

FARM SERVICE AGENCY ACTION PLAN

The Farm Service Agency (FSA), United States Department of Agriculture (USDA) is committed to treating all of its customers in a fair and equitable manner. FSA takes seriously all concerns regarding discrimination. The established policy of USDA on civil rights requires that we ensure that civil rights are protected, our laws are enforced, and discrimination in any form is prevented. These principles require FSA to provide a swift, reasonable, and credible process for addressing and remedying deficiencies. To this end, FSA has developed the following action plan of concrete steps it will take to ensure that its customers are treated in an appropriate manner and that all customers have full access to its programs.

(1) FSA will continue to provide meaningful, interactive training for state and county FSA employees in the areas of civil rights, customer service, and diversity, both to new and current employees. FSA will also evaluate its current training to determine where improvements can be made, and will work with the Cooperative State Research, Education and Extension Service (CSREES) and other agencies to coordinate resources and expertise to enhance this training.

(2) FSA will ensure that state and county FSA employees offer adequate technical assistance and information, in an equitable manner, on all FSA programs to all known potential applicants and borrowers and other customers on, among other things, completing loan applications and loan servicing applications. FSA will also insure that its employees refer customers to other available resources to provide such technical assistance, such as Land Grant Colleges and Universities and extension programs. FSA will review its current practices on technical and resource assistance to ensure its quality and consistency within existing budgetary constraints.

(3) FSA will work with the section 2501 program (Section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279)) to provide meaningful outreach, education, and assistance to minority and socially disadvantaged farmers. FSA will also work with other USDA agencies, such as the Office of Outreach and the Cooperative State Research, Education, and Extension Service, to coordinate the use of the section 2501 program and other programs that can provide technical assistance to FSA customers. As part of this coordination, FSA will advocate the use of grants or contracts to educational institutions or community based organizations that will assist socially disadvantaged farmers and ranchers.

(4) FSA will establish the Office of Minority and Socially Disadvantaged Farmer Assistance to work with minority and socially disadvantaged farmers who have concerns and questions about loan applications they have filed in their County Offices. Through a national toll-free telephone help line, FSA will answer producer inquiries about the loan programs, as well as other FSA farm programs and address technical issues. FSA will coordinate with other agencies to address producer inquiries regarding other USDA programs.

(5) FSA will invite the Advisory Committee on Beginning Farmers and Ranchers to comment on the impact of current forms and regulations (including electronic technologies) on qualified beginning farmers and ranchers, taking into consideration such factors as comprehensibility and plain language writing styles. Additionally, FSA will continue to simplify all of its current forms and regulations to ensure that they are customer friendly.

(6) FSA will make available on its website and/or publish, by loan type, farm loan data on race, national origin, and sex by state and region, as well as nationally, on an annual basis and as allowed by Federal privacy law.

(7) Consistent with President Bush's initiative "making government results-oriented," FSA, in consultation with the USDA Office of Civil Rights, will enhance its annual performance management system to ensure managers are meeting local, state, and national goals for providing services to protected classes. FSA will diligently enforce its process for establishing realistic goals, measuring results, and evaluating performance, and determining whether corrective actions are required.

(8) When examining an applicant's creditworthiness, the FSA decision-maker will meet with the applicant regarding debts and delinquencies and determine which of those are beyond the applicant's control in accordance with 7 C.F.R. § 1910.5. In making the creditworthiness determination, the FSA decision-maker will not use debts and delinquencies that are found to be beyond the applicant's control in the creditworthiness determination.

(9) When reviewing an applicant's farm and home plan, the FSA official will consider only the actual or projected expenses associated with a new and/or emerging farm enterprise (*i.e.*, historical data from prior enterprises will not be used when the farmer diversifies the farming operation to include new niche enterprises), provided that the new operation's business plan addresses any documented deficiencies pursuant to 7 C.F.R. part 1924, subpart B. FSA will provide technical assistance and resource referral, within budgetary constraints, to assist the borrower in completing the farm and home plan.

(10) When evaluating new enterprises and/or diversification of a farming operation, FSA will accept budget data from land grant colleges and universities or extension agents as reliable documentation for the farm and home plan, provided that the plan utilizes acceptable state and/or county averages and other realistic income and expense data as the basis for the assumptions.


(11) FSA will establish a national team to review all borrower files for farmers in the Pigford class to determine that all servicing rights are properly considered before the account can be accelerated or foreclosed. FSA will continue using State Civil Rights Independent Review Groups for the review of all pending acceleration and foreclosure cases. These reviews do not circumvent or void a borrower's appeal rights to the National Appeals Division.

(12) FSA will continue including the FSA civil rights coordinator for each state on the civil rights review of all proposed foreclosures to provide an expeditious, thorough and fair review. FSA will also comply with USDA policy that it must generally refrain from any acceleration or foreclosure proceedings against any borrower who has an open and accepted civil rights complaint on file with USDA's Office of Civil Rights.

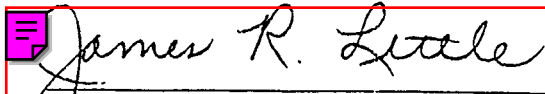
(13) FSA can make available a renewed opportunity for primary loan servicing for farmers who have filed claims under the Pigford Consent Decree. The effect of this will be to allow those borrowers with outstanding loans an opportunity to explore other options prior to acceleration or foreclosure. An FSA policy statement announcing this decision will be developed and put into place as expeditiously as possible.

(14) FSA will ensure that it fully cooperates with all investigations on civil rights complaints filed against FSA with USDA's Office of Civil Rights, including providing information requested in a timely and expeditious manner.

(15) FSA will continue discussions and dialogue at the national, state, and local level and provide sufficient forums for farmers to express their concerns.

 12 2002

Date

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