

OFFICE OF PARTNERSHIPS AND PUBLIC ENGAGEMENT

ADVISORY COMMITTEE ON MINORITY FARMERS CHARTER

1. Committee's Official Designation

Advisory Committee on Minority Farmers.

2. Authority

The Advisory Committee on Minority Farmers (Committee) was established in the U.S. Department of Agriculture (USDA) pursuant to section 14008 of the Food Conservation, and Energy Act of 2008, Pub. L. 110-246, 122 Stat. 1651, 2008 (7 U.S.C. 2279), in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. 10.

3. Objectives and Scope of Activities

The purpose of the Committee is to advise the Secretary of Agriculture on:

- a. The implementation of section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279);
- b. Methods of maximizing the participation of minority farmers and ranchers in Department of Agriculture programs; and
- c. Civil rights activities within the Department as such activities relate to participants in such programs.

4. Description of Duties

The Committee is strictly advisory, and its duties include advising the Secretary on— (1) the implementation of section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279); (2) methods of maximizing the participation of minority farmers and ranchers in Department of Agriculture programs; and (3) civil rights activities within the Department as such activities relate to participants in such programs..

5. Agency or Official to Whom the Committee Reports

The Committee reports to the Secretary of Agriculture through the Designated Federal Officer (DFO). No other entity or individual exists in the chain of command.

6. Support

The Office of Partnerships and Public Engagement (OPPE) will provide administrative and other support for the Committee.

7. Estimated Annual Operating Costs and Staff Years

The Committee's estimated annual operating costs are estimated at \$101,000 which includes the salary and benefit costs of 1.25 Full-time Equivalent (FTEs). In the performance of their duties away from their homes or regular places of business, Committee members may be allowed reimbursement for travel expenses including per diem in lieu of subsistence, as authorized by 5 U.S.C. 5703.

8. Designated Federal Officer

A permanent Federal employee is appointed in accordance with agency procedures and will serve as the Designated Federal Officer (DFO). The DFO will approve the advisory committee's and its subcommittees' meetings, prepare, and approve all public meeting agendas, attend all public committee meetings, administrative meetings, call meetings to order, adjourn any meeting when the DFO determines adjournment to be in the public interest, and chair meetings when directed to do so by the official to whom the advisory committee reports (Secretary).

9. Estimated Number and Frequency of Meetings

The Committee will meet publicly not less than once per calendar year and as often as deemed necessary.

10. Duration

Continuing.

11. Termination

This charter will be in effect for 2 years from the filing date pursuant to §14(b) of the Federal Advisory Committee Act.

12. Membership and Designation

This Committee will be balanced in its membership in terms of the points-of-view represented and the functions to be performed. Steps will be taken to encourage new perspectives, one of which includes limiting the number of reappointed members to a maximum of five per 2-year term.

- a. The Committee shall be composed of 15 members and shall include:
 - 1) not less than four socially disadvantaged farmers or ranchers;

- 2) Not less than two representatives of nonprofit organizations with a history of working with minority farmers or ranchers;
 - 3) Not less than two civil rights professionals;
 - 4) Not less than two representatives from institutions of higher education with demonstrated experience working with minority farmers or ranchers;
 - 5) Such other persons as the Secretary considers appropriate.
 - 6) Ex-Officio Members - The Secretary may appoint a USDA employee to serve as ex-officio member of the Committee.
- b. Of these members, one will be appointed or elected chairperson. The chairperson must be recognized for their ability to lead a group in a fair and focused manner and will have been given more in-depth briefings on the mission of this Committee. A second member may be appointed or elected as co- or vice-chairperson serving in a delegated capacity as the need arises and working *in tandem* with the chairperson during the meetings.
- c. *Ethics Statement*

To maintain the highest levels of honesty, integrity and ethical conduct, no Committee or subcommittee member shall participate in any “*specific party matters*” (i.e., matters that are *narrowly focused*, typically involving *specific* transactions among identified parties) such as a lease, license, permit, contract, claim, grant, agreement, or involved in litigation with the Department where the member has a direct or indirect financial interest. Moreover, all Committee and subcommittee members must immediately disclose to the DFO (for discussion with USDA’s Office of Ethics) any specific party matter of which the member’s immediate family, relatives, business partners or employer would directly receive financial benefit from the Committee’s recommendations.

All members are briefed in matters of ethics to identify and avoid any actions that would cause the public to question the integrity of the Committee’s advice and recommendations. Members who are appointed as “Representatives” are not subject to Federal ethics laws because such appointments allow them to represent the points-of-view of discrete groups, business sectors, or segments of the public.

Members appointed as “Special Government Employees” (SGEs) are considered intermittent Federal employees and are subject to Federal ethics laws. SGE’s are appointed because of their personal knowledge, academic scholarship, background, or expertise. No member designated as an SGE may participate in activities of which the member has a prohibited financial interest. Appointees who are SGEs are required to complete and submit a Confidential Financial Disclosure Report (OGE-450 form) via the FD online e-filing database system. Upon request, USDA will assist SGEs in preparing these financial reports. To ensure the highest level of compliance with applicable ethical standards, USDA will provide annual ethics training to each SGE. The provisions of these paragraphs are not meant to exhaustively cover all Federal ethics laws and do not affect any other statutory or regulatory obligations to which advisory committee members are subject.

d. *Equal Opportunity Statement*

Equal opportunity practices, in line with USDA policies, will be followed in all membership appointments to the committee. To ensure that the recommendations of the Committee have taken into account the needs of the diverse groups served by the Department, membership shall include, to the extent practicable, individuals with demonstrated ability to represent the many communities, identities, races, ethnicities, backgrounds, abilities, cultures, and beliefs of the American people, including underserved communities. The USDA prohibits discrimination in all of its programs and activities on the basis of race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, political beliefs, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA (not all bases apply to all programs).

13. Subcommittees

The Office of Partnership and Public Engagement (OPPE), in consultation with the DFO, has the authority to create subcommittees. Subcommittees must report back to the parent Committee and may not provide advice or work products directly to the OPPE or any office or agency. The subcommittees commissioned for the upcoming term (and until further notice) - are:

- a. Farm Programs and Conservation
- b. Rural Programs
- c. Outreach and Education
- d. Departmental Inquiries and Initiatives.

14. Recordkeeping

The records of this Committee, formally and informally established subcommittees, or other subgroups of the committee, shall be handled in accordance with General Records Schedule (GRS) 6.2 or other approved agency records disposition schedule. These records shall be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. 552.

Information about this Committee is available online at <https://www.usda.gov/partnerships/advisory-committee-on-minority-farmers>.

15. Filing Date

September 16, 2024