2279(c)(4)(I)?

5) What stakeholders (if any) were consulted in the development of the CCP prior to the RFA being issued, and what the outreach was conducted specifically related to this new RFA, as required by 7 U.S.C. 2279(c)(4)(J)?

6) Will USDA be issuing a correction to 85 FR41516 to require that any Section 2501 funding awarded under CCP must meet the “eligible entity” definition in 7 U.S.C. 2279(c)? If so, please provide a timeline for when the correction will be published.

7) Veterans are an explicit part of the Section 2501 program. What involvement did the U.S. Department of Veterans Affairs have in developing the CCP program?

In addition to these questions, we expect USDA to comply with the reporting requirements as outlined in 7 U.S.C. 2279(c)(4)(D). As such, we expect USDA to submit to Congress, and make publicly available, the following information on all CCP grantees:

- The recipients of funds made available under this program;
- The activities undertaken and services provided;
- The number of current and prospective socially disadvantaged farmers or ranchers served and outcomes of such service;
- The problems and barriers identified by grantees in trying to increase participation by current and prospective socially disadvantaged farmers or ranchers;
- The number of farms or ranches started, maintained, or improved as a result of funds made available under this program;
- Actions taken by the Secretary in partnership with grantees to enhance participation in agricultural programs by veteran farmers or ranchers and socially disadvantaged farmers and ranchers; and
- The effectiveness of these actions.
The House passed H.R. 7608, the first Fiscal Year 2021 appropriations minibus, which includes $5 million for the FOTO program as authorized by the 2018 Farm Bill in addition to the $35 million in total mandatory funds available in 2021. It is our expectation that any and all additional funds appropriated in Fiscal Year 2021 to support outreach and technical assistance for socially disadvantaged farmers under 7 U.S.C. 2279 be directed to the Outreach and Assistance for Socially Disadvantaged Farmers and Ranchers program, as was intended for the funds USDA is using to support CCP.

We appreciate your prompt consideration of these questions.

Sincerely,

Tina Smith  
United States Senator

Ben Ray Luján  
United States Representative

Tom Udall  
United States Senator

Alma Adams  
United States Representative

/s/ Chris Van Hollen  
Chris Van Hollen  
United States Senator

Earl Blumenauer  
United States Representative

Kirsten Gillibrand  
United States Senator

G. K. Butterfield  
United States Representative

Bernard Sanders  
United States Senator

Ed Case  
United States Representative

Patty Murray  
United States Senator

Jim Costa  
United States Representative
/s/ Martin Heinrich  
Martin Heinrich  
United States Senator

/s/ Eddie Bernice Johnson  
Eddie Bernice Johnson  
United States Representative

Jon Tester  
United States Senator

Ann McLane Kuster  
United States Representative

Richard J. Durbin  
United States Senator

Ted Lieu  
United States Representative

/s/ Sean Patrick Maloney  
Sean Patrick Maloney  
United States Representative

James P. McGovern  
United States Representative

Jimmy Panetta  
United States Representative

Chellie Pingree  
United States Representative

Stacey E. Plaskett  
United States Representative