

**Testimony**

**of**

**John Boyd  
President**

**National Black Farmers Association**

**Before the**

**Committee on Agriculture**

**United States House of Representatives**

**on**

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**President, National Black Farmers Association (NBFA)**  
**United States House Committee on Agriculture**

Dear Honorable Chairman David Scott, Vice Chair Alma Adams and Congressman Glenn "GT" Thompson, Ranking member. Thank you for the invitation. It is truly an honor to address your committee hearing, "*A Hearing to Review the State of Black Farmers in the U.S.*".

I am John Boyd, Founder and President of the National Black Farmers Association (NBFA). The National Black Farmers Association seeks justice in terms of the distribution of wealth, opportunities, and privileges within the United States "U.S." and U.S. territories.

The National Black Farmers Association (NBFA) is a nonprofit 501(c)3 organization with farm training sites across the United States in rural and urban areas. NBFA is a community-based organization with a national constituency of over 116,000 members predominately in 42 states. Our membership consists of full-time farmers, part-time farmers, land and timber owners and many concerned citizens. To date, the organization continues to work diligently to improve the quality of life in rural communities through improved agricultural outreach, technical assistance, access to credit for small farmers, family farm business development, food distribution, rural economic development and environmental protection with a Memorandum of Understanding (MOU) with United States Department of Agriculture (USDA), US Forest Service and Environmental Protection Agency.

As a national civil rights figure representing Black Farmers, I have met with President Barack Obama, President Bill Clinton, President George W. Bush and President Jimmy Carter. I have led dozens of training sessions and community meetings across the nation, Africa and Haiti serving as a social justice advocate for women, Native American and Hispanic farmers in their pursuit to fair access to USDA programs and services. As a result, I am highly regarded in the farm community as someone "who cares" and has access to critical information about programs for black and other minority, youth, veteran, women and limited resource farmers with a proven ability to deliver high-quality technical advice and solutions. The latest example of my personal commitment and corporate resolve to ensure civil, economic, environmental and social justice and fiscal responsibility for NBFA members and other small-scale farmers is the NBFA call to action "ReClaiming, ReGaining, and ReGenerating Our Family Farms".

The NBFA has been providing sustainable agriculture workshops and conferences for over 30 years due to the ongoing injustices faced by Black and other minority farmers. The NBFA provides all educational outreach training initiatives, direct technical assistance and conferences free of charge to attendees and open invitation for all to attend in accordance with the MOU between USDA, EPA, U.S. Forest Service, SC Commission for Minority Affairs and the NBFA.

I am a fourth-generation farmer, maintaining about 1,300 acres in Southside, Virginia, where I grow soybeans, wheat, corn and raise beef cattle.

The long history of discrimination by the United States Department of Agriculture (USDA) is not in dispute.

Scholars, commissions, the courts, and even the Department itself have confirmed that USDA systematically denied loans, subsidies and other benefits to Black farmers that were routinely provided to white farmers.

- In 1965, the U.S. Commission on Civil Rights found that discrimination in farm programs had contributed to a decline in Black ownership of farmland.
- In 1968, the U.S. Commission on Civil Rights found that Black farmers faced discrimination when seeking farm loans and other forms of assistance.
- In 1970, the U.S. Commission on Civil Rights found discrimination in the administration of USDA programs.
- In 1982, the U.S. Commission on Civil Rights documented discrimination complaints at USDA county offices.
- In 1995, the Government Accountability Office found USDA county committees had few people of color.
- In 1996, a study for USDA's Farm Services Agency found farmers were not getting an equitable share of farm payments and loans.
- In 1997, USDA's Inspector General documented a "climate of disorder" among USDA civil rights staff.
- In 1997, the Civil Rights Action Team created by USDA documented stories of discrimination against farmers of color.
- In 1998, the USDA's Commission on Small Farms cites discrimination as a cause of the decline of Black farmers.
- In 1999, a federal court found USDA discriminated against Black farmers by denying or delaying loans.
- In 2001, the U.S. Commission on Civil rights found Black farmers waited four times longer than white farmers to receive farm loans.
- In 2008, the Government Accountability Office reported that USDA had still not resolved many discrimination complaints.

But discrimination is not something that I read about in a report or a court transcript.

I have attached to my testimony the reports by the Commission on Civil Rights, the Department of Agriculture, and the Government Accountability Office as well as written testimony I have presented to Congress over the years as the NBFA President that document this history of discrimination, differential treatment, and breach of trust by USDA. They also detail the struggle the NBFA has encountered at the USDA to end racial discrimination and achieve justice

for Black Farmers as the NBFA was a named plaintiff in In Re Black Farmers Discrimination and has filed objections and sought legal remedies to protect Black Farmers in America.

In 1983, I was introduced to the USDA Farmers Home Administration (now known as Farm Service Agency) by an elderly Black farmer who was fighting off foreclosure. Once I purchased the farm with a farm ownership loan, the lien was recorded in the local county courthouse. That was the being of my relationship or lack thereof that brings me before you today to discuss the "State of Black Farmers". I experienced racial discrimination personally when I sought farm operating loans from the Department. I was called "boy." I was spit on. My loan applications on numerous occasions were torn up and thrown in the trash while I watched. Upon investigation by the USDA Office of Civil Rights, several applications were found unprocessed in my USDA file. In my county office, Black farmers were only seen on Wednesday -- or what came to be known as "Black Wednesday." When Black farmers received USDA loans they were assigned "supervised" bank accounts which required white loan officers to co-sign every transaction.

As a result of differential treatment and discrimination against Black farmers like myself, the number of Black farmers has fallen dramatically -- from more than 900,000 in 1920 to less than 50,000 today.

Unfortunately, the effects of discrimination by the Department can be felt decades after reaching historic settlement agreements. I reached a settlement agreement with USDA in 1997 which provided complete debt relief. In 2019, I was informed that USDA had breached the settlement agreement and over \$600,000 in USDA liens remained against my farm according to a title search. I filed a complaint against USDA for Breach of Agreement and Retaliation because the amounts recorded in the liens were erroneous and the prepared Certificates of Satisfaction to release the liens had been prepared but never executed or filed as they remained unsigned by the local county FSA official in my USDA file. It wasn't until I secured and paid for the services of an attorney to file these Certificates that my farm was no longer in jeopardy of landloss at the hands of the USDA. This wasn't the 1<sup>st</sup> time USDA officials had failed to act upon my behalf and I am here today because I want to openly address why the NBFA has continued to call for accountability and transparency at the Department in 2021. Too many Black Farmers continue to request our assistance to address program complaints and civil rights violations.

Discrimination continues to be reflected and reinforced by current USDA programs.

While Black farmers receive about \$60 million in annual commodity subsidies, white farmers annually receive about \$10 *billion* in commodity subsidies.

While an eligible black farmer receives, on average, \$7,755 in commodity subsidies, an eligible white farmer receives, on average, \$17,206 in commodity subsidies.

Like commodity subsidies, ad hoc disaster payments also overwhelmingly flow to white farmers.

Experts found that 99% of the Market Facilitation Payments made to offset the effects of President Trump's trade war went to white farmers. Experts also found that 97% of Coronavirus Food Assistance Payments made to address the Covid-19 pandemic went to white farmers.

The disparity in the crop insurance program -- which requires a farmer-paid premium many Black farmers cannot afford -- may be even greater, but Congress will not lift the veil of secrecy that hides who receives crop insurance subsidies.

As you know, arm income support payments are tied to production or revenue. So, the largest 10% of subsidy recipients collect more than half of all subsidies. Virtually all of these farmers are white.

The result of decades of discrimination is that Black farms are smaller, and our revenues are smaller than those of our white neighbors. Therefore, eligible Black farmers receive less support from USDA and fall further and further behind. What's more, a disproportionate share of black farmers produce farm products that are not even eligible for traditional subsidies.

Rather than right these historic wrongs, government programs have largely perpetuated systemic racism.

In response to discrimination by the Department, I joined with other farmers to sue USDA, which resulted in the Pigford and In Re Black Farmers Discrimination settlements. By acknowledging the long history of discrimination, the Black Farmer settlements were an important first step. But they failed to provide farmers the debt relief Black farmers needed.

During the Trump Trade war, it was unacceptable that foreign owned corporations benefited at an alarming rate while tax-paying American farmers such as myself received miniscule amounts of the relief designated with stated purpose to help American Farmers. Economic fairness was at stake in that matter but failed to provide much needed relief for the disruption to our farms.

On June 19, 2019, I testified before the U.S. Financial Services Committee. I stated, "Unless there is a set aside amount for support of small-scale farmers in the proposed \$16 Billion Bailout, we will be treated as invisible and insignificant participants in the process. Policy decisions regarding farmers will continue to disproportionately reward foreign-owned corporations and exclude already disadvantaged farmers in our category. Justice would be served in the current crisis by a vote for bipartisan legislation from this committee to set aside \$5 Billion to help address the needs of black and other small-scale farmers. Fair treatment is all we are asking. Just justice." <https://docs.house.gov/meetings/BA/BA10/20190619/109679/HHRG-116-BA10-Wstate-BoydJ-20190619-U1.pdf> (video testimony: <https://youtu.be/Ibm-zA4wQII>)

By providing debt relief to Black farmers and other farmers of color, the American Rescue Plan Act begins to fulfil the promises of the Black Farmers lawsuits and, more importantly, gives new life to Black farmers facing foreclosure. But there is still much more to be done to right these historic wrongs and to ensure that Black farmers remain part of the fabric of American agriculture.

To support Black farmers, we must reform our subsidy and crop insurance programs to level the playing field between white farmers and Black farmers. We must make these programs more transparent, so Black farmers can see whether promised reforms are actually working. We must expand access to land and credit so that Black farmers can expand our operations. And we must improve outreach and technical assistance to Black farmers who have been treated as second-class citizens by the Department for too long.

Thank you, Chairman Scott, for holding this historic hearing.

(see Appendix)