

# DEMOCRATIC WOMEN'S CAUCUS

August 11, 2023

Secretary Tom Vilsack  
United States Department of Agriculture  
1400 Independence Avenue, SW  
Washington, D.C. 20250

Dear Secretary Vilsack,

We are writing to you with excitement that USDA is implementing Section 22007 of the *Inflation Reduction Act* to assist producers who have experienced discrimination in USDA farm loan programs. We see this as an important step in addressing the history of discrimination at USDA, including against women and Black, Indigenous, (and) People of Color (BIPOC) farmers. This historic \$2.2 billion investment is another step in creating a more just, equitable, and inclusive USDA. To that end, we want to support USDA's efforts to be inclusive of women who have faced discrimination by USDA in the past.

Women have long faced barriers to owning property and accessing credit. It wasn't until the Equal Credit Opportunity Act of 1974 (ECOA) that women were legally able to secure loans on the same basis as men. Nevertheless, many women still faced discrimination by USDA at their local Farm Service Agency (FSA) offices. In 2000, a group of women farmers sued USDA in what became known as the "Love trials." One woman stated, "I requested an application in person but was told that I would not qualify without a husband." Another described, "I requested an application in person. An FSA employee responded to me by saying that I would not be strong enough to perform the physical labor of having a farm since I was a woman."<sup>[1]</sup>

To settle claims, the U.S. Judgement Fund provided \$1.33 billion and USDA provided \$160 million for female and Hispanic farmers. Nearly 54,000 claims were filed for cases of discrimination that occurred before 2000, but an audit by the Office of the Inspector General found that USDA only compensated about 3,200 claimants and expended only about \$207

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<sup>[1]</sup> 2006. Declarations from women in Love vs. Johanns.

million, while dismissing nearly 60 percent of claims due to paperwork errors.<sup>[2][2]</sup> Most claimants were never provided the reason their claims were denied.

Now, women farmers, ranchers, and foresters have another opportunity to apply for just compensation for past discrimination by USDA. Types of discrimination covered include race, sex, sexual orientation or gender identity, religion, age, marital status, disability and reprisal/retaliation for prior civil rights activity. It is imperative that USDA conduct robust outreach to all eligible farmers, including women farmers when administering this settlement fund. With the rapidly approaching deadline of October 31, 2023 to file claims, we must ensure there are focused efforts to reach all those who have experienced discrimination.

Money alone cannot make up for the life-long impacts of discrimination. Nevertheless, USDA cannot repeat the mistakes of past settlement processes that have left tens of thousands without recompense due to technicalities. We urge USDA to contact the women who had previously submitted discrimination claims and provide targeted outreach to additional women who have experienced discrimination since 2000. We also ask USDA to share their outreach strategy with us.

Sincerely,



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Lois Frankel  
Chair  
Democratic Women's Caucus



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Chellie Pingree  
Member of Congress



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Jahana Hayes  
Member of Congress

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<sup>[2]</sup> Office of Inspector General. 2016. Hispanic and Women Farmers and Ranchers Claim Resolution Process. Audit Report 50601-0002-21.