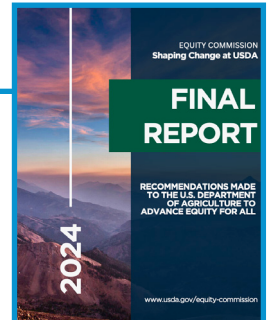




HELPING ILLEGAL IMMIGRANTS, HURTING LOCAL FARMERS: THE EQUITY COMMISSION'S 2024 REPORT

On February 22, 2024, the United States Department of Agriculture's (USDA) Equity Commission released a new *report* that makes 66 recommendations to Congress and USDA on how to further equity. The Executive Summary describes the report as "a comprehensive guide for long-lasting change within USDA programs, policies, and procedures." Its goal is to advance extreme leftist policies, like making illegal immigrants fully eligible for food stamp benefits.



This report seems to have two main purposes:

- 1 to act as a guide for the current leadership of USDA to implement every radical policy it can through mere guidance (stretching the limits of what is allowed), and what remains through one or more last-minute rules; and
- 2 to help fight an Administrative Procedure Act "arbitrary and capricious" challenge to any rule it passes related to the report.

The report makes hundreds of individual policy recommendations and spans numerous programs and policies, but the 10,000-foot view is this: **more** money, **more** bureaucrats, **more** offices, **more** programs, **more** legal landmines, **more** welfare, **more** incentives for illegal immigration, **more** unconstitutional discrimination, and **fewer** safeguards against fraud and abuse.

To illustrate just how bad this radical leftist agenda is, we explain the three worst objectives from the report:

Ensuring Illegal Immigrants Receive USDA Benefits

The Commission is very concerned by the fact that people who immigrated illegally are ineligible for programs like food stamps and are prevented from obtaining benefits illegally by verification procedures. Ideally, the Commission would like all immigrants to be eligible for benefits regardless of whether they are here legally (Recommendation 32), but since that would require legislative action, the Commission looked for alternatives. In Recommendation 24, the Commission urged USDA to stop "requiring a social security number" to apply for and receive benefits from any USDA nutritional program.

Under 7 CFR § 273.6, state agencies administering food stamps are required to verify Social Security numbers (SSNs) as part of the application process, but those without SSNs can be approved if the agency finds that the applicant had "good cause" not to provide one. Abusing the good cause exception is one way USDA could avoid requiring SSN verifications without congressional approval.

Removing Food Stamp Limitations

Recommendation 32 of the Report urges USDA to push for legislation ending the following limitations on the food stamp program:

1. **Time limits for unemployed, able-bodied adults without children (ABAWD).**
2. **The state option to deny benefits to ABAWDs who fail to participate in mandatory Employment and Training programs.**
3. **The ban on food stamp assistance for people with felony drug convictions.**

Unconstitutional Quotas and Encroachment on Local Governance

The Farm Service Agency (FSA) is a subagency within USDA. It is responsible for administering **“disaster relief, conservation programs, commodity price guarantee programs, and loan programs”** to farmers and farming communities. Its total budget for loan programs alone in 2024 is nearly \$600 million. FSA has hundreds, maybe even thousands, of ministerial offices across the country, and each is required to have a board called a County Committee.

County Committees mainly monitor FSA programs in their area and make recommendations to FSA offices on the administration of FSA programs, and they have some decision-making authority. County Committee members are farmers and ranchers who are elected by the local farmers and ranchers in their county. Each committee has between three and 11 members. Additionally, committees can currently choose to have a **“minority member”** appointed to represent the interest of local minority farmers; however, minority members do not typically have voting power on County Committees. The point of County Committees is to give local producers a say in administering major federal programs that can easily affect a small or mid-size market.

The Commission wants to use minority members to wrest local control from the County Committees in favor of the federal bureaucracy. It recommends transforming all minority members from a typically advisory role to an equal voting role on the Committees, even though minority members are appointed rather than elected like all other members.¹ The Commission further recommends that USDA mandate that all County Committees have minority members and County Committees that do not already have minority members should have one appointed by the Secretary of USDA.

The Commission goes on to recommend that USDA consider mandating racial- and gender-based quotas for County Committees. The Supreme Court has long recognized that such quotas are unconstitutional.

Buried deep within Recommendation 20 is one of the most concerning, illegal, and authoritarian provisions of the report. The Commission says USDA should review County Committees every two years to assess the level of equity created by Committees. If a committee does not produce **“the desired equitable outcomes,”** USDA should conduct a further review and consider **“a potential reform of the County Committee system to a more equitable alternative.”** These analyses should focus specifically on the Committees’ role in **“creating disparities for women and BIPOC farmers.”**

If implemented, this provision will strip local communities of the limited power they have to oversee major federal programs that easily make or break small and mid-size agricultural producers and give federal bureaucrats free reign to illegally discriminate against farmers and ranchers based on their race and gender.

The above issues are just some of the most obvious and concerning recommendations made by the Equity Commission. If carried out, any of the 66 recommendations could do serious harm to the welfare system and agricultural sector.

1. In 2002, Congress gave the USDA Secretary the power to appoint voting minority members to Committees where minorities are not being fairly represented.