

# **Exhibit A**

1:25-cv-01775-BAH



July 21, 2025

Leah Atwood  
Partnerships and Resources  
Agroecology Commons  
836 Marin Rd  
El Sobrante, CA 94803-1322

Dear Recipient:

This letter provides notice that the United States Department of Agriculture is terminating your federal award, 2021-49400-36012, Building Beginning Farmer Resilience through Hybrid Participatory Education, Urban-Rural Networks, Mentorship, and Incubation, in accordance with the terms and conditions of your award, which include applicable regulations relating to termination. See 2 C.F.R. §§ 200.339-343.

It is a priority of the Department of Agriculture to eliminate discrimination in all forms throughout the United States. The Secretary of Agriculture has determined, per the Department's obligations to the Constitution and laws of the United States, that priority includes ensuring that the Department's awards do not support programs that promote or take part in diversity, equity, and inclusion ("DEI") initiatives or any other initiatives that discriminate on the basis of immutable characteristics. Such DEI policies and practices conflict with the Department's policy of maximizing and advancing the interests of all Americans through agriculture, ensuring a safe, nutritious and secure food supply, enhancing rural prosperity, and protecting our National Forests. In addition to complying with the letter and spirit of the civil rights laws, it is vital that the Department assess whether all awards are free from fraud, abuse, and duplication, as well as to assess whether current awards are in the best interests of the United States.

Termination. The award specified above provides funding for programs that promote or take part in DEI initiatives or other initiatives that unlawfully discriminate on the basis of race, color, religion, sex, national origin, or another protected characteristic; that violate either the letter or purpose of Federal civil rights laws; that conflict with the Department's policies and priorities; that are not free from fraud, abuse, or duplication; or that otherwise fail to serve the best interests of the United States. Specifically, the project's target audience is designed to include individuals based on their immutable characteristics. The award is therefore inconsistent with, and no longer effectuates, Department priorities. See 2 C.F.R. § 200.340(a)(4). While the Department recognizes that you have already begun performing the activities contemplated by the award in reliance on the funding, the express

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terms and conditions authorize termination at any time. The public interest in ensuring nondiscrimination and the effective and efficient use of federal funds outweighs any continued reliance interests in the award. Pursuant to, among other authorities, 2 C.F.R. §§ 200.339-343, which are applicable to your award, the Department hereby terminates award No. 2021-49400-36012 in its entirety effective July 21, 2025.

Closure. You must submit all final reports and a final payment request no later than 120 calendar days after the date of this notice. You will be reimbursed for costs incurred up to the date of this notice that are determined to be consistent with 2 C.F.R. § 200.343, *Effects of suspension or termination*. Any open balance remaining 120 days after the date of this notice will be unavailable for payment.

If you do not submit all reports in accordance with the terms and conditions of the Federal award within one (1) year of the effective termination date, the National Institute of Food and Agriculture (NIFA) must proceed to close out the award with the information available. In these circumstances, in accordance with 2 C.F.R. § 200.344, NIFA must report your material failure to comply with the terms and conditions of the award in SAM.gov using the Contractor Performance Assessment Reporting System (CPARS). In this way, failure to submit timely and accurate final reports may affect your future funding.

Recipients are required by Federal regulation to retain all Federal award records consistent with 2 C.F.R. § 200.334. Termination of the agreement does not affect a Federal agency's or a pass-through entity's right to disallow costs and recover funds based on a later audit or other review. In addition, termination does not affect a recipient's obligation to return any funds due as a result of later refunds, corrections, or other transactions, including final indirect cost rate adjustments (refer to 2 C.F.R. § 200.345).

Appeal Process. The process for appeals can be found at 7 C.F.R. § 3430.62, *Award appeal procedures*. If you wish to appeal, you must submit a request for review to the NIFA Program Contact identified below within 60 days of receipt of this letter. Such a request must detail the nature of the disagreement and provide any supporting documents on which you rely.

If you have questions, contact your NIFA Program Contact, Kimberly Whittet at [Kimberly.whittet@usda.gov](mailto:Kimberly.whittet@usda.gov).



Sincerely,

**MATTHEW FAULKNER**

Digitally signed by MATTHEW FAULKNER  
Date: 2025.07.21 16:43:00 -05'00'

Matthew Faulkner

Deputy Director, Office of Grants and Financial Management

CC:

Kimberly Whittet, Senior Policy Advisor, Office of Grants and Financial Management

Edward Nwaba, Division Director, Awards Management Division

Edwin Lewis, Institute of Youth, Family, and Community, [edwin.lewis@usda.gov](mailto:edwin.lewis@usda.gov)

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