

Remarks of Secretary of Agriculture Dan Glickman Black Farmers Class Action Settlement Announcement Washington, D.C. Jan. 5, 1999
(As prepared for delivery)

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"When we began this odyssey over two years ago, I told everyone here at USDA that this civil rights struggle was our appointment with history. I warned that we should not be daunted by the magnitude of our task, nor use the size of the mountain before us as an excuse to give up climbing. Rather, I reminded everyone of the old Chinese saying, 'the journey of a thousand miles begins with a single step.'

"I want to thank all the folks who marched alongside me in this effort Reba Evans, Rosalind Gray, John Sparks, Pearl Reed and Lloyd Wright of our civil rights team; Charlie Rawls, David Harris and our Office of General Counsel; many members of Congress, most notably the Congressional Black Caucus -- represented here today by Congresswoman Maxine Waters -- Attorney General Janet Reno, Associate Attorney General Ray Fisher, Deputy Associate Attorney General Joe Onek, Assistant Attorney General Frank Hunger, Deputy Assistant Attorney General Phil Bartz and other Justice Department Attorneys, White House Counsel Charles Ruff, and the man who alongside myself through his own involvement drove this process to a fair and reasonable resolution. That man, of course, is President Clinton who deserves a great deal of personal credit today. With his leadership, we passed a waiver to the statute of limitations allowing older cases to be heard, and today we've reached a fair and reasonable resolution.

"We are here to announce an historic agreement for both the Department of Agriculture and I believe for our nation. It is an agreement that will close a painful chapter in USDA's history, and open a more constructive front in our efforts to see this department emerge as the federal civil rights leader in the 21st century.

"I am pleased to announce today that all parties have agreed to a settlement of the civil rights class action brought against this department by African American farmers from across the country for discrimination complaints between 1981 and 1996. This settlement is fair to the farmers and to U.S. taxpayers. The guideposts I established for the negotiations retains flexibility in terms of how individual farmers' cases are resolved so we can do our best to meet their needs.

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"Under the consent decree that was filed today, we've agreed on two tracks. The first and more streamlined track allows those who meet the class definition and who can provide substantial evidence of discrimination to an impartial adjudicator to receive a blanket settlement of \$50,000, as well as additional relief in the form of debt write-downs and some offset of tax liability. This track will be fair to many people, but not to everyone ... which is why we have a second track. Track two is for those who believe they have evidence of extreme wrongdoing. Here, the financial claims potentially could be higher, so Track Two requires a higher evidentiary standard a 'preponderance of evidence.'

"These cases must be well-documented, and farmers must prove substantial losses to justify a larger pay-out. Where a farmer meets this standard, Track Two allows for a tailored settlement that suits the circumstances of the case, and is determined by a third-party arbitrator.

"Farmers are not required to take part in this settlement process. Instead, they can also choose to continue their individual cases in court or utilize the Department's administrative process.

"Today, Judge Friedman gave preliminary approval to this settlement and set a fairness hearing in March. At that time, the agreement will be given final approval which will allow the third party entities to begin processing the cases. Soon, notices will be sent out to all members of the class making them aware of their options under this settlement.

"Obviously, this does not complete USDA's civil rights initiative. We still have more to do to ensure that all of our customers and our employees are treated with dignity and respect. But without question today we mark a major milestone in our efforts. And, it is important not just for the farmers, but also for all of the good, decent people here at USDA who have worked so hard to help bring us to this day.

"I want to thank again everyone who worked tirelessly on this settlement agreement. I also want to recognize the African American farmers across the country who stood up for their rights. We are a stronger department and a stronger country today for their efforts.

Thank you, and I'd be glad to take your questions."

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