



Barren Soil

How the data desert impacts accountability at the USDA

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Introduction

The historic Pigford lawsuits, Keepseagle, and sister cases were about the systemic discriminatory denial of access to credit for Black, native, and women farmers whose livelihoods and identities thrive or wither on access to capital. Those successful cases, and the subsequent little progress, were based on stories and statistics making it into the hands of farmers, advocates, and organizations who could fight for a more just agricultural system for farmers of color. These cases revealed the extent of decades-long, harmful discrimination—just as they led towards an equity pathway.

The Pigford Project is a research initiative by the Federation of Southern Cooperatives/LAF and the Institute for Economic and Racial Equity (IERE) at Brandeis University which seeks to better understand the legacy and impact of *Pigford v. Glickman* and *In re Black Farmers Discrimination Litigation*, two of the largest civil rights class action lawsuits in the history of the nation, and apply those lessons to better support the lives and livelihoods of Black farmers today.

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Reliable and trusted evidence show us how we are doing, where we fall short, and often reveal the paths available to us. The United States Department of Agriculture (USDA) collects and analyzes a huge amount of data each year, but very little makes it into the hands of farmers affected by decisions made in Washington. One area where data is especially critical is lending, and how front-line service providers give or limit access to credit.

Today, stories abound about how the USDA continues to fall short in ensuring that Black farmers have access to critical programs and funding, but statistics are hard to come by, usually stitched together through individual Freedom of Information Act requests. If the USDA truly wants to build a more equitable farm system, as signaled by convening an Equity Commission in 2022, transparency about its shortcomings and successes as it moves forward is critical. Since the USDA was deeply involved in dispossessing Black farmers off their land through the 20th century ([Daniel, 2013](#)), transparency is a critical component of nurturing trust throughout the reform process.

County Committees as a Case Study

To learn more about the FSA's county committee system, visit the [Pigford Project's County Committee page](#)

Throughout our research into the impact and legacy of the Pigford cases, we asked questions about Farm Service Agency (FSA) county committees. Black farmers talked about these committees as a major source of continued disenfranchisement and stalling reform. Implementation of USDA policy has long had hyper-localized control, with small elected county committees choosing the County Executive Director. This Director then fills local offices with the staff who make decisions that dramatically impact the economic health of their neighbors, ranging from loans to buy land to processing

eligibility for disaster programs. County committees also are the first line for arbitrating disputes and even set certain program eligibility metrics ([Canada, 2021](#)).

These committees are a holdover from a system created in the 1930's. While local committees have always had some say in programmatic decision making, especially about who could farm what and where, elected county committees did not inherit USDA loan programs until 1994, when three separate branches of the USDA were folded together. Rather than adopting the appointed committee system of the previous primary USDA lender, the Farmer's Home Administration, the USDA chose to maintain the electoral system of the Agricultural Stabilization and Conservation Service ([Galperin, 2020](#)).¹ This has not been to the benefit of Black farmers.

Less than a decade after the re-organization, the USDA already recognized it had a problem with representation. The 2002 Farm Bill gave the Secretary of Agriculture the authority to appoint voting members if a committee failed to be representative of the farmers working in the county. Ten years later, they developed metrics to determine whether a county committee was unrepresentative and merited an appointment.² Unfortunately, there is no way to see how successful these new guidelines have been.

1. The Agricultural Stabilization and Conservation Service was primarily charged with keeping crop prices stable and maintaining soil health through the allotment system.

2. The bar is incredibly high and requires that the affected area consist of 25% Black farmers in most 3-member county systems. Only 25 counties met that criteria as of the 2022 census of agriculture.

Though data on the racial and ethnic makeup of county committees is required to be submitted to the Secretary of Agriculture, that data is not made publicly available in aggregate, let alone on a county-by-county basis, so tracking even incremental progress in representation over time is impossible.

Black farmers elected to county committees are often in an extreme minority with little decision-making power. One Pigford claimant we interviewed stated ***“Well, I’ve served on the county committee.... But the thing about that was that they had made all the decisions before I even got into the room. Really... and so they only told me after the fact .”***

It should surprise no one that county committees were a major point of discussion for the Equity Commission. Nevertheless, a strong headwind precluded decisive recommendation—county committee cannot be changed without an act of Congress. This is reflected in both the recommendations from the Equity Commission and the USDA’s response. Appointed voting members now serve a three-year term like the other members of the county committee, rather than a single-year term. The USDA has committed to field staff training and bias training for county committee members, and now treat committee members as staff when it comes to disputes. However, they have not formally committed or implemented the external transparency recommendations, such as the Equity Commission’s recommendation to ***“[make] county committees reports and contact information available to the public in a timelier manner. Reports should also include demographic information of the members.”*** Without this key piece of data, as well as data on the racialized impact of county committee decision-making, it will be impossible to track and monitor progress towards these goals.

Unearthing the Truth

When presenting recommendations to the public in 2023, Equity Commission member JP Haynie III, who is also an active farmer, delivered [moving testimony](#) about his community’s experience with county committees. His local county committee and the County Executive Director used the financial information they were able to acquire as part of the program application process to take a Black farmer’s land.

Wrapping up his testimony, he stated,

“When we look at how we make things better going forward, FSA has had some shortcomings. When we look at all the other agencies – NRCS, Rural Development – they don’t have the historical factors that the FSA has had, and they’re still able to disseminate their programs -- they’re still able to get those funds to farmers and members who need those funds. So, I think the county committee system needs to be abolished. I think we need to look at how other organizations in the federal government are run, and not so much control is given to powerful traditionally white men and women in the farming community in these county offices that are able to use our information against us.”

This is not just an issue with county committees, though the system is illustrative of the issue. In fact, in the 2008 Farm Bill, congress required the USDA to publish metrics about its programs serving Socially Disadvantaged Farmers under section 14006. Sixteen years later, this still hasn’t been implemented ([Amusa et al., 2024](#)). If the USDA is truly invested in making farming more equitable and begin building trust with Black farmers, even if eliminating county committees is outside of its role, it should ensure that the right statistics make it into the hands of the right people.