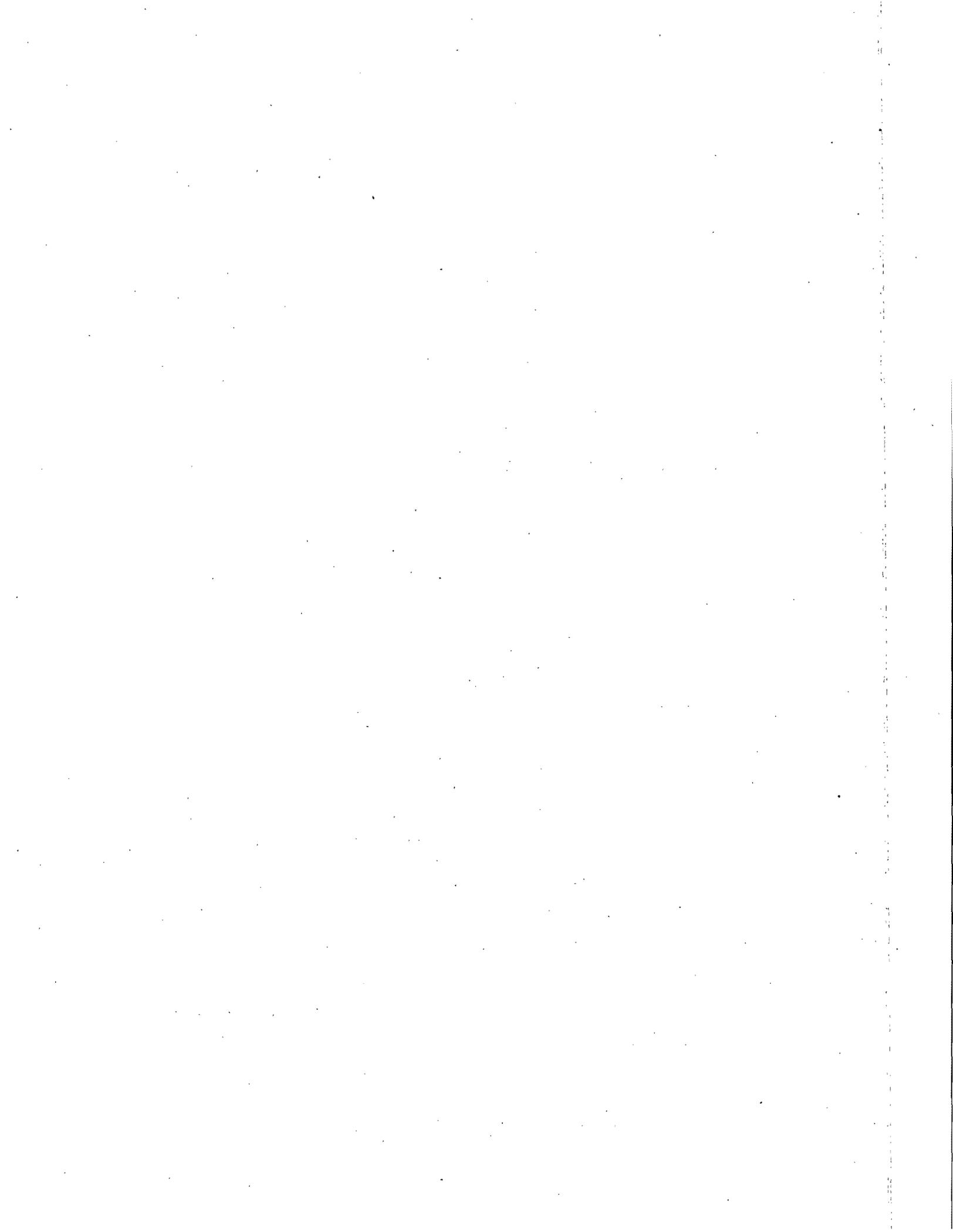


1 We represent farmers, not just white, not just
2 black, not farmers that just raise beef or just
3 raise corn or just raise one commodity or another,
4 or not from just one locality. We represent all
5 farmers in the United States, regardless of those
6 issues.

7 We have a long history of leadership in
8 civil rights in an industry which quite sadly has
9 not been known for its progressiveness in this
10 area. It began many decades ago. Aubrey Williams
11 of the Alabama Farmers Union was one of our early
12 leaders in civil rights.

13 When F.D.R. gave his first inaugural
14 address, Williams decided that he belonged to the
15 New Deal and part of the team. He went to work for
16 the Reconstruction Finance Corporation in the south,
17 where his skills came to the attention of F.D.R.'s
18 adviser and confidant, Harry Hopkins.

19 Hopkins brought Williams to the staff of
20 the Federal Emergency Relief Administration. Mr.
21 Williams created the overall plan for the Civil
22 Works Administration and agitated for a program for



1 jobs for youth. This resulted in the creation of
2 the National Youth Administration, which Williams
3 was appointed to head.

4 At the same time, Hopkins kept Williams
5 involved in the WPA. Williams appointed blacks to
6 his staff and provoked some animosity in those days
7 in that part of the country, but he refused to
8 observe the color line.

9 Arriving at a Birmingham luncheon for
10 NW -- pardon me, NYA workers, you found an all white
11 assemblage, although he had ordered no
12 discrimination be shown. The white workers were
13 seated at the luncheon tables and the black workers
14 were standing along the walls.

15 Williams refused to let the luncheon
16 proceed until the tables were brought in for the
17 black workers as well. Williams declared, I want to
18 say as a Southerner that I covenant that the black
19 man shall have his share of a better life.

20 That covenant made so many decades ago by
21 Farmers' Union remains part of our policy today. As
22 recently as in our 94th anniversary convention in

1 Cincinnati, Ohio, last year, we declared although
2 much has been accomplished in sheer freedom and
3 equality, opportunity for all citizens regardless of
4 color, sex, or national origin, much remains to be
5 done.

6 We support efforts to provide equality of
7 rights for all in every aspects of life. These
8 rights shall not be denied or abridged by the United
9 States or by any State within.

10 NSU stands ready to work with you,
11 Secretary Glickman, stands ready to work with other
12 organizations in correcting the problems with the
13 delivery system.

14 Failure to do so will mean the demise of
15 the very system that we're talking about here
16 today. That affects all farmers and ranchers.

17 But before concluding my remarks, I need
18 to make a couple of specifics. One is not all
19 minority farmers are disadvantaged. But more
20 importantly, not all socially disadvantaged farmers
21 are minorities.

22 We should not allow ourselves to fall into

1 yet another travesterial typing of any kind. These
2 programs need to be available and equally
3 administered to all.

4 Secondly, there are those, and I will
5 admit that problems exist at the elected County
6 Committee level and they are not blameless, but
7 there are those that would lay the blame of some of
8 these major credit problems at the feet of the
9 farmer-elected committee system.

10 We need to remind ourselves that the
11 farmer-elected committee system did not get this
12 jurisdiction until about 15 months ago. And that
13 the problems originated under the old structure of
14 the county-appointed system under the old Farmers
15 Home Administration.

16 I see that my time has run out. I
17 appreciate your hearing us today and look forward to
18 working with you to correct many of these problems.

19 (Applause.)

20 MR. JOHNSON: Thank you. Donna Carroll.

21 (No response.)

22 MR. JOHNSON: Vernon Hamilton. And after

1 Vernon, Reverend Macio Hill on my list.

2 MR. HAMILTON: Mr. Secretary, members of
3 the panel, I'm somewhat embarrassed to stand here
4 right now after listening to all the hardships that
5 the farmers have gone through because I haven't
6 traveled that path with them.

7 I'm a retired Civil Service employee with
8 32 years of service, my last 18 years with the
9 Postal Service. Which they had early retirement
10 back in 1992. As part of that package of
11 retirement, they gave me a half a year's salary,
12 which is what I started my business with.

13 I started to go home earlier, but I feel
14 as though what I have to say, I have to say anyway.

15 SECRETARY GLICKMAN: We can't hear you.
16 Can you get closer to that microphone?

17 MR. HAMILTON: I said -- okay. I said I
18 started to go home earlier. However, I came here to
19 say something so I might as well stay and say it
20 anyway. My home is not being threatened to be a
21 loss or my land is not going to be taken.

22 I'm in a new field called aquaculture and

1 I find it's very exciting, profitable, and there's
2 plenty of room for expansion. In fact, I did my own
3 marketing and I found that I could sell more fish
4 than I can raise at the present time.

5 There's -- for any of those here who are
6 interested in aquaculture, there is churches --
7 churches that have fundraisers that they are crying
8 to buy fish. They have feeding programs for the
9 hungry. They're wanting fish. I have upscale
10 restaurants that would like to have their fish
11 delivered live, as I do, because you can't get
12 anything fresher. There's a market for it.

13 I have formed -- I am in the process of
14 forming a partnership with the Salem County
15 vo-technical -- vocational and technical schools
16 where the students that are studying the
17 environments and also aquaculture will actually come
18 to my land and work and that's a future pool for
19 me.

20 The reason why I came here today is that I
21 have had problems with your Department. Not as to
22 the extreme as by speakers here today, but I found

1 some inconsistencies. Where it's true aquaculture
2 is a new field to the Department of Agriculture, I'm
3 not asking for technical guidance or assistance.

4 All I require is a quality water supply.
5 I have the land. All I'm asking your Department is
6 to give me the drawings. I'll find the funds to get
7 it done. I have no problem with that.

8 The problems that I have is your so-called
9 experts, they are too busy to help me. And those
10 that are available to help me are -- doesn't have
11 enough knowledge to help me. So the net result is
12 the same. There's nothing accomplished.

13 Without going on further, I've been mostly
14 moved by the gentlemen here today. I'll end my
15 remarks. Thank you.

16 (Applause.)

17 MR. JOHNSON: Thank you. Reverend Hill.

18 SECRETARY GLICKMAN: I'm trying to figure
19 out, if I might ask you, first of all, what part of
20 this Department were you working with and is there
21 something specific that you would want us to try to
22 follow up on?

1 MR. HAMILTON: Yes. In fact, I'll bring
2 that to your attention now. This is being
3 recorded?

4 SECRETARY GLICKMAN: Yes.

5 MR. HAMILTON: May I have one of your
6 cards so I can contact you anytime?

7 SECRETARY GLICKMAN: Yes, you can contact
8 me anytime.

9 MR. HAMILTON: The reason why I said that,
10 last December the 23rd, an expert was supposed to
11 come out to my house to do a site survey. The
12 appointment time was 2:00 o'clock in the afternoon.

13 At 1:00 o'clock, I received a call stating
14 that they would not be there. No reappointment. I
15 got a reappointment for tomorrow after I called and
16 said I wanted to come here. That's why.

17 SECRETARY GLICKMAN: Who in the Department
18 were you talking to? What agency?

19 MR. HAMILTON: All right. I'll give you
20 an example. Your Extension Service, I had your
21 Extension Service, Cape May County Courthouse. I
22 had talked to the USDA service, their Soil

1 Conservation Service in Cumberland County. I've
2 talked to Gloucester County. I've talked to several
3 counties.

4 True, okay, I'm a minority. I'm the only
5 one in this field in South Jersey, white or black.
6 So what I keep running into is they're telling me
7 they don't know that much about aquaculture. That's
8 my point. All I want them to do is design a water
9 supply for me. That's all.

10 MR. REED: I will follow up with you
11 personally after the meeting.

12 MR. HAMILTON: I certainly appreciate it.
13 I would appreciate getting your card.

14 (Applause.)

15 MR. JOHNSON: We will follow up. Reverend
16 Hill and then Early Monroe.

17 REVEREND HILL: Secretary, members of the
18 panel. It is a pleasure to have this opportunity to
19 address you. I stand to represent Mr. Lipscomb and
20 Mr. Randall.

21 These are two gentlemen that I have known
22 for a number of years and they are farmers. They

1 are black farmers. Mr. Lipscomb, will you stand?
2 Mr. Randall, will you stand?

3 (Mr. Lipscomb and Mr. Randall stood.)

4 REVEREND HILL: Thank you very much.

5 We are not going to say very much because
6 many of the things that we are concerned about has
7 already been said and we don't think that we need to
8 repeat these things over and over again.

9 We do want to work with you. We do want
10 to be put on the list that we will be contacted of
11 everything that might go on and that will go to the
12 other black farmers.

13 We know that there is only so much money
14 that is going to be restoration in terms of funds
15 and we would like to be considered for that.

16 I would like to say this in closing:
17 There's a story in the Bible and the story has to do
18 with Nehemiah. And Nehemiah was a man who found out
19 that his people were being mistreated. And when he
20 found this out, he grieved for about four months.

21 And after grieving for about four months,
22 the king, Aga Xerxes, noticed that he was in pain.

1 And Aga Xerxes gave him permission to go to
2 Jerusalem to build that wall.

3 We have been talking about building. We
4 would like to be a part of that group that is going
5 to be building the wall, not just a bridge, but
6 building a wall that our children in days to come
7 can go and look at what has been done.

8 Miller Williams said in his poem,
9 "Yesterday and the Day Before Yesterday," and let
10 me read just a portion of it to you. He said:

11 "We have memorized America," and so we
12 have. He said, "How it was born and who we have
13 been and where. In ceremonies and silence, we say
14 the words, telling the stories and singing the old
15 songs. We like the places they take us, mostly we
16 do."

17 And he goes on to say in the last portion
18 of his poem, and here he's talking to young people
19 and he says this, "All this is, all in the hands of
20 children, eyes already set on land we never can
21 visit. It isn't there yet, but looking through
22 their eyes, we see or we can see what our long gift

1 can then may come to be. If we can truly remember,
2 they will not forget."

3 We're asking that you not forget the black
4 farmer.

5 (Applause.)

6 MR. JOHNSON: Thank you, Reverend Hill.
7 Early Monroe. And after Early, Carol Ann Gregg.

8 Early Monroe?

9 (No response.)

10 MR. JOHNSON: Carol Ann.

11 MS. GREGG: Honorable Secretary Glickman,
12 honorable Mr. Rominger, Chairman Johnson, and the
13 Civil Rights Action Team. Thank you for inviting me
14 to share my views and those of American Agri-Women
15 members with you.

16 My name is Carol Ann Gregg, a farm woman
17 and agriculture advocate from Grove City,
18 Pennsylvania. My husband and I own a family farm in
19 partnership with my brother-in-law and his wife. It
20 was a dairy operation for nearly 50 years and
21 currently is a hay and grain operation.

22 Today I am representing American

1 Agri-Women and currently am serving as the
2 organization's vice president for vital issues.
3 American Agri-Women is a coalition of over 50
4 agriculture organizations representing about 50,000
5 farm, ranch, and agribusiness women.

6 As the public looks at the U.S. Department
7 of Agriculture, we expect nothing less than
8 nondiscrimination in your dealings with your
9 customers, the American farmers. But to understand
10 the problems, we need to think about what
11 discrimination is.

12 According to Webster's Eighth Collegiate
13 Dictionary, one of the definitions of discriminate
14 is to make a difference in treatment or favor on a
15 basis other than individual merit.

16 As I talked with a number of members
17 across the Nation, I found no one who had personally
18 experienced discrimination or harassment in their
19 dealings with USDA staff or officials.

20 Many of these women are farm operators,
21 farm wives, family farm corporate officers who have
22 regular dealings with the local Farm Service Agency

1 or the Natural Resource and Conservation Services
2 personnel with no apparent problems.

3 Because some of these women serve in
4 leadership positions in agriculture, we have had
5 interaction with many people here in Washington.
6 They all spoke with very high regard of the people
7 at USDA who serve American agriculture.

8 In a recent press story, Secretary
9 Glickman called for the removal of discrimination
10 from the Department. You should be praised for
11 taking the initiative to correct problems that have
12 been brought to your attention.

13 Though there have been some unfortunate
14 instances in some locations around the country, that
15 does not indicate that sexual or racial
16 discrimination is common throughout the Department.

17 People who work at the local and county
18 offices in USDA usually are people who live in these
19 communities. The County Committees are made up of
20 farmers elected by their peers within the local
21 areas.

22 The attitudes that are common in an area

1 will probably prevail within the local USDA
2 offices. That does not condone or excuse
3 discriminatory behavior. It only points out how
4 difficult it may be to correct completely.

5 The role of women in agriculture is
6 changing. More and more women actively participate
7 in the farm operations rather than only provide
8 support for their husband's endeavors.

9 Farm realtors and bankers have begun to
10 look at farm women as contributors to the management
11 of farm operations, whether they are sole
12 proprietors, partners, or spouses. Employees and
13 the staff of USDA need to make these attitude
14 changes as well, if they have not already done so.

15 Many young women graduating from our
16 agriculture colleges and universities seek farm
17 management jobs with the goal of owning and
18 operating their own farms. Many farm daughters as
19 well as sons are returning to farm -- family farms
20 to eventually take over the operations when their
21 parents retire.

22 In the not too distant past, many women

1 became owner/operators only because they had become
2 widowed. To change attitudes is a very personal
3 thing. It is not something that can be legislated,
4 but it is something that can be learned.

5 Every effort should be made to provide the
6 training necessary for USDA officials and staff.
7 Your customers deserve to be served fairly without
8 regard to gender or racial differences.

9 Having a goal to end discrimination by
10 anyone in the U.S. Department of Agriculture is
11 noble. Our real goal as Americans should be to make
12 discrimination a nonissue.

13 During this week of Martin Luther King's
14 birthday, we are again reminded of the contributions
15 of all peoples to making this a great country. How
16 much better it will be when we are judged on our
17 merits and not by the color of our skin or our
18 gender or our religion or by any other
19 characteristic which divides us as Americans.

20 Thank you.

21 (Applause.)

22 MR. JOHNSON: Thank you, Carol Ann. Donna

1 Duncan. And after Donna, Luke Chappel.

2 (No response.)

3 MR. JOHNSON: Donna is not here. How
4 about Luke?

5 (No response.)

6 MR. JOHNSON: Betty Miles.

7 (No response.)

8 MR. JOHNSON: Eddie Wise. I was just
9 going to say we all had to shorten up or we wouldn't
10 make it, but this helps. Eddie Wise.

11 If any of you have written comments, too,
12 that you would like to make, please make sure that
13 you get them in outside on your way out.

14 But Eddie, and after Eddie, Dr. Samuel
15 Donald. Go ahead.

16 MR. WISE: Mr. Secretary, ladies and
17 gentlemen, my name is Eddie Wise, and my wife,
18 Dorothy, and I are presently farming on the Eastern
19 Shore of Maryland in Somerset County.

20 In 1991, we visited the Farm Service
21 Agency office in North Carolina looking for a farm
22 to purchase. That day we were shown a flier that

1 they had a minority farm that was set aside for
2 minorities only.

3 We went out and looked at this farm and
4 came back to the Farm Service Agency office and
5 requested an application to apply for a farm.

6 From 1991 through 1993, we tried to get
7 applications not only approved in North Carolina,
8 but we came here to Washington. We went to
9 Maryland. And a lot of the Farm Service agent's
10 offices didn't know what we were talking about when
11 we were talking about an application package.

12 Anyway, we made it through '93. We didn't
13 give up. The laws were changed. A lot of things
14 went around the circle.

15 Finally, in January of 1994, we got a
16 chance to submit our first application package. 30
17 days later, we received a letter from the Farm
18 Service agent's office saying that our application
19 was disapproved because of bad credit. So we filed
20 a complaint with the National Appeal Board.

21 And when we went to the National Appeal
22 Board, they overturned the decision and said

1 continue the application phase.

2 Shortly after that, we started the
3 application phase again and we were placed in
4 Category 3. But when the law changed, all of the
5 minority farmers were taken out from under minority
6 status and were put in five different categories.

7 Category 1 and 2 were socially
8 disadvantaged, beginning family farmers needing FHA
9 assistance. Three, 4, and 5 applied to everyone
10 else. So my wife is a beginning family farmer, so
11 am I, and we needed FHA assistance.

12 So when we complained, he told us he
13 already had somebody in Category 1, so we couldn't
14 be in Category 1. Again we filed a complaint with
15 the National Appeal Board. His decision was
16 overturned. So now we were back into the
17 application phase of it.

18 SECRETARY GLICKMAN: What year is this?
19 When are you talking about?

20 MR. WISE: Okay. The appeals started in
21 1994. And each time he would change something, we
22 would go back to the National Appeal Board again and

1 they would overturn his decision and then he would
2 drag out the process again.

3 So finally, after this -- when we went to
4 the Appeal Board the second time, we complained that
5 we were not being assisted. He had refused from day
6 one to help us do the application package. And this
7 is where part of the problem was coming.

8 So while we were at the Appeal Board
9 complaining, he stated that since I was a retired
10 master sergeant and my wife did complicated grants
11 at Howard University, we didn't need any
12 assistance. But, you know, our qualification did
13 not qualify us to interpret the regulations.

14 And we also found out that he was supposed
15 to assist us, but to the present day, we have not
16 received any assistance from him. So anyway, after
17 the Appeal Board, we had five applicants, six
18 applicants counting us, that had applied for the
19 farm, so they pulled the names out of the hat.

20 We received -- our name was the first one
21 pulled out of the hat. We were given 30 days to do
22 another application packet, five-year plan, and have

1 it into the office. We completed this, got the
2 application into the office by 9 January 1995.

3 From '95, January of '95 until June
4 of '95, the packet wasn't even observed. When we
5 complained to the State, they said that the
6 Extension Service agent's wife was sick and he
7 didn't have the time.

8 Following that complaint, in September we
9 were notified that we had two choices. We could
10 come up with \$135,000 cash to buy the farm or we
11 could lease the farm with the option to purchase in
12 three years. So naturally, we didn't have the
13 money, so we leased the farm with the option of
14 purchasing it in three years.

15 Now, mind you, all this time we had not
16 had a loan packet submitted. We wrote our
17 Congressman. This extension agent sent our
18 Congressman a letter in October of '95 that said he
19 had submitted our loan packet. In June of 1996, we
20 called the State office and they hadn't heard of
21 us. No loan packet had been submitted.

22 We're constantly talking to the extension

1 agent and he's telling us that in 19 -- as of
2 January 1996, there was only \$300,000 in the State
3 and the money was already used. Following our
4 contact with the State office in June, they
5 contacted him.

6 Our loan packet was submitted on a
7 Monday. We received a letter from him that Friday
8 saying our loan packet was submitted. Five days
9 later, we get a second letter from him saying that
10 it had been funded.

11 SECRETARY GLICKMAN: Had been funded?

12 MR. WISE: Had been funded. Okay. We're
13 home free now, we thought. Following that, in the
14 next couple, three months, they took things out, see
15 if we had to hire attorneys.

16 Remember, we're in the Eastern Shore of
17 Maryland and we're running into Rocky Mountain,
18 North Carolina, doing all this, back and forth. No
19 problem. Whatever it took to get the farm, that's
20 what we were doing.

21 We got ready to go to closing on the 8th
22 of August of 1996. On the 5th, we found out, we

1 reviewed our farm home plan, that they had changed
2 the farm home plan. Now, we had signed a sales
3 contract, a promissory note, and had a quit claim
4 deed guaranteeing us a 40-year loan at 7 percent.
5 When we reviewed our farm home plan, they had
6 changed the farm home plan and given us 15 years.

7 So when we called the extension agent and
8 asked him why he gave us 15 years, he said we didn't
9 need it, our farm home plan was too good.

10 So we immediately called the State. When
11 we talked to the State representative, he said,
12 okay, we'll give you three more years. The maximum
13 we can give you is 18 years because we just don't
14 loan money for over 18 years.

15 So they told us the same, they said you
16 got two choices. You can either close on the farm
17 on the 9th as scheduled or we're going to cancel the
18 check and send the money back.

19 Well, after fighting for the farm for five
20 and a half, six years, we were not about to not
21 close. So we went ahead and closed on the farm.

22 And the only question we have and the only

1 help we need is we'd like to know how the county
2 agent and State agent can change the federal
3 regulation and reduce?

4 It's like a double sword. If the farm
5 home plan is bad, they disapprove you. If it's too
6 good, they reduce the years. So now when you go
7 from a 40-year note to a 15-year note, you just got
8 jammed into a double payment.

9 My wife's ankle was broken back in March.
10 She hasn't worked or over a year. And I'm trying to
11 run two farms, running one and renovating the other
12 one. The only thing we need is the 40-year
13 guaranteed note that we were given and we will
14 manage.

15 SECRETARY GLICKMAN: Let me ask you this:
16 This is a classic catch-22 case you got yourself
17 into and it's -- I mean, it's disgraceful from what
18 you say. The farm was in Maryland?

19 MR. WISE: The farm is in Nash County,
20 North Carolina.

21 SECRETARY GLICKMAN: So which State office
22 were you dealing with?

1 MR. WISE: North Carolina.

2 SECRETARY GLICKMAN: All of this is North
3 Carolina?

4 MR. WISE: All of this is North Carolina.
5 We're farming in Maryland.

6 SECRETARY GLICKMAN: I know that a North
7 Carolina State, a director of the Farm Service
8 Agency was here. I don't know if he still is.
9 Mr. Coley right back here with his hand up.

10 MR. WISE: Mr. Coley received letters.
11 He's aware of the situation.

12 SECRETARY GLICKMAN: I would like --

13 MR. WISE: He was not the one that made
14 the decision.

15 SECRETARY GLICKMAN: I would like you to
16 talk to Mr. Coley. Then I would like Mr. Coley to
17 give me a report of your case. So I want to know
18 exactly from him what happened as well, because
19 there's a problem here, obviously.

20 MR. WISE: Now, in the process of all
21 this, we wrote the President, USDA. We filed a
22 complaint with EEO. And in January of '96, we

1 received a letter from Mr. Cook.

2 SECRETARY GLICKMAN: Mister?

3 MR. WISE: Cook at EEO. And he stated
4 that since we had been on one farm, we did not have
5 any discrimination allocations and he was closing
6 the case.

7 And this has been what's been happening
8 all along. Every time we complain to someone, they
9 talk right back to the county agent and the county
10 agent gives them this excuse and they buy it.

11 And the county agents are the guys that
12 are really killing the black farmers. And they have
13 an unwritten agenda. When you walk through the
14 door, they tell you what you can and can't do.

15 And the only reason that we have survived
16 is because we've been persistent, God has been
17 blessing us, and we've been studying the
18 regulations, which we're not supposed to know
19 about. And so every time we study the regulations
20 and found out what was supposed to be taking place,
21 we filed a complaint.

22 And they talk with the extension agent and

1 he -- we tell them a little something and they will
2 reply to us. We're still standing in the mud.

3 SECRETARY GLICKMAN: Just to clarify, when
4 you're referring to the extension agent, you mean
5 the county agent?

6 MR. WISE: The county agent.

7 SECRETARY GLICKMAN: It's probably the
8 county FSA agent, Farm Service Agency agent then?

9 MR. WISE: Yes.

10 SECRETARY GLICKMAN: I would like you to
11 talk to Mr. Coley and then I would like Mr. Coley to
12 give me a report of your case.

13 MR. WISE: The only other problem that's
14 been created in all this whole situation is we did
15 an appraisal of the farm that we're renovating.

16 Five years ago, it was costing \$35,000 to
17 renovate the farm. Because of four and a half years
18 of water damage to six buildings, we're talking
19 close to \$70,000 now to renovate the farm. They
20 gave us \$40,000 and said do it.

21 And on top of all of this, they told us
22 because of our plan was so good, that we couldn't

1 get any operating money. So now I'm running the
2 farm in Maryland, renovating the farm in North
3 Carolina, trying to move to North Carolina with no
4 money. Well, we will manage if you give us our 40
5 years.

6 Thank you.

7 (Applause.)

8 MR. JOHNSON: I would call on Dr. Donald,
9 but I notice he's already spoken.

10 MR. WU: Mr. Johnson, I would like to file
11 a complaint.

12 MR. JOHNSON: You may.

13 MR. WU: I'm very disturbed and I hope my
14 community is not being punished. I refuse to
15 believe that with only one Asian Pacific American
16 representative for this afternoon's session that he
17 would be at the bottom of the list.

18 We have gone through many groups and I
19 cannot believe that he deserved to be at the bottom
20 of the list. If there had been any scheduling
21 errors that his name was put on the morning session,
22 I hope there would be some reconsideration that he

1 would not in fact be our last.

2 I'm a statistician. The chance of this
3 happening by chance is less than one in 10 million.

4 MR. JOHNSON: I'm following down through
5 the list that was given me and I understand the
6 issue of Dr. Chang is next.

7 DR. CHANG: Thank you for consideration of
8 the Asian Pacific for a chance to speak up.

9 Mr. Secretary, members of the council, I'm
10 from Hmong. We came from Hmong to fight along with
11 the American GI. And we are farmers.

12 Now we are here along with your neighbor.
13 Not only just only Hmong, but we as a group, Asian
14 Pacific Islander. Break down, we have Southeast
15 Asian community and now I talk about Hmong farmers.

16 As an Asian Pacific Islander farmer at the
17 Hmong community, the Hmong look into the background,
18 farming background, and go here and there. So they
19 look at Oregon, probably a good place to farm. And
20 they heard that Fresno probably right place.

21 In '84, only 24 families live in Fresno County. And
22 now 35,000 pick up farming.

1 And the Hmong do not get any assets or
2 resource from your Department, the USDA. No loan.
3 No resource. No training. No technical
4 assistance. Not only the Hmong, but the Southeast
5 Asians, as well as Asian Pacific Islander
6 community.

7 And because we are tradition farming, not
8 like you in your modern farming or farmer, because
9 of that, many Hmong have faced pesticide poisoning,
10 chemical illness, and get cancer, kidney failure,
11 liver damage, you name it.

12 I mean, I learn that you already went
13 through California out in the western part. You
14 probably heard about the Hmong complaint and you
15 probably know about what we are asking for:

16 And I represent 117 organizations
17 throughout the country within the 32 States and we
18 just moved here to understand the American culture
19 and we are new here, only two months old.

20 The Hmong national development, we are
21 here. So I am proud that moving right along and
22 getting to know the process. Due to the welfare

1 reform, many Hmong will get cut off. So with your
2 program, the U.S. Department, if you support, and
3 57 percent are farmer in Fresno is Hmong, but they
4 are small business, small farming, and you not
5 recognize like a big farm of 200 million farmer.

6 So this is I suggest. I know that I have
7 a limited time. I would like to suggest four points
8 for your consideration, because we need support to
9 get to know the process. And I urge you to provide
10 grant for minority farmer, for Asian Pacific
11 Islander, including the Hmong, to learn about the
12 modern farming so we not getting illness like
13 cancer. If you not provide those and we get
14 illness, you will pay more price because the bill,
15 the medical bill will cost more.

16 Number two, I would like to suggest that
17 you provide technical assistance to the Hmong FSA so
18 they can learn more proper procedure to farming.

19 Number three, I like to urge you to put
20 our organization, the Hmong organization into your
21 mailing list that one day we will have a chance to
22 be one of the USDA customer and receive your

1 services.

2 Number four, at least I would like to
3 suggest that you recruit at least one of the Hmong
4 person within your Department so we can get
5 information and do a proper way.

6 And thank you for your attention.

7 (Applause.)

8 MR. JOHNSON: I'm sorry for the delay. We
9 still have about eight people left and we'll do our
10 best to get through them all, if they're still
11 here.

12 Jane Balmer is next, followed by Lutrell
13 Osborne.

14 Jane, are you still here?

15 (No response.)

16 MR. JOHNSON: Lutrell?

17 (No response.)

18 MR. JOHNSON: Dorothy Wise?

19 (No response.)

20 MR. JOHNSON: This is difficult to read.
21 Is it Sam Akias?

22 MR. AKINS: Is it Sam Akins, A-K-I-N-S?

1 MR. JOHNSON: You're right. I'm sorry.

2 It's hard to read.

3 Dorothy Wise?

4 MRS. WISE: Yes.

5 MR. JOHNSON: I'm sorry. Go ahead.

6 MRS. WISE: Okay. To the Secretary and to
7 the ones that are present here, my husband has
8 already said basically everything that I was going
9 to state some things, but what I wanted to say is
10 that I am a farmer and I'm a beginning farmer.

11 And as you know, all farmers plant things
12 in some kind of way. Regardless of what their
13 discipline is, they plant. And so we planted a seed
14 today and all we're asking for is to help to have
15 that seed to grow.

16 And we will be willing to do whatever is
17 necessary it is to do so that we cannot only help
18 ourselves, but help others to come through a lot of
19 the things that they had to come through to get
20 where they are.

21 Thank you.

22 (Applause.)

1 MR. JOHNSON: Thank you, Dorothy.

2 Sam. And after Sam, Edward Lee.

3 MR. AKINS: Good afternoon. I am Sam
4 Akins. Everybody here has been representing
5 somebody and a few people, a lot of the small
6 farmers have to represent themselves and that's
7 great.

8 One thing I want to do today is thank
9 Secretary Glickman for this wonderful opportunity to
10 tell you how I would represent myself about my
11 complaints at the Department of Agriculture.

12 Aside from being a -- I got relatives in
13 the counties that these black farmers are talking
14 about. I come from that area. I am a part of that
15 product. I still do that.

16 But here I'm a computer specialist. I
17 have had complaints in the Farm Service Agency for,
18 well, close to five years. Disfair treatment.
19 Reprisal based on race. Denial of promotional
20 opportunities.

21 Now, I can say that somebody knows about
22 it because the complaint has been filed. Informal

1 processes has occurred. People have been
2 interviewed. What has been done about it?

3 Well, the process is still going on. And
4 this is still part of the process. Hopefully, we'll
5 get to a solution to these problems of
6 discrimination, but my biggest problem here is with
7 the Farm Service Agency.

8 Those people tend to have a fixed
9 imagination about people, thinking people do not
10 hurt when you do things against them; people do not
11 feel their prestige, their power has been lost; they
12 don't feel dehumanized.

13 We do. I can tell you, I feel that. And
14 I can tell you how long have I been waiting for
15 these things to be addressed? Not long. Five years
16 is not long. Some of these people been talking
17 about the same problems for a long time.

18 Will somebody do something about it? The
19 first thing that somebody has to do is stand up for
20 any complaints, injustice, discrimination, any ill
21 treatment that they felt and tell somebody about
22 it.

1 (Applause.)

2 MR. AKINS: Let's start with each of us.
3 We can represent ourselves on that. And you know, I
4 know that I can do that. I'm an American. I know
5 I'm an American. And I have all those liberties
6 that Americans have.

7 Do I have to look over our shoulder to
8 know that I'm American? No. I know that when I
9 look at people who are white males, in control, and
10 say he doesn't fit in because he's black, I know
11 there's a problem with them and not me.

12 I also know that these cases haven't been
13 resolved because the word in the hallway is that
14 "the USDA got good lawyers, let them go there,
15 that's what they get paid for. We'll say no. Let
16 the lawyers handle it." That needs to be fixed.

17 There is a perception that they can do
18 what they can want to do without regard to any
19 retaliation or any action being taken against them.
20 How do I know that for a fact?

21 I can tell you for, let's see, five years,
22 at least, from my own experiences, at least, and I

1 have -- well, in 1996, I have studied agriculture
2 for the Department, I have received an honor award
3 from Dan Glickman in 1996, but those five years,
4 we're still going on. Discrimination is still going
5 on. I had to start working. I won't stop.

6 How long is too long? I don't know. But
7 I do know that this discrimination has to be fixed
8 by somebody and that somebody has to be Dan
9 Glickman. And that's all I have to say.

10 Thank you.

11 (Applause.)

12 MR. JOHNSON: Thank you, Sam.

13 Edward Lee. Is Ed still here?

14 MR. LEE: Yes, I am.

15 MR. JOHNSON: And after Ed, we have --

16 MR. LEE: Can I yield and come back after
17 the next one?

18 MR. JOHNSON: We will go on to Ed
19 Conflight.

20 (No response.)

21 MR. JOHNSON: How about Phillip Hiney,

22 II?

1 MR. HAINEY: Hainey, Phillip Hainey.

2 MR. JOHNSON: Hainey, sorry.

3 MR. HAINEY: Good evening, Secretary
4 Glickman and distinguished panel. I would like to
5 thank you for giving me the opportunity to speak.

6 I'm here on behalf of the minority farmers
7 of the Northern Neck of Virginia. I know this is a
8 Listening Session, Secretary, but I have one
9 question.

10 I know you have given Mr. Ira Hobbs the
11 authority to settle these cases and we appreciate
12 that, but I want to know if you have given
13 Mr. Pearlle Reed the authority to deal with the
14 discrimination?

15 Does he have the authority to deal with
16 this discrimination?

17 SECRETARY GLICKMAN: He has authority to
18 make recommendations to me and to the Deputy
19 Secretary about discrimination, but I ultimately
20 have the authority to make those decisions.

21 MR. HAINEY: Thank you.

22 And the other question I would like to

1 know, have you spoken to Mr. Lloyd Jones about --
2 who is in Virginia, about the discrimination that's
3 going on there against black farmers?

4 MR. REED: I have not personally talked to
5 Lloyd Jones yet.

6 MR. MYART: Do you all plan to?

7 MR. REED: I have not talked to him yet.

8 MR. MYART: Mr. Jones has a story to tell,
9 Mr. Glickman, and he needs to be called because I
10 think he has a lot to tell you all about what's
11 going on with black farmers.

12 And all you have to do is call him up and
13 I'm sure you will get an earful.

14 SECRETARY GLICKMAN: We hear you.

15 MR. HAINEY: I'm here, Mr. Secretary,
16 because discrimination is real in the Northern Neck
17 of Virginia. And not only is it real, it's out of
18 control.

19 In 1996, a black farmer went into the
20 local office to apply for an operating loan in
21 January. He was informed that the office didn't
22 make any operating loans. He was never given an

1 application.

2 Before that year was out, the very
3 individual that was running that office had gone out
4 and rented the land from that black farmer and
5 planted winter wheat in that land.

6 And this is in 1996. And these are the
7 kinds of things that you need --

8 MR. MYART: A government official.

9 MR. HAINEY: A government official. The
10 person that was running the office went out, called
11 all of us black farmers, land owners, and told us he
12 didn't have any money, he was going out of business,
13 and he went out and rented about 50 percent of his
14 land.

15 MR. MYART: Tell them the name.

16 MR. HAINEY: The name of the officer was
17 Charles Warren. It happened in Northumberland
18 County.

19 Since that time, with the downsizing, four
20 counties have been combined and I was told that
21 there would be a committee made up of one farmer
22 from each county.

1 Well, my concern is that when you go in
2 that office, there are no black employees. And with
3 the way that this is structured with one member from
4 each county, there will be no black people on the
5 committee. Black farmers won't have any idea of
6 what's going on or if we're being treated fairly.

7 The other thing that I would like to bring
8 to your attention is that in the Northern Neck of
9 Virginia, the government provides protection for the
10 bird of the air and the fish of the sea.

11 They have protection for the bald eagles
12 and they have protection for rock fish. There are
13 limits on them. They are very strict about it.
14 There are a lot more bald eagles and there are a lot
15 more rock fish than there are black farmers. And
16 are we who are created in the image of God not
17 worthy of some type of protection? I would like for
18 you to think about that.

19 The other thing is my personal case. One
20 of the other reasons I'm here. I've applied for
21 a -- I'm a fourth-generation black farmer. I'm
22 about to lose the land that my great-grandfather

1 acquired because of discrimination by the farmers --
2 what was Farmers Home Administration.

3 I've had a loan with Farmers Home
4 Administration that's been on hold for 10 years, for
5 10 years of my life has been on hold. They have all
6 of my security and all of my credit has been tied
7 up. I can't -- won't anybody loan me any money, and
8 they won't loan me any money.

9 The interest is ticking on my -- has been
10 ticking on my loan for 10 years. I've gone back
11 repeatedly and tried to get them to restructure and
12 restructure. And it got to the point that they went
13 on with foreclosures. The only way that I could
14 stop the foreclosures was I had to file a personal
15 bankruptcy.

16 Now, that means for the next 10 years of
17 my life, it will be messed up because I won't have
18 any credit because of the bankruptcy that I had to
19 file because of the discrimination of FHA.

20 I've also been told that because I had to
21 file bankruptcy, that makes me ineligible to
22 participate in any programs. So the system has been

1 deliberately been set for me to fail.

2 Mr. Secretary, in closing, because I see
3 my time is about up, you know, I know this is a
4 Listening Session, and after you listen, most of the
5 time you speak.

6 I want to leave you with one thought that
7 my grandfather left with me: What you do will speak
8 so loud that we won't be able to hear what you say.

9 Thank you.

10 (Applause.)

11 MR. JOHNSON: Maybe we can go back to
12 Edward Lee. Are you here?

13 MR. LEE: Yes.

14 MR. JOHNSON: And then after Edward,
15 Walter Taylor.

16 MR. LEE: Mr. Secretary, and to your
17 senior staff, and to the Action Committee,
18 Mr. Secretary, I, too, will join in the appreciation
19 for you to have this session and to undergo this
20 kind of scrutiny. I think it's the kind of
21 leadership in government that has been too long
22 absent.

1 Let me qualify myself by saying I'm going
2 to talk about some nontraditional things just for a
3 few minutes. But I am a farmer, was a farmer. We
4 lost our family farm, 240 acres, a lot of the stuff
5 that's been said here today, and I don't want to
6 bemoan that.

7 I want to talk, Mr. Secretary, to you
8 almost directly, if I may, not that these fine
9 people who are with you are not listening.

10 I want to talk about a nontraditional
11 product, a nontraditional market. And then I want
12 to talk about making a recommendation to USDA.

13 Mr. Secretary, in my closing remarks, I
14 would like to renew my request to you. I said I was
15 not going to say that if I had to speak to a
16 microphone. If I thought you were going to be close
17 enough when you left here, I was going to pull your
18 coattail, but since you're going to go out that back
19 door, I think I have to holler at you a little bit
20 from this mike, if I may.

21 Saving the black farmer from extinction, a
22 market-driven choice, a nontraditional product,

1 Natural Bird, Inc., is in the development stage of
2 creating a nontraditional product. The nature of
3 the business is a vertically integrated provider
4 of -- a vertically integrated provider of
5 organically raised broiler meat for human
6 consumption.

7 The organic nature of the business is
8 unique. The birds are fed an all-natural, certified
9 organic diet which is free of carcinogenic agents,
10 artificial growth promoters, antibodies, in an
11 environment under confined conditions altered to
12 provide fresh air, light, space, and optimum
13 sanitation.

14 Natural Bird will provide, produce,
15 process, and distribute ready-to-cook poultry
16 products to wholesale/retail markets at a 60 percent
17 premium price, 60 percent markup premium price, a
18 \$2.8 billion nontraditional market.

19 The nontraditional organic niche market
20 accounted for organic sales of \$2.8 billion in 1995,
21 marking the sixth year in a row of double-digit
22 industry growth.

1 Natural Bird's projections are that by the
2 year 2000 this market will reach \$7.85 billion. A
3 subset of this larger organic market, which was a
4 study, is the Baltimore-Washington, D. C., market,
5 one of the prime organic markets in the country.

6 The Maryland Department of Agriculture's
7 primary market -- preliminary market research
8 indicates that there are an existing 50 million
9 pounds of organic poultry market at this time in the
10 Atlantic region and there is no known commercial
11 organic producer of organic poultry in the Delmarva
12 peninsula.

13 300 new jobs. Natural Bird's organic
14 poultry processing operation will create 300 new
15 jobs in the plant and will require over 100 small
16 family farms to raise their chickens, for which the
17 farmers will receive a premium.

18 Also, an equal number of small family
19 farms will be required to grow organic grain. They
20 will be paid a premium, \$40-plus per bushel above
21 the market price.

22 Maryland Industrial Partnership, MIPS.

1 MIPS. After 18 months of planning, Natural Bird is
2 now in the beginning phases, Phase I of its research
3 and development. The Maryland Industrial
4 Partnership has awarded the company a matching
5 grant. The total budget for this phase is
6 87,000-plus dollars.

7 The grant will involve a literature search
8 and compilation of data; the development of a
9 decision matrix; the creation of preliminary
10 housing; design, testing of selected components; and
11 defining the optimum housing design for organic
12 poultry.

13 USDA denies marketing grant. The Maryland
14 Department of Agriculture collaborated with Natural
15 Bird and submitted a federal market improvement
16 program grant to the United States Department of
17 Agriculture in February of '96. This grant was not
18 approved.

19 The State conferred with USDA and
20 resubmitted the application for the next round.
21 Again, it was denied. The Maryland Department of
22 Agriculture is now reluctant to resubmit the grant

1 because they were advised that USDA, I'm quoting
2 now, "USDA did not want to see the application
3 again," end quote.

4 The Maryland Department of Agriculture
5 said it does not want to compromise its relationship
6 with USDA in resubmitting the grant.

7 USDA turns down requests to me. In an
8 effort to have a dialogue with the participating
9 departments of USDA and to reach a common accord
10 regarding the company's project, Natural Bird
11 requested that USDA's 1890 liaison officer at UMES
12 assist them in arranging with meeting in Washington,
13 D. C., with the Department personnel who would be
14 involved in this project. The liaison offices were
15 to provide Natural Bird with the contact at USDA.

16 At first, the news was encouraging.
17 However, it was not long before the company was
18 given the runaround.

19 Finally, Natural Bird was told that one of
20 the persons scheduled to attend the meeting being
21 arranged with the company disqualified himself
22 because he had participated in the federal market

1 improvement grant submitted to the USDA on behalf of
2 Natural Bird.

3 The person at USDA who was facilitating
4 the organizing of the meeting then decided that the
5 meeting would be an exercise in futility and
6 canceled out.

7 A letter of understanding with UMES. The
8 University of Maryland Eastern Shore 1890 HBCD has
9 signed a letter of understanding with Natural Bird,
10 Inc., setting forth research and demonstration
11 project guidelines.

12 The university's Rural Development Center,
13 the Dean of Agriculture, the university staff, the
14 Cooperative Extension Service, are supportive of
15 Natural Bird's goal to produce the certified organic
16 poultry.

17 Natural Bird processing model. The
18 available experience and technology exist within the
19 commercial poultry industry and the university to
20 produce organic poultry in confinement. What is
21 required for black farmers to be successful in
22 penetrating this organic market is a successful

1 demonstration processing model.

2 Natural Bird in collaboration with its
3 partners is creating an organic poultry processing
4 system which can be duplicated on a small-scale
5 basis throughout the farming community. The
6 question is, will the sustainable agriculture
7 project be given the legitimacy through the support
8 of the USDA?

9 A market-driven solution to save black
10 farmers. Natural Bird recommends, Mr. Secretary,
11 that the USDA provide a preference status, not
12 quotas, for black farmers.

13 And I want to interject here. I'm a
14 veteran and I have a veteran's preference. I have
15 been nowhere in this country, almost the world, that
16 that veteran's preference was not recognized for
17 whatever you want to use it for.

18 And it is the same thing that I'm
19 suggesting, that in terms of the demise of the black
20 farmer and, as has been stated here today, I need
21 not reiterate it, if a preference status were given
22 in terms of USDA in matters that they were involved

1 with before USDA and its affiliates, we would see, I
2 believe, a tremendous difference in communications
3 and coordination.

4 This status would apply to farmers engaged
5 in or seeking to become engaged in organic food and
6 grain production and other such enterprises
7 recognized by USDA as farming-related activity which
8 are directed to saving the black farmer.

9 This status will give the black farmer
10 access to grants, low-interest fixed loans, and
11 access to other current resources at USDA to help
12 position the black farmer in the emerging
13 multibillion organic market bonanza.

14 Mr. Secretary -- yes, ma'am. I respect
15 that. I'm closing out.

16 Mr. Secretary, for some time, there were
17 naysayers who said that organics and natural foods
18 were a fad and that they wouldn't last. I think
19 that this market, recent market data that has
20 been -- has come forward opens a tremendous
21 possibility for the black farmer and the small
22 farmer.

1 If USDA will join with us in an education
2 program and look at that sustainable agriculture
3 program that's been rolled out, and what you're
4 doing at USDA now beginning to certify organic
5 meats, and talk to us in a partnership, I think
6 together we can begin to turn it around.

7 And finally, sir, I wrote you a letter
8 January the 2nd and yes, sir, I know you've seen it,
9 Mr. Secretary. It's absolutely critical for our
10 success that we sit down.

11 Would you do that with us, sir? How do I
12 come back to you on that?

13 SECRETARY GLICKMAN: We'll get back with
14 you. I think it's also appropriate to have somebody
15 from Jill Long-Thompson's shop there because she's
16 the one that's most responsible for this. But I'll
17 be glad to set that up with you.

18 MR. LEE: Mr. President -- Mr. Secretary.

19 SECRETARY GLICKMAN: I'm not the president
20 yet.

21 MR. LEE: I'm trying to get you -- hold me
22 down. I am trying to get you there. If you can do

1 this kind of stuff, maybe you need to be president.

2 We have -- yes, sir. We have set with the
3 governor's staff and all the people on the ranks.
4 Can we arrange that? They are willing to do that
5 with you.

6 Can we kind of do that in that kind of
7 forum? Would that be acceptable to you?

8 SECRETARY GLICKMAN: We'll arrange
9 something with you. And this lady right here, Jill
10 Long-Thompson, is who you should talk to.

11 MR. LEE: Thank you.

12 (Applause.)

13 MR. JOHNSON: Thank you, Edward.

14 We have come close to the end. I have one
15 more person on my list, and then if the Secretary is
16 still here, I would like him to say a few words. I
17 think he is.

18 Walter Taylor.

19 MR. TAYLOR: To the Secretary, I started
20 farming when I was -- the year that President
21 Franklin D. Roosevelt died. I was a 4-H Club
22 farmer, you know, where you use those 13 rows, 13

1 feet long. That's the way I learned in the
2 government.

3 So I farmed for some of the biggest
4 farmers in the United States and I like to farm like
5 they did, not like some of the others that they
6 laugh about.

7 And so after I got to farm so good, I
8 worked for the biggest farmers in Florida, Texas,
9 South Carolina, North Carolina, and Virginia. All
10 over.

11 Then I was contacted by a few other big
12 people, say, "Man, why don't you go to farming for
13 yourself? Being as they ain't going to pay you no
14 more money than they paying you for growing and
15 taking care of this exercise and everything, why
16 don't you just stop running migrant workers and
17 everything? You do it for yourself."

18 Okay. I started doing it for myself and
19 nobody in the State of Florida can beat Walter
20 Taylor, all right. On pack-out slip record, nobody
21 beat me. And so they got word I was just buying
22 land and farming and cows, too. And so then they

1 told me they wasn't going to lease me no more land
2 in Ruskin.

3 It done got a little prejudice now because
4 a lot of the older farmers had died and their son
5 wanted to run their own farm. And so I just didn't
6 want to dry up. I'm farming for myself now.

7 And so I got to farming real big, bigger
8 than two or three of them because I was trained by
9 the biggest farmers in Florida, Texas, everybody
10 know the Holmes, quite a few others in South
11 Carolina. And I got where I could beat everybody
12 farming.

13 Then they said they couldn't lease me no
14 more land in that area. I had to go way out in the
15 boondocks where I could grow my farm at. So I went
16 way out there and I cleared up a little better bit
17 than 8,000 acres.

18 And I grow the super, super crop. I have
19 my pack house slips to back this up. Both crops.
20 Nothing called stake tomatoes ever been grown that
21 high. I got a call from President Jerry Ford
22 because of my growing record.

1 And then the rain came. Then they didn't
2 want none of my workers then who had been working
3 for me who come from Texas with me to help me gather
4 my crop. Then a storm coming in destroyed
5 everything they had. By I'm way out in the
6 boondocks, it's in Ruskin, Florida, I'm the only one
7 that got safe.

8 Now I got 8,000 acres of tomatoes, just
9 started picking. They went sky high. I made a
10 killing. Mr. J. C. Verlaney taking care of
11 everything for me. They run them through six
12 packing houses to get them before the rest of the
13 rain come in, destroy the rest of them.

14 That fall I did the same thing right back
15 over again when they had all kind of fire, disease,
16 cows and everything. I had a super, super crop.
17 Then they had me framed and sent to prison.

18 After I got out, Mr. J. C. Verlaney, who I
19 was a salesman for in tomatoes, he had my money kept
20 for me. And then after I got a packing license, he
21 had my money put with Mr. Dan Landers in
22 Philadelphia, who he's the one vouch for me to be a

1 packer, fruit and vegetable farmer. Him and
2 Mr. Paul Cobb. And so they put my money into that
3 account then, because everything was over.

4 Then I had to qualify, as you know, to go
5 through the line before I could be a full packer.
6 Now I'm a full packer. All my money done walked out
7 of their county. It's over \$109 billion that's
8 supposed to have been in that account. And it ain't
9 now a quarter in there now, what they're telling
10 me.

11 So I came up here to see you in August the
12 10th from Texas. I had the governor of Texas, I
13 went to see them because I got some land out there,
14 too, and he got his assistant, Lieutenant Governor,
15 to write the papers up and everything.

16 And I wanted to know why I can't get my
17 money out of the Agriculture Department? And this
18 is my own money, is in my packer license account.
19 Why I can't use my own money?

20 And so then when I come up here, they
21 wouldn't let me see you. So I went back to see
22 President Carter, because I was in an old religion

1 called the Voice of Miracle religion, and I haven't
2 been paid yet because I was in prison when everybody
3 else got paid.

4 And I showed them that I could go up to
5 Act VII by writing it in on the paper and they said,
6 "Give me my money." And so I come up here again.
7 Then I check with Jose and I said I want to see
8 Mr. Glickman, because the governor of Texas, she
9 done sent in her paper.

10 And I went to see the Justice Department,
11 Don Walker, I went to see, and he wouldn't even talk
12 to me. He wouldn't even talk to me. So Jose said
13 that he'd come out and talk to me. I said I had an
14 appointment up here to see Mr. Glickman the 10th of
15 August.

16 SECRETARY GLICKMAN: Mr. Taylor, why don't
17 we do this?

18 MR. TAYLOR: Yes, sir.

19 SECRETARY GLICKMAN: This man, Dallas
20 Smith, why don't you raise your hand, Dallas. Why
21 don't you talk to him after this is over? He's my
22 personal representative. He's the Acting

1 Undersecretary for the programs and we'll get to the
2 bottom of it.

3 MR. TAYLOR: All right. I've been writing
4 you and the President and everybody.

5 SECRETARY GLICKMAN: We'll get to the
6 bottom of it.

7 (Applause.)

8 SECRETARY GLICKMAN: Mr. Johnson, before
9 we leave, I would just like to make a couple of
10 comments. I think it's important.

11 This is obviously very useful. There's
12 one more of these things on Friday in Mississippi
13 and then Mr. Reed and the Action Team will roll up
14 their sleeves, I suspect their sleeves have been
15 rolled up pretty good so far, and get us a report.

16 I do want to make a couple of comments,
17 however. I didn't say it before, but I think it
18 needs to be said.

19 I want to act to correct these problems,
20 and we will. I will, however, say that personal
21 attacks on members of the staff or the subcabinet,
22 people who work hard, are not well-tolerated by me.

1 And you don't win friends and influence
2 people by demeaning and attacking the integrity of
3 people who may have good, bad, or indifferent
4 reasons for doing what they are doing. And so I
5 don't appreciate that.

6 Now, one wrong doesn't make another wrong
7 right. Two wrongs don't make a right. We're going
8 to get at this problem, but I'm not going to let
9 people who work hard and do their best get attacked
10 unfairly. That is wrong.

11 And whether it's the general counsel or
12 whether it's people on my personal staff or whether
13 it's a Member of Congress, everybody is trying to do
14 their best in their own way.

15 And they may not always have the best
16 judgment. Lord knows I don't have the best judgment
17 a lot of times. You know, I'd like to have not seen
18 this problem be created and people could get along
19 and people all be treated equally as human beings
20 the way God intended.

21 That's just not the way human nature works
22 and periodically we've got to come in and fix the

1 problems. But they are not going to be fixed as
2 easily when people get personally attacked.

3 So we're going to try to resolve these
4 problems the best we can. We are all going to work
5 together to resolve the problems. If we don't work
6 together, they won't get solved. The old theory:
7 United we stand, divided we fall.

8 So we're not going to pit different
9 members of the staff or different people who were
10 elected or different people who are appointed
11 against each other to get these solved.

12 I commit to you this team is going to get
13 these issues solved, but I do want to make it clear
14 that everybody is working their best to try to
15 resolve these matters.

16 There's an old expression. Somebody
17 talked about their grandfather. There is an old
18 expression my father used to tell me: Today is the
19 first day of the rest of your life.

20 It does no good to beat up on all the
21 mistakes we've made beforehand, because all of us
22 have enough to put this room all the way to the top

1 of the Washington Monument with those mistakes. And
2 I'm sure there are no perfect angels in this room.
3 Some may think so, but I don't think there are any.

4 So I just want to make it clear, we're
5 going to resolve these problems. I liken this USDA
6 to a patient that's undergoing major surgery. I'm
7 the supervising physician right now. We got a lot
8 of nurses and a lot of doctors and a lot of support
9 personnel who want to help correct this patient and
10 we're going take all that help.

11 Ultimately, however, there is just one
12 surgeon to fix the organs and sew up the wounds.
13 And with the folks' help here, we're going to do our
14 best to make sure that's done. Working together,
15 not demeaning anyone's intentions.

16 And I just think I need to say that
17 because that is the only way that we can revitalize
18 the effort here, working together, making sure that
19 people are treated fairly and people are treated
20 with dignity.

21 (Applause.)

22 MR. JOHNSON: Thank you all for coming

1 today.

2 MR. LEON JOHNSON: Mr. Johnson?

3 Mr. Johnson, evidently you omitted my name. I was
4 on the list, signed on the list to make some
5 comment. It's easily done. I can understand how
6 you could miss someone's name.

7 MR. JOHNSON: You want to introduce
8 yourself?

9 MR. LEON JOHNSON: Yes, sir. I'm Leon
10 Johnson. I'm a retired area extension agent with
11 the University of Maryland. I worked in two
12 counties, Somerset and Worcester Counties on the
13 Eastern Shore of Maryland.

14 I also am presently serving as chairman of
15 the Maryland Governor's Commission on Migratory
16 Labor and I have been serving in that position for
17 the past 20 years.

18 I have heard the cries of black farmers
19 complaining about not being able to get a loan from
20 Farmers Home Administration. I have also heard the
21 black farmers crying about the shackles of control
22 that's put on those few who was able to get a loan

1 from Farmers Home Administration, RECD.

2 However, I'm not here to talk about the
3 farmers and my experience as a 39-year career
4 extension worker. I'm here today to represent the
5 president of Somerset County Assistance Association,
6 a nonprofit tax-exempt corporation that owns a 30
7 housing unit in Princess Anne, Maryland.

8 Unfortunately, Mr. Secretary, our problems
9 seem not to be with county commissions or county
10 office personnel. I'm not going to blast any
11 persons where our problems are located because it is
12 located in the Maryland, Delaware -- Camden,
13 Delaware State office.

14 And judging from the letters that I have
15 read that was written to me and the letters that
16 have been written to the president, Reverend
17 Isaac Jenkins, the problem is basically
18 communication and it's at the State director's level
19 down.

20 The apartment was built with a \$530,000
21 loan from Farmers Home Administration in 1978.
22 Since that time, we pay approximately \$800,000 in

1 interest alone, \$250,000 more than the original
2 loan.

3 And what happened here lately? We have
4 received communication that they threaten to
5 accelerate the loan. Well, this corporation may be
6 able to get another loan and still operate, but I
7 can guarantee you there will not be any low-income
8 families in there.

9 It's going to cost 30 low-income families
10 to be moved, because if we have to pay 11 percent
11 interest on money where we are paying eight,
12 eight-and-a-half percent now, I'm not exact, those
13 low-income families cannot afford to live there
14 because the rent is going to be too high.

15 In addition to the total amount of
16 interest that we have paid, we got \$40,037 in the
17 bank that we can't touch unless it's approved by
18 RECD. The Federal Government is not at risk in any
19 manner in this project whatsoever. We pay our
20 bills. We pay them on time.

21 But yet we have been harassed by, say, yet
22 another new management agent. We had several

1 management agents over the past 18 and a half years
2 and only one that has been there that we seem not to
3 have no problem and that was a white female that had
4 a GED education.

5 We've had managers there with -- who were
6 retired teachers, sergeants in the military, and now
7 we have a manager that have a bachelor's degree, a
8 master's degree, and only need five courses in
9 having a doctor's degree from the University of
10 Maryland, College Park. But still he's not
11 qualified.

12 We received a letter saying how he's
13 worked for large management companies in Maryland
14 and Delaware. I checked the records. I have a copy
15 of the resume of one of those management company
16 owners and their qualification is a lot less than
17 the present management that we have.

18 So Mr. President -- Mr. Secretary, I'm not
19 going to stay here all day. We will be submitting
20 you some other comments in writing, but I would like
21 to say that during the time that Abraham Lincoln
22 established the Department of Agriculture, we had

1 visible shackles, but now we are faced with
2 invisible shackles around us from RECD of control.

3 In fact, they have changed our original
4 agreement, financial original agreement, which
5 says -- which they had authority at that time and
6 control over all assets, including land and so
7 forth, of the housing project.

8 Now they want control of all the financial
9 and business of this nonprofit charitable and
10 educational tax-exempt corporation. And we have
11 other programs.

12 We do not plan, we have not planned, and
13 basically it will -- to be frank and very candid,
14 I've talked with members of the board of directors
15 and they don't plan to give you control of all of
16 their money.

17 So all I'm asking, Mr. Secretary, is for
18 you to relieve the shackles of control over us
19 because we will provide safe and sanitary housing
20 for those 30 low-income families who the project was
21 designed to serve.

22 And it just happened to be my idea,

1 Mr. Secretary, too, and I wrote most of the
2 information in the application to get the housing
3 project established.

4 So please, Mr. Secretary, relieve the
5 pressure from us, please.

6 (Applause.)

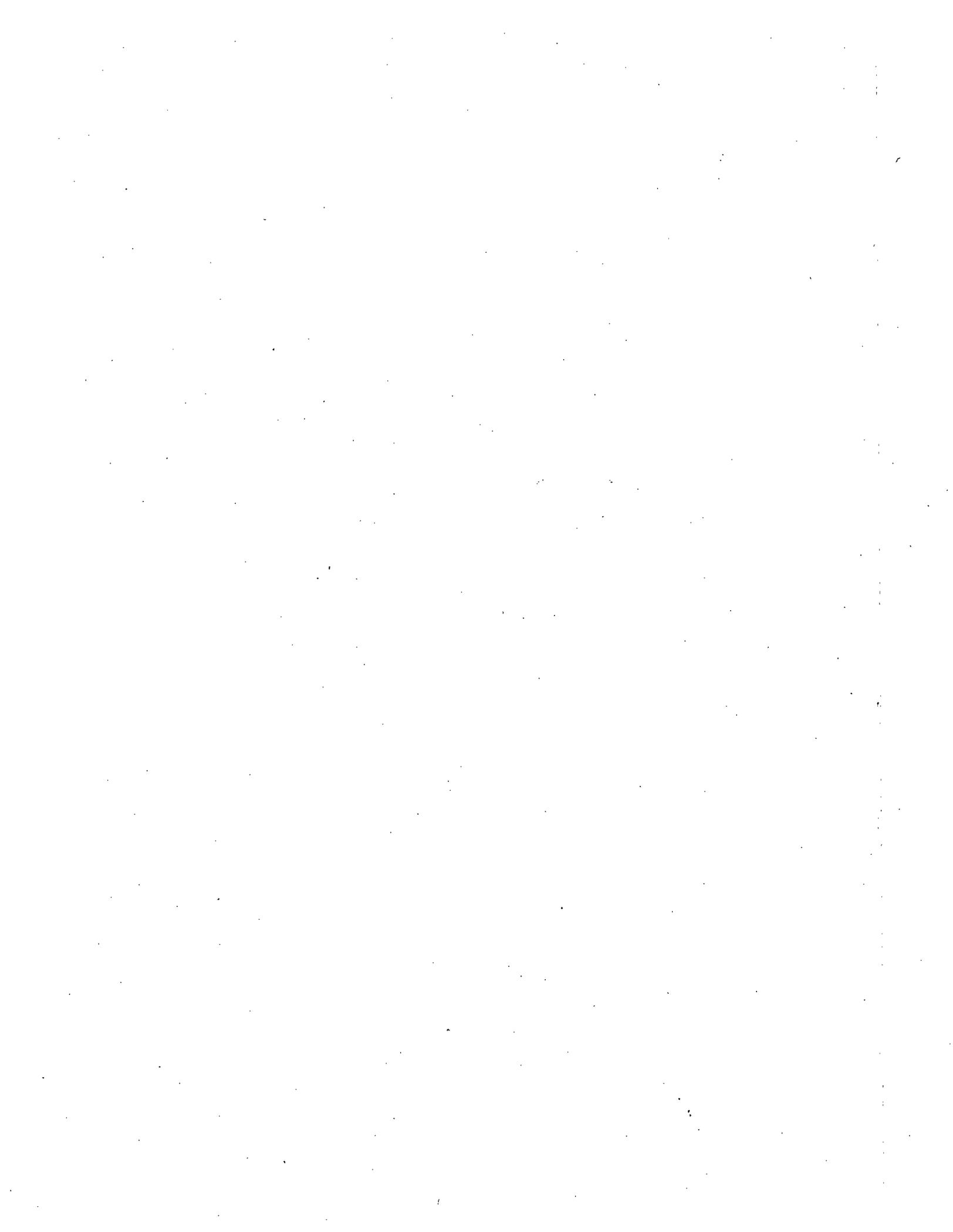
7 MR. SHADBURN: I'll be glad to get with
8 you immediately after the meeting here and sit down
9 with you and we'll work out some communication on
10 this and make sure that our staff get with you and
11 the State director and we'll see what we can do to
12 correct the communication and also look into the
13 problem. Okay. I'll be with you in just a few
14 minutes.

15 MR. JOHNSON: Thank you all for coming
16 today. It's been a very good session. The panel
17 has got its work to do at this point and we'll carry
18 on. Again, thank you very much.

19 (Thereupon, the Listening Session was
20 concluded at 5:47 p.m.)

21

22



In The Matter Of:

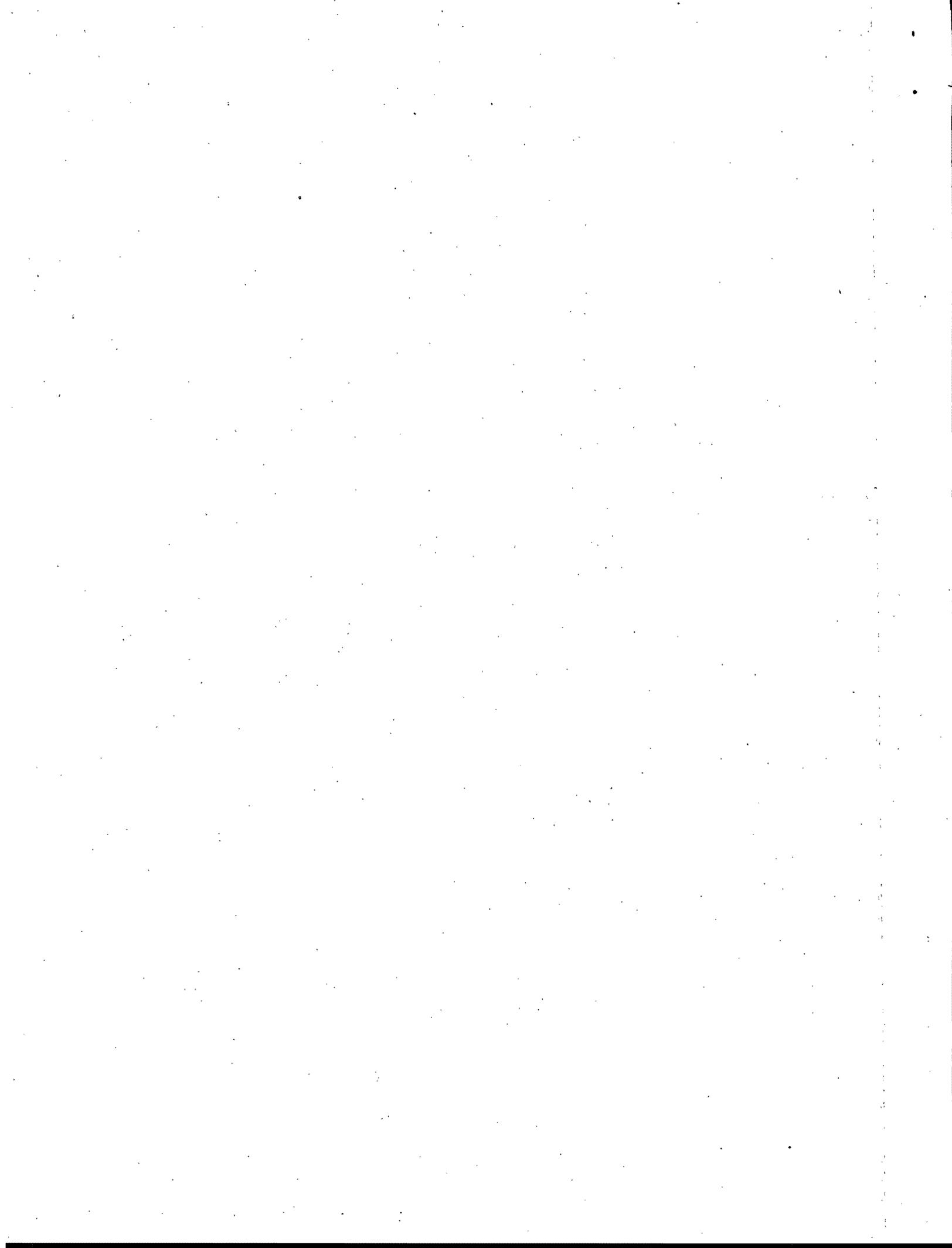
Civil Rights Listening Session

January 22, 1997

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CIVIL RIGHTS LISTENING SESSION
 January 22, 1997
 United States Department of Agriculture
 South Building, Jefferson Auditorium
 14th and Independence
 Washington, D.C.

Page 1

Panel Members:
 Dan Glickman, Agriculture Secretary
 Richard Rominger, Deputy Secretary for
 Agriculture
 Pearlle S. Reed, Leader of Civil Rights Action
 Team and Associate Chief of the Natural
 Resource Conservation Service (NRCS)
 Paul W. Johnson, Moderator, Chief, Natural
 Resources Conservation Service
 Jan E. Shadburn
 Grant Buntrock
 Civil Rights Action Team Members
 Mon Yee
 Joyce Willis
 Robert Whiting
 Floyd Wheeler
 Randy Weber
 Sam Thornton
 Jerry SESCO
 Wilbur Peer
 Karen Messmore
 Leonard Hardy
 Sharon Cooney-Smith
 Robert Cole
 John Bottum
 Gary Barber
 Steve Anaya

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[1] PROCEEDINGS
[2] MR. JOHNSON: Good morning to you. I am [3] Paul Johnson, head of the Natural Resources [4] Conservation Service and Chair of our national USDA [5] Food and Agriculture Consult, what we fall the FAC [6] Consult. Welcome to this Civil Rights Employee [7] Listening Session.
 [8] Over the past couple weeks, the Secretary, [9] Deputy Secretary, Civil Rights Action Team, other [10] USDA officials and hundreds of employees and USDA [11] recipients have met in forums such as this across [12] the country in order to share concerns and comments [13] about the Department's efforts in civil rights and [14] equal employment.
 [15] Many of you heard the President's [16] inauguration address the other day, and in it he [17] commented that it's time we learned to live [18] together, learn together, work together, forge new [19] ties that bind together. This effort today and the [20] effort over the past couple weeks has been to listen [21] to people within the Department and those who we [22] serve in order to be able to do that better.

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[1] We have several panel members and other [2] USDA officials here today to listen to your [3] presentations. To begin with, I'd like to [4] acknowledge two of my fellow national FAC members, [5] Grant Buntrock, the Administrator for Farm Services [6] Agency, and Jan Shadburn, who's the Administrator of [7] Rural Housing.
 [8] At this time I'd like to introduce Pearlle [9] Reed, the leader of the USDA

Civil Rights Action [10] Team, for a few comments and introductions.
 [11] (Applause.)
 [12] **MR. REED:** Thank you very much.
 [13] Good morning, and welcome to all of you. [14] The first thing we'd like to do is to ask [15] for self-introductions of all of the members of the [16] Secretary's Civil Rights Action Team. I'd like to [17] start with my, to my left, with Mon Yee.

[18] **MR. YEE:** Good morning. My name is Mon [19] Yee. I'm with Natural Resources Conservation [20] Service out of Portland, Oregon.
 [21] **MR. REED:** Excuse me. Do we have a [22] microphone? Excuse me, Mon, would you do that

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[1] again?
 [2] **MR. YEE:** Certainly. Good morning. My [3] name is Mon Yee. I'm with the Natural Resources [4] Conservation Service in Portland, Oregon.
 [5] **MS. WILLIS:** Good morning. I'm Joyce [6] Willis. I'm with Marketing and Regulatory [7] Programs.
 [8] **MR. WHITING:** Good morning. My name is [9] Robert Whiting. I'm with the Office of the Chief [10] Information Officer. I represent that office and [11] Departmental Administration.
 [12] **MR. WHEELER:** Good morning. My name is [13] Floyd Wheeler. I'm the Director of Human Resources, [14] Food and Consumer Service.
 [15] **MR. WEBER:** Good morning. My name is [16] Randy Weber. I'm the Associate Administrator, Farm [17] Service Agency.
 [18] **MR. THORNTON:** Samuel Thornton, Office of [19] the Secretary.
 [20] **MR. SESCO:** Good morning. Jerry SESCO [21] with the Forest Service, and I'm representing the [22] natural resources and environment mission area on

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[1] the Task Force.
 [2] **MR. PEER:** Good morning. Wilbur Peer, [3] Associate Administrator, Rural Business Services, in [4] the rural development mission area, with Jill [5] Long-Thompson.
 [6] **MS. MESSMORE:** Good morning. I'm Karen [7] Messmore, with the Food Safety and Inspection [8] Service.
 [9] **MR. HARDY:** Good morning. I'm Leonard [10] Hardy, Deputy Administrator for Operations and [11] Management mission area, for Mrs. Jill [12] Long-Thompson.
 [13] **MS. COONEY-SMITH:** Good morning. I'm [14] Sharon Cooney-Smith. I'm with the Farm Service [15] Agency in St. Louis, Missouri. I'm here [16] representing USDA locals. I am a member

of AFGE [17] Local 3354. I am also a member of the Coalition of [18] Minority Employees.
 [19] **MR. COLE:** Good morning. I'm Robert Cole, [20] a former USDA employee.
 [21] **MR. BOTTUM:** Good morning. I'm John [22] Bottum with the Cooperative State Research.

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[1] Education and Extension Service, representing the [2] REE mission area.
 [3] **MR. BARBER:** Good morning, everyone. My [4] name's Gary Barber. I'm the Director of Executive [5] Services, Office of the Chief Financial Officer.
 [6] **MR. ANAYA:** Good morning. My name is [7] Steve Anaya, State Director of Rural Development [8] from New Mexico.

[9] (Applause.)
 [10] **MR. REED:** Okay. Thank you very much.
 [11] Now I'd like to turn the program over to [12] the Deputy Secretary of Agriculture, Richard [13] Rominger. Please help me welcome Mr. Rominger.
 [14] (Applause.)

[15] **MR. ROMINGER:** Thank you, Pearlle.
 [16] It's my honor and pleasure this morning to [17] introduce the person who has made this happen. The [18] determination of Agriculture Secretary Dan Glickman [19] to do something about the concerns that we've heard, [20] the problems that we've had at USDA with our [21] customers and concerns and problems that employees [22] have had, Agriculture Secretary Dan Glickman's

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[1] determination to make sure this does not continue is [2] why we're here today.
 [3] This is, as you know, is a culmination of [4] hearings that have been held around the country at [5] which the Secretary and I have been listening to [6] concerns of customers and employees. So it gives me [7] great pleasure to introduce to you today Secretary [8] of Agriculture Dan Glickman.

[9] (Applause.)
 [10] **SECRETARY GLICKMAN:** Good morning, [11] everybody.
 [12] First of all, I want to thank the Deputy [13] and particularly thank Pearlle Reed and the Civil [14] Rights Action Team, the folks on the second tier [15] right here who have spent many hours, days, almost [16] like the symbol of the postman, through rain, sleet [17] and snow, they have gone to hearings all over the [18] country to basically listen to both employees as [19] well as customers of USDA to try to determine what [20] the facts are insofar as how this Department treats [21] its employees and treats its customers in order to [22] make im-

provements, and to end what I call and what

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[1] the President calls, "The divide of race has been [2] America's constant curse." He said that in his [3] inauguration address, and it's what we are trying to [4] eliminate as part of this effort.

[5] This is probably the most comprehensive [6] effort in the history of the Department of [7] Agriculture to deal with this problem. There have [8] been many reports made over the years, back since [9] the 1950s. Some action has been taken in some [10] areas, but for the most part those reports have been [11] printed and have gathered dust. What we're trying [12] to make sure is we sweep the dust away this time.

[13] So I would just make a couple of comments, [14] if I might, before we go ahead and begin the [15] listening sessions. These are a part of our [16] commitment to ending the curse that the President [17] talked about. The other sessions I've attended have [18] been both disturbing and instructive. I've heard [19] enough to know that there is a problem, both real [20] and perceived, that must be addressed.

[21] Each listening session has been attended [22] by hundreds of people, some of whom traveled for

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[1] days to get there. If people take that much time to [2] travel that far to air their grievances, there is a [3] problem.

[4] As the President said to the nation Monday [5] in his inaugural address, "We cannot, we will not [6] succumb to the dark impulses that lurk in the far [7] regions of the soul everywhere. We shall overcome [8] them. And we shall replace them with the generous [9] spirit of a people who feel at home with one [10] another."

[11] And that's what we're trying to do here, [12] is to create that spirit where all of our employees [13] and all of our customers feel at home with one [14] another.

[15] As the deputy has mentioned, I formed an [16] Action Team to do a thorough civil rights audit of [17] USDA. These listening sessions are part of that [18] audit. This team in front of you will give me a [19] report, including recommendations, within the next [20] 30 days, probably in the earlier part of that 30-day [21] period, sometime the first or second week in [22] February. I am also seeking counsel of community

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[1] leaders and members of Congress, and I have asked [2] our Inspector General to investigate complaints of [3] discrimination in farm loans.

[4] Today you see before you virtually all of [5] our subcabinet who are here, as well as Agency [6] Administrators. I have asked them all to be here [7] today. And the reason for that is because, as the [8] chief managers of this institution, they have to [9] personally understand the turmoil, the grief, and [10] the experience that people have to give us as part [11] of us making these recommendations.

[12] I do think that most of our employees [13] treat farmers and fellow employees with dignity and [14] with respect. There are some who don't. And one of [15] the things we want to make sure is when those folks [16] are found they will suffer the consequences.

[17] As the President said in his inauguration [18] address, "Great rewards will come to those who can [19] live together, learn together, work together, forge [20] new ties that bind together." I want USDA to reap [21] some of those rewards.

[22] We have a real opportunity to make

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[1] positive changes in the area of structure of this [2] Department, as well as civil rights enforcement, and [3] to ensure that both our employees and our customers [4] are treated fairly and with dignity. We will not [5] stop until we end the curse of discrimination in [6] this country generally, and here at USDA. So I [7] thank you for coming.

[8] I would say to you that for the most of [9] today we will be listening. And we will do our best [10] to make sure that if people have individual matters [11] that need to be referred to with others who are [12] here, we will do so in the process. But I think you [13] will be pleased at the end of this experience, where [14] I think we will not let this report gather dust, but [15] we will make necessary changes to make sure that [16] USDA is the leader in human relations in the [17] government.

[18] Thank you very much.

[19] (Applause.)

[20] **MR. JOHNSON:** Thank you, Secretary [21] Glickman.

[22] Before we begin the session today, I'd

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[1] like to lay out a few ground rules. We have quite a [2] list of people who would like to speak and we want [3] to make as much time as possible available for [4] them.

[5] We're asking that you hold your comments [6] to five minutes. And I realize that some of you [7] have comments that could last much longer than that, [8] but if you'd be willing to please try to hold your [9] comments to five minutes that will give the largest [10] number of people an opportunity to speak. We will [11] have a timer holding

up cards for you and we would [12] appreciate if you could do that.

[13] If you have more to say, we would like you [14] to go to the lobby afterwards, if you'd wish, and [15] we'd record - we'd write down your comments. We [16] also will be taking written comments, and if you [17] would be willing to submit your written comments we [18] will certainly get those into the record. There are [19] boxes by the door, I believe, on your way out, for [20] your written comments.

[21] We also will, if you have comments that [22] you'd like to phone in to us, we have a 1-800

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[1] number, and I believe that that's available for you [2] on your programs. I hope you have that somewhere.

[3] At this time I'd like to begin the [4] session, and I will call the name of the person to [5] speak. If you will please state your name - go to [6] the microphone, state your name, and if you're with [7] an organization or a group, please state that as [8] well. And I will also at the same time list the [9] next person to speak, so I'll try to warn you to be [10] ready so that we can move as quickly as possible [11] through this.

[12] We'll begin today with Gina Jones. And [13] the second person to speak will be Sam Wong. Gina, [14] are you here? Good, go ahead.

[15] **MS. JONES:** Good morning to Secretary [16] Glickman, Mr. Pearlie Reed, members of the Civil [17] Rights Action Team, ladies and gentlemen.

[18] Thank you for this opportunity to speak to [19] you before you today on concerns regarding civil [20] rights issues and employment with the United States [21] Department of Agriculture, more specifically, the [22] Forest Service.

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[1] My name is Gina Jones and I am a member of [2] the USDA Coalition of Minority Employees and an [3] employee at the Francis Marion and Sumter National [4] Forest in Columbia, South Carolina. I am a [5] nine-year veteran of the USDA, beginning my service [6] in Minnesota and then relocating to South Carolina [7] in 1993.

[8] To say the past three years in federal [9] employment have been difficult would be an [10] understatement. I have experienced and/or witnessed [11] a gross misuse of power by some management personnel [12] in our Agency.

[13] I have also seen a total disregard and [14] disrespect for civil rights legislation as it [15] relates to employees' rights in the workplace. [16] Employees have been put under undue pressure on the [17] job, due to racist and sexist tactics. In some [18] instances, people's lives have been seve-

rely [19] impaired.

[20] Believe it or not, management has used [21] Forest Service law enforcement to police their own [22] employees. Clearly, in these cases, the Agency is

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[1] not acting in the public's best interest, but as a [2] Gestapo, totally out of control.

[3] As I speak to you this morning, I'm aware [4] that not all our employees are racist or sexist. In [5] fact, the majority of the employees are fair-minded, [6] hard working, and dedicated individuals. [7] Unfortunately, some management level employees have [8] overtly and covertly practiced styles of operation [9] that are destroying the self-esteem of many in the [10] work force and destroying the Agency as a whole. [11] Added to this, there is a segment of management [12] which may not be guilty of these offenses but [13] chooses to ignore them in the effort not to buck the [14] system.

[15] In closing, I have faith that the USDA can [16] be a strong, fair, and productive Agency, which [17] meets the needs of the American public. I [18] respectfully urge that Secretary Glickman act with [19] all deliberate speed in dealing with managers found [20] guilty of discriminatory practices.

[21] Secondly, I suggest a more racially and [22] gender-balanced work force, especially in upper

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[1] level management, one that better reflects diversity [2] in the American public.

[3] Thirdly, I suggest that Secretary Glickman [4] and staff put forth a concerted effort to resolve [5] the more than 1,600 outstanding EEO complaints.

[6] We can indeed build a bridge to the 21st [7] century if we only open our hearts and minds to the [8] best that is in all of us. In the Department of [9] Agriculture, we can no longer afford to turn our [10] backs to the problems and the injustices that [11] surround us. For in the words of Dr. Martin Luther [12] King, injustice anywhere is a threat to justice [13] everywhere.

[14] Thank you.

[15] (Applause.)

[16] **MR. JOHNSON:** Thank you, Gina.

[17] Sam Wong is next, followed by Mark Mace.

[18] **MR. WONG:** I'm Sam Wong, former President [19] of APANA, Asian Pacific American Network in [20] Agriculture; the author of the study, "Neither Black [21] Nor White: A New American Dilemma." I have been a [22] USDA employee for 16 years. And the statement I

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[1] have to present to this group is very short. The [2] title is simply, "Act Now."

[3] **Mr. Glickman:** will you please act now?

[4] You have the acumen, the people, the know-how. You [5] brought great expectation, equal recognition for [6] all. But in your administration, Asians face a [7] stone wall. Kept invisible, our gifts are scorned, [8] colleagues expendable, our hopes stillborn.

[9] **Mr. Secretary,** are you for real? When [10] have you tried to feel how we feel? What else must [11] or can we do to get you to walk a few steps in our [12] shoes? We are no dreamers. Our words are few. We [13] are the builders. Honor us, as honor is overdue.

[14] **Mr. Secretary,** you surely know there is no [15] mystery how trust can grow. Do what you say. Our [16] dues we have paid. Will you be our hero, doing the [17] possible, or will you be a zero, mouthing the [18] plausible?

[19] We have done our best. Now you face the [20] test. May you not be found wanting. The whole [21] nation is watching, **Mr. Glickman.**

[22] (Applause.)

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[1] **MR. JOHNSON:** Thank you, Sam.

[2] Mark Mace is next, followed by Tom Kalil. [3] Mark, go ahead.

[4] **MR. MACE:** (Speaking through interpreter) [5] Good morning. My name is Mark Mace and I work with [6] FSA. I've worked there for three years.

[7] The comments that I have are related to [8] the fire safety for deaf employees. Many deaf here [9] should carry their pagers, their beepers, for the [10] fire alarms. But we're not satisfied and we're not [11] happy with the pager system, because the pagers [12] themselves are unfriendly, the codes that are used.

[13] They're numeric and we have to memorize [14] the codes for the fire. And we also have to carry [15] this little list of codes with us that indicate all [16] the fire codes on it so that the deaf employees will [17] know they have to carry this, and it's related to [18] their pager. Let me tell you that many of the deaf [19] people do not wear their pagers. It's a little bit [20] awkward, and women with dresses have no place to put [21] them.

[22] And another thing related to fire safety,

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[1] deaf people who do not carry their pagers have [2] what's called a buddy who is supposed to warn them [3] and alert them that they should evacuate. But the [4] problem with the buddy system, it's very dangerous [5] for them, for the buddies, too, because when they [6] hear the fire alarm the buddy is in the process

of [7] searching for the deaf employee. And when they [8] can't find them, the buddy himself is in the [9] building.

[10] My recommendation to whoever is [11] responsible for this issue is that you should [12] discuss with us, the deaf employees, to get our [13] ideas and our feedback of exactly what is best for [14] us. It would be better for us and the work [15] environment for all of us, too.

[16] Also I know that our building, the South [17] Building here, will be renovated very soon. And [18] we're expecting that this building will be required [19] to follow the ADA, Americans with Disabilities Act [20] safety recommendations and requirements. But what [21] we would prefer is that you discuss this with [22] someone who is responsible for the renovations,

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[1] discuss it with us exactly where the lighting should [2] be placed, the warning lights, and discuss with us [3] the design, where it would be best for us to see the [4] flashing lights.

[5] The reason that I am here, I have heard [6] that another Agency just built a new building and [7] several deaf employees work there and they are not [8] happy. They are not satisfied, because they could [9] not see the flashing light, they couldn't see [10] anything.

[11] And I don't understand why we have spent [12] so much money for design and for installation and [13] then it doesn't work. So I think that it would be a [14] very good idea for someone who is responsible for [15] the renovations to discuss with us before they go [16] ahead.

[17] Thank you.

[18] (Applause.)

[19] **MR. JOHNSON:** Thank you very much, Mark.

[20] Tom Kalil and followed by Linda Epstein.

[21] **MR. KALIL:** It probably seems unusual to [22] be looking at a white Caucasian male standing here.

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[1] However, I am physically disabled with crippling [2] arthritis that's gradually robbing me of my ability [3] to walk.

[4] I'm over 40, I'm Catholic, I'm married [5] with children, I'm heterosexual, and I am of Arab [6] national origin, Lebanese descent. I'm a career [7] civil servant with roughly 24 years of service. And [8] those years are all with the Department of [9] Agriculture.

[10] However, following the change of [11] administration in 1993 I'm going to give you a [12] specific case directed at me, but I'm doing it to [13] take you to an issue involving the Dispute [14] Resolution Board and the system that exists in this

[15] Department, which has a severe problem.

[16] At that time I was removed from my [17] position and replaced with a young woman with no [18] educational or work experience qualifications. I [19] was placed in a position for which I was neither [20] qualified nor trained.

[21] I was given production quotas that were [22] 300 percent higher than normally assigned. I was

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[1] denied necessary training. I was forced to seek [2] training on evenings and weekends on my own time in [3] order to become qualified to perform the assigned [4] work.

[5] I was harassed in an effort to force me [6] out so that my vacated position would be available [7] for my supervisor's alleged paramour. I was denied [8] the opportunity to pursue career advancements, [9] specifically an SES slot that was indiscriminately [10] taken from where required and given to the [11] Administrator's female assistant who had absolutely [12] no qualifications to perform the work assigned to [13] that SES position.

[14] I was then detailed to a position where I [15] was taught - where I was tasked with trying to undo [16] the damage perpetrated by this same individual [17] during the Department's reorganization. I made the [18] mistake of voicing my concern regarding these [19] activities to the Associate Administrator, who sits [20] on this panel right now.

[21] The reprisal was significant and blatant. [22] I was told that I wasn't a team player and the

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[1] Associate Administrator said he couldn't work with [2] anyone who would voice such concerns about their [3] supervisor.

[4] I was removed from my office, forced to [5] work on a two-foot square table with a laptop [6] computer, denied access to my office furniture and [7] equipment. I was slandered and hollered at in front [8] of other employees.

[9] It all culminated when one year ago I was [10] falsely accused of intentionally damaging government [11] property, a firing offense. That accusation was [12] published in scathing terms in an official [13] memorandum that was issued to the Administrator of [14] the entire Agency, the Deputy Administrator of Farm [15] Credit, the Deputy Administrator of Management, [16] redirected to the Office of Personnel, Information [17] Technology Services Division, and Management [18] Services.

[19] The letter was intended to be damaging to [20] my career and the per-

petrator, by her own admission, [21] to intentionally harass me. However, as advised by [22] the agency's Office of Personnel, the letter was

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[1] intentionally not filed in my official personnel [2] file folder. Why? This was done in order to deny [3] me the opportunity to exercise my right to appeal [4] its content.

[5] This was the most recent of the series of [6] discriminating actions which began - the most [7] recent of which began with the supervisor who was [8] the person that received the SES position.

[9] One minute? Okay. I'm going to jump to [10] the final event. Since I have one minute, I'm going [11] to tell you what happened at the board meeting.

[12] I did go before the Dispute Resolution [13] Board. Dispute Resolution Board found that the [14] actions of this individual were normal business [15] process. They also found that the actions of this [16] individual were not only normal business practice [17] but there was no connection. And I showed - as [18] testified there was a connection.

[19] I can't get into it now, but I did present [20] the whole problem to Mr. Franco, who saw that there [21] was absolutely no clear reason why the board came to [22] its conclusion saying I had no cause of action.

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[1] Except it recently came to my attention that the [2] person whom I was going against, Debbie Matts, is [3] currently the Administrator's Special Assistant for [4] EEO and is being considered for a departmental level [5] EEO position of authority.

[6] I bring this to your attention, as I have [7] to the White House Office of Personnel. I'm told to [8] stop now, but I was asked to bring this to your [9] attention by the White House Office of Personnel, [10] hopefully to stop something that should not happen.

[11] (Applause.)

[12] **MR. JOHNSON:** Thank you, Tom.

[13] Next speaker will be Linda Epstein, [14] followed by Arabella Juarez.

[15] **MS. EPSTEIN:** Good morning, Mr. [16] Secretary.

[17] The following paragraph is from the CFR of [18] life. I'll read it very slowly because we all know [19] how complicated the CFR is to understand. It is [20] entitled, "Whose Job Is It?"

[21] This is a story about four people named [22] Everybody, Somebody, Anybody, and Nobody. There was

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[1] an important job to be done and

Everybody was sure [2] that Somebody would do it. Anybody could do it, but [3] Nobody did it. Somebody got angry about that [4] because it was Everybody's job. Everybody thought [5] Anybody could do it, but Nobody realized that [6] Everybody wouldn't do it. It ended up that [7] Everybody blamed Somebody, when Nobody did what [8] Anybody could have done.

[9] Now, everybody in this room knows that [10] there's important - that there is a very important [11] job to be done, and that job is to fix our broken, [12] outdated civil rights system to reflect the needs of [13] our diverse employees. We cannot complacently sit [14] here and wait for somebody to fix it, and it won't [15] fix itself. We need to be part of the solution.

[16] Presently, USDA's civil rights program is [17] decentralized and hidden. Enforcement services - [18] the enforcement area services both our internal and [19] our external program recipients, and also develops [20] procedures, plans, coordinates, provides assistance [21] and provides guidance to both. How can they [22] possibly do a good job for both the internal and

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[1] external program recipients without one group being [2] neglected or inadequately serviced?

[3] To add to this melange of [4] responsibilities, enforcement rules are written [5] unclearly. Recently I had the opportunity to [6] experience firsthand how rules can be circumvented, [7] paving the road for subjective interpretation and [8] noncompliance to EEO.

[9] Anybody here can make recommendations on [10] what we can do to fix the system. We can write [11] guidelines that are clear and easily understood, [12] less subject to noncompliance by misinterpretation. [13] We can submit a time line to track compliance of [14] each instance of discrimination.

[15] We can train the employees and the [16] managers so they all know the same rules. That [17] doesn't seem to be the case now. We can audit [18] programs randomly to keep everybody on their toes. [19] We can, as a last ditch effort, hold people [20] accountable for their actions.

[21] We are aware of these remedies [22] intellectually, but nobody has done anything

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[1] measurable or visible. Somebody got angry. He [2] wanted the system fixed and felt it was everybody's [3] responsibility to help.

[4] Everybody knows that civil rights is [5] invisible. It is buried in the Office of Operations [6] in the back corner of the

building. Is this because [7] civil rights is low priority? Everybody knows that [8] priority programs are visible and physically located [9] closer to the top of the chain of command.

[10] (Applause.)

[11] **MS. EPSTEIN:** Everybody is aware that we [12] can all make wonderful rules that won't be followed [13] unless there is scrutiny. It ended up that [14] Everybody blamed Somebody when Nobody did anything [15] that Anybody could have done.

[16] Now, anybody in this room can make [17] recommendations. I consider myself an Anybody, but [18] I am powerless. I can only recommend, not act. [19] There is only one person in this auditorium who can [20] do what nobody else can, move EEO physically to the [21] highest levels of the Department to reflect USDA's [22] commitment and support. That person is you, Mr.

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[1] Secretary.

[2] Thank you.

[3] (Applause.)

[4] **MR. JOHNSON:** Thank you, Linda. And thank [5] you for abiding by the rules.

[6] **SECRETARY GLICKMAN:** At least somebody [7] abided by the rules, right? Okay.

[8] **MR. JOHNSON:** It's hard to fit within five [9] minutes, I know, and I appreciate what you've all [10] done thus far.

[11] Those of you who are standing in the back, [12] if you'd care to come forward, there are very [13] comfortable seats up here. It's up to you.

[14] Next we have Arabella Juarez, and she will [15] be followed by Patricia Jackman.

[16] **MS. JUAREZ:** Hello, good morning, and [17] thank you for giving us the opportunity to speak [18] here today.

[19] I have been with the Department of [20] Agriculture for six years. I have seen the forces [21] of discrimination at work at USDA. I have been [22] through the EEO process, and know that nothing

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[1] changes unless the people who engage in [2] discriminatory behavior are reeducated and forced to [3] change.

[4] (Applause.)

[5] **MS. JUAREZ:** USDA employees who engage in [6] the tactics of discriminatory behavior should be [7] held personally liable and accountable for their [8] actions. Without this, the culture of [9] discrimination at USDA will always remain the same. [10] Middle managers who discriminate should be punished [11] economically.

[12] I have a question for Secretary

Glickman, [13] and I hope that you will be able to answer this. [14] What are you personally going to do to motivate USDA [15] employees who engage in discriminatory behavior?

[16] **SECRETARY GLICKMAN:** As I said at the [17] beginning, I'm going to reserve comment on all the [18] comments here until this team makes its specific [19] report, but I assume that the essence of your [20] question will be included in their recommendations.

[21] **MS. JUAREZ:** Okay. Thank you.

[22] (Applause.)

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[1] **MR. JOHNSON:** Thank you, Arabella. [2] Patricia Jackman. Again, I'd remind you [3] to state your name again and anything about your [4] Agency or the organization you represent, if you [5] will, please.

[6] **MS. JACKMAN:** Good morning. My name is [7] Patricia Jackman, and I'm President of the [8] Pathfinders Association of People with Disabilities [9] and the USDA Forest Service.

[10] I thank you very much for this opportunity [11] to share information and to have organized these [12] forums for all USDA employees, but I want to make [13] one statement. USDA needs to walk the talk about [14] equal access and opportunity from the top down.

[15] When the Forest Service heard about these [16] listening sessions, we were not connected to [17] E-mail. The written documentation we received, the [18] signage that was placed, never stated anything about [19] equal access or accommodations. The Office of Civil [20] Rights Enforcement distributed to all agencies a [21] letter which clearly outlined that when meetings [22] were held at USDA, when the public was invited, when

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[1] signage was displayed, that any special needs were [2] to be accommodated.

[3] I see signs all over USDA that do not list [4] TDDs or TTY numbers for employees with hearing [5] disabilities to contact to get information. And [6] what comes from the top of the Agency filters - of [7] the Department, filters down through our agencies. [8] And I must report that our field employees in the [9] Forest Service were quite confused about who to [10] contact and how to find out more about [11] accommodations.

[12] The status of people with disability in [13] the Forest Service, as of the new fiscal year there [14] were 394 targeted employees in one of the biggest [15] agencies in USDA, which has 30 - over 30,000 [16] employees. That's 1.28 percent of the work force [17] representation. The civ-

ilian labor force has close [18] to 7 percent representation by people with [19] disabilities. This is a very poor showing and we [20] don't even have a goal for fiscal year '97 to shoot [21] for.

[22] The majority of persons with disabilities

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[1] are unable to move into positions to maximize their [2] skills due to lack of understanding of policies [3] governing the Disability Employment Program. [4] Officials seem reluctant to provide accommodations. [5] Many persons with disabilities in this time of [6] downsizing opted to resign, retire, take the buyout, [7] due to long-standing frustration with the Agency.

[8] EEO Management Directive 712 clearly [9] states that there are avenues to enable employees [10] with targeted disabilities to be promoted, to [11] receive reasonable accommodations, to receive [12] training and opportunities afforded to others in the [13] work force.

[14] Approximately 70 percent of the persons [15] with disabilities in the Forest Service are at the [16] GS-7 or below series. This clearly shows lack of [17] representation through all levels in the Agency. We [18] suggest that managers take more - make more use of [19] special hiring authorities to hire well-qualified [20] people with disabilities above the entry level.

[21] Temporary employment exposure often leads [22] to permanent hiring. There seems to be a lack of

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[1] diversity focus in our hiring of permanent - of [2] persons with disabilities in temporary service. [3] Career ladders are limited to nonexistent.

[4] As I said, 70 percent of our Forest [5] Service employees are GS-7 and below. This has also [6] been affected by the downsizing. That is the area [7] where many of the cuts were made, so people with [8] disabilities were highly impacted.

[9] I am extremely excited by USDA's [10] recruitment initiatives. Unfortunately, the [11] representation of students with disabilities is very [12] small to nonexistent when you compare it to our [13] colleagues in the Hispanic-serving institutions, the [14] HICU, the HBCUs, UC-Davis, the American Indians [15] Higher Education Council. What is the - what is [16] the reason for this?

[17] According to EEO Management Directive 712, [18] which has been in effect since March of 1983, any [19] Agency with 3,000 or more permanent employees is to [20] have a full-time Disability Employment Program [21] manager. The Forest Service definitely meets that [22]

goal, and it only at the moment has two people

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[1] sharing this duty in a collateral position.

[2] Video materials produced by the Agency and [3] the Department are not consistently captioned for [4] the hearing impaired. Key messages come out from [5] the Forest Service that are not captioned.

[6] The Agency has had a dynamic self-analysis [7] of our work through the Continuous Improvement [8] Process, yet our chief message went out to all [9] employees without any captioning. And there has [10] been no recourse even though that was brought to the [11] attention.

[12] I thank you very much for this opportunity [13] to share our feelings with you.

[14] (Applause.)

[15] **MR. JOHNSON:** Thank you, Patricia. [16] Jeremy Wu is next, followed by Lawrence [17] Lucas. Jeremy, are you here? Good.

[18] **MR. WU:** Good morning. My name is Jeremy [19] Wu, and I'm serving as the current President of [20] APANA.

[21] Mr. Secretary, not many of us want to work [22] for an employer who makes frequent negative news

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[1] headlines. Employees at USDA certainly prefer to [2] work at the People's Department instead of the Last [3] Plantation.

[4] (Applause.)

[5] **MR. WU:** We can not built a People's [6] Department, however, without people. [7] With all due respect, Mr. Secretary, I do [8] not believe there is one Asian-Pacific American in [9] your own staff. And in this 90,000 member [10] Department, I do not believe there is one [11] Asian-Pacific American career SES. GS-12 is the [12] highest grade Asian-Pacific American employees can [13] achieve in the National Finance Center.

[14] Mr. Secretary, a long-term strategy known [15] as REAP has been sent to your office for the last [16] two months. A memorandum of understanding to [17] establish a national partnership on this initiative [18] has been ready for your signature for - since [19] September, 1996. With all due respect, we need your [20] action and we need your decisions.

[21] Four years ago, leaders from our community [22] visited USDA and they asked a question. Why were

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[1] there no Asian-Pacific American senior executives in [2] USDA? The answer

was there were no qualified [3] candidates. Today, we're eager to learn about the [4] responses from you and your subcabinet officers.

[5] APANA has also endorsed the concept of a [6] three-strikes-and-you're-out policy when [7] discrimination is found in USDA. However, in the [8] case of Dr. Brij Bhargava, a jury in the U.S. [9] District Court found FSIS guilty of discrimination [10] and recommended a historical amount of \$1 million [11] and a promotion.

[12] To this date, we have not seen any action [13] that you said would be taken as part of your zero [14] tolerance policy. However, employees of both Asian [15] and non-Asian descent who attended the trial have [16] been harassed. They were falsely accused of not [17] reporting their leave hours.

[18] In the name of reorganization, at least [19] ten of them are being transferred from Washington to [20] Omaha, Nebraska. On the other hand, those who [21] testified against Dr. Bhargava, have received [22] promotions. Despite the court order, Dr. Bhargava

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[1] is the only one who has not received a promotion.

[2] While there is no effort to hold FSIS [3] managers accountable, there is a sharp contrast in [4] the non-stop harassment of Ms. Faye Shong in the [5] Forest Service or in the recent termination of Dr. [6] Sara Wynn in APHIS. This is the kind of reward and [7] reprisal system we have in the Last Plantation.

[8] Last week I was asked to supply a copy of [9] a report on civil rights, a focus group that I [10] chaired about four years ago. Many of the same [11] issues have remained: Accountability, glass [12] ceiling, reprisals, complaint management, [13] pre-selection, nepotism, cronyism.

[14] One thing that's clear, USDA serves as a [15] perfect negative example for the rest of the federal [16] government. When civil rights is set up as an [17] extension of management control it will not work. [18] Problems may be suppressed for some time, but they [19] will surface, as they have now.

[20] And since I have only one minute and I [21] cannot ask the distinguished gentleman from the [22] great state of Kansas to yield some time, I'd like

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[1] to jump to the last few paragraphs in terms of what [2] I have.

[3] Let me go to the part about we cannot rely [4] on laws. It is clear that the laws will not [5] necessarily make things happen. We can get a seat [6] at the table, but the parties could move to the next [7] door without us knowing about it.

[8] President Lincoln did not ask plantation [9] owners to form a committee, to write reports.

[10] (Applause.)

[11] **MR. WU:** He took leadership. He fought a [12] bloody civil war and through the ruins of the war [13] arose a stronger America. With all due respect, Mr. [14] Secretary, that kind of moral leadership is lacking [15] in USDA today and it is needed in USDA today.

[16] (Applause.)

[17] **MR. WU:** And let me just jump to the final [18] comment. Mr. Secretary, make a personal commitment [19] to be involved in the civil rights issues. Work [20] with the people, exert your moral leadership to [21] condemn the wrongdoing that has happened under your [22] watch.

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[1] Take action when you must, no matter how [2] difficult. Build a solid organization that dares to [3] take responsibility and be accountable and include [4] all employees and customers.

[5] Mr. Secretary, when you lead, we will [6] follow. Our time has come to build this People's [7] Department.

[8] Thank you.

[9] (Applause.)

[10] **MR. JOHNSON:** Thank you, Jeremy. [11] Lawrence Lucas is next, followed by John [12] Valencia.

[13] **MR. LUCAS:** I think I'm in the same [14] position as an EEOC chairman not so long ago, [15] said - indicated that he's very careful about who [16] he follows. I'm not going to talk very long, [17] because I have pain too long.

[18] I think Jeremy Wu has clearly indicated [19] the problems that you have at this Department. And [20] if this is not a plantation, but believe me it's run [21] like one. The only thing I say, the members of the [22] Coalition of Minority Employees across this country,

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[1] they are dreamers. They are dreamers. They are [2] dreamers.

[3] But I do have enough respect for law, as [4] many of the people here in the Department of [5] Agriculture do not, to believe that a change is [6] going to come. But that change is going to come, [7] Mr. Reed, that change is going to come, Mr. Reed, [8] because of you. Because you will head up and [9] determine what decisions that come from these people [10] here, because of the pain and suffering that you all [11] have heard from the farmers.

[12] I have been told that mixing the farmers [13] with the employees is not the right thing to do. [14] Discrimination is discrimination, whether it [15] surfaced

its ugly head, whether it surfaced its ugly
[16] head with the denial of the resources
to black [17] farmers or whether it denies
the resources and the [18] pleasures of a
hopeful or wonderful working place [19]
for employees. Discrimination and that
ugly head [20] has raised its head in this
Department too long, Mr. [21] Secretary,
too long.

[22] And they wonder who is the status
quo?

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[1] Who is the status quo? Nobody ever
talks about the [2] people who maintains
the status quo, one being OGC, [3] one
being the General Counsel.

[4] Here you have a General Counsel that
down [5] in Georgia, in Atlanta, class
discrimination against [6] our legal peo-
ple who maintain the status quo, the [7]
people in budget, the people in finance,
the people [8] in personnel that keep
these policies that tell you, [9] Mr. Sec-
retary, that you should not render re-
sources [10] to civil rights, not render
resources to settle [11] these complaints
of the farmers.

[12] But worst of all, these are the same [13]
people that tell you, Mr. Secretary, that,
when you [14] came on board, they sit
here and they run this [15] Department.
Those people are the ones who maintain
[16] the status quo for managers and
supervisors to [17] discriminate all across
this land against employees [18] of this
Department.

[19] They're the ones, they're the ones
who [20] tell this Department, tell courts,
tell individuals [21] and managers such as
you that there is no [22] discrimination on
this plantation. They tell you

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[1] that, and you want to believe it,
because they are [2] the legal arm, your
counsel, the people close to [3] you. You
do not listen, Mr. Secretary, to the [4]
people who are cherish - who cherish
and offered to [5] help you most.

[6] Mr. Secretary, all the words that I have
[7] to say is remember one thing. Walk in
the shoes of [8] Martin Luther King. Walk
in the shoes of those [9] people who were
called and suffered the pain of [10] racism
and discrimination in this country, Jews,
the [11] pain that women have that I hear
across this [12] country.

[13] I went out to Portland, Oregon. They
[14] treat their dogs better than they treat
the [15] disabled. So we know how they
treat people of [16] color, especially
blacks. We have a serious problem [17] of
the demise of the black male. It's not by
[18] accident. It's not by accident.

[19] I say to you, Mr. Secretary, we are [20]
dreamers. Coalition of Minority Employ-
ees chapters [21] across this country have
talked to this panel. We [22] are dreamers.

And I will say by closing, you can

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[1] kill the dreamers but you will not kill
the dreams.

[2] (Applause.)

[3] **MR. VALENCIA:** Good morning, Mr. [4]
Secretary.

[5] **MR. JOHNSON:** John Valencia.

[6] **MR. VALENCIA:** My name is John Vale-
ncia. [7] I'm president of the Hispanic
American Cultural [8] Effort here at
USDA, and an employee of the [9] Dep-
artmental Administration, Management
Services.

[10] We applaud the creation of the Civil
[11] Rights Action Team. We look forward
to results and [12] an action-oriented
agenda. This is a new day and we [13] must
institute a new way when it comes to
civil [14] rights at USDA.

[15] It is wonderful to have these events
where [16] we are focusing on moving the
agenda forward in the [17] civil rights
arena. We applaud the efforts of the [18]
Secretary, the Deputy Secretary, Pearlie
Reed, Sam [19] Thornton and others. We
must make progress and we [20] must
take it now.

[21] Starting today and for the next four
[22] years, the Glickman and Pearlie Reed
years at USDA

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[1] must be known as action and results-
oriented years [2] in the civil rights arena
at USDA. That's the [3] legacy that you
should concentrate on leaving.

[4] We have certainly started giving you
tools [5] to make results happen at USDA.
For instance, [6] Hispanic employees met
with the Secretary on May [7] 29th, 1996,
to ask for the creation of the USDA [8]
Hispanic Issues Task Force. You, in your
prudent [9] manner, decided to grant us
that.

[10] Mr. Secretary, Pearlie, Deputy Sec-
retary, [11] Sam and others, we are hem-
orrhaging when it comes to [12] the
Hispanics at USDA. The statistics are very
low, [13] at only 3.8 percent of the USDA
work force. [14] President Clinton has
mentioned that the federal [15] work
force should mirror the population in
the [16] U.S. We are nowhere near there,
when you consider [17] Hispanics com-
prise 10.2 percent of the population.

[18] By the year 2020, Hispanics will
comprise [19] 16 percent of the popu-
lation. By the year 2050, the [20] U.S.
Census Bureau conservatively estimates
that [21] Hispanics will comprise 24.2
percent of the [22] population.

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[1] Clearly, we must move forward to
increase [2] the number of Hispanics at all
grade levels at [3] USDA. We must devise
strategies to move quickly and [4] move

now. At the downsizing pace, we will
even lose [5] more Hispanics and the
most underrepresented [6] minority or
one of the most underrepresented [7]
minority groups at USDA will no longer
exist.

[8] How can we be serving our cus-
tomers, both [9] here in Washington,
D.C., and throughout this [10] country?
We need representation and we need it
[11] now. We need political appointees
appointed to key [12] positions.

[13] And frankly, I would say even with
this [14] CRAT team, the Civil Rights
Action Team, if you [15] looked at that, last
week we had a presentation by [16]
Randy at the Hispanic Issues Task Force. I
said, [17] Randy, we don't have any
Latinos, we don't have any [18] Hispanics
on that CRAT team. Why don't we?

[19] And you, Pearlie, in your infinite
wisdom, [20] said we got to get them, and
we got Steve Anaya on [21] there. And it
was only as an afterthought. We [22]
cannot be the afterthought at USDA.

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[1] We must move forward in the civil
rights [2] arena by focusing with targeted
efforts at the [3] various communities at
USDA. It is great and [4] frankly okay to
target efforts at each minority [5] group,
Hispanic, African-Americans, Native [6]
Americans, the disabled, Asian-Amer-
icans and women.

[7] There has been, what I sense, a need to
[8] aggregate all the efforts. For instance,
we should [9] move ahead with separate
training such as Hispanic [10] training that
we had in 1995, the federal woman's [11]
training in 1995, the African and male -
[12] African-American male training,
1995.

[13] Under the leadership of David Mon-
toya, the [14] former Civil Rights Director,
we had started to make [15] progress. The
progress has now ceased. His [16] action-
oriented approach to civil rights has
ended.

[17] We must examine the roles of the
entities [18] involved in civil rights de-
cision-making at USDA. [19] What is the
role of the Office of General Counsel? [20]
What is the role of the Special Counsel to
the [21] Secretary? Have these entities
had a chilling [22] impact on the progress
of civil rights?

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[1] Mr. Secretary, in closing, and I have a [2]
lot more to say as all the other speakers
certainly [3] have, but this is an op-
portunity. This is the [4] bridge to the next
century. And you are part of [5] that
bridge. Pearlie, you are part of it.

[6] We thank you and we look forward to
[7] progress.

[8] (Applause.)

[9] **MR. JOHNSON:** Thank you, John.

[10] Again, I want to let all of you know that [11] if you have additional comments, make sure you get [12] them to people at the back on your way out.

[13] Next, Sue Harris-Green, and she will be [14] followed by Peter Wood. Sue, are you ready?

[15] **MS. HARRIS-GREEN:** Good morning. My name [16] is Sue Harris-Green and I'm the President of Black [17] Minority Employee Organization. And we represent [18] Rural Development and Farm Service Agency. I've [19] worked within the Department of Agriculture for over [20] 25 years.

[21] Mr. Secretary, we recommend that you [22] randomly select at least five discrimination cases a

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[1] month and have your staff review and prepare an [2] executive summary for your review. We recommend [3] that you provide a personal - that you are provided [4] a personal briefing from your staff, and if [5] necessary from the Civil Rights Director from the [6] affected mission area. We strongly feel that this [7] is a method and this method will provide you a [8] better understanding of the issues, the findings and [9] resolutions that are being proposed.

[10] Mr. Secretary, we also recommend that once [11] an employee files a discrimination complaint, that [12] the employee is removed from the hostile environment [13] until the case is resolved.

[14] (Applause.)

[15] **MS. HARRIS-GREEN:** Mr. Secretary, if an [16] employee organization writes to you regarding a [17] civil rights issue, we recommend that the response [18] be prepared for your signature and signed by you. [19] So often the response is prepared by the Civil [20] Rights Director as well as signed by the Civil [21] Rights Director.

[22] And, Mr. Secretary, psychologists tell us

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[1] that a desired reaction, if you - to get a desired [2] reaction, you need a reward and a punishment [3] system. It is my understanding that most cases are [4] being settled with a finding of no fault.

[5] How are you going to change the attitude [6] and the behavior of managers whose names keep coming [7] up on the list of employee discrimination [8] complaints? Repeated action, yet nothing happened [9] to them. Back in Georgia, where I was born, Mr. [10] Secretary, rural America, once we saw smoke, my [11] father always told me that usually there's fire.

[12] (Applause.)

[13] **MS. HARRIS-GREEN:** Also, our last comment [14] is several African Americans have successfully [15] completed the Senior Executive Service candidacy [16] program. However, they are not selected for the SES [17] position. What is the purpose of employees going [18] through the SES training if they are not going to be [19] recognized and appointed to these positions? What [20] are your plans to place more African Americans in [21] SES positions?

[22] Thank you.

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[1] (Applause.)

[2] **MR. JOHNSON:** Thank you, Sue.

[3] Peter Wood is next, followed by Mike [4] Dunn.

[5] **MR. WOOD:** Good morning. Thank you, [6] Secretary Glickman, Deputy Secretary Rominger, Mr. [7] Pearlie Reed, and the Civil Rights Action Team. We [8] really appreciate the opportunity to speak.

[9] I'm Peter Wood, President of USDA GLOBE, [10] which represents the gay, lesbian, bisexual and [11] transsexual employees of the Department.

[12] We have great hopes that the Civil Rights [13] Action Team is going to take action. That's part of [14] its title. We are impressed with them so far.

[15] We had an opportunity as representatives [16] of GLOBE to meet with Pearlie Reed. I was very [17] impressed with him. It gives me great hope. We [18] provided some written recommendations to Mr. Reed [19] for his Action Team to review.

[20] Secretary Glickman, you had mentioned some [21] reports gathering dust, and there was a report put [22] together back in 1994 on sexual orientation. It was

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[1] commissioned by then-Secretary Espy. That report [2] was never recognized that it was even received. So [3] based on that, we provided some updated [4] recommendations. We appreciate that opportunity.

[5] Yesterday you were quoted in the Post as [6] saying there is no nationwide pattern or practice of [7] discrimination, and that you think what we need is [8] to make sure that the way our system operates is [9] that it's fair and fair across the board.

[10] And I couldn't agree more. And I really [11] think, as Linda Epstein said, one of the things we [12] need to do is change the culture. And by doing [13] that, that's putting civil rights leadership at the [14] top.

[15] This is a listening session, and I hope [16] you were listening earlier when the gentleman stood [17] over there and

described who he was, by saying he's [18] Catholic and married with children and that he was [19] heterosexual. I don't know if you were listening at [20] that.

[21] It wasn't really loud, but when he said he [22] was a heterosexual, there was laughter in this

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[1] audience. This audience laughed. I'm not really [2] sure why. Do you know how that makes me feel?

[3] When he said he was a Catholic, there [4] wasn't real laughter. When he said he was married [5] with children, there wasn't real laughter. But for [6] some reason, the people in this audience feel that [7] when someone says they're not gay, they giggle.

[8] Why is that? What does that say to [9] anybody that's sitting in this audience that may be [10] gay? Hey, I'm gay and they're giggling. [11] Something's not right, I better not tell my [12] co-worker.

[13] What's it make you feel like, somebody [14] that's sitting in here that has a son or daughter [15] that's gay? I better not tell them that my son or [16] daughter is gay, because they giggled. I hope [17] you're listening.

[18] One of the things that we recommended is [19] that there be education, education on sexual [20] orientation. And I think that's really important [21] because I think people giggle because they don't [22] understand. They don't understand that we're really

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[1] not that different.

[2] And I know that there's a lot of - it's [3] politically unpopular to do education on sexual [4] orientation. That's going to be a tough job to [5] bring that forward. And one of the things is going [6] to be people are going to say, well, it's against my [7] beliefs, I don't believe in gays, I think it's a [8] sin.

[9] We're not asking people to change their [10] beliefs, but only to be tolerant of us. And I think [11] that's important. We're not asking anyone to change [12] the way they look at life, only to give us a fair [13] and even space to work on and not giggle.

[14] I just want to say that we appreciate this [15] opportunity and we really think that it's going to [16] be some real action. And I think we really need to [17] make it clear to all USDA employees that [18] discrimination, for whatever reason, on any basis, [19] will not be permitted.

[20] Thank you for the time.

[21] (Applause.)

[22] **MR. JOHNSON:** Thank you, Peter.

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[1] Next is Mike Dunn, followed by Don [2] Gearing. Go ahead, Mike.

[3] **MR. DUNN:** Thank you very much, Paul.

[4] Good morning, Secretary Glickman, Deputy [5] Secretary Rominger, Chairman Reed, men and women of [6] the CRAT management team, members of the FAC [7] committee.

[8] I am here today to represent the Hispanic [9] issues Task Force. Last June, Mr. Secretary, you [10] asked me to chair that Task Force, to give [11] visibility to the Task Force as a member of your [12] subcabinet, to indicate the dedication that you have [13] to look into these particular issues.

[14] We have been very systematically going [15] about our business for the last half year, Mr. [16] Secretary. What we have found, as mentioned earlier [17] by John Valencia, that even though Hispanics are 10 [18] percent of the nation work force, they're only 6 [19] percent of the federal work force. And here at the [20] Department of Agriculture, they're only 3.8 percent [21] of the work force.

[22] As John had indicated, by the year 2020,

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[1] Hispanics will be 16 percent of the nation, probably [2] our highest majority-minority group in the [3] nation. We cannot continue as we are, ignoring the [4] underrepresentation of Hispanic employees at the [5] Department of Agriculture.

[6] In the area of services for Hispanic [7] communities, we find that not only culture but [8] additional language barriers exist. That keeps our [9] Department from providing the services and goods [10] that we have for Hispanic communities.

[11] Mr. Secretary, you asked us to look at [12] three areas: Program delivery and services, [13] education and research, and employment and career [14] development. Our Task Force has taken this task [15] extremely serious.

[16] They have put together a plan of action [17] that we feel will embody and internalize within the [18] Department of Agriculture a systematic review of [19] where barriers exist, where discrimination in civil [20] rights exist for the Hispanic community, and ask us [21] to attack those barriers, to remove them.

[22] **Three words, Mr. Secretary:**

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[1] Accountability, accountability, accountability. [2] Accountability for those of us that are in policy [3] positions to make sure that this plan is carried [4] out. Accountability of the mission areas and [5] agencies to ensure that they take serious their job [6] and internalize this, make this an ongoing part of [7] the system, a systematic review. And [8]

accountability, finally, of each and every [9] supervisor, in the Department of Agriculture to [10] ensure that civil rights violation for Hispanic [11] community does not exist.

[12] And I guess finally, a fourth [13] accountability, accountability for all of us at the [14] Department of Agriculture to do better. Because, [15] Mr. Secretary, we can.

[16] Thank you.

[17] (Applause.)

[18] **MR. JOHNSON:** Thank, Mike.

[19] John Gearing is next, followed by Mae [20] Massey.

[21] **SECRETARY GLICKMAN:** Paul, if I may just [22] make one comment. That is, it's interesting that

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[1] the Task Force asked Mike Dunn, who is basically a [2] member of the subcabinet, to chair the Task Force.

[3] And I don't want to single out anybody [4] exceptionally positively or negatively in the [5] subcabinet, that's not appropriate here, except to [6] say that Mike Dunn, as a manager and as a policy [7] leader, had the confidence of a group of people that [8] he could take this issue and provide the leadership, [9] and the confidence that he could provide the [10] follow-through necessary, which is something that we [11] expect of all of our subcabinet and all of our [12] leadership people here at the department. And he's [13] an example to us of this.

[14] (Applause.)

[15] **MR. JOHNSON:** Don Gearing.

[16] **MR. GEARING:** Mr. Secretary and the Action [17] Team, my name is Don Gearing, and I've worked at [18] USDA for almost 30 years now. I'm currently the [19] chief steward of AFSCME Local 3925, representing FSA [20] here at headquarters. Also I'm the union contact on [21] the Service Center Implementation Team.

[22] Mr. Secretary, the employees share your

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[1] dream. To have customers and employees treated [2] fairly and with dignity is something the Department [3] has got to continue to work towards.

[4] Unfortunately, not everybody in the [5] Department shares that dream. There is people in [6] authority in the Department that does not want to [7] give up what I would call their unfair advantage [8] that was obtained through the plantation mentality. [9] And this unfair advantage has created the [10] unwillingness for authority to exercise enough [11] authority to change the attitudes of certain [12] individuals, to tell them this is not acceptable and [13] will not be tolerated

at USDA.

[14] I believe part of the problem is that USDA [15] at the Department level abdicates and gives up their [16] authority to the Agencies all too quickly. I see [17] the Department operating what I would consider more [18] like a coalition than a real line authority at [19] times.

[20] Things that are set forward from goals [21] that are either in the law, through the [22] administration, or we see inappropriate deeds from

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[1] individuals that go unaddressed. And I'd like to [2] give you a few examples of some things that I can [3] relate to firsthand.

[4] First of all, I can speak from personal [5] experience. On November the 26th, I was struck in [6] the back of the hand with a phone from a manager in [7] FSA. This has caused nerve damage to my back of my [8] hand and a problem for me.

[9] Unfortunately, the police were called in. [10] It was considered assault and battery, and a very [11] egregious violence in the workplace incident, and [12] the Agency's response was no response. There was no [13] action taken.

[14] Secondly, within FSA, we have an EEO staff [15] that is being mismanaged. This mismanagement has [16] created hostilities towards those employees to the [17] point where we have had six employees file [18] grievances outlining discrimination against them by [19] managers. And I'll just add that the hostility that [20] we've seen that was encompassed in these problems is [21] so egregious that anybody that would know about it [22] would certainly not want to tolerate it.

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[1] Also, the cornerstone of this [2] administration and the reorganization of the [3] Department, you might say, is in trouble. There is [4] a faltering of the individual Agencies to living up [5] to the responsibility for that effort.

[6] And unfortunately, what I'm seeing right [7] now is that there's nobody in charge of the [8] Department level to make the effort work. The [9] stovepipe Agencies are incapable of making the [10] decisions to cross cut to things that are needed.

[11] I would recommend to you, sir, to create a [12] leadership team with you, Secretary Rominger, the [13] top people in your administration, along with a [14] liaison to the White House and to Congress, to OMB. [15] We can't have a pass-back come back that shocks the [16] world. And with the unions, so that we can move [17] forward.

[18] Because without a service center, we

[19] cannot deliver service to the field. Without the [20] service to the field, the head dies.

[21] I would also like to offer to you the [22] opportunity that the unions and the employees are

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[1] willing to roll up their sleeves. Give us a chance, [2] we'll work with you, we'll develop the [3] interest-based approaches you need.

[4] Thank you.

[5] (Applause.)

[6] **MR. JOHNSON:** Thank, Don.

[7] Mae, you're next, followed by Carol [8] fields. Go ahead, Mae.

[9] **MS. MASSEY:** Good morning, Mr. Secretary, [10] and members of the Task Force. My name is Mae [11] Massey and I'm President of the Organization of [12] Professional Employees of the Department of [13] Agriculture.

[14] The members of the Organization of [15] Professional Employees of U.S. Department of [16] Agriculture recognize that the goal of your current [17] Civil Rights Listening Session is to obtain [18] information on discriminatory concerns. And we look [19] forward to solutions.

[20] OPEDA is a diverse group of more than [21] 5,000 multi-cultural, multi-racial and [22] multi-generational employees who seek to provide

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[1] support for the interests of all its members and all [2] USDA employees. We feel that there is need to make [3] a public statement with regard to the continued [4] impact of discrimination against employees and [5] mismanagement by a system out of control.

[6] OPEDA requests a comprehensive analysis of [7] the serious issues and contributing factors that [8] necessitate a Listening Session. Focus on [9] discrimination, racial and otherwise. Our concerns [10] are stated in summary and followed with questions [11] for your hearing and hopefully for your positive and [12] effective response.

[13] Concern number one, USDA's ability to [14] provide efficient customer service. OPEDA members [15] and other employees continue to work in an [16] environment of declining human and fiscal [17] resources. We are typically accepting more tasks, [18] greater responsibility, and declining resources. In [19] many instances, limited resources contribute to the [20] problem.

[21] **Question:** To what extent have the issues [22] stated in complaints been examined to identify

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[1] contributing causes of real and per-

ceived public [2] service problems? What actions are being taken to [3] utilize information contained in complaints to [4] establish improvement processes? To what extent [5] will the Department identify a proactive approach to [6] assist employees in managing changes?

[7] Concern number two, increasing [8] responsibilities without corresponding [9] compensation. Career opportunities are decreasing [10] and very little consideration is being given to the [11] need to provide adequate compensation to employees [12] who receive additional work loads. Increasing [13] responsibilities, while the public we serve demands [14] the highest level of public service.

[15] The working environment is generating [16] continuing threats to the welfare and health of [17] employees. Employees are suffering from stress and [18] changing working conditions. Will the Department [19] establish a method for providing a healthy workplace [20] environment?

[21] Concern number three, career support and [22] transition. Downsizing is currently occurring

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[1] continuously. Employees are transitioning within [2] USDA and outside of USDA. Many federal Agencies are [3] demonstrating their support and appreciation to [4] present and former employees through career [5] transition services.

[6] **Our question:** What commitment will the [7] Department make to institutionalize career [8] transition services throughout the nation for USDA [9] employees? Will major employment centers be [10] equipped with career counseling offices?

[11] In conclusion, the members of OPEDA stand [12] ready to help with all solutions.

[13] (Applause.)

[14] **MR. JOHNSON:** Thank you, Mae. I have a [15] feeling most people here could identify with that, [16] those comments on work load. We're all working [17] very, very hard.

[18] Carol Fields next, followed by James [19] Vollmer.

[20] **MS. FIELDS:** Good morning, I'm Carol [21] Fields. I'm the President of the Forum on Blacks in [22] Agriculture. Mr. Secretary, we're pleased to have

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[1] the opportunity to inform you and the Civil Rights [2] Action Team of the concerns and issues impacting [3] black employees at the Department.

[4] The Forum is one of the oldest and [5] proactive black employee organizations in the [6] Department of Agriculture. As

we work to develop [7] the issues and concerns confronting black employees [8] on a daily basis, we realize that we face the same [9] issues that existed ten years ago.

[10] The statistics have changed slightly. The [11] statistics have changed slightly at the higher [12] grades. However, when you look closely at those [13] increases, what we notice, that at the grades GS-14 [14] and 15 levels, we know that 30 to 35 percent are in [15] the civil rights, equal employment opportunity, [16] outreach, human resources, and personnel.

[17] Most of these individuals have college [18] degrees in other disciplines such as economics, [19] business management, agriculture education, [20] et cetera. The main reasons they're in civil rights [21] and EEO is because they're given - they're not [22] given the same opportunity to advance in their

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[1] chosen fields.

[2] In the program area there are numerous [3] cases where Agencies have continued to advertise [4] positions at the higher level instead of at the [5] entry level in order to exclude black staff members [6] that qualify for the positions at the entry level.

[7] An example would be a black management [8] assistant, grade GS-8. The Agency elects to [9] advertise a management analyst position at the GS-12 [10] level, thereby effectively denying the assistant an [11] opportunity to compete for the professional [12] position.

[13] Black males have been an endangered group, [14] both internally and externally. In an effort to [15] affirmatively address the black males' employment [16] issues, the Department had offered specific training [17] for African-American males.

[18] This program provided a highly - had [19] proved to be highly successful, with many of its [20] graduates advancing in their chosen careers. [21] However, the program was abruptly discontinued and [22] left nothing in its place. The message sent to

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[1] African-American males was clear, business as usual [2] and you are excluded.

[3] I could go on for hours discussing the [4] many issues and concerns black employees have with [5] the Department. However, I would take the remaining [6] time to offer some recommendations that over time [7] would address and resolve many of these concerns and [8] issues.

[9] First, Mr. Secretary, we have to be - we [10] have to have accountability at all levels, starting [11] in your office, the

Under and Assistant Secretaries, [12] the Administrators, down to the lower level of [13] supervision.

[14] Secondly, the directors of civil rights [15] and equal employment opportunity at all levels, the [16] departmental, mission area, Agency levels, must have [17] extensive knowledge of civil rights and the EEO [18] laws, regulations and requirements. In addition, [19] they must be committed to and advocate for civil [20] rights employment for all employees and work with [21] all elements of the Department to assure that [22] mission area and Agencies are complying with

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[1] affirmative employment plans.

[2] Third, the Department mission areas and [3] Agency officials must act affirmatively to increase [4] opportunity for all participants, for full [5] participation of black employees in all areas of [6] employment.

[7] And finally, Mr. Secretary, the easiest of [8] all, the Department over the past years have been [9] offering us special observances and ceremonies. [10] These ceremonies were basically designed to give [11] diversity training to our managers and supervisors.

[12] The most recent ones was the MLK program [13] that was in this auditorium last week. The [14] auditorium was packed. If you look at the films [15] from that particular program, you will note that [16] there was a conspicuous absence of managers and [17] supervisors. With strong words from you, I am sure [18] that managers and supervisors can at least take one [19] hour out of their time to come and listen and [20] learn.

[21] (Applause.)

[22] **MS. FIELDS:** I would like to thank you for.

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[1] the opportunity today and to inform you that the [2] Forum on Blacks in Agriculture has been available [3] and more than willing to assist your panel and your [4] team to do whatever is necessary to move us.

[5] I don't think we're quite ready for the [6] 21st century. We have not - this Department is [7] pre-1954. We need to at least move it up to the end [8] of the 20th century.

[9] Thank you.

[10] (Applause.)

[11] **MR. JOHNSON:** Thank you, Carol.

[12] James Vollmer is next, followed by, and [13] I'm sorry, somebody's handwriting is worse than [14] mine, but Kheryn Klubnikin? And I apologize for [15] that pronunciation, but if you would follow, [16] please.

[17] **MR. VOLLMER:** Mr. Secretary, my

name is [18] Jim Vollmer. I'm the chief steward of AFSCME Local [19] 3870, representing the rural development mission [20] area. I'm also a member of the coalition, BEMA and [21] OPEDA, and I worked for over 25 years in the [22] Department in many divisions in the rural

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[1] development mission area.

[2] Mr. Secretary, your public New Year's [3] resolution was to improve our services and ensure [4] they're delivered equitably and free of [5] discrimination. We pray you receive the strength [6] and wisdom to carry out those resolutions.

[7] Mr. Secretary, we need to come into [8] compliance with the Civil Rights Act of '64 and '91, [9] the Equal Employment Opportunity Act of '92, the [10] Rehabilitation Act of 1973, the Americans with [11] Disabilities Act of 1990, the Fair Housing Act, the [12] Government Performance and Results Act, Section 537 [13] on Housing Act, and Executive Order 12871 on [14] management/union partnership.

[15] We offer the following constructive [16] recommendations, 34 points, action points that - I [17] might not get through all of them, but I'll try.

[18] On tax and insurance escrowing, we started [19] that out with a Task Force, 1973, said we could do [20] that. We're just starting to do that now. So we [21] need to continue to provide those types of services [22] to our rural minority borrowers.

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[1] Our civil rights regulations are 20 years [2] out of date. Six years in clearance is a joke. We [3] don't have the commitment that we need to get those [4] regulations updated.

[5] All these acts I just cited about are [6] substantially not in compliance. We don't have the [7] regulations out there, the rules again for our field [8] offices to follow. We're still trying to implement [9] things going back to 1972.

[10] Employee orientation, we haven't done any [11] in eight years. We need to do that.

[12] Timely action on complaints takes [13] typically one to six years to resolve our [14] complaints. We're not getting the 180-day standard [15] called for in the Federal Register. We're missing [16] that almost always.

[17] Union contract, we're over a year over on [18] substantial things called for in that contract. [19] Matter of fact, we're overdue on fairness issues, [20] dealing with performance appraisals, trainings, [21] awards, career enhancement opportunities. Our [22] written grievance resolution commitment to publish

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[1] awards, overdue.

[2] Unanswered letters, we've issued letters [3] of concern to you, Mr. Secretary, over eight months [4] ago, a series of letters. They have gone [5] unanswered. And similarly letters to your Office of [6] Inspector General are unanswered. So we need to do [7] that!

[8] **SECRETARY GLICKMAN:** Let me ask you just [9] quickly, you mean no response at all?

[10] **MR. VOLLMER:** No response.

[11] **SECRETARY GLICKMAN:** Not even like the [12] letter got here?

[13] **MR. VOLLMER:** Nothing, a zero.

[14] **SECRETARY GLICKMAN:** Well, that is [15] intolerable. We will make sure it stops.

[16] **MR. VOLLMER:** Not only that, we made [17] attempts, I personally made attempts to contact some [18] of your members on your staff that you've indicated, [19] and haven't had contacts on that, either.

[20] But anyhow, Rehabilitation Act standards [21] on program delivery concerns, here's what we got [22] going or not going.

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[1] Our rehabilitation standards for existing [2] projects, ones built prior to Rehabilitation Act and [3] American with Disabilities Act standards, when they [4] get rehabilitation, are they to be brought up to the [5] present standards or not? When you get substantial [6] rehabilitation, HUD's requiring that - we've made [7] an action policy about six months ago to get some [8] policy direction in that, but we haven't issued that [9] to the field. Our field offices still don't know [10] what to do on that.

[11] Uniform accessibility standard checklist. [12] People are supposed to do self-assessments. They [13] should know handicap accessibility routines. We've [14] got professional assessments made to give the people [15] and put out in the people's hands, but our borrowers [16] who don't have any money are trying to hire experts [17] to do that job for them and we ought to give them [18] that information.

[19] Compliance reviews, we're not doing that. [20] Our compliance review routines are very weak. [21] Borrowers, our borrowers say they're not required to [22] maintain racial composition data.

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[1] We require affirmative fair housing [2] marketing plans and they say, well, we can use any [3] old kind of census data under the sun. We can [4] include above moderate income people in that census [5] data and we can't serve those people

by law. So [6] affirmative fair housing marketing plans need to be [7] changed different.

[8] Tenant selection routines, we need [9] improvement on appeals and mediations. We're not [10] getting the word out on appeals to our field office [11] staff, what our routines are.

[12] And as far as employment issues, I'm not [13] going to get through all of this, but our Dispute [14] Resolution Boards, giving three days' notice to [15] employees is not adequate.

[16] Our EEO counselors at the counseling level [17] and contact level are not recognizing designated [18] representatives. And when you go to Dispute [19] Resolution Boards and they tell you that designated [20] representatives cannot talk, cannot provide [21] information, that is wrong.

[22] (Applause.)

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[1] **MR. VOLLMER:** Who's responsible for this, [2] these types of actions? Our directors of civil [3] rights, human resources is some of our biggest [4] violators.

[5] (Applause.)

[6] **MR. VOLLMER:** Our EEO director in the [7] mission area just tried to gut the EEO advisory [8] committees, is overdue on elections for over two [9] years. That's the kind of leadership we have. And [10] that leadership badly needs to change.

[11] Thank you Mr. Secretary.

[12] (Applause.)

[13] **MR. JOHNSON:** Thank you, James.

[14] **MS. KLUBNIKIN:** Good morning. Is this [15] on? Okay, there we go. One of the first things I'd [16] like to ask, if anybody else is cold in here? It [17] seems to be - everybody seems to be shivering and [18] freezing.

[19] **SECRETARY GLICKMAN:** I'm rather warm up [20] here.

[21] (Laughter.)

[22] **MR. JOHNSON:** The heat's on, or maybe turn

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[1] it up a bit.

[2] **MS. KLUBNIKIN:** Well, I can assure you, [3] it's equally uncomfortable on both sides of the [4] microphone today.

[5] (Applause.)

[6] **MS. KLUBNIKIN:** My name, for the record, [7] is Kheryn Klubnikin. And you can call me Jane Smith [8] or whatever is comfortable for you.

[9] But I would like to say good morning, Mr. [10] Secretary. I appreciate this rare opportunity to [11] openly share my own very difficult and dismaying [12] situation with you and your staff in hopes that it

[13] is some way instructive.

[14] I am very uncomfortable standing up here, [15] because there is a individual in the room who's [16] quite well familiar with what has happened. And as [17] you well understand yourself, the working atmosphere [18] within the Forest Service here in Washington, D.C., [19] and throughout the country, remains an elusive and [20] rather fugitive subject.

[21] Many who are unhappy and harassed are not [22] here to speak. They are scared, intimidated, if not

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[1] also skeptical of the outcome for many reasons that [2] you've heard today.

[3] However, I commend you on creating this [4] forum. I commend you on your yeoman's effort to try [5] to make something happen. And I do like Kansas. I [6] prefer prairie to eastern deciduous forest.

[7] As a GS-14 woman in the Forest Service, [8] I'm also the only professional woman on a staff [9] subject to the supervision of a particularly [10] difficult individual. It is an adverse situation [11] that has continued to deteriorate over time.

[12] I have worked over the last two years to [13] get the situation changed, asking for what would [14] have been a very simple change of supervision; [15] sought another position within the Agency and was [16] precluded from doing so because of the surplus list; [17] filed grievances and EEO complaints to no avail.

[18] After particularly punitive and adverse [19] action was taken against me following these [20] attempts, I filed the first of an EEO complaint. [21] During that complaint process, it was my [22] understanding that I could avoid having to pursue a

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[1] formal complaint if a mutually agreeable solution [2] could be designed.

[3] I requested that I be allowed to take a [4] long-term detail, as well as receive reimbursement [5] for lost wages because of the adverse action. [6] Reimbursement was denied by the senior manager, but [7] he did agree that I could leave on a detail. It was [8] wonderful not to be wanted.

[9] Relief from the hostility of this work [10] environment was and remains my primary objective. [11] At no time was I told that a settlement agreement [12] was required in the situation to bind the Agency, [13] and nor was it mentioned in any of the materials [14] that I received. I was not told about this by my [15] EEO counselor.

[16] Simultaneously I was actively pursuing a [17] slot at the Agency for International Development in [18] which

AID would have reimbursed my salary and which [19] would have been a mutually beneficial arrangement. [20] In the meanwhile, the AID position could not be [21] filled due to the budgetary shortfall and the [22] machinations of Jesse Helms.

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[1] I was actively encouraged nevertheless by [2] senior management to continue to find another [3] opportunity, and that I would be allowed to leave [4] for up to two years with my salary. I did not [5] pursue a formal complaint because from the best of [6] my understanding I thought the agreement was in [7] place.

[8] I was invited to be part of the U.S. [9] implementation team for the Vice President's [10] favorite framework treaty on global climate change, [11] to work with U.S. Country Studies Program under that [12] convention. Currently the USDA does not have a [13] representative working daily with that team.

[14] It would operate - it would have complied [15] with my own desire, my professional goal of doing [16] international environment work, as well as relieve [17] me of the extremely hostile work environment. And I [18] was told and it was consistently underscored that I [19] could go with salary.

[20] I spent March through July of 1996 [21] interviewing with the director of the program and [22] the rest of the staff to ensure a nexus with my

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[1] skills, the staff in which I worked, and my [2] professional goals. I note at the same time this [3] hostile supervisor actively tried to forbid me from [4] pursuing this particular activity.

[5] The Country Studies staff and I were a [6] great fit, and a letter was sent requesting my [7] detail in late July. It was denied because senior [8] management did not want my salary to go with me and [9] did not like the appearance of it leaving the [10] house. Nevertheless, this despite the fact that [11] several others, primarily male, have been sent out [12] on long-term details.

[13] Little weight was apparently given to the [14] EEO complaint I had filed and the antediluvian [15] supervisory situation in which I have been trapped. [16] As you can imagine, it was a very demoralizing blow [17] and no one in the Forest Service seemed to care.

[18] I will submit this, since time is short, [19] in writing. But in asking questions I have found [20] that there are eight women who have suffered similar [21] situations in the same group in which I am part of [22] in the Forest Service. Two are lower graded. The

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[1] rest are all at 14s and 15s.

[2] Several of the women are willing to talk [3] with you. They are still here. The others have [4] left and are wildly successful in the other things [5] they've pursued.

[6] This included marginal - I call it The [7] Treatment. It's included marginalization, degrading [8] comments, and being treated as if years of [9] experience count for nothing.

[10] I will hand deliver a typed version of my [11] comments to you later on this afternoon, and I [12] recommend for you the writings of a particularly [13] provocative woman at Wellesley who has been thinking [14] about the dominant culture, the privileges of [15] dominant culture. And I will also try and get that [16] monograph for you, because I think you need to seek [17] advice of people like that, some of the great [18] thinkers in this country who have been looking at [19] these very kinds of cultural situations.

[20] Thank you.

[21] (Applause.)

[22] **MR. JOHNSON:** Thank you, Kheryn.

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[1] At this time I'll like to take about a [2] seven-minute stretch, and I'll ask the timekeeper to [3] keep me on schedule on this as well. So if we could [4] take seven minutes just to stand up and stretch a [5] little bit.

[6] (A recess was taken.)

[7] **MR. JOHNSON:** Okay. Let's get started [8] again.

[9] Every time we take a break like this, I [10] think that we need to schedule more times when we [11] can come together and talk. They're very, very [12] important as well. But we would like to get going [13] because we do have a fairly long list still.

[14] I would also like to say that we have a [15] number of people who signed up right towards the end [16] and we'll do our best to get you in. If some of you [17] have prepared testimony written and would just as [18] soon turn it in and give up your place, then feel [19] free to do so. But I'm going to continue to go down [20] the list and we'll get just as far as we can by the [21] noon hour.

[22] Our next speaker is Brij Bhargava and then

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[1] the person after that will be Linda Dallos. Go [2] ahead.

[3] **MR. BHARGAVA:** Yes, Mr. Secretary, I am [4] Dr. Brij Bhargava. I work for Food Safety and [5] Inspection Service. I joined FSIS on October 1st, [6] 1975, and that is where my troubles related to [7] dis-

crimination began.

[8] I worked in the field offices doing actual [9] inspection of meat and poultry, and meat and poultry [10] products, until I moved to Washington, D.C., in June [11] of 1983. Here I came to work for the Residue [12] Division under our science program.

[13] I planned and designed the residue testing [14] programs for all the species of animals that are [15] inspected. My plans were known as annual program [16] plans, referred to as blue book, which every country [17] in the world still uses.

[18] Due to the discriminatory problems and the [19] treatment I was getting in Residue Division, I was [20] moved to Microbiology Division in June of 1986, [21] after I filed a grievance. This division had never [22] collected a microbiological sample for regular

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[1] microbiological monitoring and analyses.

[2] With my knowledge and know-how, I [3] developed several projects and implemented them. [4] Under these projects, we sampled meat and poultry [5] and their products for Listeria, Salmonella, E. [6] Coli, and other microorganisms, as well as their [7] toxins. My contributions are integral part of the [8] new inspection program.

[9] My working environment in the Microbiology [10] Division was very bad. I was discriminated by my [11] superiors, as well as both co-workers in the [12] branch. No one would listen to or help provide any [13] relief. I was trying for lateral transfers and in [14] other cases for promotion, but was never [15] successful.

[16] Finally, in 1990, I filed a complaint [17] following EEO procedures. Since I filed an EEO, my [18] superiors and my co-workers in the branch really [19] gave me the business. I was labeled. The FSIS [20] management refused to interact or talk to me.

[21] Subsequently, I had to file EEO complaints [22] every year, as my immediate supervisor was

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[1] retaliating and was downright nasty to me. FSIS [2] management would not do anything to remedy the [3] situation, except change my performance ratings and [4] detail me to other offices.

[5] Finally, the trial date for my 1990 EEO [6] case in the U.S. District Court was set. No one in [7] FSIS was willing to talk. I was told by the [8] director, EEO and civil rights staff of FSIS that, [9] I'm not going to quote but I'm going to say, that my [10] case had gone so high that it was not Brij Bhargava [11] versus FSIS, but Brij Bhargava versus the whole U.S. [12] government. Now they have unlimited re-

sources to [13] deal with my case. A third comment was made that [14] this case will give her staff a very good [15] opportunity to get more experience.

[16] Four months have passed since the court [17] gave the judgment in my favor, and FSIS management [18] has done nothing to settle. Instead they are still [19] trying to prove that they have never discriminated [20] or did anything wrong. Then I have learned that [21] they have settled one EEO case involving an [22] Egyptian, giving him a retroactive promotion to

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[1] GM-14.

[2] My question to Mr. Secretary is that when [3] FSIS told me that the case is Bhargava versus the [4] U.S. government and how far the government will go [5] in pursuing this case? Under such circumstances, [6] how can the management of FSIS be held responsible [7] for what they have done to me as well as to the [8] witnesses who spoke the truth? Which happened to be [9] in my favor.

[10] As you know, FSIS is changing. It is [11] changing the way it has done inspection for the last [12] 90 years. It has recognized - reorganized itself, [13] giving more power and authority to the managers and [14] colleagues who were involved in discrimination in my [15] case.

[16] Just a second. I think - okay. It [17] expects lower level employees to change the way they [18] have been doing business and change their culture. [19] Hopefully the management will change its culture, [20] too. Unfortunately, we do not see any changes in [21] the personnel at the upper level in FSIS, so what [22] should we expect?

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[1] Finally, it is well-known that if one [2] follows EEO or grievance procedure, he or she gets [3] labeled. It is the most expensive way to deal with [4] employee problems. A person's life and career gets [5] ruined. The lawyers, in my case, benefit the most. [6] And the Agency's efficiency is eliminated.

[7] Keeping in mind what our President said on [8] his inauguration day for the racial problems, what [9] should I expect from you and FSIS to resolve my [10] problems?

[11] Thank you.

[12] (Applause.)

[13] **MR. JOHNSON:** Thank you, Mr. Bhargava.

[14] Linda Dallos is next, and followed by [15] Philip Brent.

[16] **MS. DALLOS:** (Speaking through [17] interpreter.) Good morning, Secretary Glickman. [18] Thank you for allowing me the opportunity to talk [19] about this

issue.

[20] The topic is the sign language [21] interpreter, the second sign language interpreter. [22] I would like to give you just a little history about

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[1] the sign language interpreter here at USDA.

[2] Since 1990 somewhere, there were two [3] interpreters, full-time, in USDA, and at the current [4] time we only have one full-time interpreter. There [5] are about 30 deaf employees here in USDA.

[6] I would like to talk about current policy [7] related to the USDA interpreter. We do have one [8] full-time interpreter, plus we have a contract [9] interpreter.

[10] There are pros and cons about hiring, the [11] hiring process for hiring a second full-time [12] interpreter. One, it would be 40 hours a week for [13] hiring an interpreter and would be used for [14] emergency basis if we had a backup for the [15] interpreter being on annual leave or sick leave.

[16] They need to be familiar with the deaf [17] person's language skills, English, ASL. They [18] receive benefits as an employee and we're [19] comfortable with having a USDA full-time [20] interpreter. We're comfortable with that. We [21] realize it is expensive.

[22] Right now, currently we have a three-month

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[1] contract. They come Tuesdays through Thursdays, the [2] contract backup interpreter. There is no other [3] backup interpreter if the USDA staff interpreter is [4] busy or on leave.

[5] And it also takes a while for the contract [6] interpreter or outside interpreters to understand [7] the acronyms and the language modes. Perhaps they [8] don't match with the deaf employee's. There are no [9] benefits along with the contract interpreter.

[10] So we do not feel comfortable with the [11] three-month contract proposition, because we're [12] constantly facing new faces and different modes of [13] communications and also it is expensive. The [14] contractor tends to be - a contract tends to be [15] renewed every three months and for us as the deaf [16] employees we're constantly having to change, getting [17] used to new faces and voice skills, language [18] skills. We have less patience with that.

[19] Moving back to the hiring the second [20] full-time and staff interpreter, perhaps there's not [21] sufficient funds to support that position, while the [22] three-month contract, we do have plenty of funding

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[1] for that to continue.

[2] As deaf employees, we here at USDA would [3] like to propose, and I hope you're listening to this [4] very clearly, hiring a full-time contract [5] interpreter, not to exceed two years, and who would [6] work 32 hours per week. That contract interpreter [7] would be a backup to the USDA sign language staff [8] interpreter. Suppose they were on an emergency sick [9] leave or annual leave.

[10] And also we would like to change the [11] current renewal policy from three months to two [12] years. The deaf employees would have the [13] opportunity - would like to have the opportunity to [14] vote which agency is used as that contract, rather [15] than having to follow the bidding process in the [16] Office of Operations.

[17] The other two parts of this proposal that [18] we have, that we would like to offer to you, the [19] T.V.s in the buildings need to have closed captions [20] and the decoder possibility, either installed that [21] are already installed in the new ones, or the extra [22] machine attached so that they - all the machines

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[1] would currently have the captions. At the current [2] time there are only three in the whole USDA [3] buildings here that do have the closed caption [4] capability, and that's not fair to us.

[5] The other issue is the pay phone. All the [6] pay phones do not have TTY capability. None of them [7] do. And so please install the TTY with the pay [8] phone capability.

[9] In deaf culture, our motto is deaf people [10] can do anything, just can't hear. And I do hope [11] that you are listening to our words loudly and that [12] you don't just sweep our silence under the rug.

[13] Thank you very much.

[14] (Applause.)

[15] **MR. JOHNSON:** Thank you, Linda.

[16] Philip Brent is next, followed by Marjorie [17] Medina.

[18] **MR. BRENT:** Good morning, Mr. Secretary, [19] Mr. Deputy Secretary, and panel. My name is Philip [20] Brent, and I'm a member of the black and [21] representing the black professionals at ERS. I work [22] at the Economic Research Service on New York Avenue,

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[1] Northwest. My comments reflect the issues and [2] concerns of black employees at my Agency.

[3] Before I continue, I would like to ask [4] where are the measurable results from the first [5] civil rights forum?

[6] (Applause.)

[7] **MR. BRENT:** People who are experiencing [8] discrimination continue to live daily with the [9] disparate treatment, and yet eight months later you [10] want to listen. When will you solve the major civil [11] rights problems in the Department?

[12] Some progress has been made for white [13] females at ERS. Unfortunately, ERS has not echoed [14] these work force achievements among its black [15] employees. ERS does not have a demonstrative record [16] of upward mobility for black employees.

[17] The facts are there has never been a black [18] manager in the history of ERS. ERS's professional [19] staff is currently less than two percent black, down [20] from three percent 15 years ago. Few black support [21] staff have obtained grades above GS-8, although [22] their white counterparts have achieved considerable

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[1] upward mobility.

[2] Let's look at employment issues at ERS. [3] There is discrimination in hiring, grade [4] appointments and tenure. More often than not in [5] ERS, black employees are hired at lower grades than [6] their white counterparts. This translates for black [7] employees into considerable lower income, isolation [8] from peers, resentment, and a lessened sense of [9] connectiveness with the overall workplace.

[10] Professional black employees who have left [11] ERS were repeatedly dissuaded from seeking [12] promotions and meaningful projects and not - were [13] not taken seriously. And if you look at their exit [14] interviews, this will bear I believe that out.

[15] Also blacks are often hired as temporary [16] or contract employees and are the first to go when [17] an Agency is downsized. Recently the Agency had to [18] let go all temporary employees, 83 percent of whom [19] were black, although only 20 percent of the ERS work [20] force at the time was black.

[21] Now to the failure to recognize the [22] achievements of black employees. Many black support

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[1] staff are qualified for a variety of upper level [2] managerial and administrative jobs, but none have [3] been selected for these jobs, which represent for [4] the support staff the only real potential for upward [5] mobility in the Agency.

[6] Most upper level managerial and [7] administrative positions in ERS are held by white [8] females who began their careers as members of the [9] support staff. ERS should demonstrate that upward [10] mobility is available to all

support staff, [11] including the overwhelming black majority.

[12] Lastly, let's deal with problems with [13] program issues at ERS, lack of interest in U.S. [14] black farmer segment of the farm population. ERS [15] discourages any focus or targeted research on black [16] farmers in the U.S. Other minority segments of the [17] farm population have been studied, such as women [18] farmers, but there is no support of interest in [19] research that targets black farmers in America.

[20] Failure to utilize the resource base at [21] 1890 historically black colleges and universities, [22] also known as HBCUs. Most professional black ERS

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[1] employees went to HBCUs. Few white students attend [2] these schools.

[3] Although several traditionally black [4] colleges have graduate programs in economics, [5] agricultural economics and agricultural business, [6] ERS employs few of their graduates and the Agency [7] pursues only a limited number of cooperative [8] agreements with these HBCUs. Because the Agency is [9] strongly associated with the land grant system, [10] HBCUs should represent to ERS a rich resource for [11] recruitment and cooperative research to improve the [12] diversity of the Agency programs.

[13] These facts and issues are merely [14] representative of the treatment of black USDA [15] employees. We could not possibly summarize in five [16] minutes the totality of the injustices we face daily [17] in the workplace.

[18] In conclusion, I'd like to emphasize, [19] reemphasize our black managers issue at ERS. Having [20] no black managers at ERS means that blacks are shut [21] out of the decision-making process. The civil [22] rights problems in our Agency stem from this

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[1] unacceptable reality.

[2] Black employees at ERS want results that [3] can only be - that can only occur by changing the [4] culture of this Agency. Management and leadership [5] in ERS need to reflect the diversity and honor the [6] capabilities of the entire ERS staff, many segments [7] of which have been denied equality for far too [8] long.

[9] Thank you.

[10] (Applause.)

[11] **MR. JOHNSON:** Thank you, Philip.

[12] Marjorie Medina is next, followed by Arun [13] Basu.

[14] **MS. MEDINA:** I would like to thank my [15] colleague from the OPEDA, Dr. Angel Cielo, for [16] yielding this time for me. I come from [17] Philadelphia. I'm

with the ERS Eastern Regional [18] Research Center.

[19] Mr. Secretary, Pearlle Reed, Civil Rights [20] Action Team, I appreciate this time for you to take [21] a few minutes to listen.

[22] To reiterate Jeremy Wu's and someone's

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[1] statements, we Asian Americans are victims of glass [2] ceiling practices. Asian-American women even suffer [3] more in what we term as "sticky floor." Anybody [4] knows about that? We stay in the entry level grade [5] longer than our male counterparts and our other [6] probably white female counterparts.

[7] And we also suffer from what we also term [8] as cement ceiling and walls. So we're kind of boxed [9] in. The statistics of the Asian-American employees [10] in USDA can show these numbers. And in ERS there is [11] a large number of women stuck in the GS-11 and the [12] GS-12 level.

[13] Dr. Wu and Dr. Wong had asked this morning [14] or made the statement why there are no APA or Asian [15] Americans in SES ranks. The USDA answer is there is [16] no qualified candidate.

[17] The truth is there are about ten to eleven [18] OPM-certified SES Asian-American employees. There [19] was only one woman SES certified and she has left [20] USDA for because of frustrations.

[21] Glass ceiling is not just a problem at the [22] SES level. There is a glass ceiling at the lower

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[1] level, GS-13, GS-14, and GS-15 levels.

[2] Glass ceiling denies access to Asian [3] Americans and minorities, access to training [4] programs, access to highly visible committees, [5] access to opportunities of leadership and [6] management, executive training programs, and access [7] to programs that will make them policy makers and [8] access to programs that will be part of the [9] decision-making team, and also as program leaders. [10] Because of these denials, therefore we are denied [11] promotions to middle management because they cannot [12] manage, they haven't demonstrated leadership.

[13] So, Mr. Secretary, these - I did not make [14] this up, I did not make these issues. This is what [15] is in the Glass Ceiling Commission that has been [16] reported in 1990 and 1992. These are the [17] recommendations for management, to lift the glass [18] ceiling or to break the glass ceiling for minorities [19] and women.

[20] From what I heard and statistics I saw, [21] women sort of broke the glass ceiling, although [22] there's still more

women needs to break the glass

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[1] ceiling. We also have problems of harassment. We [2] have problems of reprisals, when we communicate our [3] frustrations, our problems with our management.

[4] And again communications, communications [5] is the key to resolve our problem together as a [6] People's Department. But if we communicate our [7] problems to our top management, and we get reprisal, [8] most of us just sit down quietly in our box, in our [9] cubbyhole, and do our technical job.

[10] We already have demonstrated our technical [11] ability and now we want to be part of the [12] decision-making and leadership of USDA. Let's share [13] all the burden as we're all part of this People's [14] Department.

[15] Mr. Secretary, accountability has been [16] touted here, accountability of supervisors, not just [17] accountability in economic penalty to supervisors [18] who are responsible for this, because they are the [19] leaders, they are the models, the examples to the [20] other employees.

[21] The other thing also is awards. [22] Supervisors get awards regardless of their civil

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[1] rights record. So awards, economic accountability, [2] Mr. Secretary, are one way of dealing with this [3] problem.

[4] Thank you.

[5] (Applause.)

[6] **MR. JOHNSON:** Thank you, Marjorie.

[7] And Arun is next, followed by Geraldine [8] Herring.

[9] **MR. BASU:** Secretary Glickman, Deputy [10] Secretary Rominger, Mr. Chairperson, Mr. Paul [11] Johnson, and Mr. Pearlle Reed, chairman of the [12] Action Team, and members of the CRAT team, my name [13] is Arun Basu.

[14] I work for NRCS, and I spent about 28 [15] years in USDA. Of those 28, 20 have been spent in [16] civil rights. I feel very proud to be in that group [17] and I think I made some contributions.

[18] What I would like to discuss with you or [19] share with you, that I personally believe that you [20] have embarked on a very, very important mission. [21] And you are doing a great job with this initiative [22] on Civil Rights Action Team. I greatly admire you

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[1] for what you are doing and I think it's possibly one [2] of the most powerful forces for good, not only in [3] the USDA, but in our country.

[4] So with that thought, I thought we

need to [5] think in terms of establishing a solid foundation of [6] civil rights for the USDA. In order to do that I [7] would address on two small issue, small in the sense [8] I limit myself within the time limit.

[9] Number one, USDA needs to establish a very [10] clear-cut mission statement for civil rights. To be [11] effective in this area, Mr. Secretary, you must have [12] a functional mission statement which is an [13] expression of your vision and sense of stewardship.

[14] It must be brief and reflect the core [15] values and be short so that every USDA employee can [16] memorize and internalize it. Otherwise they would [17] never understand what is discrimination.

[18] The other thing I'd like to suggest in [19] terms of this mission, this objective, I'd like to [20] suggest one or two recommendations. I'll just read [21] to you one.

[22] I think to enhance participation base of

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[1] diverse customer groups in USDA programs and treat [2] customers, employees, with fairness and dignity, [3] that should be one of the examples of a mission [4] statement.

[5] Number two area, I thought of in terms of [6] leadership for the civil rights in the Department as [7] well as the Agencies, we need a strong leadership [8] commitment and needed funds and resources to carry [9] out the civil rights responsibilities. Civil rights [10] leadership at USDA and Agency levels should not be [11] content to stay where they are, no matter how [12] successful they seem to be. Changes are needed and [13] should be made.

[14] The paradigm of total quality is [15] continuous improvement. I believe in that and I [16] think this can be done.

[17] I recommend, in order to accomplish that [18] mission, you have to select and place highly [19] qualified, experienced and intelligent and diverse [20] individuals with proven talents in leadership [21] positions both as USDA and Agency levels. [22] Structural realignment in civil rights at the USDA

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[1] and Agency level must be made to achieve the vision [2] and sense of stewardship.

[3] And you have to establish some strong [4] standards of criteria to measure accountability. [5] And that should be number one in our efforts to [6] advance civil rights in the Department.

[7] One other issue which is programmatic. [8] What I've read in the Richmond Times, Washington [9] Post, what our

African American farmers had to say, [10] it's nothing new to me. I've heard those folk, I've [11] been working with those folks for the past 20 [12] years. And they have very rightfully pointed out [13] some of the difficulties they're experiencing.

[14] In that context, I'd like to mention to [15] you that you'll be surprised to find even today on [16] many of the USDA Agency policy books, we have [17] policies that are discriminatory. There are those [18] policies which adversely impact minority, elderly [19] and the poor.

[20] We need to review those policies. What [21] are those policies? Does it have any adverse impact [22] on some of these farmers, some of these groups? If

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[1] that be the case, we need to make some changes.

[2] And finally, a lot has been said about the [3] glass ceiling for the Asian Americans in the USDA, [4] and I personally feel I don't want to expound very [5] much on this so I'd like to suggest one thing.

[6] This is January, 1997. You heard what [7] four years ago some folks had to say about lack of [8] availability of qualified candidates from the [9] Asian-American community to enter the SES level. I [10] think the problem is because selecting officials in [11] many instances treat Asian Americans as less [12] qualified because they're neither black nor white.

[13] Even today, the local prejudice in USDA [14] overrides the U.S. OPM standards of certification [15] for determining who's qualified to enter the SES [16] ranks. I would like to see that you personally [17] intervene in this whole area, see what are the [18] problems. How can these people be unqualified? And [19] make some decisions in terms of how this could be [20] taken care of.

[21] Thank you.

[22] (Applause.)

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[1] **MR. JOHNSON:** Thank you, Arun.

[2] Next is Geraldine Herring, followed by [3] Karin Leperi.

[4] **MS. HERRING:** Yes, my name is Geraldine [5] Herring. I'm a member of the Coalition of Minority [6] Employees and AFSCME Local 3925, [7] representing the bargaining unit of the Farm Service [8] Agency headquarters staff, welcomes this opportunity [9] to make a statement to the Civil Rights Action [10] Team.

[11] Local 3925 will work with the Secretary [12] Glickman and his team in a spirit of true and [13] meaningful labor/management partnership, to bring [14] the Department back to its founding promise. By [15] true partnership we mean that employees and their [16]

unions should be fully involved in the civil rights [17] process, from decision-making through implementation [18] of corrective policies.

[19] Last week in The Washington Post, [20] Secretary Glickman expressed his vision that no [21] customer or employee of the USDA is judged by the [22] color of his or her skin, that every USDA customer

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[1] is treated fairly and efficiently, and that every [2] USDA employee is treated with dignity and respect. [3] The Secretary affirmed that we cannot and will not [4] keep saying that we've always done it this way.

[5] We wholeheartedly support the words, Mr. [6] Secretary, but we've heard them before. We will [7] applaud the actions that make that commitment a [8] reality in USDA.

[9] What is reality now is an organizational [10] culture based not on accountability, but on going [11] along. It is a culture where [12] leadership ability, interpersonal skills and merit, [13] take a back seat to cronyism and favoritism in [14] career advancement.

[15] (Applause.)

[16] **MS. HERRING:** Where these isms rule, you [17] have a culture that permits racial, ethnic and [18] gender bias to continue and to thrive.

[19] Within USDA, the Farm Service Agency has [20] been called the white boy's club. However, the [21] members of the club are not necessarily white, and [22] not necessarily boys.

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[1] (Applause.)

[2] **MS. HERRING:** They share, what they in [3] fact must buy into in order to advance their [4] careers, are the non-invasive behaviors and values of [5] the dominant white male culture, where get along to [6] go along is the rule. What this means is that [7] managers learn early that raising their heads, [8] asking serious questions, and standing up for the [9] employees are not career-enhancing moves.

[10] When managers are chosen for reasons other [11] than merit, they are poorly equipped to lead. [12] Instead of addressing problems, they permit them to [13] fester.

[14] For employees, this means a system where [15] acts of omission are as harmful as acts of [16] commission. It is a system that fosters a pervasive [17] atmosphere of mistrust and cynicism among employees [18] of all race, genders and ethnic backgrounds.

[19] There should be no favoritism in [20]

government employment, yet many ethnic employees say [21] they believe discriminatory treatment based on race [22] or gender is deeply rooted in USDA. Even more will

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[1] tell you that cronyism and favoritism are long-term [2] and serious problems, no matter what administration [3] is in the office.

[4] For the second year in a row, for example, [5] FSA has had awards program that makes no public [6] recognition of award recipients and their [7] accomplishments. It begs the question, who got what [8] and why?

[9] In the past administrations, we did know, [10] Favorite managers received awards of 10 or \$20,000 [11] while employees got a handshake.

[12] (Applause.)

[13] **MS. HERRING:** One of the most egregious [14] examples is the problem that exists in FSA's civil [15] rights small business development staff, the very [16] staff charged with supporting the principles of fair [17] and equal treatment of employees and our program [18] customers.

[19] Problems of harassment and disparate [20] treatment within this organization have received [21] attention at the highest levels. But they are still [22] unresolved after months of grievances, studies and

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[1] talks.

[2] The problems are so troubling that an [3] outside organization or development consultant [4] recommended placing the staff's management in [5] receivership. We contend that these problems and [6] especially the lack of resolution have a direct [7] bearing on FSA's ability to resolve its other [8] problems, the discriminatory treatment many [9] customers say they receive.

[10] If this were a meritocracy, there would be [11] no room for the isms that plague us, cronyism, [12] favoritism, racism and sexism.

[13] (Applause.)

[14] **MS. HERRING:** But when it's not what you [15] know but who you know and where your willingness to [16] go along to get along that determines your career [17] enhancement, the concept of merit suffers.

[18] Mr. Secretary, you also wrote to The [19] Washington Post that people will be held accountable [20] for their actions, that those who discriminate will [21] be punished. You said that where we found those not [22] committed to Dr. King's dream, they have suffered

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[1] the consequences. Local 3925 is not aware of any [2] discipline being meted out to managers or any [3] manager being held accountable for his or her [4] actions.

[5] (Applause.)

[6] **MS. HERRING:** What we find in this culture [7] of cronyism is that a manager, one of four who pled [8] guilty last fall to a violation of the Hatch Act, is [9] not only still in his leadership position, he was [10] designated Acting Deputy Administrator for farm [11] programs over the holidays. Another manager who [12] physically struck an union representative has yet to [13] be disciplined.

[14] Where, Mr. Secretary, is the punishment? [15] We see only reward for transgressions as long as the [16] transgressor is one of the good old boys or girls.

[17] In his inaugural address the President [18] spoke of healing, of working to bridge the racial, [19] ethnic and other divisions that still plague our [20] cry. Despite the forward steps that we as a nation [21] have taken, as a microcosm of our large society, [22] USDA needs strong healing actions as well.

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[1] It is not for nothing that this Department [2] has been called the Last Plantation, the servant of [3] the white planter class. But healing cannot occur [4] and will only be hindered by a good old boy system [5] that demeans any kind of creative thing, any kind of [6] thinking that exhibits vision and sensitivity.

[7] So long as these qualities are not valued [8] and rewarded, so long as the road to advancement is [9] defined by cronyism and favoritism, there can be no [10] substantive change. But if we fail to look at the [11] roots of our ills and address them decisively and [12] forcibly, USDA legacy will forever be the Last [13] Plantation and not the People's Department that you [14] and we want it to be.

[15] (Applause.)

[16] **MR. JOHNSON:** Thank you, Geraldine.

[17] Karin, you're next, followed by Nilda [18] Goodwin.

[19] **MS. LEPERI:** Thank you, Mr. Secretary, [20] distinguished panel, Civil Rights Action Team and [21] fellow USDA employees, I am Karin Leperi from the [22] Animal and Plant Health Inspection Service, APHIS.

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[1] I'd prefer not to be here today, since I [2] don't welcome the unpleasant retaliation that will [3] probably occur as a result of my presence. However, [4] my conscience dictates that I must be here

and so I [5] am.

[6] Thank you for the opportunity to be [7] listened to. It would be my preference that this [8] was more than just a Listening Session, since USDA [9] proves it can do that well. What it hasn't shown is [10] that its leaders have the ability to act, to act [11] authoritatively -

[12] (Applause.)

[13] **MS. LEPERI:** - and decisively and punish [14] civil rights violators when necessary. Until that [15] happens, we will not see changes in the good old [16] boys' agriculture network at USDA, a club that [17] systematically excludes women and minorities from [18] its leadership ranks.

[19] In the days of ancient Greece, when [20] philosopher kings and wise men ruled, Socrates [21] conveyed didactic sayings about the issue of form [22] and substance. In simple language, he concluded

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[1] that we cannot have form without substance, and that [2] we cannot have substance without form.

[3] And so it is with civil rights. Task [4] forces, meaningless civil rights statements in our [5] performance appraisals, and grandstanding ceremonies [6] such as what we have today, do not demonstrate [7] substance.

[8] (Applause.)

[9] **MS. LEPERI:** They are only form. And they [10] still do not demonstrate the fact that USDA is [11] serious in creating a discrimination and [12] harassment-free environment.

[13] Let me give you three examples that [14] illustrate this point. Several years ago a black [15] female was told that her career would be jeopardized [16] if she did not go to bed with her supervisor. [17] Others before her had either complied or [18] transferred.

[19] She was determined, however, that she [20] would not be intimidated. She reported the incident [21] to the Director of Personnel. Unfortunately, this [22] individual not only condoned the practice, he openly

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[1] joked about it at an all-male staff meeting.

[2] This was proceeded with a threat by her [3] supervisor to rape not just her but also her [4] 16-year-old daughter. She started receiving obscene [5] phone calls at her home.

[6] While the supervisor was eventually [7] transferred as a result of an ensuing investigation, [8] the black female was left stigmatized and blamed for [9] challenging the culture. Several years later, she's [10] still here trying to pick up the pieces of her [11] career.

[12] The Director of Personnel was subsequently [13] promoted and now serves in one of your key [14] policy-making positions for USDA civil rights, Mr. [15] Secretary. How can anyone take USDA intent [16] seriously when this type of bias we have is [17] addressing civil rights? This is a classic case of [18] form and no substance.

[19] My second incident involves a case of a [20] female Reservist who received active duty orders to [21] report to the Pentagon for three months. Her [22] supervisors denied her military leave, even though

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[1] federal statute dictates that it must be approved. [2] Supervisors further stated that the needs of the [3] service, i.e. Agriculture, supersede those of the [4] military.

[5] She was under UCMJ. She reported to duty [6] and then her supervisors proceeded to report her [7] AWOL and tried to fire her. All this occurred after [8] the supervisors were informed by the Department of [9] Labor, the investigative arm, that USDA was in [10] violation of federal law.

[11] Even though the Reservist appealed the [12] illegal action up the chain of command in [13] Agriculture, including you, Mr. Secretary, she was [14] consistently ignored. Meanwhile, a male Reservist [15] with the same supervisors received active duty [16] orders for three years. On the contrary, the same [17] supervisors openly supported the male Reservist.

[18] As punishment for violating federal law [19] with informed and malicious intent, one supervisor [20] now has a prestigious assignment in Brussels, [21] Belgium. Neither of the supervisors have been [22] reprimanded for their clearly illegal and

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[1] discriminatory action.

[2] And today, the female Reservist is still [3] waiting to see what will happen to her damaged [4] career and her trashed reputation at USDA. By the [5] way, Mr. Secretary, that Reservist happens to be me, [6] Lieutenant Commander Karin Leperi, USNR.

[7] My final example hopefully will serve to [8] illustrate the degree of intimidation, threats, fear [9] and retaliation that exists in the current USDA [10] environment. A senior male manager openly joked [11] about killing all the bad girls in his Agency by [12] blowing out their brains. He proceeded to visually [13] enact the scenario and made special reference to two [14] female employees.

[15] The two female employees have made appeals [16] to USDA for protection

from this individual, to keep [17] them out of harm's way. One of the female [18] employees, not sure which way to turn, filed an EEO [19] complaint documenting the incident.

[20] Six weeks later, she received a response [21] from USDA. It was a form letter stating that she [22] needed to contact an EEO counselor for informal

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[1] resolution.

[2] The urgency of the matter, the degree of [3] hostilities and the potential violence involved, [4] dictate a priority handling of this type of EEO [5] complaint, at a minimum. Instead, it took USDA six [6] weeks to respond, and with a form letter at that.

[7] This highly suggests that the system's [8] broken. It's unresponsive, and perhaps not even [9] intended to work. This again, at least in my mind, [10] shows a classic form and no substance argument of [11] the day as a whole.

[12] And so my challenge to you, Mr. Secretary, [13] and the Civil Rights Action Team, is to add [14] substance where only form currently exists. One way [15] to get substance is by penalizing those perpetrators [16] of civil rights violation, rather than by rewarding [17] and promoting them.

[18] Thank you.

[19] (Applause.)

[20] **SECRETARY GLICKMAN:** If possible I just [21] want to make one comment, and that's to address one [22] of the comments of the previous speaker.

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[1] If there is any, and I repeat, any [2] attempts to retaliate against anybody who speaks [3] here, one, I want to know about it personally, [4] immediately. And it will result in swift action.

[5] (Applause.)

[6] **SECRETARY GLICKMAN:** So I want to make it [7] clear, because I know we have -- I know we have a [8] lot of managers here, and this is the height of [9] freedom of speech. And I'm certainly, as most of [10] you know, and people up here, are not absolutely [11] comfortable with everything that's being said. [12] We're hearing a lot of things we probably need to [13] hear said.

[14] But nobody is going to suffer any [15] retribution whatsoever for what they say here. And [16] if they do, they will be dealt with swiftly.

[17] (Applause.)

[18] **MR. JOHNSON:** Okay, Nilda Goodwin is [19] next, followed by Susan Johnson.

[20] **MS. GOODWIN:** Good morning, everybody. My [21] name is Nilda Good-

win, and I'm a member of the Asian [22] Pacific American Network in Agriculture, and also

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[1] employed at the civil rights office here in [2] Washington, D.C.

[3] First of all, thank you most sincerely, [4] Mr. Secretary, for all your efforts in confronting [5] and addressing the civil rights issues, both program [6] discrimination and employment discrimination issues [7] in the Department.

[8] Perhaps there are times when you feel all [9] alone at the top, because whenever the press [10] publishes negative articles about alleged or factual [11] and proven civil rights wrongdoings in the [12] sub-agencies of the Department, it is either your [13] name or your picture that appears on the papers.

[14] **SECRETARY GLICKMAN:** I know that very [15] well.

[16] (Laughter.)

[17] **MS. GOODWIN:** These are evidenced by the [18] black farmers' discrimination case and the Forest [19] Service and FSIS employment discrimination cases. [20] What I am going to say are my thoughts and personal [21] observations and do not necessarily reflect the [22] position of the office I serve.

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[1] Mr. Secretary, specifically I would like [2] to address two separate issues that relate to the [3] employment discrimination complaint process.

[4] First, if I could quantify the issues of [5] employment discrimination complaints brought before [6] me as an EEO counselor or mediator, I can easily [7] identify the three most common issues raised. And [8] these are evaluation, including absence of [9] performance standard and/or subjective rating; [10] harassment, nonsexual; and working condition.

[11] Complaints of this nature perhaps may very [12] well be minimized if managers should make a stronger [13] commitment to the total quality management principle [14] of doing it right and doing it right the first [15] time.

[16] The second issue that I want to bring up [17] has to do with accountability for the complaint [18] resolution in the informal complaint process.

[19] As EEO counselors, mediators, our job [20] requires that we should be a neutral party whose [21] role is to assist in the resolution of the [22] complaints in the informal process. As EEO

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[1] counselors, mediators, we take the role of a [2] messenger, a buffer, a go-between, a shock absorber, [3] and sometimes a verbal punching bag.

[4] Not only do we get hit on both sides, [5]

sometimes being accused by complainants as working [16] for management, sometimes labeled by managers as [7] favoring complainants, but also we get abused [8] verbally by aggressive attorneys and counsels for [9] the complainants who would rather deal directly with [10] the Agency higher management officials and ignore [11] the EEO informal complaint process.

[12] Resolution of complaints at the earliest [13] possible stage is definitely our goal. But there [14] seems to be a common notion that conflict resolution [15] rests ultimately with the EEO counselors and [16] mediators. But, Mr. Secretary, we have no authority [17] to make decisions. We are not in a position to make [18] decisions either for the complainants or for the [19] managers.

[20] Given this three-party scenario, Mr. [21] Secretary, would you please give us your thoughts as [22] to who should be made accountable for the ultimate

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[1] resolution of informal complaints, the EEO [2] counselors, mediator, the complaining or charging [3] party, or the Agency management officials?

[4] Thank you for this opportunity to speak in [5] this session.

[6] (Applause.)

[7] **MR. JOHNSON:** Thank you, Nilda.

[8] Susan Johnson next, followed by Anthony [9] Grimm.

[10] **MS. JOHNSON:** Good morning, Mr. [11] Secretary. My name is Susan Johnson and I work on [12] the public affairs staff of the Forest Service. In [13] order to provide context for my remarks, I will [14] remind you that for the past few months you and I [15] have been corresponding about the Forest Service [16] surplus program.

[17] Like you, I will invoke Mr. Clinton's [18] inaugural speech, in which he exhorted Americans to [19] move beyond our preoccupation with the things which [20] divide us and to instead focus on that which brings [21] us together. In that spirit, I am asking you for an [22] update on your office's report on the Forest Service

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[1] surplus program.

[2] This request is made in the hope that the [3] report's findings and subsequent recommendations [4] will enable those of us who had our lives ripped [5] apart by Forest Service mismanagement to put their [6] nightmare behind them in the knowledge that our [7] experience was not for naught, but will instead [8] serve to ensure that such arrogance and indifference [9] will never again be tolerated.

[10] Thank you.

[11] (Applause.)

[12] **SECRETARY GLICKMAN:** Just in answer to the [13] question, we have a - we have a new chief of the [14] Forest Service, he is here, Mike Dombeck. And I [15] presume that in terms of getting that report out, he [16] knows the importance of getting it out as quickly as [17] possible. So I will make sure that he or somebody [18] else talks to you about this. Go ahead.

[19] **MS. JOHNSON:** It's just been my hope that [20] the very fact that this situation has been taken out [21] of the hands of the Forest Service is what will [22] ensure the fact that it gets addressed.

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[1] **MR. JOHNSON:** Thank you, Susan. [2] Anthony Grimm, followed by Bruce [3] McFarlane.

[4] **MR. GRIMM:** Good morning, Mr. Secretary [5] and distinguished guests. My name is Anthony [6] Grimm. I work for the Center for Nutrition Policy [7] and Promotion.

[8] I just would like to reiterate two items [9] that all the people who have came up to speak [10] mentioned to you. And that's about civil rights [11] accountability.

[12] Unless we have accountability for the [13] managers and the supervisors who are doing these [14] discriminatory acts, the civil rights will mean [15] nothing within USDA.

[16] (Applause.)

[17] **MR. GRIMM:** We have to hit them in what I [18] call the three Ps: Power, prestige and the [19] pocketbook. If you don't affect any one of those, [20] civil rights are not going to change.

[21] (Applause.)

[22] **MR. GRIMM:** Let me give you an example.

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[1] If you file a formal complaint and after it's [2] accepted, you have to go through an elaborate [3] process before a final decision is reached. When [4] the Agency even agrees that the discrimination has [5] taken place, they give you a monetary award for your [6] inconvenience.

[7] That still doesn't get to the root of the [8] problem. It still doesn't get to the manager who [9] does the discriminatory acts. They are left there [10] to continue doing that.

[11] (Applause.)

[12] **MR. GRIMM:** Second thing I would like to [13] mention is about the internal hiring procedures of [14] SES. There is no internal qualification or standard [15] for having promotion potential or upward mobility. [16] positions throughout the federal government and all [17] USDA organizations. That is much needed,

especially [18] when you are trying to work your way up through the [19] ladder.

[20] I have been with USDA for twelve years and [21] I've had to transfer to six different divisions in [22] order to get my next grade. That is unreal. That

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[1] shouldn't happen that way.

[2] I have seen some people that have come [3] from the outside for vacancy announcement, and keep [4] in mind the people that are there are filling in for [5] these vacancy announcements also for these [6] positions. They come in, bringing in the new [7] people, and the ones that are there that have been [8] doing the work for years are asked to train this [9] individual to do that job.

[10] (Applause.)

[11] **MR. GRIMM:** If I have the ability, and the [12] qualifications to train an individual to do the job, [13] I have the qualifications to do the job myself.

[14] (Applause.)

[15] **MR. GRIMM:** Lastly, I would just like to [16] say thank you for this opportunity to speak. The [17] people here, all the people here, I hope you listen [18] to them, because what they're telling you is the [19] truth. Thank you.

[20] (Applause.)

[21] **MR. JOHNSON:** Thank you, Anthony. [22] Bruce next, followed by Kim Quigley.

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[1] **MR. McFARLANE:** Good morning, Mr. [2] Secretary, distinguished members here. My name is [3] Bruce McFarlane. I've been with AMF for over 20 [4] years, and today I'm speaking on behalf of the [5] Association for Persons with Disabilities in [6] Agriculture.

[7] On behalf of APDA members here in D.C. and [8] our Kansas City chapter, we thank you for this [9] opportunity to communicate our concerns to you. As [10] a group of dedicated employee, we are committed to [11] working with you and your staff to improve and [12] enhance employment and career advancement [13] opportunities for people with disabilities.

[14] However, it is a shame that so many USDA [15] managers and supervisors are not willing to hire or [16] promote persons with disabilities. I have with me a [17] copy of USDA fiscal year 1996 Work Force Diversity [18] Tracking Report. This is the first time we've seen [19] this report and we were shocked. But the more we [20] look into the numbers, Mr. Secretary, this is an [21] embarrassment, this is an injustice.

[22] Mr. Secretary, as you know, disability

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[1] knows no boundaries, and discriminates against no [2] one. The 1995 U.S. Census Bureau reports that [3] approximately 49 million Americans have a reported [4] disability.

[5] By the age of 65, over 85 percent of all [6] Americans and certainly all families will be [7] affected by a disability. 49 million is now [8] approximately 20 percent of the population. People [9] with disabilities is the largest minority group in [10] the nation.

[11] I have a question, Mr. Secretary. Which [12] member of this team up here has a targeted [13] disability?

[14] (Applause.)

[15] **MR. McFARLANE:** Mr. Secretary, in your [16] article in The Washington Post last week we [17] talked - you talked about investigating [18] inconsistencies in program delivery as well as [19] complaints of discrimination in the farm program. [20] We applaud your actions in these areas, but we think [21] you need to look at the actions of your own staff [22] before you work on program delivery. If you truly

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[1] want to make effective and long-term changes, you [2] need to start from the top down.

[3] You said in the article that you've read [4] reports and you've seen the numbers. That's great. [5] Well, let's look at these numbers. 405 SES GS-16 [6] and 18 and equivalents; targeted disabilities, we've [7] got two. And I'm almost proud of that, because the [8] Asian Pacifics don't have any. Blacks only have [9] 40. So where are the rest of them?

[10] The USDA has reduced the work force by 1.6 [11] percent. Targeted disabilities have been reduced by [12] 1.6 percent in the last year. We're asked to make [13] sacrifices. But in 1996 there was 4,972 changes in [14] the USDA work force; targeted disabilities got 50 of [15] those.

[16] Also the USDA continued to fall short in [17] support of a work force recruitment program for [18] college students with disabilities, which is an [19] excellent source for future employees. What makes [20] this program so good is the Department of Defense [21] screens all the applicants, pays for all the [22] reasonable accommodations, and the only cost to the

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[1] hiring Agency is their salary.

[2] In 1996, there was 151 federal-wide [3] hires. The USDA hired three. So what's the [4] problem?

[5] You've been hearing a lot of people [6] talking here today about career ad-

vancement [7] opportunity. I'm not sure we've got the solution, [8] but I think we understand how they're getting away [9] with it in the civil service program. This is an [10] actual case. It's been reported to APDA.

[11] A managerial position became available and [12] numerous candidates met the general qualifications, [13] but the final selection was apparently between two [14] people, a white male and a person with a [15] disability. Now each position usually accounts - [16] announcement usually lists four or five critical [17] elements that each applicant must respond to.

[18] Apparently the person with the disability [19] had worked in this Agency for over ten years and had [20] excellent qualifications for four of the five [21] selection criteria. The white male began working in [22] the USDA only a few years ago and had an excellent

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[1] qualification in that fifth criteria. Guess who got [2] the job? That's the problem.

[3] The point is, is that as long as the [4] selecting officials can determine which of the [5] selection criteria is most important after [6] conducting the interviews, they can word their [7] selection justification to fit the person that they [8] want. And we've got a suggested solution to that, [9] but in the absence of time here I'm going to skip [10] over that.

[11] Last week I attended an inauguration [12] breakfast sponsored by Solidarity 2000, an [13] organization dedicated to the enhancement and [14] enforcement of Americans with Disabilities Act. One [15] of the speakers made the following statement, to [16] which I'd like to paraphrase.

[17] To understand us, you have to live with [18] the barriers we have to live with. To understand [19] us, you have to live with the stereotypes we have to [20] live with. Barriers and stereotypes perpetuated not [21] by us but by managers and supervisors who don't [22] understand us or don't want to understand us.

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[1] Mr. Secretary, when you get your managers [2] and supervisors to end the stereotypes and eliminate [3] the barriers and see only people with ability, then [4] and only then will you understand us.

[5] Thank you.

[6] (Applause.)

[7] **MR. JOHNSON:** Thank you, Bruce.

[8] Kim next, followed by Dr. Chang. Go [9] ahead, Kim.

[10] **MS. QUIGLEY:** My name is Kimberly Quigley, [11] and I'd like to speak to the Secretary and Michael [12] Dombeck

specifically. And I'd like to talk about [13] the fact that the Forest Service and harassment and [14] violence in the workplace.

[15] On July the 18th, 1996, the Forest Service [16] released a letter that stated, and I'll quote this [17] phrase, we in the Forest Service have experienced [18] subtle and not so subtle indications of unacceptable [19] behavior in the workplace. Our policy is that [20] violence and threatening behavior in our workplace [21] will not be tolerated. Reports of such incidence [22] will be taken seriously and dealt with swiftly and

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[1] appropriately.

[2] Well, Mr. Secretary, in November of 1995 I [3] had a supervisor chase me through the building and [4] harass me and belittle me. And it took another [5] employee to stand between us to make her let me [6] leave the building.

[7] And it is now 1997. That employee is [8] still in her position and I have been removed from [9] the staff. I have been under investigation and I [10] have, while on maternity leave, been denied the [11] opportunity to borrow leave. So my children could [12] not eat because they were mad at me.

[13] I want to know where is my justice?

[14] (Applause.)

[15] **MR. JOHNSON:** Thank you, Kim.

[16] **MS. BARNES:** Hi, my name is Shelby Barnes, [17] and I'm also a member, an employee of the Forest [18] Service. I'd like to address Mr. Secretary and the [19] members of the board and Mr. Michael Dombeck.

[20] On the flip side of what Kimberly was just [21] talking about, I am the employee who stood in [22] between Kimberly and her supervisor after her

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[1] supervisor chased her.

[2] Reprisal is real, Mr. Secretary, and I [3] appreciate you saying today that it will not be [4] tolerated, but that really needs to be stressed. It [5] needs to be enforced.

[6] 1995, November 1, I did witness that [7] incident. It was very traumatic for me. Afterwards [8] I suffered a miscarriage.

[9] And shortly after that the members who [10] were invited to the Ecological Stewardship Workshop [11] to work on it, I was a part of that. However, when [12] we got back, I was excluded from an award ceremony [13] where all of the white people on my staff received [14] cash awards. Me and the other black person on our [15] staff didn't get anything.

[16] I was told that I didn't do anything [17] outside my job description. I'm a computer [18] specialist for my job, and I did

computer graphs, I [19] created databases, and I even went out there and [20] pitched in on debugging and helping set up some [21] computers.

[22] Well, when I asked what did the other

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[1] people do that was so much out of their job [2] description, they told me that they did requisition.

[3] So they're talking about a GS-9 who's a staff [4] assistant who the duties are the same thing as a [5] staff secretary, they did requisitions. And she got [6] \$5,000.

[7] A white GS-6 got \$1,500. She's an [8] operations assistant, which is equivalent to a [9] secretary. She got \$1,500. But I didn't do [10] anything outside my job description? Something's [11] wrong here.

[12] The one who got the \$5,000 is the one who [13] chased Kimberly. And nothing has been done about [14] that.

[15] I, too, have been put under investigation [16] for the tutorial program that has been adopted by [17] USDA. I have been denied the chance to continue my [18] tutoring with them until the investigation was [19] over. The investigation is over now, but I still [20] cannot assume there.

[21] I was put on AWOL November the 26th [22] because I got sick at work and left two hours before

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[1] my regular leaving time, but I indicated this on my [2] time sheet. My supervisor was not in the office, so [3] I told a co-worker that I was sick. I was crying at [4] my desk, and I left, and I went home. And I was put [5] on AWOL when I got back.

[6] Now you tell me how many white people get [7] put on AWOL when they leave because they're sick and [8] they tell a co-worker.

[9] (Applause.)

[10] **MS. BARNES:** Please do something about [11] this. I really think something should be done.

[12] (Applause.)

[13] **SECRETARY GLICKMAN:** I just ask Mr. [14] Dombek, if you would follow up with her after we're [15] over.

[16] **MR. JOHNSON:** Dr. Chang next.

[17] And unfortunately we still have about 15 [18] people that have signed up, and perhaps more of you [19] that would like to speak. If we can keep our [20] comments as short as we can and still say what we [21] really need to say.

[22] And I don't mean to say that you should

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[1] not say what you need to say, but if we could make [2] them as short as possible,

we'll go probably until [3] at least quarter past, to try to get in as much as [4] we can.

[5] **UNIDENTIFIED SPEAKER:** If it's Dr. Charlie [6] Chang, he's a scheduled speaker for the afternoon [7] session.

[8] **MR. JOHNSON:** Oh, he is? Well, we're [9] moving right along then.

[10] (Laughter.)

[11] **MR. JOHNSON:** Robert Smith, followed by [12] Martin Bomar.

[13] **MR. SMITH:** Good morning, Mr. Secretary. [14] This is interesting for me, it's [15] intimidating to me.

[16] My name is Robert Smith. I'm president of [17] the Virginia Association of FSA Committee Employees, [18] which is an affiliate of NASCOE, which is national [19] organization. More importantly, I'm the county [20] executive director in Prince George County in [21] Virginia.

[22] This is the first time I've been to

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[1] Washington, and it is a different world. I can't [2] wait to get back home, believe me.

[3] (Laughter.)

[4] **MR. SMITH:** Coming here, thinking about [5] talking with the Secretary, Administrators, people [6] with titles, is intimidating sometimes to people out [7] in the field in county offices. So I sat down and [8] prepared a speech. And I said, no, I can't do [9] that. I got to speak just from my heart.

[10] The employees, the FSA employees in [11] Virginia, the morale is down to almost nothing. And [12] it's for two reasons, recent reorganization and [13] budget cuts in our Agency. We've lost some terrific [14] people, unfortunately.

[15] But recently more importantly is the [16] recent discrimination charges that have been filed [17] against our Agency in Virginia and also against the [18] Department of Agriculture. It's very distressing to [19] us to pick up the Richmond newspaper every morning [20] and see an article about it, where the Department or [21] our Agency hasn't responded in any way.

[22] If discrimination happened, and I

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[1] understand it has been admitted that it has [2] happened, I agree with your statements earlier, Mr. [3] Secretary, the people that did this must be dealt [4] with swiftly. Discrimination cannot and should not [5] be tolerated, and that's the bottom line.

[6] It shouldn't be tolerated in the county [7] office and it shouldn't be tolerated in Washington. [8] But the problem is, we feel like we've been left out [9] to dry or to hang to dry. The Department hasn't [10] backed us up, it seems like.

[11] You got to remember that with the signing [12] of the 1996 Farm Bill, the ag credit portion of [13] Farmers Home Administration was merged with Farm [14] Service Agency. And my understanding is a lot of [15] these discrimination complaints came about when it [16] was still with Farmers Home Administration. But [17] according to the newspaper, it's Farm Service [18] Agency. I think the general public needs to be [19] aware of what's happening.

[20] One of my big jobs in the county office is [21] an outreach program, that is to explain to the [22] public my job, the Farm Service Agency, and what we

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[1] do for the local farmers in our community. I do [2] this through radio programs at local stations, [3] through local newspapers, and by having county-wide [4] meetings.

[5] I'm wondering why the Department doesn't [6] do that. Y'all have access to the best media [7] around. And it just seems to me that the Department [8] ought to defend their employees to an extent where [9] the public needs to know.

[10] Right now the public only knows one side [11] of the story. It doesn't know that we used to be [12] different Agencies. It doesn't know that we were [13] merged. And it just - it astounds me that "no [14] comment" is the comment from Washington, considering [15] this thing.

[16] And people that have discriminated should [17] be dealt with. Again, it should not be tolerated.

[18] I want to thank you for letting me come [19] today. It's, like I said, it's been a very [20] interesting experience. Today I'm on your turf. I [21] would like for you to come down to my turf and see [22] how we treat our clients.

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[1] To me, working with the American farmer is [2] the best job anybody could have. And when people [3] sit down at lunch today and sit down at dinner [4] tonight, you ought to thank the American farmer, [5] because right now he is providing the cheapest and [6] the safest food in this whole world.

[7] Thank you.

[8] (Applause.)

[9] **MR. JOHNSON:** Thank you, Robert. And if [10] you don't mind my adding, doing a good job at taking [11] care of the land while he's doing it.

[12] So Martin Bomar next, followed by Judy [13] Kissinger.

[14] **MR. BOMAR:** Thank you, Mr. Secretary. I [15] certainly appreciate your time today.

[16] I am Martin Bomar from the Charlotte

[17] County Farm Service Agency office in Charlotte [18] County, Virginia. We from the field oftentimes [19] don't get to experience the Washington ways, but [20] this is truly an eye-opening experience for us.

[21] Mr. Secretary, what other federal Agency, [22] or any governmental Agency at any level for that

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[1] matter, other than the Farm Service Agency, has [2] demonstrated the ability to administer programs of [3] the magnitude of ours, while having changed names at [4] least five times in 60 years, through seven [5] different presidents and 31 congressional sessions?

[6] Now I ask how this Agency has been able to [7] maintain such a successful delivery of the many [8] programs with the infinite number of changes and [9] alterations to those programs at a cost that has, [10] with very few if any exceptions, been at or under [11] budget.

[12] The answer is very simply, and is the [13] cornerstone of the current administration's stated [14] goal for government, decisions made at the local [15] level with local oversight. Program delivery at the [16] local level and civil rights requirements go hand in [17] hand. The answer to this is the farmer-elected [18] County Committee system and the employees who work [19] for those committees.

[20] If nothing else, this record of longevity [21] and sustained success in both program delivery and [22] budget-balancing efforts should be proof enough that

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[1] this Agency and the decision-making of the County [2] Committees has done an exemplary job of assisting [3] this nation in maintaining a stable, high quality, [4] inexpensive food supply, by constantly helping [5] farmers, ranchers and private forest land owners [6] find ways to sustain the natural forest resources [7] they own and control.

[8] However, there is an ever-intensifying [9] effort to eliminate the County Committee system. [10] Some claim it to be archaic, some say it too costly, [11] some say it's too political, some say it's not [12] political enough.

[13] Many are willing to stand up and speak [14] against the farmer-elected committee system, but I [15] stand here in support of the County Committee [16] system.

[17] Farmers, ranchers and FSA employees, as [18] much as any other taxpayer in this nation, would [19] like to see a balanced federal budget. But if FSA [20] is abolished with the County Committee system, will [21] the money saved in the

reduced tax expenditure be [22] enough to offset the increase in the cost of food

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[1] and natural fibers?

[2] Would the tax savings ever reach the [3] taxpayer? Is there another method by which [4] governmental programs can be delivered or [5] information and statistical data be gathered as [6] economically as the Farm Service Agency? I [7] personally believe the answer to these questions is [8] no.

[9] However, we are educating the public and [10] the 105th Congress as to why the Farm Service [11] Agency, under the leadership of the farmer-elected [12] County Committee system, has been such an [13] unprecedented success for the past 50 years and with [14] a commendable civil rights reputation.

[15] NASCOE and all county office employees [16] have expressed concern about the inequities in work [17] load analysis and the number of county office [18] positions lost this past year. There are serious [19] questions about county offices being credited with [20] the work that is done and the ability to continue [21] that work within our offices in a timely, accurate [22] manner.

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[1] These losses have been devastating to our [2] level of efficiency and it hurts deeply to have to [3] tell co-workers that they no longer have a job [4] simply because of lack of money.

[5] While these are very real, very serious [6] issues, others must be addressed. One urgent issue [7] is that to determine what our future holds for us. [8] This is sometimes the most difficult part of the [9] entire process, because it requires patience, [10] patience with FSA, patience with the Department, and [11] patience with the administration to develop their [12] ideas into stated goals and objectives.

[13] Historically, NASCOE has not been involved [14] with these issues at this stage. We have usually [15] been involved after the goals and objectives have [16] been established and then work with management to [17] implement the objectives and achieve these goals.

[18] NASCOE has never, nor do we now, have any [19] reason to believe FSA management has anything but [20] the Agency's and agriculture's best interest at [21] heart. We are the only administrative Agency within [22] the Department that deals with production

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[1] agriculture at the local levels.

[2] Our sister Agencies do a great job in [3] their related specialty areas. However, they are [4] not always readily available to the public because [5] of their technical

duties that they must attend to.

[6] In addition, if the administration is [7] truly concerned about providing services fairly and [8] equally to the American farmer, then they must [9] recognize the Farm Service Agency, as we are the [10] only agency that is always open to service and [11] provide for the public's needs.

[12] FSA can and should be considered to [13] perform all administrative duties and functions for [14] USDA, as it has been shown that under the County [15] Committee system we can perform such duties more [16] efficiently and cheaper than any other form of [17] government.

[18] Finally, I must revisit the issue at hand [19] and that's service and fair service to our [20] clientele. Under the County Committee system we are [21] addressing fairly what the administration addressed [22] in their campaign speeches, and that is putting

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[1] decision-making authority at the grass roots level.

[2] However, in our staffing and budget levels [3] are depleted - if our budget levels are depleted [4] much more, service will be jeopardized. Although we [5] are in favor of balancing the budget, we must ask at [6] what cost to service are you willing to give up? [7] There must be a common median between where service [8] becomes more important than the cost of slashing [9] budget cutters' desire to balance the budget.

[10] Thank you.

[11] (Applause.)

[12] **SECRETARY GLICKMAN:** I appreciate the last [13] two speakers and I hope that they will attend the [14] afternoon session, but I just want to make one [15] comment.

[16] I served in Congress 18 years, and now I [17] can tell you that where policy-decisions related [18] to policy and dollars are done through the elected [19] members of Congress. They're the ones deciding the [20] budgets. They're the ones that made the [21] revolutionary change in the farm program last year.

[22] So I would - I appreciate your speech,

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[1] but I think you also ought to talk to your local [2] Congressman as well.

[3] **MR. BOMAR:** We are.

[4] **MR. JOHNSON:** Mr. Secretary, we really [5] thought when you came in from Congress we wouldn't [6] have any problems with budgets anymore. But we're [7] not quite there yet.

[8] (Laughter.)

[9] **MR. JOHNSON:** Judy, are you here?

[10] (No response.)

[11] **MR. JOHNSON:** How about Tommy Thomas?

[12] Go ahead, Tommy. That will be followed by [13] Cynthia Davis.

[14] **MR. THOMAS:** Good morning, Mr. Secretary, [15] and members of the panel. My name is Tommy Thomas. [16] I'm representing the USDA chapter of Blacks in [17] Government.

[18] Mr. Secretary, we are concerned about [19] movement of blacks toward the glass ceiling and [20] those on the sticky floor. I think we heard that [21] earlier. Most black USDA employees are at the GS-7 [22] and below level.

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[1] We have a recommendation: Career [2] enhancement. During the 1970s, the Department of [3] Agriculture had an aggressive upward mobility [4] effort. Each Agency was required to have a definite [5] number of upward mobility positions. These [6] positions were open across Agency lines. The [7] Department supported the educational development of [8] all employees.

[9] **Question:** Will you, Mr. Secretary, issue [10] a policy supporting upward mobility, supporting the [11] establishment of career enhancement positions and a [12] percentage goal for total number of available [13] positions each year?

[14] Thank you.

[15] (Applause.)

[16] **MR. JOHNSON:** Thank you, Tommy. [17] Cynthia.

[18] **MS. DAVIS:** Good morning. My name is [19] Cynthia Davis and I'm an employee relations [20] specialist with the Natural Resources Conservation [21] Service.

[22] And in that position I reviewed many

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[1] discrimination complaints and I've also looked at [2] many settlement agreements. As I understand it, the [3] discrimination complaint process system under Title [4] VII was designed to review, analyze and hopefully [5] resolve legitimate, and I stress legitimate, [6] allegations of discrimination.

[7] The system as it operates within USDA [8] appears to be a system that has evolved into giving [9] out money in exchange for withdrawing a complaint. [10] Reviewing, analyzing and resolving legitimate [11] complaints appears to have been lost behind the [12] trust to settle all complaints, no matter what.

[13] My particular Agency has a large number of [14] complaints, some because there are legitimate [15] discrimination issues out there, but others are [16] merely due to an individual wanting some quick [17] cash.

[18] The perception is file an EEO complaint, [19] they'll give you money if you drop it. No wonder we [20] have so many complaints being filed. Most of us [21] could use some quick cash.

[22] USDA is better than the lottery, better

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[1] than Publisher's Clearinghouse, better than Reader's [2] Digest. You don't even have to spend money. All [3] you do is file a complaint and you're guaranteed a [4] winner.

[5] It is my understanding that complaints - [6] it's my understanding that the push to settle [7] complaints comes from the Department level. If [8] numbers are all we're concerned about, then settling [9] for dollars is okay. But I'm a taxpayer, too, and I [10] hate to see government funds wasted.

[11] At least we can say that our settlement [12] rate is high, right? But doesn't that cut deep into [13] the integrity of the complaint process?

[14] What happens to legitimate issues of [15] discrimination? They're sometimes settled, too, but [16] the two issues are lost in this process of [17] settling.

[18] I've seen cases where settlements of money [19] are offered and the issue does not warrant a [20] monetary settlement. If there is truly a [21] discrimination issue or even if it's not proven [22] discrimination but settlement is still a viable

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[1] option, it is mere common sense that the offer of [2] settlement must be in sync with the raised issues.

[3] I recognize that sometimes settlements are [4] offered in order to get a case withdrawn so that the [5] time and money necessary to pursue the case does not [6] have to be expended. However, these situations [7] should not be an everyday occurrence.

[8] If we have legitimate concerns about [9] management practices, whether they fall under the, [10] quote, unquote, discrimination umbrella or not, deal [11] with them. Correct the problem.

[12] Giving out money only adds to the [13] problem. It results in complaints continuing to be [14] filed by employees who want to take advantage of the [15] system and lower morale by employees with legitimate [16] concerns.

[17] I've known employees trying to use the [18] complaint processing system even when they don't [19] have a legitimate discrimination issue. They should [20] file a grievance, however they said I can't get [21] money if I file a grievance.

[22] The system will work if administered

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[1] properly. USDA needs to stop looking

at numbers of [2] complaints only and review cases on merit also to [3] determine if settlement is an appropriate option. [4] Otherwise, cases should be processed through EEOC.

[5] I said all that to say, can the Civil [6] Rights Action Team ensure that Agencies are given [7] the support to handle cases as they deem [8] appropriate? Specifically, not forcing Agencies to [9] settle. If systemic discrimination exists it will [10] prevail and the Department will find out.

[11] I challenge those in positions [12] establishing policy in this area to let the system [13] work instead of letting us - instead of us, having [14] us work the system.

[15] Thank you.

[16] (Applause.)

[17] **MR. JOHNSON:** I hate to say this, but we [18] have another session starting at one o'clock, and [19] unfortunately we still have about ten left to [20] speak. I would ask that you please try to get your [21] remarks turned in or speak to somebody who can [22] record them for you. I hate to do this.

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[1] If it were the end of the day, we would [2] probably go into the night. But again, thank you [3] very much for coming today and giving these [4] comments.

[5] And I'd like to turn it over to the [6] Secretary at this time.

[7] **SECRETARY GLICKMAN:** Just thank you to [8] those of you who came and to indicate that the [9] purpose of this effort is to listen, to analyze, to [10] report, and then our function is to act. And we [11] promise you we will do that.

[12] Thank you.

[13] (Applause.) [14] (Morning session concluded at 12:13 o'clock p.m.)

[16] (Afternoon session began at 1:08 o'clock p.m.)

[17] **MR. JOHNSON:** Good afternoon. I'm Paul [18] Johnson, chief of the Natural Resources Conservation [19] Service here in the Department of Agriculture, and [20] chair of our national USDA Food and Agriculture [21] Council. I want to welcome you all this afternoon [22] to the D.C. Civil Rights Listening Session.

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[1] Over the past couple weeks the Secretary, [2] the Deputy Secretary, Civil Rights Action Team, [3] other USDA officials and hundreds of USDA employees [4] and recipients have met in forums such as this [5] across the country in order to share their concerns [6] and comments about the Department's civil rights and [7] equal employment opportunity programs.

[8] President Clinton, in his address on [9]

Monday, talked about our civil rights issues and [10] mentioned that we have a rich texture in this [11] country of racial, religious and political [12] diversity. And he said it will be a Godsend in the [13] 21st century.

[14] The Secretary has made it very clear that [15] we must prepare for the 21st century. And these [16] forums and what we're hearing across the country, [17] digesting and restructuring the Department of [18] Agriculture in response to them, is the subject of [19] this afternoon's forum.

[20] We have several panel members with us this [21] afternoon, and I would like to acknowledge two of my [22] fellow Food and Agriculture Council members, Grant

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[1] Buntrock, the Administrator for the Farm Services [2] Agency, and Jan Shadburn, who is Administrator of [3] our Rural Housing within the Department of [4] Agriculture.

[5] At this time I'd like to introduce to you [6] Pearlle Reed, the leader of the USDA Civil Rights [7] Action Team, for a few comments and introductions.

[8] **MR. REED:** Thank you very much, Paul.

[9] Good afternoon. First we'd like to have [10] self-introduction of the rest of the Secretary's [11] Civil Rights Action Team, and we'll start to my left [12] with Mon Yee.

[13] **MR. YEE:** Good afternoon. My name is Mon [14] Yee and I'm with the Natural Resources Conservation [15] Service out of Portland, Oregon.

[16] **MS. WILLIS:** Joyce Willis and I'm with [17] Marketing and Regulatory Programs.

[18] **MR. WHITING:** Good afternoon. My name is [19] Robert Whiting. I am with the Office of the Chief [20] Information Officer, and I represent Departmental [21] Administration and OCR.

[22] **MR. WHEELER:** Good afternoon. My name is

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[1] Floyd Wheeler. I'm with the Food and Consumer [2] Service and I'm representing Food, Nutrition and [3] Consumer Service.

[4] **MR. WEBER:** Good afternoon. My name is [5] Randy Weber. I represent the farm and Foreign [6] Agriculture Service's mission area. I work for [7] FSA.

[8] **MR. THORNTON:** I'm Samuel Thornton, Office [9] of the Secretary.

[10] **MR. SESCO:** Good afternoon. I'm Jerry [11] SESCO with the Forest Service and I'm representing [12] the natural resources and environment mission area [13] on the task force.

[14] **MR. PEER:** Good afternoon. Wilbur Peer, [15] Associate Administrator, Rural Business Services, in [16] the rural development mission area, with Ms. Jill [17] Long-Thompson.

[18] **MS. MESSMORE:** Hi. My name is Karen [19] Messmore, and I'm with the Food Safety and [20] Inspection Service.

[21] **MR. HARDY:** Good afternoon. I'm Leonard [22] Hardy, Deputy Administrator for Operations and

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[1] Management, representing the mission area of Mrs. [2] Jill Long-Thompson, rural development. Thank you.

[3] **MS. COONEY-SMITH:** Good afternoon, I'm [4] Sharon Cooney-Smith, with the Farm Service Agency, [5] from St. Louis, Missouri. I'm representing USDA [6] unions. I'm a member of the American Federation of [7] Government Employees Local 3354.

[8] **MR. COLE:** Good afternoon. Good [9] afternoon. I'll Robert Cole, former USDA employee [10] in Washington and in Arkansas.

[11] **MR. BOTTUM:** Good afternoon. I'm John [12] Bottum with the Cooperative State Research, [13] Education and Extension Service, representing the [14] research, education and economics mission area.

[15] **MR. BARBER:** Good afternoon, everyone. My [16] name's Gary Barber. I'm the Director of Executive [17] Services for the Office of the Chief Financial [18] Officer.

[19] **MR. ANAYA:** Good afternoon. My name is [20] Steve Anaya, State Director of Rural Development [21] from New Mexico.

[22] **MR. REED:** There's one other introduction

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[1] I'd like to make, and that's Cathy Gugulis. Cathy [2] is the chief of staff to support this operation.

[3] Now I'd like to ask you to help me welcome [4] the Deputy Secretary of Agriculture, Richard [5] Rominger.

[6] (Applause.)

[7] **MR. ROMINGER:** Thank you, Pearlle.

[8] This is a culmination of the listening [9] sessions that have been taking place around the [10] country for the last two weeks, at which the [11] Secretary and I have been listening to our customers [12] and our employees.

[13] And it's my honor and privilege now to [14] introduce to you the person who has made this [15] happen, the person whose concerns resulted in the [16] appointment of this civil rights action task force, [17] and all of the listening sessions. And we will be [18] continuing

that today.

[19] But it's my pleasure to introduce to you [20] our Secretary of Agriculture, Dan Glickman.

[21] (Applause.)

[22] **SECRETARY GLICKMAN:** Good afternoon,

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[1] everybody.

[2] Remember, there was an old song years ago, [3] for those of you who are old as I am, and there are [4] a few in this audience who are, it went like this: [5] It seems we stood and talked like this before. We [6] looked at each other in the same way that, but I [7] can't remember where or when.

[8] Well, I think that's probably a pretty [9] good opening for this. We have - we and our [10] government generally but in this Department have [11] stood and talked like this before. And some of it [12] has been productive and some of it has gathered [13] dust.

[14] And obviously the solutions haven't been [15] reached in many areas to deal with what the [16] president said in his inaugural address on Monday, [17] when he said, "The divide of race has been America's [18] constant curse."

[19] And so we're talking about it again today, [20] in the hopes that we do something about it. These [21] listening sessions are part of our commitment to end [22] that curse at this Department and in the government

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[1] in general.

[2] These listening sessions have been held [3] all over the country under the leadership of Pearlle [4] Reed and this distinguished task force in front of [5] you, whose job it is to listen to the concerns and [6] the complaints, and then to do constructive things, [7] to make constructive suggestions whereby we can [8] remedy the problems and make this Department the [9] kind of place that we can be proud of.

[10] Previous to this meeting we heard from [11] employees, and they said there are two ways one can [12] describe the Department of Agriculture. The one way [13] which Abraham Lincoln had in mind was the People's [14] Department. The other way, which a lot of folks [15] characterize us over the last several decades, is [16] the Last Plantation.

[17] Under my watch, I want this to be the [18] People's Department again. That's the purpose of [19] these hearings. As I've said many times, most of [20] our employees, most of our staff, treat people with [21] dignity and respect. Some don't.

[22] Our job is to figure out how do we make

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[1] sure that those who don't, don't have that [2] opportunity again. And also to look at our policies [3] and procedures and other methods of operation to [4] make sure that we can in fact be proud of the work [5] that we do for America's farmers and ranchers, for [6] people who depend on forestry issues, for people who [7] depend on rural development and the whole slew of [8] programs that we do in this particular place.

[9] As the president said in his address, "We [10] cannot, we will not succumb to the dark impulses [11] that lurk in the far regions of the soul [12] everywhere. We shall overcome them and we shall [13] replace them with the generous spirit of people who [14] feel at home with one another."

[15] He also said, "Great rewards will come to [16] those who can live together, learn together, work [17] together, and forge ties that bind together."

[18] That's the function of what we're trying [19] to do here, is to take the effort that these people [20] will produce in terms of a work product that will [21] then come to us and that we will implement and act [22] upon in order to make fundamental structural changes

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[1] and improve those areas that we have been deficient [2] upon. I want USDA to reap some of the rewards that [3] the president talked about in his speech.

[4] We have a real opportunity to make [5] positive changes in the area of civil rights [6] enforcement at USDA and to ensure that our employees [7] and customers are treated fairly and treated with [8] dignity. And we will not stop until that happens.

[9] I would just close with a little story. [10] Some of you may know that I was in the U.S. Congress [11] for 18 years. And I recall when I was running for [12] Congress and I was introduced by somebody who [13] obviously didn't feel very kindly about government.

[14] And they said, well, you heard about the [15] three biggest lies, haven't you? Lie number one is [16] the check's in the mail. Lie number two is I'll [17] love you as much in the morning as I do tonight. [18] And lie number three was I'm from the federal [19] government and I'm here to help you.

[20] (Laughter.)

[21] **SECRETARY GLICKMAN:** Well, we're going to [22] make sure that is not a lie. We're from the United

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[1] States Department of Agriculture and we're here to [2] help everyone with equality, with fairness and [3] dignity,

whether it's our employees or whether it's [4] our customers.

[5] Thank you all very much.

[6] (Applause.)

[7] **MR. JOHNSON:** Thank you, Secretary [8] Glickman.

[9] I'd like to lay out a few of the ground [10] rules for this afternoon, so that we can be fair to [11] everybody. I have a list of almost 35, I think it's [12] 35 people who would like to speak. And we'll do [13] everything we can to hear all of you. We will work [14] through the list and be here until you've had a [15] chance to speak.

[16] We've asked that you hold your comments to [17] five minutes, and we have a timer down here with a [18] card or two that he will hand or hold up when it's [19] time. This morning we went through the same process [20] and I think it worked very well.

[21] So I would urge you to try your best to [22] stay within your time limit. I know many of you

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[1] have enough to talk about so you could talk all [2] afternoon. We recognize that.

[3] If you have written comments or if you [4] want to continue to get your comments heard and on [5] record, you can - we will have boxes in the back [6] where you can put written comments. And if you'd [7] like to speak to somebody, then people in the back [8] would be able to take down your comments to make [9] sure that you're heard.

[10] Also we had a program that, if you didn't [11] pick it up, it's on the back table, and that program [12] has on it a 1-800 number if you wish to call in your [13] comments. It has a fax number, an E-mail, and so [14] please take advantage of that if you have more than [15] you were able to say today.

[16] This is a Listening Session, and as I sat [17] through the morning session there were many things [18] that I wanted to engage the speaker in. We're going [19] to do our best not to do that, although the [20] Secretary has the prerogative all the way through. [21] But we want to listen and we want to take your [22] comments.

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[1] The session will be taped, and the [2] transcript will be provided to the Secretary and to [3] the panel so that we can move forward and deal with [4] the issues that you raise today.

[5] I have a list of people who have signed up [6] and I will take that in the best order that I can. [7] I will try to follow it as best I can. And I will [8] call your name and then I will call as well the [9] person who is to speak after you, so that that [10] person

could be ready.

[11] And I'd like to begin today with Bob [12] Miller. And Bob will be followed by George Hobbs. [13] So if you'd please be willing to go to the mike, I'd [14] like you to state your name and anything about you [15] you wish, an organization you may belong to or where [16] you are from. [17] So Bob Miller first.

[18] (No response.)

[19] **MR. JOHNSON:** Okay. George Hobbs? And [20] after George, Elmer White. Go ahead, George.

[21] **MR. HOBBS:** Good evening, Mr. Secretary, [22] members of the panel. My name is George Hobbs and

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[1] I'm from Dinwiddie County, Virginia.

[2] I'm here mostly speaking for the small [3] family farm. I live on a family farm now that's [4] been in our family for over a hundred years, through [5] my grandfather, my father and myself. I took it on [6] in 1971 when my father passed.

[7] And through all those years, we grew [8] peanuts on that farm; up until last year when [9] Kenneth Upshaw, which was the county agent of [10] Dinwiddie, he take the quotas off. Then this past [11] year, taking the tobacco quota off.

[12] Now, I never borrowed money or anything to [13] farm with, because it's a small farm and I farm on [14] my own. The few years before that, what he doing [15] taking the quotas off it, in 1992 I run into a [16] problem of selling my peanuts.

[17] And I got - this is into your office now [18] because I done wrote everywhere in 1990 - I mean [19] 1992 it was, trying to sell my peanuts. And I wrote [20] everywhere in '93 trying to get that problem solved [21] and never did get it solved.

[22] So when I grows my peanuts the next year,

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[1] Kenneth Upshaw told me - I told him I would sell [2] them on my own, instead of trying to sell them [3] through him, because my peanuts was stolen off me. [4] And all this is on record because I filed a [5] complaint. He come down and told me I couldn't sell [6] them on my own.

[7] Then after I raised the peanuts, he said [8] then I couldn't sell them on my own, and I lose my [9] price support if I did. So he took the price [10] support away from me, then took the peanut quota [11] away. After he took that, he send me a bill then [12] for 4,000 and some dollars, fine for growing them. [13] And I got this, I got this on record now.

[14] So after this now, when I got ready to [15] grow my tobacco, which was the next year after that, [16] he told me he wasn't going to give me a marketing [17]

card to sell the tobacco with. So then tobacco, [18] peanuts sitting in the field. [19] I can't go through everything because it's [20] too long. So I just want to try to give you a basic [21] idea how all this come about. When he took the [22] tobacco quota off it and all the county agent said I

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[1] couldn't sell my peanuts, I sell to the market and a [2] binder was the one that stole my peanuts away from [3] me and give me bad peanuts and I couldn't sell [4] them. So I had to dump that crop in the field.

[5] Then the next year, when he told me I [6] couldn't sell them, that's another crop sitting in [7] the field. Now the next year after that when I did [8] grow the peanuts and tobacco for to sell them, and [9] he said he wasn't going to give me a market card, [10] that's the three years in a row that that crop was [11] sitting in the field. And it's no way that a small [12] family farmer can survive behind that. There's no [13] way.

[14] And I look at it this way here. I've been [15] keeping the farm now for about 20 some years, and [16] this is not just to keep me from farming. This [17] is - at least there's a lot of racial unjust being [18] going on. This is more than racial unjust. This is [19] a racial conspiracy going on to strip the black [20] farmer of all his quotas.

[21] (Applause.)

[22] **MR. HOBBS:** After you take all his quotas

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[1] away from him, now you cannot farm no more now [2] because you ain't got no quotas. Now the next thing [3] you're going to do, you're going to take his land [4] then. And the minute his land is taken, he never [5] gets that back.

[6] This has been happening to us down through [7] the years down there. And I done fight against it. [8] The year after I got all my quotas and stuff taken, [9] I wrote everywhere. I even made a trip up here [10] because - you wasn't in office then. Mike Espy I [11] think was in office. I couldn't even see him. I [12] couldn't even see him.

[13] Keep from taking a long lot of time, I'll [14] tell you what I like for you to do about this. Not [15] trying to tell you how to run your office, but the [16] only way this is going to be stopped is to have this [17] kind of stuff investigated. Not just writing down, [18] because they can lie with that. But they be [19] investigated, like I see all the panel up there [20] now.

[21] You need one more up there with you, and [22] that's Ms. Janet Reno of the Justice Department for

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[1] to investigate these people. And then you can come [2] up and stop it.

[3] Because I'm just going to give you a few [4] names here that I'd like for you to really look [5] into. And I started with Kenneth Upshaw, with the [6] Agriculture Department at Dinwiddie. He is from the [7] federal government.

[8] The next one is the state, because I [9] always thought graders, they grade the peanuts with [10] the federal government. It's not the federal - [11] well, I won't say it's not the federal. It's the [12] state government. Okay.

[13] Well, my time is up then I can't go no [14] further then. What I'll have to do is try to get it [15] in writing to you.

[16] **SECRETARY GLICKMAN:** Let me just ask you [17] if I might, who was it who did this with your [18] quotas, peanut and tobacco quotas?

[19] **MR. HOBBS:** Kenneth Upshaw.

[20] **SECRETARY GLICKMAN:** And he is the USDA -

[21] **MR. HOBBS:** He's the USDA -

[22] **SECRETARY GLICKMAN:** - county agent?

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[1] **MR. HOBBS:** The county agent. And the way [2] he got it on the records, he went in there and [3] didn't save your quota, I mean didn't plant your [4] quotas. It was planted, but that's the scheme that [5] they used to take your quotas away from you.

[6] (Applause.)

[7] **MR. JOHNSON:** Thank you, George.

[8] And again I'm really sorry that we're [9] trying to hold to five minutes, but if we don't try [10] real hard, an awful lot of people will go away this [11] afternoon without having a chance to speak.

[12] Bob Miller, have you arrived?

[13] (No response.)

[14] **MR. JOHNSON:** Well, Elmer White first, and [15] then we'll take Bob if he's here.

[16] **MR. WHITE:** Good afternoon, everybody. [17] I'm from Somerset County on the Eastern Shore.

[18] I come from a family of 15, 11 boys and 4 [19] girls. And we was raised up on a big farm. My [20] father didn't own it, he couldn't afford it. But [21] all 11 of us boys, all of us wanted to take up [22] farming.

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[1] And then I got married in '62, and my [2] wife, we had seven lovely children. The girls went [3] to college. I worked hard; my wife did, too.

[4] I had two boys. They loved farming, they [5] did. They used to go with me, try to buy seed, gas, [6] try to get a piece of

old equipment on time. And I [7] was having such a hard time, my boys decided not to [8] be farmers.

[9] And then '74, my father passed. And we [10] was carrying him to the cemetery and I seen a farm, [11] had 23 acres on it. And that Monday morning I went [12] to the real estate and he carried me over. We [13] looked at this farm. And I tried getting finance.

[14] And in '73 and '74, that was a good year [15] for farmers, and I was farming about 125 acres. And [16] I sold some soybeans that year, was \$9.50 and all my [17] corn got \$3.85. I didn't owe nobody and I had this [18] money.

[19] I told my wife, I said we're going to buy [20] a place if I have a buy an acre in the woods, clear [21] it off, build a place to put my machines. And I [22] filled out application to farm credit.

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[1] I had so much money, you know, to put down [2] with it. They gave me a hen and haw for about two [3] months. I called the real estate man up, told him I [4] couldn't get nobody to finance the farm.

[5] And so - I bought the property from two [6] teachers. They lived in Silver Spring, Maryland. [7] So they called me one Friday night, ask me could I [8] meet them at this farm next Saturday morning, which [9] they didn't come early enough for me because I was [10] there by four o'clock that morning.

[11] And I bought the place. It had a big [12] eight-room house on it, 23 acres of nice land. And [13] in '78, the electric system caught on fire and my [14] house burnt down.

[15] Well, I told my wife, I sure wished I had [16] done it myself. I kept all my files in a drawer and [17] all you had to do was get this drawer and you have [18] my insurance policies and everything. And when I [19] get - I had \$45,000 worth of insurance on this [20] house.

[21] I got that, I paid my mortgage off. I [22] told my wife, I said, honey, this is the first thing

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[1] we've ever owned. I said reckon might be putting up [2] here for a while, because it's ours, we worked for [3] it.

[4] And I bought a bungalow, it had five rooms [5] to it. And I moved it there and I built on to it. [6] And then that - before I moved the house, they had [7] to set so long for the state to give me permission [8] to move it at nighttime.

[9] I put in order for - went to Farmers [10] Home, put in order for a chicken house. This was in [11] '79, a chicken house and a house. Which when they [12] did respond to me, they said a chicken house only. [13] I told my wife, I said, well, that's good.

[14] And they was building the chicken house [15] and I was in my house, you know, doing some work, [16] doing bad weather stuff. So this lady from Farmers [17] Home, the name was Betty Hoffer, she was something [18] else.

[19] And she come in the house, said, Elmer, we [20] was going to let you have money to build the house. [21] I said I don't need no damn house. You see this [22] good carpenter work I'm doing? That's what my

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[1] father used to call the work.
[2] And she jumped down. I didn't have no [3] front step up there. She jumped off from that step [4] and I hadn't seen hide or hair of her for about [5] three years.

[6] And I wanted to buy the land that would [7] join right up to me. They foreclosed on it. I [8] didn't want it but two months. They wanted \$45,000, [9] two months, because I had a son was getting a big [10] settlement from an accident he was in. And she [11] never - every time I go to her, it was this, that [12] and the other. And so they foreclosed on it.

[13] And I was 8,000 and some dollars ahead on [14] my Farmers Home payments. If they wasn't putting [15] somebody down low, that's pretty low as I think you [16] can get. But I did tell her, I get hurt, but I [17] don't give up.

[18] (Applause.)

[19] **MR. JOHNSON:** Thank you. [20] Is Bob Miller here?

[21] (No response.)

[22] **MR. JOHNSON:** And the next speaker will be

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[1] John Myart.

[2] **MR. BOYD:** John Boyd.

[3] **MR. JOHNSON:** Okay. I'm sorry, I've got a [4] John Myart and I've got a John Boyd.

[5] We have Bob Miller up first. I'm sorry, [6] we've asked for Bob Miller first and then we'll [7] follow next.

[8] **MR. MILLER:** Mr. Secretary and members of [9] the panel, thank you for having us here to discuss [10] some of the problems of minorities and in our case [11] Indian agriculture.

[12] I'm Robert Miller, from the Creek Nation [13] of Oklahoma, and President of the Intertribal [14] Agriculture Council, and we represent about 65 [15] tribes all over the United States and Alaska. We [16] were chartered in 1987 and from that time until now [17] we've been working on the things that affect Indian [18] agriculture across the nation.

[19] We were able in 1987 to get a memorandum [20] of understanding sig-

ned between the Secretary of [21] Agriculture and the Secretary of Interior to [22] cooperate in trying to improve Indian Agriculture.

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[1] And we've been ten years now working in that [2] effort. And we've had - we've certainly had some [3] help from the USDA people.

[4] We of course get a little bit discouraged [5] because we get something on the burner and it gets [6] shifted off. So we're glad that we've got our [7] people in the White House, our man in the White [8] House, and we've got friends now in the USDA. We [9] certainly had problems under the last two [10] administrations, trying to get some of these things [11] implemented.

[12] In 1990, for the first time in history, we [13] got some Indian language in the Farm Bill. And then [14] we passed the Farm Management Act in 1995 that [15] guaranteed Indian operators to have the same USDA [16] services of other farmers. So we're - we're [17] looking to you, Mr. Secretary, and to this [18] administration, to help us get some of these things [19] on down the road.

[20] Certainly there are many things that need [21] to be addressed. Credit is very critical. We still [22] don't have services in some areas, USDA services in

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[1] some areas. One of the things that is particularly [2] needed all over Indian country is access to credit.

[3] Of course, we're different in that we [4] don't - we can't pledge trust land to those loans. [5] So we're at a disadvantage there. Commercial credit [6] is almost nonexistent. So we certainly need some [7] direct lines of credit through the USDA.

[8] We are willing and want to work with you [9] in any way we can. We certainly hope that you call [10] on us. We'll have some written testimony for you [11] and we'll try our very best to cooperate with you in [12] any way we can to help move this, our programs [13] forward.

[14] Indian people for so long have been denied [15] the services of the USDA, cooperative extension and [16] so forth. We're very interested in cooperative [17] extension that was nonexistent to reservations, on [18] reservations for about 15, 20 years.

[19] And we finally got Congress to appropriate [20] us some money. We get to keep - we keep getting [21] cut back on that. We asked for 6.5 million, we got [22] one. And then we got clear up to 1.7, and then

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[1] we've been cut back every year on

that.

[2] So we lack very greatly in that area and [3] many of our youth are going without the opportunity [4] to belong to 4-H clubs and so forth because of [5] that. So we'll certainly be happy to work with you [6] in any way we can and we look forward to making some [7] great progress in the near future.

[8] Thank you.

[9] (Applause.)

[10] **MR. JOHNSON:** Thank you, Bob.

[11] Our next speaker is James Myart. James, [12] I'm sorry I got your name wrong. James chooses to [13] let John Boyd.

[14] **MR. BOYD:** Thank you for having me. My [15] name is John Boyd, President of the National Black [16] Farmers' Association.

[17] I have words of wisdom, words of faith, [18] and I have words of the Department of Agriculture to [19] tell you today.

[20] We have come here today to dramatize a [21] shameful condition. In a sense, we come to our [22] nation's capital today to cash a check.

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[1] When the architects of the Republic wrote [2] the magnificent words of the Constitution, the [3] Declaration of Independence, they were signing a [4] promissory note to which every American was to fall [5] heir. The note was a promise that all men, yes, [6] black men as well as white men, will be guaranteed [7] the right of life, liberty and pursuit of [8] happiness.

[9] So, Mr. Secretary, we come here today to [10] cash a check that will give you - that will give us [11] upon demand the riches of freedom and the security [12] of justice. But we're here on a day of concern. We [13] have yet to receive a settlement of numerous [14] complaints already at the Office of Civil Rights.

[15] The time has come for action from USDA. [16] Yes, we have been receiving a lot of lip service. [17] I'm overwhelmed by the actions of the Department, by [18] keeping racist employees such as the Associate [19] General Counsel, Kent Cohen.

[20] When I asked a question in a meeting, I [21] said why out of a hundred lawyers in the office of [22] General Counsel, Mr. Cohen, why are there not any

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[1] black lawyers? He indicated that we didn't need [2] any.

[3] This is a type of racism in the Department [4] of Agriculture that should not be tolerated. This [5] type of individual should not be working on any [6] settlements on any black farmer's

cases, that feels [7] this way towards black people. This is the problem [8] that we have today, people, and this is the problem [9] why your farm - that your farm complaints have not [10] been settled.

[11] Mr. Secretary, we need you to do something [12] on this. We need you to take a stand today and show [13] the farmers in good faith by getting rid of the [14] problem. You can clean up the Department of [15] Agriculture.

[16] (Applause.)

[17] **MR. BOYD:** I listened very closely to [18] President Bill Clinton's speech the other day. He [19] talked frequently about the race problem in this [20] country. This is a public invitation for the [21] President of the United States to address small [22] farmers regarding the race problem at the United

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[1] States Department of Agriculture.

[2] Congresswoman Maxine Waters of the Black [3] Caucus addressed a letter on behalf of the National [4] Black Farmers Association, because the caucus is [5] concerned of the treatment that we're receiving [6] there. They're concerned of our future, they're [7] concerned in the fact that we're less than one [8] percent. She's concerned in the fact that 67 [9] percent of that one percent is tied up with the [10] federal government, people that play a tremendous [11] role in our future today.

[12] Mr. Secretary, I read the piece in The [13] Washington Post in which you talked about Dr. King [14] and his dream. I'm here to tell you - to deliver a [15] message. It's a message of thousands of black [16] farmers across the country who have lost their farm [17] through ignorance or prejudice, discrimination and [18] racism, at the hands of the Department of [19] Agriculture.

[20] Mr. Secretary, you also talked about the [21] stigma of the Last Plantation. And I would like to [22] return to the name that you like to call it. You

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[1] call it the People's Department.

[2] Well, the farmers have a dream as well. [3] It's a dream that USDA will live out its true [4] meaning of its motto of the People's Department, not [5] just for white but for all people, to include all [6] people, to treat all people fairly.

[7] We have a dream today also, Mr. Secretary, [8] that the racism, discrimination, unfair lending [9] practices, racial bias, racial disparities, and just [10] plain neglect, will all come to an end. And the [11] dream is not over yet, Mr. Secretary.

[12] We also have a dream that today you take [13] that ink pen out your pocket and sign that [14] settlement check and to

help all these black farmers [15] out. They have been suffering.

[16] I'm going to ask the black farmers in here [17] today that have active complaints to stand up. [18] Y'all stand up, stand up.

[19] These are the farmers' lives that we are [20] affecting here today, Mr. Secretary. I would like [21] to take specific notice to the young man at the end [22] here, Mr. Bowie. This gentleman traveled a long

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[1] ways to be here today.

[2] And I also read in the article where there [3] were just pockets of discrimination. This does not [4] look like pockets of discrimination here today. [5] These are human beings.

[6] We don't deserve to be treated this way. [7] We want to participate in the federal programs as [8] any other individual in this country wants to be [9] treated and participate in these federal programs.

[10] We have farmers here today, these are [11] people with active complaints in the Office of Civil [12] Rights. How many of you here today received a [13] settlement from the federal government? Nobody. [14] Nobody.

[15] We need some action, sir. We need you to [16] take a look at the hurt and pain in these people's [17] eyes today. We need the Civil Rights Action Team - [18] listen, gentlemen, take a look at these people. [19] These gentlemen here talking, take a look at these [20] people's faces. This is no time to be laughing. [21] Take a look at these people's faces, because you are [22] affecting their lives and you have the power to

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[1] change their futures.

[2] Thank you for the opportunity to address [3] you. Thank you.

[4] (Applause.)

[5] **MR. JOHNSON:** Thank you, John.

[6] James Myart, okay, and then Clinton [7] Howland will follow James.

[8] **MR. MYART:** My name is James Myart. I'm [9] from San Antonio, Texas. However, for the last five [10] years, I've traveled to not less than 15 or 20 [11] states, meeting with black farmers, Hispanic [12] farmers, white farmers, Hispanic farmers, and female [13] farmers.

[14] I have over the last five years been [15] eating, drinking, sleeping, crying, nightmaring the [16] stories that are being echoed to all of you on the [17] task force for the last six weeks.

[18] I'm proud to stand here as the General [19] Counsel to the National Black Farmers Association [20] because a young man named John Boyd decided

that [21] enough was enough. And a newspaper writer from [22] Richmond, Virginia, Mary Beausoleil, decided that

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[1] the story he was telling was a story that needed to [2] be told, Mr. Secretary. [3] And the Richmond Times-Dispatch is here [4] today. I want Ms. Beausoleil to stand up, because [5] she has committed and her paper has committed to [6] rooting out, by telling the story of black farmers [7] from all over this country.

[8] Ms. Beausoleil, would you please stand? [9] She's in the audience.

[10] And with all due respect, Mr. Secretary, [11] all of you that are Deputy Secretaries, Under [12] Secretaries, Assistant Secretaries, Administrators, [13] Directors of all the various programs throughout the [14] Department of Agriculture, I just simply want to say [15] that I cannot as a lawyer and as a human being [16] continue to cry on a daily base. Because I do it.

[17] Now, Mr. Secretary, you've had several [18] meetings here recently. You've met with a number of [19] people. It is my understanding that you have [20] passionately made your commitments in connection [21] with solving this problem. And because of that, I [22] personally and on behalf of my clients and on behalf

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[1] of the National Black Farmers Association want to [2] commend you.

[3] (Applause.)

[4] **MR. MYART:** It is our understanding that [5] you had no idea how bad this problem was and that [6] you have been working in Congress for years on [7] issues, that you've been working feverishly around [8] the clock, I'm told, now, in connection with this [9] issue. And you are to be applauded.

[10] You have a golden opportunity, sir. You [11] have an opportunity to make history in this [12] country. Not only for Democrats, not only for black [13] farmers, but for Americans.

[14] You see, this is not a black/white issue. [15] It's not. This is not a male/female issue. This is [16] an American issue in the breadbasket of this [17] country.

[18] And the National Black Farmers Association [19] is going to present to you not later than next [20] Monday a comprehensive, well-thought-out proposal [21] entitled "National Reinvention of the Small Family [22] Farm."

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[1] They're not talking about black farmers, [2] they're not talking about Hispanic farmers. We're [3] talking about poor white farmers. We're talking [4]

about all people from walks of life, Indians, native [15] Indians, who only want to cross that bridge that Mr. [6] Clinton and that you as his Secretary have espoused [7] nationally.

[8] I went to the Arkansas Presidential Ball [9] and on the little thing it said "Crossing the Bridge [10] into the 21st Century," sir. Small farmers want to [11] cross that bridge with you. It's not a Republican [12] issue, it's not a Democrat issue. This is a human [13] issue. And all we want is your help.

[14] (Applause.)

[15] **MR. MYART:** Now, frankly, we're tired. [16] We're worn down, completely. I tried to call Mr. [17] Gilliman three years ago. He hung up in my face, [18] would not even speak with me.

[19] I don't know if he's here today. Is he? [20] Is Mr. Gilliman here? Mr. Gilliman, the General [21] Counsel to the Department of Agriculture, hung up in [22] my face when I tried to talk about these problems.

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[1] He's a man just like I am. He's wealthy, I'm poor, [2] but he wouldn't talk to me.

[3] I, with all due respect, sir, am going to [4] attempt to allow you to hear from five people who [5] happen to be my clients and the clients of my law [6] firm, to let you hear personally their stories of [7] five years of struggle with the lawyers at the [8] Department of Agriculture.

[9] By the way, y'all have 109 lawyers in the [10] Department of Agriculture and it's my understanding [11] that not one of them is black. This is 1997. [12] That's wrong. Sends the wrong signal. You don't [13] have one civil rights lawyer in the Department of [14] Agriculture. That's wrong.

[15] Now, as a lawyer, that's considered prima [16] facie evidence that's something's wrong. Where [17] there is smoke, there is fire. And not only that, [18] and I'm going to say it, you got career lawyers in [19] the Department of Agriculture, conservative [20] Republicans, that are attempting to do everything in [21] their power to strangle you and the civil rights [22] effort.

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[1] And I want to say that down in South Hill, [2] Virginia, where John Boyd is from, where Willie [3] Crute is from; down in Roscoe, Texas, where Robert [4] Williams is from; down in Colfax, Louisiana, where [5] Mr. Boyd is from; down in Monroe, Louisiana, [6] Georgia, Mississippi, Oklahoma, Arkansas, South [7] Carolina, North Carolina, Virginia, it goes on, not [8] to mention the Native Americans in New Mexico, [9] Minnesota, Idaho, not to mention Hispanic farmers in [10] California, Texas, Arizona and New Mexico,

we can't [11] compete with the white farmers, who, are, driving [12] Lincoln Continentals, chauffeured, and flying their [13] private jets. And you know it's happening. I know [14] it's happening.

[15] I want to introduce to you, sir, to your [16] Under Secretaries and to this task - please, don't [17] put up that sign for me, thank you. I want to [18] introduce to you the officers of the National Black [19] Farmers Association.

[20] You know, there are two types of people. [21] Those who look at signs and comply, and others who [22] look at signs and ask why. Please, do not do that

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[1] again.

[2] I want you to meet the executive board of [3] the National Black Farmers Association. And by the [4] way, the national - the board of the National Black [5] Farmers Association, led by John Boyd, is the [6] catalyst for the new civil rights movement in this [7] country into the 21st century.

[8] And it's not going to come from the urban [9] areas. It's going to come from the breadbasket [10] areas and from the backs of these black men and [11] women and others who have struggled against all odds [12] to be successful as farmers.

[13] The President, Mr. John Boyd, from South [14] Hill.

[15] The Vice President, Mr. Robert - I want [16] y'all to stand up so these people can see who you [17] are.

[18] The Vice President, Mr. Robert Williams, [19] from Roscoe, Texas.

[20] The Secretary, Mr. Walter Powell, from [21] Monroe, Louisiana.

[22] The Treasurer, Mr. Lynwood - Lynwood,

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[1] come down here. We don't want you in the back of [2] the bus. We want you up here where you should be. [3] Lynwood Brown is the treasurer.

[4] And Welch Long, from Dewy Rose, Georgia, [5] is the Assistant Secretary/treasurer.

[6] (Applause.)

[7] **MR. MYART:** Now, interestingly enough, [8] each one of these people has a story to tell you. [9] And I'm going to ask that the stories begin with Mr. [10] Willie Crute, who also has a story to tell about [11] what has happened to him. And I would like for [12] these board members to stand behind him as he tells [13] his story.

[14] Mr. Crute, could you take the microphone? [15] We'll be finished in just a minute. Those [16] of you that have signed up to speak, please believe [17] me, you're going to get to tell your stories, too, [18] okay. You really are.

[19] So I'm not trying to trump you and I'm not [20] trying to take up all the time. But this is the [21] first time ever that you've had this opportunity, [22] and I'm sure the Secretary and all these very

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[1] important government employees will stay here to [2] midnight to hear you if they have to.

[3] (Applause.)

[4] **MR. MYART:** Mr. Crute.

[5] **MR. CRUTE:** Yes, good afternoon. How are [6] you all?

[7] My problem started in Mecklenburg County [8] back in 1992 when I entered the office of Jim Garnet [9] in Chase City, Virginia. I went and put a farm [10] program together with him for beef/poultry [11] operation. We sat down, see where the cash flow, [12] the program, cash flow on paper.

[13] Everything was going well, as I thought. [14] And we went along with it. I thought everything was [15] going good.

[16] But Mr. Garnet had a problem on time and [17] processing paperwork. He would keep losing [18] paperwork, would not process paperwork, and just [19] thought it was unimportant to what we were doing. [20] And it went on, it went on, and he would steadily [21] lose paperwork.

[22] During this time, what we wanted to do, we

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[1] wanted to select roosters. Wanted to select a [2] rooster house. Could do it only adding 46 percent [3] more houses in that area. And which we're working [4] at this time.

[5] So Mr. Garnet proceeded. He would not [6] process the application for the chicken house. He [7] did put me in business with the cattle, though, I [8] got my cattle and my equipment. But he just gave me [9] enough money to get out there to get hung, not [10] enough money to get back.

[11] **MR. MYART:** Do you have an affirmative [12] finding?

[13] **MR. CRUTE:** I have an affirmative finding [14] of discrimination with the Office of Civil Rights, I [15] do.

[16] **MR. MYART:** Thank you, Mr. Crute.

[17] The next person will be Mr. Water Powell.

[18] **MR. POWELL:** Good afternoon, I'm Walter [19] Powell, from Monroe, Louisiana.

[20] I have had several problems with FHA and [21] FSA, whichever way you want to say it, USDA [22] Department of Agriculture. We have people down in

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[1] Louisiana where they can feel that if

they can get [2] you in a bind, they will. [3] And, Mr. Secretary, if I may, you say you [4] want to get rid of some of these problems that [5] you're having within the Department of Agriculture. [6] I can tell you right now the reason why you haven't [7] gotten rid of the problems altogether. Because it [8] has not cost the United States government one single [9] dime. And until it does, you and the rest, all of [10] you, will never do anything.

[11] (Applause.)

[12] **MR. POWELL:** But let it cost the [13] government, the government ever have to pay anything [14] out of their pocket for something that their [15] employees are doing, if they stand up behind the [16] employee, be responsible for the employee, then they [17] will get up and do something about it.

[18] These people down in Louisiana, they'll [19] tell you quick, oh, it's nothing going to happen. [20] And it's nothing going to happen.

[21] I been through a case where the gentleman [22] that caused me to be here today was slapped on the

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[1] wrist, moved to another office, came back to a local [2] office to where I'm living right now. He's head of [3] that office.

[4] **MR. MYART:** And didn't he sue the [5] government and win?

[6] **MR. POWELL:** Yeah, he sued the government [7] for reverse discrimination and won. I have a suit [8] pending now, which has been for the last five, six [9] years.

[10] **MR. MYART:** Do you have an affirmative [11] finding?

[12] **MR. POWELL:** I have an affirmative [13] finding.

[14] **MR. MYART:** And your case is in court?

[15] **MR. POWELL:** Yes, it is.

[16] **MR. MYART:** And it's just sitting there?

[17] **MR. POWELL:** It's just sitting there [18] collecting dust.

[19] I want to ask you something. How do you [20] feel about people in general? I mean do we have a [21] place in life, do farmers have a place in life? [22] Farmers are the backbone of this country.

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[1] (Applause.)

[2] **MR. POWELL:** There's nothing we can do [3] without the farmers. And black farmers have become [4] an endangered species. They should be at the top of [5] the list, since we are human, aren't we? We are [6] human. We should be at the top of this list of [7] things you're trying to

save.

[8] **MR. MYART:** Didn't you attend a meeting a [9] couple weeks ago with the Secretary?

[10] **MR. POWELL:** Yes.

[11] **MR. MYART:** What was your response to that [12] meeting?

[13] **MR. POWELL:** My response to that meeting [14] was the Secretary to my sight looked as though he [15] was touched. But he was only touched through here.

[16] Are you right-handed or left-handed?

[17] **SECRETARY GLICKMAN:** Both.

[18] **MR. POWELL:** Good, that's even better. [19] Then some of that touchness from your warm heart [20] should have trickled on down the end of your [21] fingers, twist your head one side, and you sign [22] something to help these poor people that's here

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[1] today.

[2] (Applause.)

[3] **MR. POWELL:** It is good to have - it is [4] good to have these people investigating different [5] places, because God knows it needs it. But that's [6] not helping us at all.

[7] Because what you do - what you're doing [8] is you're killing the people, you're killing all [9] these farmers. They're dying out from the farming [10] industry. Not dying in general, just dying away [11] from the farming industry.

[12] Because I myself right now, as I speak to [13] you, have 250 acres of cotton in the field, right [14] now, simply because a gentleman that works for the [15] USDA caused me not to receive not one dime. And [16] he's doing right now everything he can do to keep me [17] from receiving a dime, simply because he don't like [18] the color of my skin.

[19] I didn't make myself. God made me. And [20] if he wanted me to be white, I guess he'd have made [21] me that, too. But it wasn't my choice. That was [22] God's choice.

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[1] So what you need to do is - I'm not [2] running your business because I can't, but I want to [3] make a suggestion as to what you should do.

[4] Look at people as people. Put this out in [5] the field where your field workers can hear this. [6] Because you're a man and I'm a man. You put your [7] pants on one leg at a time just like I do. Look at [8] a man from being a man, not from the color of his [9] skin.

[10] **MR. MYART:** Thank you, Mr. Long.

[11] (Applause.)

[12] **MR. LONG:** I want to thank you. This

is [13] Walter Long from Dewy Rose, Georgia, the cradle for [14] tombstone building. And we do have two or three [15] farmers left.

[16] I went to this county, which is Elk [17] County, bordering the Savannah River. In 1952 we [18] had 324 black farm family units in the county. [19] Today we have two. And one of those is buying his [20] farm back.

[21] Now, I've been complaining since 1952, [22] because when I went to state meetings and national

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[1] meetings and whatnot, I always heard what service [2] the Farmers Home Administration had to provide for [3] local farmers. But when I got back home it was a [4] different story. They weren't talking about us.

[5] And when you put in for the service, it [6] was always something wrong. Always something [7] wrong. Farm too large. And if you did, they did [8] receive it, it would take so long to get the money [9] the farmer was too late to plant.

[10] In a survey that we had made, it took [11] 28 [12] days to process a loan for a black farmer. For a [13] white farmer, it took 73 days. 30 days different [14] and a farm loan processing can make the failure [15] between a success of a crop and a failure. In [16] anybody's book, you can't plant a crop 30 days [17] late.

[18] So I'm asking you, and I said that before [19] and I said it before two or three other senators, [20] Senator Leahy and some more ten years ago, unless [21] we're going to provide some ways for this money to [22] be spent right, we don't need to send it, unless [23] you're going to carry it and get it spent right.

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[1] I've been complaining and we have complained and it [2] gets to Washington and it gets lost.

[3] **MR. MYART:** Mr. Long, do you have an [4] affirmative finding?

[5] **MR. LONG:** Yes, I have.

[6] **MR. MYART:** Are you in court?

[7] **MR. LONG:** They've been on national T.V. [8] with it three times.

[9] **MR. MYART:** Has anything been done?

[10] **MR. LONG:** Nothing.

[11] **MR. MYART:** Is it in court?

[12] **MR. LONG:** It's in court. Yes, it's in [13] court.

[14] **MR. MYART:** Has your attorney informed you [15] that the Office of General Counsel at the Department [16] of Agriculture absolutely refuses to settle your [17] case because it's in court?

[18] **MR. LONG:** That's right.

[19] **MR. MYART:** Okay. Are you a gradu-

ate of [20] Tuskegee Institute, Mr. Long?
 [21] **MR. LONG:** Graduated.
 [22] **MR. MYART:** And what is your degree?

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[1] **MR. LONG:** U.S. degree in Agriculture, 30 [2] hours, University of Georgia.
 [3] (Applause.)
 [4] **MR. MYART:** Mr. Long, would you tell the [5] Secretary why your wife is not here today?
 [6] **MR. LONG:** She suffered a stroke.
 [7] **MR. MYART:** She lose her eyesight?
 [8] **MR. LONG:** Lost her eyesight.
 [9] **MR. MYART:** What about you?
 [10] **MR. LONG:** Well, I've had three operations [11] on my right eye, two on my left eye, and I've got to [12] go back again next month.
 [13] **MR. MYART:** And what do your doctors say [14] over the last ten years about why your condition is [15] the way it is?
 [16] **MR. LONG:** Long periods of stress.
 [17] **MR. MYART:** Associated with what? The [18] Department of Agriculture?
 [19] **MR. LONG:** Well, I said that.
 [20] (Laughter.)
 [21] **MR. MYART:** Mr. Long, thank you very [22] much.

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[1] (Applause.)
 [2] **MR. MYART:** Now we want to hear, we want [3] to hear from a gentleman who took his life in his [4] hands by getting on an airplane yesterday morning at [5] six a.m. And I'm going to tell you a little story [6] about this.
 [7] Fifteen years ago, his white neighbor told [8] him, nigger, I'm going to own your land one of these [9] days. The Department of Agriculture discriminated [10] against him, foreclosed on his property, and sold it [11] to his white neighbor. And now the white neighbor [12] owns that nigger's land.
 [13] The problem is, is that 40 acres of that [14] land belonged to his homestead. And when it was [15] foreclosed upon, Mr. Dunn, and you know exactly [16] about this case, when it was foreclosed upon, the 40 [17] acres became landlocked. The white farmer refused [18] for eight years to even allow this man an [19] opportunity to have access to his homestead.
 [20] **MR. BOWIE:** I'll agree -
 [21] **MR. MYART:** His father - let me finish,
 [22] Mr. Bowie.

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[1] His wife cannot be here today because she [2] has suffered a major nervous breakdown and a stroke, [3] and she was a

school teacher. Mr. Boyd himself has [4] suffered several strokes. Their doctors are saying [5] that it's because of the stress that they have had [6] to endure in dealing with the Department of [7] Agriculture since 1981.

[8] He has an affirmative finding, Mr. [9] Secretary, and it's still in court. Your lawyers [10] refuse, even with an admission by the Department of [11] Agriculture, to even consider settling his case.
 [12] Mr. Bowie, would you please stand?
 [13] **MR. BOWIE:** I'll agree with what's been [14] just said, because I'm a witness. Also during that [15] time I was working 350 acres cotton and soybeans, [16] wheat. I do well with the cotton, but not the wheat [17] and soybeans.
 [18] **MR. MYART:** Mr. Bowie, can you look up? [19] Can you look up at the Secretary over here? Over [20] here, Mr. Bowie.
 [21] **MR. BOWIE:** And so I never put - I never [22] could put it up for my cotton, because each time I

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[1] go to the ASC office or ask Ms. Garnet for chemicals [2] to spray, she never had any money for spraying. [3] Again, still, others was going right ahead. And [4] during that time I had 350 acres of cotton land and [5] soybeans.
 [6] **MR. MYART:** Mr. Bowie, would you allow me [7] the liberty of telling the Secretary that in 1981 [8] you took part of your crop proceeds from insurance [9] after disaster to pay his suppliers. For eight [10] years thereafter the county supervisor refused to [11] give him a loan because he did not give the proceeds [12] to the USDA. Instead, he paid his crop bills.
 [13] And for eight long years they called him a [14] crook and would not finance him. Look what it's [15] done to him. Look what it's done to his family. I [16] can't stand to hear him speak.
 [17] The man is dying and his last wish, Mr. [18] Glickman, his last wish is for you to please give [19] him his land back so that he can be buried on it.
 [20] Thank you, Mr. Bowie.
 [21] **MR. BOWIE:** You're welcome.
 [22] **MR. MYART:** Now we'll hear from Mr.

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[1] Lynwood Brown.
 [2] **MR. BROWN:** My name is Lynwood Brown, I'm [3] from Warfield, Virginia, the County of Brunswick.
 [4] I've been dealing with the USDA Farmers [5] Home Administration since 1980. In 1992, we had 66 [6] black farmers in Brunswick County in our area. And [7] at that time was so much problem I went to the state [8] director, and at that time his name was Lloyd

Jones, [9] to ask him to come out and to have an [10] investigation.
 [11] In December the 16th or the 19th, he came [12] out there, a thorough investigation. He talked to [13] USDA employees, he asked himself, Steve Walker, and [14] they found discrimination. They found that we had [15] been mistreated.
 [16] They found Mr. Feldman in his office [17] asleep. They asked the black farmers, did you see [18] him sleep? They say yes. They asked the USDA white [19] farmers, did they see him sleep? They said no, we [20] didn't see him sleep, but we see him doze every once [21] in a while. And they asked what was the [22] difference? They couldn't answer.

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[1] In 1990, I asked for farm loans and [2] services, from 1990 to 1995, I think, or '94. [3] Didn't get my response. And at that time they [4] offered me lease-back/buy-back. I got two farms [5] that is the lease-back/buy-back.
 [6] I received a letter from USDA stating [7] there will be no more lease-back/buy-back at the end [8] of this year, August the 16th, that my farm will be [9] taken. We'll have a hard time in Brunswick County. [10] We only have six active farmers left out of 66.
 [11] Mr. Secretary, I ask you to look into your [12] findings of discrimination in that county office. [13] They had found discrimination, they had found [14] wrongdoing. There's money been misappropriated, [15] misused.
 [16] And I asked what's going to be done about [17] it? Only thing they did see, that the county [18] supervisors just mismanaged government money. I [19] think it needs to be looked into.
 [20] And this is what can help us all, white [21] and black. If everybody pull their handkerchief, a [22] rag out their pocket, and clean up around themself,

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[1] we can settle this problem real easy, Mr. [2] Secretary.
 [3] **MR. MYART:** Thank you, Lynwood.
 [4] Now because time of is of the essence and [5] I know people are getting tired, I'd like Mr. Robert [6] Williams and his wife to stand up at the [7] microphone. And Mr. Williams, I want you to tell [8] your story.
 [9] This is the farmer from Roscoe, Texas, and [10] I want you to make it as quick as possible, because [11] the fact of the matter is, is they know your [12] problem. Your case has been presented to the [13] Secretary of Agriculture, not once, not twice, not [14] three times, four times. The Department of [15] Agriculture settled his case twice and reneged [16] twice. Mr. Williams.

[17] MR. WILLIAMS: My name is Robert [18] Williams. And good evening, Mr. Secretary and [19] panel.

[20] And believe it or not, on my way flying [21] from Austin, Texas, to get to Washington, D.C., I've [22] been here seems like ten times, but everything - I

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[1] had some good things that I wanted to say to you and [2] to the staff, but believe it or not, I guess I just [3] run out of words.

[4] But I will say this, it's a beautiful [5] thing to be in America today, and I thank God for [6] being here. And farming is a part of my life.

[7] (Banner being displayed.)

[8] MR. WILLIAMS: I kind of hate to look at [9] that cloth because the day, the morning that I [10] looked at that cloth -

[11] MR. MYART: Tell them how - tell them [12] where it came from, Mr. Williams.

[13] MR. WILLIAMS: That was a lot of hurt. [14] That came from Roscoe, Texas. It was hung on my [15] gate. It was kind of a scary moment in my life, but [16] I dealt with it the best that I could. And when I [17] drove -

[18] MR. MYART: Tell them what happened.

[19] MR. WILLIAMS: Okay. When I drove up that [20] there morning and I saw that sign, I couldn't [21] believe my eyes. Oh, yeah, I saw it on television, [22] but to see it in person and to see it like that, it

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[1] was a very fearsome thing because, you know, I [2] thought our country had come way beyond that.

[3] MR. MYART: Mr. Williams, go ahead and [4] tell them what happened. How many times, how many [5] incidents you been involved in with this?

[6] MR. WILLIAMS: Believe it or not, Mr. [7] Secretary, you know, this - I usually hate to [8] discuss this, because this is a very touching [9] thing.

[10] But anyhow, when I got out of my old truck [11] that morning and saw KKK, nigger go home, and walked [12] up to my gate and went to put the key in, it was [13] glue in my lock. That was kind of a scary moment in [14] my life, because it was two miles from my farm to [15] that road.

[16] I walked back to the truck, got in the [17] truck, went to leave. But I got out, and I took a [18] pair of bolt cutters and cut the lock. And when I [19] cut the lock, something in my heart said don't go [20] down that lane.

[21] But something else touched me and I'll [22] never forget it. I'm a firm believer in what the

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[1] Bible says. If I'm with you, who can be

against [2] you?

[3] And I put a .357 magnum and a .270 magnum [4] deer rifle if my hand and I went down that road, Mr. [5] Clinton. And I went down that road because I was [6] willing to die for that.

[7] See, I didn't ask to get into it. They [8] come got me when I was hoeing cotton, said we got [9] your farm. We're going to put you - we got you a [10] nice farm. They put me there.

[11] MR. MYART: Who is "we" now?

[12] MR. WILLIAMS: I'm speaking of the county [13] office in Nolan County. And I went and it was the [14] biggest moment in my life, probably the happiest [15] moment in my life for me.

[16] My mama always told me, when I was a [17] little boy, said I always told her I was going to [18] own a farm. And when this was presented to me, you [19] know, it was a happy moment in my life.

[20] But I didn't know - you know, I asked - [21] my wife asked me, said if you really knew what was [22] mind it, would you have took it? Knowing me, I

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[1] said, yeah, I would, because it was a dream to me.

[2] MR. MYART: What else happened, Mr. [3] Williams? We got to get going. What happened with [4] your dogs?

[5] MR. WILLIAMS: The day I drove up there, I [6] had three old dogs. They were shot. And the bullet [7] shotgun - 12-gauge shotgun shell was laying down [8] beside of them.

[9] But you know, I got to cut this short, [10] because -

[11] MR. MYART: What did Mr. Cummings, the [12] county supervisor, tell you about loaning you money, [13] Mr. Williams?

[14] MR. WILLIAMS: I never forget a penny of [15] what he told me. I was asking for two truckloads of [16] dirt to put in my holes in my road.

[17] He said if it costs you one penny, one [18] penny, I wouldn't let you have one penny to have [19] that road fixed, to get to my farm. And my reply [20] was to him, why? And he said I just wouldn't.

[21] And I said, thank you, sir, but I say I [22] got one thing to tell you. One day, Mr. Cummings,

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[1] you will get to see that road be fixed. And he [2] looked at me and say I don't think so. And I walked [3] out his office.

[4] MR. MYART: And what did he tell the white [5] farmers about your problems?

[6] MR. WILLIAMS: I don't know, James. I'll [7] let my wife talk. This is very touching.

[8] I'm not here to try to impress nobody. [9] But I say this much, this is a sad day to be in [10] America, to know that black people for something [11] that my ancestors went in 1800 and built this land, [12] we should have the right to be very recognized of [13] black farmers in this country.

[14] MR. MYART: Did the government settle your [15] case on August 27th, 1993?

[16] MR. WILLIAMS: Never, no.

[17] MR. MYART: No, listen to me. Did the [18] government settle your case on August 27th, 1993, in [19] San Antonio, Texas?

[20] MR. WILLIAMS: Yes, they did.

[21] MR. MYART: Who was there for the [22] government?

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[1] MR. WILLIAMS: Mr. Carlton Lewis.

[2] MR. MYART: And who else from the [3] Secretary's office? Weren't there other people?

[4] MR. JOHNSON: Mr. Myart -

[5] MR. MYART: I'm going to finish this.

[6] MR. JOHNSON: We have a whole group.

[7] MR. MYART: That's right, but you're going [8] to hear it, because you never heard it before. So [9] please don't interrupt me.

[10] (Applause.)

[11] MR. MYART: Mr. Williams, did they settle [12] your case in San Antonio?

[13] MR. WILLIAMS: Yes, they did.

[14] MR. MYART: And what happened four days [15] later? What happened the next day? What did Mr. [16] Lewis say to you?

[17] MR. WILLIAMS: They -

[18] MR. MYART: Help him out, Laverne. What [19] did he say?

[20] MS. WILLIAMS: Okay, Mr. Lewis had told [21] us that the government had did wrong and that we're [22] not going to discuss what hire or any of those

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[1] matters. We're just going to try to make a wrong [2] right. He said we want you guys to get out there, [3] farm, to do a good job, because we're going to make [4] you the model.

[5] MR. MYART: Black farmer in this country?

[6] MS. WILLIAMS: That's right.

[7] MR. MYART: And what happened when he came [8] back to Washington?

[9] MS. WILLIAMS: When he got back to [10] Washington, we found out through Mr. Myart that the [11] government said that he had no right to do that.

[12] MR. MYART: And wasn't he on the

phone, [13] wasn't he on the phone with Washington, every hour [14] on the hour, where we spent ten hours negotiating [15] that settlement?

[16] **MS. WILLIAMS:** That's true.

[17] **MR. MYART:** Mr. Dunn, please take note, [18] because you were the Administrator at the time, [19] Mrs. Longinoe, wherever you are, you know what you [20] did.

[21] Did you settle it a second time?

[22] **MS. WILLIAMS:** No.

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[1] **MR. MYART:** No, listen to my question. [2] Did the government settle your case a second time [3] here in Washington?

[4] **MS. WILLIAMS:** Yes, they did.

[5] **MR. MYART:** Through what, early neutral [6] evaluation and mediation?

[7] **MS. WILLIAMS:** Yes. There was a Mr. -

[8] **MR. MYART:** Balm?

[9] **MS. WILLIAMS:** - Choosey.

[10] **MR. MYART:** Choosey and Balm.

[11] **MS. WILLIAMS:** Choosey and Balm.

[12] **MR. MYART:** Did the government shake hands [13] with you on that day?

[14] **MS. WILLIAMS:** Yes.

[15] **MR. MYART:** And what did they say?

[16] **MS. WILLIAMS:** Mr. Balm said on that day, [17] okay, he was a retired federal judge or lawyer, but [18] he said to us and he said to all the people that [19] were present at the meeting, y'all have put these [20] people through enough.

[21] **MR. MYART:** What did your Congressman [22] Stenholm do?

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[1] **MS. WILLIAMS:** He said it's time for us to [2] go on and let these people go on with their lives. [3] He shook hands. The USDA had representatives there, [4] they shook hands with us -

[5] **MR. MYART:** Do you remember that, Mr. [6] Dunn, Mr. Mike Dunn?

[7] **MS. WILLIAMS:** - in good faith. Then I [8] came back - I went home. And then they called and [9] said that they reneged again. Two days later I had [10] a heart attack.

[11] **MR. MYART:** And Mr. Gilliman went on a [12] hunting trip, didn't he -

[13] **MS. WILLIAMS:** Yes.

[14] **MR. MYART:** - before he gave the [15] recommendation to Mr. Espy, did he not?

[16] **MS. WILLIAMS:** That's correct.

[17] **MR. MYART:** Okay. And it never got [18] signed, did it?

[19] **MS. WILLIAMS:** That's correct.

[20] **MR. MYART:** And Mr. Rominger refused to [21] sign it, didn't he?

[22] **MS. WILLIAMS:** Yes.

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[1] **MR. MYART:** The assistant Secretary.

[2] **MS. WILLIAMS:** Yes.

[3] **MR. MYART:** And then what did Congressman [4] Stenholm tell the people at USDA?

[5] **MS. WILLIAMS:** He said that if they [6] settled that case and they paid, if you pay those, [7] and I hate the word and I'll say the N word, if you [8] pay them that amount of money, those white boys back [9] there in my district are going to be upset with me.

[10] **MR. MYART:** And did you get paid?

[11] **MS. WILLIAMS:** No.

[12] **MR. MYART:** And as a matter of fact wasn't [13] there a reinvestigation ordered by Mr. Glickman of [14] your case?

[15] **MS. WILLIAMS:** Yes, it was.

[16] **MR. MYART:** And it took six more months, [17] didn't it?

[18] **MS. WILLIAMS:** And then the same people [19] that found discrimination -

[20] **MR. MYART:** Found that it wasn't any [21] discrimination?

[22] **MS. WILLIAMS:** Then they turned around and

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[1] they said there wasn't, very conveniently, any [2] discrimination.

[3] **MR. MYART:** This is the United States of [4] America.

[5] **MS. WILLIAMS:** James, I have to say [6] something. This is not about money. This did not [7] start off of, my husband and I, about money.

[8] This started off, we went through all the [9] right channels. We went to our county supervisor, [10] we tried to work with him. We left there, we went [11] to the state. We worked with them.

[12] And we had someone working with us at that [13] time which was Mr. Stenholm's aide, that said to us, [14] if I was in your shoes, I would carry this thing on, [15] because you have been discriminated against.

[16] **MR. MYART:** And what did your Congressman [17] do?

[18] **MS. WILLIAMS:** But I have to stop here.

[19] **MR. MYART:** The Congressman turned around, [20] and stabbed you in the back, didn't he? Didn't he?

[21] **MS. WILLIAMS:** Yes.

[22] **MR. MYART:** Okay. I want to ask one final

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[1] question. Mr. Williams, tell us about the locks on [2] your gates.

[3] **MR. WILLIAMS:** Well, they had - they had [4] super glue in them.

[5] **MR. MYART:** And why do you think that [6] happened, over and over? Tell them. And your [7] daughter is going to give those locks to the [8] Secretary.

[9] **MR. WILLIAMS:** They had super glue in them [10] because it was a message that they was telling me, [11] Mr. Glickman, that to get out. But I was determined [12] to stay.

[13] And with the law to help, Mr. Glickman, [14] I'm still there, and I'm still going down that old [15] bumpy road. But I never gave up hope, because I [16] know it's a very important thing to keep hope [17] alive. That's the only way out of this.

[18] But I not only here today speaking for [19] Robert Williams, I'm speaking for all black farmers, [20] for all black kids growing up in this new technology [21] environment, one day if they want to grow up to be a [22] farmer, and I think that is a very bright thing for

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[1] all black people. And things that I want to really [2] say, I guess they just - I can't say them because I [3] feel a failure in my United States government. And [4] at this time I rest my case.

[5] **MR. MYART:** Thank you.

[6] (Applause.)

[7] **MS. WILLIAMS:** Okay. James; I have one [8] more thing to say to Mr. Secretary. And this is for [9] all the black farmers and this is coming from my [10] heart, the way I feel about the whole situation.

[11] Texaco, and we all know about that, they [12] found discrimination within their organization. And [13] they got it resolved or they're working on it. [14] Stanley Morris, I believe, they found discrimination [15] within that organization, and they're getting it [16] resolved.

[17] This is our government, this is the head [18] of our country. Now if those organizations can get [19] together and resolve the problems, our government - [20] this is the last stop for us. When we leave from [21] leer, we don't have anywhere else to go.

[22] And if you guys can't get together and all

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[1] these black guys, the young lady that's sitting [2] there, I'm proud to see you sitting there. I'm [3] proud to see those people at Texaco, all the blacks [4] there. See, that just happened the other day. [5] There has been a time that you wouldn't have been [6] sitting there. Texaco was not hiring any blacks, [7] okay.

[8] These farmers, have been around forever. [9] There's a lot of pain, there's a lot of hurt in this [10] one little room. It's time to do something.

[11] **MR. MYART:** Thank you, Ms. Wil-

liams.
 [12] Mr. Boyd, do you want to have something to [13] say?
 [14] **MR. JOHNSON:** Let's try to wrap it up and [15] take a break here.
 [16] **MR. MYART:** I just say -
 [17] **MR. JOHNSON:** Hold on one second, James. [18] Mr. Secretary?
 [19] **MR. BOYD:** Please look at these farmers [20] and take to the heart of where we're coming from [21] today. You are the only people that has the power [22] to change for the future.

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[1] President Clinton talking about crossing [2] that bridge into the 21st century, we want to cross [3] it with you. We want to help you. We want to sit [4] down and talk to you and help you resolve all these [5] cases.
 [6] They don't have to be in Federal Court. [7] We don't have to keep coming before you, trying to [8] embarrass you. This is not what I want to do. We [9] want you to take to the heart where we're coming [10] from today and let's sit down and resolve these damn [11] issues. Give me a hand.
 [12] (Applause.)
 [13] **MR. MYART:** I'm going to conclude right [14] now. Then other people can talk.
 [15] Mr. Secretary, now, I've heard what you [16] have said, I really have. And Mr. Mendelson [17] believes in you. Both he and I are members of the [18] National Black and Jewish Dialogue. And all of us [19] have been through a lot of pain, a lot of pain, [20] blacks, other minorities and Jewish people alike.
 [21] And now you are in a position of power to [22] right those wrongs. And we are prevailing upon your

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[1] moral and spiritual commitment to God and to [2] humanity to do this.
 [3] Now, having said that, the National Black [4] Farmers Association gave you a list of eleven [5] demands which you have. I've sent Mr. Thomas [6] Monterey I know two of threes, copies of it. I've [7] given it to Wardell Townsend. I've given it to [8] Dallas Smith, I've given it to just about everybody [9] you've got here.
 [10] We would like Mr. Pearlie Reed's task [11] force to adopt those eleven issues and make his [12] recommendations with regard to them, Mr. Secretary. [13] Will you agree with that?
 [14] **SECRETARY GLICKMAN:** I'll say something [15] once you're finished.
 [16] **MR. MYART:** Okay. But make a note so you [17] can come back, because you're a lawyer and you know [18] you got to make notes about what you're going

to [19] commit to, okay.
 [20] (Laughter.)
 [21] **MR. MYART:** The second thing is -
 [22] **SECRETARY GLICKMAN:** Some of us lawyers

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[1] can remember, we don't have to make any notes.
 [2] **MR. MYART:** Okay. Second thing is, is we [3] would like for you today to state today whether or [4] not you will allow the five members of the executive [5] board of the National Black Farmers Association to [6] sit as a group to help write the recommendations [7] that Mr. Pearlie Reed is to make to you on February [8] the 7th.
 [9] All we want to do is help, sir. We want [10] to join with our brothers and sisters on this [11] committee, as illustrious as they are, and sit down [12] with you and give them the reinvention of the small [13] family farm and help them make their [14] recommendations. We'd like for you to address that [15] when you make your address to me and the rest of [16] these people in a minute.
 [17] Thirdly, we would like for you to seek [18] from Mr. William Jefferson Clinton an opportunity [19] for you and he to make a national policy statement [20] within 30 days, with you standing by his side, at [21] the White House, in the Rose Garden.
 [22] (Laughter.)

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[1] **MR. MYART:** Making a statement about the [2] reinvention of the small family farm crossing over [3] the bridge with everybody else to the 21st century.
 [4] Now we'd like for you to make that commitment to [5] call the President after Mr. Reed has given and all [6] these people have given you the recommendations. [7] It's a win/win for everybody. Mr. Secretary, I'd [8] like for you to address that request.
 [9] Now, I think the President is willing to [10] meet with us now, and I think that you as a very [11] powerful, sensitive human being, can call up, maybe [12] not on the red phone but at least on one phone, and [13] say, Mr. President, I heard an emotional appeal [14] today, and, sir, can I come over and talk with you [15] about it? Because I realize you got to go through [16] the cabinet's office to do it, but it can be done.
 [17] Finally, I want to say that Ms. Janet [18] Potts, who's a Confidential Assistant to the [19] Secretary, made some very serious comments at a [20] meeting with Mr. John Boyd. She made a statement, [21] according to Mr. Boyd, and it's by affidavit, that [22] they had ten cubic feet of complaints gathering dust

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[1] that were as old as fifteen years at the Department [2] of Agriculture.
 [3] She made that statement. It's in Federal [4] Court. Mr. Boyd has signed an affidavit to that [5] effect. Now Ms. Potts responded in court as well [6] with her affidavit by saying, oh, oh, I didn't say [7] that, I didn't say that. Those were really employee [8] complaints.
 [9] Now, you know what the problem with that [10] is? That's the kind of question you know, that you [11] ask people, when did you stop beating your wife? [12] Because it's liability no matter which way you say.
 [13] And I want the employees, black, white, [14] brown, minority, white, at the Department of [15] Agriculture, to understand that today Mr. Boyd said [16] to me, Mr. Myart, I want you to tell Mr. Glickman [17] that the National Black Farmers Association is [18] joining with the employees of the United States [19] Department of Agriculture to show solidarity.
 [20] And I'm going to give to Mr. Lucas the [21] affidavits that contain the admissions that there [22] are hundreds, ten cubic feet, of employee complaints

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[1] that have not been dealt with by the Department of [2] Agriculture. And I will tell you, this is a legal [3] document, it's an admission by Janet Potts, the [4] person we believe, frankly, Mr. Secretary, who's [5] been standing in your way as it relates to all these [6] problems.
 [7] (Applause.)
 [8] **MR. MYART:** Now, we want - now I'm not [9] going to make that demand. You have to deal with [10] that. You have the affidavits. If you want to keep [11] Ms. Potts, fine. We can't tell you to get rid of [12] her.
 [13] But she - you know, I was in a public [14] official's office and I'm not going to tell you who [15] it was, but I saw a note on his desk, a little [16] yellow pad. And I've met with 45 of your officials [17] so you'll never figure out who it is. I saw the [18] name of Janet Potts scribbled on his pad, and right [19] next to it had a dash, meddling in the problem.
 [20] Now if you got black employees and white [21] employees who are willing to scribble as they're [22] talking to you on the phone that Janet Potts is
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 [1] causing problems and meddling in on what's going on, [2] then, sir, I would suggest to you that where there's [3] smoke, there's fire. And you need to deal with [4] Janet Potts, because she's a problem.
 [5] **MR. JOHNSON:** James -

[6] MR. MYART: Now I'd like for you - she's [7] a big problem. Now I'd like for you to address the [8] four demands made by the National Black Farmers [9] Association.

[10] And all of you employees, we want you to [11] know that all these black farmers and [12] Mexican-American farmers and female farmers, we feel [13] for you. Because we know that y'all have been [14] degraded, oppressed, suppressed, and told if you [15] open your mouth you'll lose your government [16] pension. Sir, that's not fair, that's not fair at [17] all.

[18] MR. JOHNSON: Let's let the Secretary [19] respond for a few minutes. We'll then take a [20] ten-minute break. And then I'd like you all to know [21] that we will stay as long as it takes to hear [22] everybody on the schedule. And we'll get back to

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[1] the schedule right after the break.

[2] So, Mr. Secretary.

[3] (Applause.)

[4] SECRETARY GLICKMAN: Okay. Why don't - [5] if you don't mind, would you mind, so I can see you [6] when I talk to you down there?

[7] (Laughter.)

[8] MR. MYART: Yes, sir.

[9] SECRETARY GLICKMAN: Well, first of all, [10] this is one of the most unusual experiences I've [11] been through in my life, I would have to say, Mr. [12] Meyers. [13] (Applause.)

[14] SECRETARY GLICKMAN: But let me just make [15] a couple quick points. And, frankly, our job here [16] is to listen and not respond. Because this group in [17] front of us, I have deputized Mr. Reed and others to [18] have great authority to try to make recommendations [19] which deal and correct with a lot of these [20] problems.

[21] And I know that there have been people who [22] have been frustrated with the delays after they

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[1] first talk to me, but we determined that to have a [2] senior level group of people across mission areas [3] who would be tasked by listening and making an [4] objective review of all the problems, both those [5] that Mr. Boyd and others have made today and others [6] as well, so that I can come up with a comprehensive [7] solution, not just one piece of it.

[8] I mean I do know that the heart of what [9] was talked about here was settling individual [10] claims, and that has to be a part of consideration. [11] But so must be other matters that are here as well. [12] So we chose to deal with this

comprehensively, to [13] listen and come up with constructive ways to deal [14] with it. That's what we're doing today.

[15] You know, the eleven, whether you call [16] them demands or other points of view, are part of [17] this record. And, Mr. Meyers, I don't want to get [18] in an argument with you. You had 35 minutes to [19] talk. Let me finish, and then we can talk [20] afterwards. Because I think that would be most [21] productive for both of us.

[22] MR. MYART: Will you meet with the board

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[1] after this?

[2] SECRETARY GLICKMAN: Pardon?

[3] MR. MYART: Will you meet with the board?

[4] SECRETARY GLICKMAN: Well, I have a [5] meeting right now with the rest of the people, but [6] you know, I'll be glad to talk with you for a few [7] minutes. Okay.

[8] (Applause.)

[9] SECRETARY GLICKMAN: Let me just say a [10] couple things. The demands or concerns or requests, [11] or whatever we call them, will be considered by this [12] task force. There are hundreds and hundreds of [13] people who have experienced personal grief and [14] hardship and they have an opportunity to express [15] those demands.

[16] Under the rules of the government of the [17] United States, federal employees are the ones who [18] work for this government and sit on this task [19] force. And that's what, you know, we are going to [20] do to try to deal with this situation.

[21] So and the other thing is I want to assure [22] you that in terms of the President and other people

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[1] in the administration, they're well aware of this [2] problem. I've talked to the President myself about [3] this problem and the Vice President and others as [4] well.

[5] So they want us to get to the bottom of it [6] and solve it, not only for those who have been [7] harmed but also to deal with opportunities so we can [8] re-submit that we can make Agriculture thriving for [9] all farmers in the future, white farmers, black [10] farmers, Hispanic farmers, Native American farmers, [11] women farmers and farmers of every color and stripe [12] in this country.

[13] That's our goal. Because the person who [14] said the production of food and fiber is the heart [15] of America is correct. That's the strength that [16] this country is coming through.

[17] Now, I don't think it's particularly good [18] to get into ad hominem,

individual names attacking [19] people. Because my judgment is that you can win a [20] lot more with lemonade than you can with lemons. [21] And so, Mr. Myart, we're going to do our best to [22] solve this problem. That's why we're here.

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[1] MR. MYART: It's already tasting sweet. [2] Mr. Secretary.

[3] SECRETARY GLICKMAN: Okay. Thank you [4] all. Let's take our break right now.

[5] (A recess was taken.)

[6] MR. JOHNSON: As many of you know, we [7] scheduled this to be done around four. We obviously [8] are not going to be able to make that but we'll stay [9] as long as we can and hear as many as we can.

[10] And those of you who are going to present, [11] we would really appreciate if you stay as close to [12] your five minutes or within it, if you can say it in [13] two, please do so. It's not that we don't want to [14] hear you, it's just we're going to do our best to [15] get as many people on this afternoon as possible.

[16] The next person on my list is Clinton [17] Howland. Clinton, are you here somewhere? Okay. [18] And then the person after that, Sharon Harris. [19] Sharon, are you - if you'll be ready after [20] Clinton. But go ahead, Clinton.

[21] MR. HOWLAND: Mr. Glickman, staff, I'm [22] Clinton Howland of southern Prince George's County.

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[1] a tobacco farmer. I have a small farm down there.

[2] Back in the early '80s, I had bad drugs [3] which destroyed most of my crop. Didn't save any [4] crops at all and fell behind in my payments.

[5] Well, I went to FHA at the time to ask [6] what could be - what could I do to try to catch up [7] some of these, what kind of agreement could be [8] worked out. Well, it wasn't much we could do, [9] because I was three years behind, going on four.

[10] But anyway, not to take up much time, they [11] came to me later on - they changed agents down [12] there. He came and he said, Clinton, I have a plan [13] I believe can help you and we can get out of this. [14] He said we can go into a lease-back/buy-back [15] program.

[16] So I went into the lease-back/buy-back [17] program with him, conveyed over to the FHA and got [18] all of my deficits cleared away and whatnot, [19] reclaimed my equipment, made payments on it and [20] everything.

[21] Back this year in April, I think it was, I [22] went down and met with the state agent to try to

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[1] start to buy the place back. When I walked in, he [2] said, Clinton, I'm glad you met me here today. He [3] said I have something that we have to talk over.

[4] When I got in, he told me, he said we can [5] no longer help you. I said you can't any longer [6] help me? I said what's the cause? He said under [7] the new farm plan, you've been written out. He said [8] anyone that has had the deficits, I forget what you [9] call it, but anyway -

[10] **SECRETARY GLICKMAN:** The debt write-down.

[11] **MR. HOWLAND:** Right. He said we can no [12] longer help them. Well, I'm quite sure that the [13] gentleman over here that was talking about he had [14] two farms into lease-back/buy-back and would lose [15] them both, heard the same thing.

[16] I had been asking when can we start the [17] buy back and the answers to me were we don't have [18] the funds yet. All along I've been told we could be [19] a credit sale. But when I got to the office, I was [20] told that they could no longer help me.

[21] I had to go to an outside supplier in [22] order to get money if I wanted to purchase the place

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[1] back, because there was nothing in the contract that [2] says that they had to make me a loan. There might [3] not have been nothing in there that said that they [4] had to make it, but they sure did promise me help [5] and promise me that I was eligible for a credit sale [6] when the funds came in. And I have that in [7] writing.

[8] What I would like to know is how can you [9] have a contract expanding over five years for a [10] lease-back/buy-back that you have an option to buy [11] any time you get ready, and you go in and you've [12] been dropped like that?

[13] It's kind of confusing to me because it [14] looked like to me for the people that's already [15] within the system or something like that, it should [16] have been a grandfather's clause or a limit time for [17] someone being into that program with that and they [18] should have had opportunities to exert the rights [19] that were given them when they received that [20] contract. And it's very confusing to me.

[21] And, Mr. Secretary, I would appreciate [22] very much if you would look into this matter and

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[1] check, because it's something that I'm quite sure [2] I'm not the only farmer in this situation. In my [3] area, as far as I know, I'm the only one, but I just [4] heard

one farmer from Virginia over there say he's [5] losing two farms from the same situation. And [6] that's my case that I had to state before you [7] today.

[8] **SECRETARY GLICKMAN:** What I would suggest [9] is I would like, Grant, somebody from your office to [10] talk to him today, if possible, the Farm Service [11] Agency.

[12] Let me just tell you, the '96 Farm Bill, [13] Congress changed the law. And they did something [14] that we opposed, which is, just putting it simply, [15] if you ever had any debt restructuring in the past [16] or write-downs, that you would no longer qualify for [17] a lot of loans from the Department. And that was in [18] the 1996 Farm Bill. And there were a lot of folks [19] that got caught up in that.

[20] We think it was a very bad idea. In fact [21] we're going to recommend changes as part of our [22] budget message. But you may or may not be caught in

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[1] that situation.

[2] What I would like you to do before you [3] leave is - I don't know who at FSA he ought to talk [4] to, but before you leave today, we ought to have [5] somebody talk to you about your particular case.

[6] **MR. BUNTROCK:** Someone here from Farm [7] Service Agency will talk to one of our area offices, [8] if you just leave your name.

[9] **SECRETARY GLICKMAN:** Let's have them talk, [10] I want them do it right afterwards so they don't [11] lose him.

[12] **MR. BUNTROCK:** Is Carolyn here?

[13] **UNIDENTIFIED SPEAKER:** We'll talk to him.

[14] **SECRETARY GLICKMAN:** Okay. Would you do [15] that? See what we can do about it, if there is [16] anything. There may not be, because it may be the [17] law that has to be reamended, but we'll see.

[18] **MR. HOWLAND:** All right. Thank you very [19] much for your time. Thank you for allowing me to [20] speak today.

[21] **SECRETARY GLICKMAN:** Thank you.

[22] (Applause.)

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[1] **MR. JOHNSON:** Thank you, Clinton. [2] Sharon Harris, is Sharon here?

[3] **MS. HARRIS:** I'm not a customer, I'm a [4] USDA employee. I'm Sharon Harris.

[5] I think that my name being added to the [6] list was because of the thorough effort of the staff [7] to try to get some individuals that I hope to give [8] an opportunity to speak today. My name was kind of [9] thrown in there in their effort to make sure I got [10] - that the people that had expressed an interest [11]

in commenting today were able to.

[12] So I am the Small Business Program [13] Director here and my effort is to ensure that there [14] is sufficient inclusion for minorities and women [15] among the small businesses.

[16] And I'd like to now give it to some of the [17] small businesses that I know are present who'd like [18] to say something, if that's fine with the group for [19] just a few minutes. And they'll take my five [20] minutes. Ralph Moore.

[21] **MR. MOORE:** And I signed up about eleven [22] o'clock, so I should be pretty high on that list.

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[1] Again, my name's Ralph Moore. I'm [2] President of RGMA, consulting firm out of Chicago. [3] We've been in business 18 years.

[4] Our specialty - we're in the 8(a) [5] program. We have a variety of private corporations [6] as well as - private clients as well as government [7] clients in the area of strategic planning, minority [8] business development, as well as information [9] systems.

[10] And there's been - and again this has [11] been a pretty profound morning so some of my [12] comments are no longer relevant. But I do want to [13] thank you for this opportunity. And we all know how [14] important USDA is. And one of the - some of the [15] things that we heard about here have been very, very [16] important.

[17] And I was here - I came back today from [18] Chicago. I was here for the inauguration. I had my [19] ten-year-old daughter in my lap while we sat and [20] listened to the President.

[21] It was very important for me to bring her [22] to hear the process. I wish I had her here today so

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[1] she could hear another part of the process, because [2] I think this is also very important. But the [3] President's comment on this land of new promise. I [4] think it's within that spirit of new promise that [5] that's why I'm here today.

[6] And USDA, I did a little research, was [7] founded in 1862. In 1862, your mission and your [8] mission areas did not include me or people of [9] color. It included rural areas, included the farm, [10] but it did not include my people.

[11] And I won't go through what we just went [12] through today, but certainly even in the last 10 to [13] 15 years, the increase in utilization of minority [14] businesses has been again through the work of people [15] like Sharon Harris and some dedicated employees [16] where there's been a significant increase in the [17] number of minority pro-

professional firms that have [18] worked with USDA, mainly in Washington, D.C.

[19] But the challenge becomes how do we get [20] USDA to integrate the utilization of minority [21] contractors throughout the mission of USDA, within [22] all of the seven mission areas, domestically and

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[1] internationally.

[2] And I think the key here is and part of [3] what we heard today. USDA is 135 years old, we have [4] to change the culture. It's going to take more than [5] a couple sessions like this, more than a few 8(a) [6] contracts. You have to change your approach.

[7] And, Mr. Secretary, you're going to have [8] to lead the charge. People are going to look to you [9] and see is this important or is it not important.

[10] We've consulted with several fortune 100 [11] companies. When the CEO stands up and says this is [12] important to me and those who don't do it like I [13] want it done, you will not be here next year this [14] time, it gets done.

[15] And the reason can't be a set-aside or a [16] compliance reason. You cannot fulfill the mission [17] of USDA without having minority partnerships, [18] without having us at the table. Not just on Black [19] History Month, not just twice a year.

[20] We have to be involved in every mission [21] area of the Agency as a matter of policy, because [22] your mission cannot be achieved unless we are at the

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[1] table. I'm talking about farmers, businesses, [2] researchers, the HBCUs, the bankers, employees.

[3] We have to be at the table when the plans [4] are being made, not just after the plans are being [5] implemented. We have to be throughout the whole fiber [6] of the Agency.

[7] The other issue, and don't fall into the [8] mistake that SBA made by setting up a separate [9] area. That will find - you'll probably get anemic [10] funding and even less senior staff support.

[11] And I see I have one minute here. Let me [12] just make some quick recommendations. You need to [13] convene a Minority Partnership Action Team, that's [14] standing, not just once a year or not some special [15] project. And look at and develop a USDA minority [16] partnership strategy model that you can roll out [17] throughout the Agency.

[18] And the first thing you must state is [19] what's the rationale for this. And it's not a [20] compliance rationale. It's so we can fulfill our [21] mission.

[22] You must also identify who are the

key

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[1] stakeholders. It goes beyond customers. It goes to [2] all of the field offices and the farmers [3] themselves. You must also create a resource tool [4] kit so your employees will be able to have a [5] three-ring notebook at their disposal and some [6] training on how to roll out this new strategy.

[7] Again, you're trying to change the [8] culture. It's going to take more than a couple [9] sessions like this. You have to give them some [10] opportunity to do that.

[11] And you also must demonstrate to the [12] country that USDA becomes a primary catalyst for [13] integrating high impact, innovative, minority [14] partnership strategies within rural economic [15] development. It's critical that we again bring [16] these people to the table in a strategy.

[17] And you also must have a town meeting or [18] some kind of communique at the end of this process [19] to communicate the progress so there's an ongoing [20] success story.

[21] And my final point, and I took my daughter [22] to the U.S. History Museum and they have a project

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[1] over there. From Fields to Factory, and she was very [2] surprised and also very proud to know that her [3] grandfather was a part of the farming community back [4] in the early 1900s.

[5] And what greater place than USDA for [6] minority businesses and minority organizations to [7] come back and look for opportunity. That's [8] opportunity that the President spoke to.

[9] USDA, we are natural partners with USDA in [10] the agricultural community. So this would be a [11] great place to set a model for the rest of [12] government on the importance of minority [13] partnerships as relates to fulfilling your mission, [14] more so than just complying with some civil rights [15] initiative.

[16] Thank you very much.

[17] **MR. JOHNSON:** Thank you, Ralph.

[18] The next speaker on my list is Lucy [19] Burch. Lucy, are you still here? And then after [20] Lucy, Winston Monk.

[21] **MS. BURCH:** Good afternoon. My name is [22] Lucy Burch and I come from Washington County, New

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[1] York, where I'm a dairy farmer.

[2] Ironically, I received this invitation to [3] come here and interact with a team as I was [4] compiling my letter to the Secretary of Agriculture [5] regarding discrimination against myself personally

[6] and also against my family farm.

[7] Our farm is at risk of going out of [8] business. This dilemma was created by a bank that [9] not only deceived us and frauded the U.S. [10] government, but was further perpetrated by agents of [11] the Farm Service Agency who did not do their job.

[12] Instead of the spirit that a job well done [13] benefits all, our local office believes until [14] someone tells them to do something they will do [15] nothing. It has been said of our local FSA office [16] that the only consistency in this office is the [17] inconsistency with which they perform.

[18] Here in Washington County, New York, we [19] farmers are poorly represented by those [20] administering farm loan programs through USDA. In [21] fact, our acting supervisor has been absent from his [22] job since June of 1996 and is still absent as we

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[1] speak. It probably doesn't matter whether this [2] person is on the job or not, because it was more [3] common for him to refuse an application or [4] discourage an applicant than to help.

[5] In regards to our own situation, our state [6] office told us that in '92 we should have forced [7] this agent to take our application, which he refused [8] because it might reflect poorly on his handling of [9] the guaranteed loan. In '93, he refused an [10] application for emergency assistance, even though [11] the FCS had made a determination we were eligible.

[12] In '94, he said we were not eligible for [13] disaster assistance because we were not delinquent. [14] In '95, our application for loan preservation or [15] restructuring was never acted on, period.

[16] And when we finally traced it down in '96, [17] Syracuse said it arrived too late. It didn't. They [18] said it was incomplete. It wasn't. They said we [19] should have requested a meeting. We had a meeting.

[20] And now in '97, the credit manager says [21] now that you have filed for reorganization, this [22] entire loan preservation process will be reopened to

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[1] you.

[2] We were denied our right to appeal because [3] we were never given an answer in '95. How are we [4] supposed to be assured that the same thing that has [5] happened in '92, 3, 4 and 5 will not happen again in [6] '97? In case someone hasn't noticed, we are about [7] out of time.

[8] I ask who is overseeing our needs? [9] Syracuse? Syracuse is a top-heavy office filled [10] with administrative personnel who do not have a clue [11] about what is

going on in our local level.

[12] If they generate a report that is [13] incorrect, they say this is only words. It did not [14] have anything do with the final decisions made [15] regarding your account. Rather than doing what it [16] takes to make it right.

[17] Our state personnel write reports, [18] uninformed, erroneous, often frivolous narratives, [19] more concerned in 1996 whether in 1985 I was single, [20] separated or divorced, instead of this loan was [21] originally made to Lucy Burch, farm background, [22] graduated land grant university, member Alpha Beta

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[1] fraternity, and member of the Dean's Advisory Board [2] for the American College of Agriculture. I question [3] if other minorities are still pointed out in these [4] narratives to be John Doe, black, or Mary Roe, [5] Jewish.

[6] I have always wanted to farm but I also [7] wanted to be successful as a farmer. I felt hard [8] work and communication with one's lender was [9] paramount to success.

[10] I frequently presented updates about our [11] farm and sought to talk about the good and the bad [12] on our farm. I was trying to create a team for the [13] betterment of our operation. After a while, I was [14] told don't do this. No one else does.

[15] I always presented numerous financial [16] documents, including our farm plan, but in '94 and [17] '95 I was labeled uncooperative for failure to [18] complete my farm plan when the local vacuum cleaner [19] salesman and another data compiler, who did not get [20] out of his real job until four p.m., would call [21] desiring to do a plan on his way home, at this hour [22] of the day when our farm with 300 cows, 200 heifers

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[1] and seven kids, even though the plan had already [2] been submitted.

[3] Until we had to fight for our farm, we [4] were unaware of a narrative written in 1996 by the [5] credit manager. In this two-page document, there [6] were two correct sentences. It sounded more like we [7] lived on a 70-cow farm seven miles away and were [8] always unable to pay our bills. But remember, this [9] is only words. It has no effect on the final [10] determination regarding our operation.

[11] The credit manager continued that she did [12] not know if the farm was abandoned, if we lived on [13] the farm, or what our occupation was. This [14] narrative was the basis of all informed decisions [15] regarding our operation in 1996.

[16] Our local office has done nothing to keep [17] the farmers farming, nor to get

the next generation [18] started. Our state office just checks that box that [19] inquires if everything that could have been done has [20] been done, without any knowledge if this is so.

[21] Here in rural New York we are a minority. [22] We are discriminated against and our farms put at

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[1] risk not because of our inability to farm, but [2] because the agenda of the Farm Service Agency does [3] not include team work, motivation and [4] communication.

[5] This is not to say that everyone that [6] works for USDA in Washington County does not do [7] their job. Our former FCS office, the office of [8] David Holt, worked very hard at informing and [9] serving the needs of their farmers, as does the [10] NRCS, who deals with the present and are innovative [11] with the future.

[12] But these two agencies cannot keep the [13] farms operating when it is the actions and lack [14] thereof of their brother, the one who controls the [15] purse strings, for he will determine the destiny of [16] agriculture in Washington County, New York.

[17] Thank you.

[18] (Applause.)

[19] **MR. JOHNSON:** Thank you, Lucy.

[20] Winston Monk is next, followed by Ardel [21] Ruiz.

[22] **MR. MONK:** Good afternoon, everyone. My

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[1] name is Winston Monk. I am from the Eastern Shore [2] of Maryland, a director of the Delmarva Contract [3] Poultry Growers Association.

[4] I think most of you are aware of problems [5] we have in that industry, although no one has said [6] what they're going to do about it.

[7] First thing I'd like to do is thank the black [8] farmers of America for saying that enough is [9] enough. However, I don't - I agree with whoever [10] said nothing will happen until somebody begins to [11] hurt in federal government.

[12] A few months ago, I traveled to Sanford, [13] North Carolina, to a Listening Session, the Packers [14] and Stockyards Administration of USDA, with some 200 [15] other poultry farmers.

[16] After the head of that Department and [17] several of the other top people listened to all the [18] things that we had to say, we were told then that in [19] some of these instances there is nothing we can do; [20] in some of these instances there are things that we [21] can do that will take some time; but in some of the [22] instances there are some things we

can do right now.

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[1] and we are going to do them.

[2] No one has heard from them since. And I [3] am not naive enough to believe that because Mr. [4] Glickman has this office now that he will be allowed [5] to do very much about the problems we have here.

[6] Some people would say that I'm cynical. I [7] would say I've got hundreds of years of history on [8] my side. If anything substantial happens for black [9] farmers, it will be because we have found a way to [10] make it hurt. And I suggest that we begin to do [11] that rather than to continue to waste our time going [12] to Listening Sessions.

[13] Right now, with all the problems that are [14] present in USDA, they're nothing compared to the [15] racism that exists in the industry that I'm in. As [16] a matter of fact, in four weeks I will be out of [17] business because of those racial problems.

[18] But my first contact with Farmers Home [19] Administration, now Farm Services, was when I began [20] to apply for a loan for my farm. After traveling [21] about - making an appointment, traveling about four [22] and a half hours, the head of that office in Snow

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[1] Hill, Maryland, just stood me up. Just stood me and [2] my wife up. They made no phone call to tell us he [3] wouldn't be there, nothing.

[4] I was told that I needed to make another [5] appointment. Well, I - I'm kind of a city boy [6] turned farmer, so that was unacceptable to me. I'm [7] probably not as patient as most people.

[8] So they gave me a person they said was a [9] forms person. They did not tell me that he was [10] second in command in that office. After about five [11] minutes, he told me I didn't qualify.

[12] He didn't know that I had been through a [13] mock process in another office and that I had done [14] my homework. So after snatching my papers from him [15] and going directly to Dover to talk to his boss, we [16] finally got things moving.

[17] But I'm probably talking about many people [18] that never even get an opportunity to apply for [19] these loans because of racism. They're told before [20] they can even begin or are discouraged in some way [21] or told that they just don't qualify.

[22] What they wanted for me to do, you see,

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[1] was get angry and cuss them out and go on back home [2] and be mad about it.

But, no, I think what we have [3] to do is find ways to solve our own problems.

[4] If anybody thinks the racism in this [5] country is going away, you ain't read no history, [6] man. It's not going to go away. It's not going to [7] happen.

[8] And the next thing we need to begin to [9] talk about is something that I don't think anybody [10] wants to hear in the first place. You just pay us [11] for what's already happened here, and we'll get out [12] of your hair. We're talking about reparations, and [13] we'll get out of your hair. You won't have to worry [14] about these Listening Sessions.

[15] Thank you.

[16] (Applause.)

[17] **MR. JOHNSON:** Thank you, Winston.

[18] Ardell Ruiz, and then after Ardell we'll [19] have Gregory Smitman.

[20] **MR. RUIZ:** Good afternoon, Mr. Secretary. [21] My name's Ardell Ruiz. I'm from - I'm a Native [22] American. My affiliation is with the Gila River.

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[1] Indian community in Maricopa, Arizona.

[2] And today I'm glad that this is [3] happening. I know that there was a hearing in [4] Window Rock, Arizona, which I was not able to [5] attend. But this afternoon I want to share with you [6] just a few things that I think that needs to be [7] noted. And being the first American and being a [8] host to you all, I think we do need -

[9] (Applause.)

[10] **MR. RUIZ:** There is an effort in the last [11] few years to work our land, as it was designated by [12] the federal government through treaties, through [13] many different mechanisms, to work the land that we [14] have set aside for the Native Americans, land and [15] water and whatever there is and however long it [16] flows.

[17] But in the last few years we've only begun [18] to recognize the assistance or even receive the [19] assistance from the United States Department of [20] Agriculture. For the longest time there was a real [21] confusion as to who was to oversee Native [22] Americans.

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[1] First it was the Bureau of Indian Affairs, [2] and then it was the Public Health Service, and then [3] the USDA. And yet USDA's been on reservations from, [4] I believe, from day one. But yet it's only been [5] very - a small or limited interaction.

[6] But only in the last few years we've begun [7] to see some assistance. And guess what happens, [8] The government cuts back, staff cuts back, the [9] programs are - the subsidy programs has

been cut [10] back.

[11] I'm a small cotton farmer, and cotton [12] farming has not - has seen its ups and downs from [13] one extreme to the other. We've had some good times [14] in a very short time and bad times in a long time, [15] in a long duration.

[16] And I cannot understand, it seemed like at [17] the time when the Native Americans were beginning to [18] participate, everything's being pulled out from [19] under us. In certain instances, maybe because it's [20] political, the discrimination occurs in the politics [21] of it all, in the committees or in the way that the [22] staff presents its programs.

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[1] Maybe whoever has the bigger farm or the [2] bigger bucks gets the attention, and those that we [3] have not been fortunate to receive large profits [4] from our efforts have to wait in line.

[5] And as Native Americans, we feel that the [6] attention that's been given to those that, only in [7] the western states, that have been affiliated with [8] land and water. Dams have been built, irrigation [9] projects have been built.

[10] In Indian country, there are over 70 [11] projects that were started, and not one has been [12] completed, the oldest one being in Parker, Arizona, [13] in 1856. Because it's one thing or another, or [14] priority, or there's only so much budget money, we [15] can't spread it so we piece it out. And when you do [16] it in that manner, nothing will ever get finished. [17] And now it's over a hundred years.

[18] And I can only say is that most of the [19] United States is now being zoned for something, and [20] the green spot that you're going to find in the near [21] future is going to be on the Indian reservations. [22] Or otherwise go to Southeast Asia or some foreign

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[1] country.

[2] And we need to look at the Indian country [3] as a place where we can protect agriculture as well [4] as the Native American lands and water.

[5] Thank you.

[6] (Applause.)

[7] **MR. JOHNSON:** Thank you, Ardell.

[8] Gregory Smitman. Gregory's come all the [9] way from Montana, out from the cold.

[10] **MR. SMITMAN:** Yeah, I came from Montana. [11] I got on my Washington costume. Glad to see [12] everybody didn't have to do that. Wish I'd known [13] that. But I've got to wear it once a year anyway.

[14] Mr. Secretary, Mr. Rominger, Mr. Johnson, [15] Pearlle, Mr. Reed, Mr. Buntrock, we've all worked [16] together over

the last few years on Indian issues, [17] some of which Ardell talked about, some of which my [18] President, Mr. Miller, talked about. And I want to [19] tell you just a little bit about Indian country, [20] because I've got just a couple minutes.

[21] We have about 54 million acres of land in [22] the United States. That makes us the largest land

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[1] owners in the United States outside of the federal [2] government.

[3] We used to have 178 million acres after we [4] signed the treaties that said this is all we're [5] going to give up and get to keep the rest. So we [6] only lost 122 million or so in the last 90 years. [7] So that's probably not as bad as it is for some [8] folks.

[9] We're losing land now and we're losing it [10] a different way. In 1987, I believe, GAO did a [11] report, said what's the biggest threat to Indian [12] lands? They said Farmers Home Administration is the [13] biggest threat to Indian ownership of Indian land.

[14] (Applause.)

[15] **MR. SMITMAN:** That's the GAO report. We [16] have to believe them. They're the United States [17] government.

[18] Indians, first farmers, you know they do [19] that Thanksgiving thing where the Indians taught the [20] Pilgrims how to plant corn and how to put fish under [21] their corn plants, put the hills up, grow the beans [22] with the corn, all that stuff, nobody - we don't

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[1] always get credit for that.

[2] We don't always get credit for the fact [3] that 52 percent of the diet of the world originated [4] in North America with American Indians, cultivated [5] and produced well before Europeans ever found this [6] place. So we're agriculturalists.

[7] We got 54 million acres, 48 million in [8] Indian use or in Indian farms. But you know, until [9] 1979, we were excluded, specifically excluded from [10] service by USDA by your own written policies.

[11] Wasn't until 1979 that policies in USDA [12] that existed since 1930 were reversed to allow USDA [13] to provide service to Indian people on Indian [14] lands. And even today, we're not getting it.

[15] I know it used to be when you come here, [16] you see a big sign, says USDA partners. Well, Mr. [17] Secretary, we're not your partners, and we're not [18] partners with your partners.

[19] I was in a rural development meeting last [20] week at home, and they brought out partners. And [21] the partners were RC and B's rural conservation, and [22]

County Committees and state Department of Commerce.

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[1] You know, we don't participate with those [2] folks. Our reservation's been there before there [3] were states, before there were counties. And by [4] federal and state constitution, we're excluded from [5] participating from those folks. So when you build [6] your partnerships, you exclude us.

[7] Reason that might be important in this [8] discussion and all the discussions you've heard, [9] which are just like being at home, you know, same [10] stories. Mr. Secretary, you can't do anything about [11] this because you don't have the power, because these [12] aren't your employees.

[13] Where we have our trouble is at the county [14] office. The first guy you walk up to won't take the [15] application. You cannot apply. Indian person comes [16] in that office, they say we don't have money for [17] that program, go home. We're not going to make you [18] a loan, go home. We can't loan on trust land, go [19] home. They don't even get to apply. [20] And those people that don't work for you, [21] They work for the County Committee. County [22] Committee is elected from the same people that have

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[1] been taking Indian lands for the last century. It's [2] the County Committee in FSA.

[3] In NRCS we call it conservation district. [4] It's the same damn County Committee, it's the same [5] folks. They're supporting themselves and taking [6] care of themselves. And extension is their advisory [7] committee.

[8] Who are they? Who runs extension? You [9] don't run extension, Mr. Secretary. State land [10] grants run extension.

[11] I think you've given my partner, Pearlle [12] Reed, an impossible task. I don't think he can come [13] up with a solution as long as your delivery system [14] is based on our very enemies in the countryside. [15] The very folks that have been taking away our land [16] for the last hundred years are the ones who are [17] administering your programs.

[18] And you know what? If we're not in your [19] programs, we can't farm. The Farm Bill in 1985 [20] started it. The Farm Bill in 1990 clinched it. If [21] you're a commodity farmer, you don't participate [22] with FSA, you can't compete in the marketplace and

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[1] you're out of business.
[2] I'll give you one example. My time's up. [3] Fort Belknap Reservation, where

I'm from, northern [4] Montana, 1985, we had 120,000 acres of grain lands. [5] On those grain lands, we had one non-Indian farmer. [6] He operated 3,300 acres. All of rest of it was used [7] by Indians.

[8] 1985, you passed the Farm Bill, said [9] you're going these things with FSA if you're going [10] to grow grain. You're going to participate, you're [11] going to get these conservation plans, you can't do [12] these different soil tests. This bill passed [13] Congress. So our Indian guys had to go in and apply [14] up to FSA, ASCS in those days, for these services.

[15] Today, after the passage of that Farm Bill [16] and the requirement that we participate, 70,000 of [17] those 120,000 acres are used by non-Indians, leased [18] to non-Indians. Taken away from Indian ownership [19] and Indian lands by action of what we refer to as [20] USDA, Mr. Secretary, but in fact it's your County [21] Committees.

[22] And until you do away with those County

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[1] Committees and make those local employees actual [2] federal employees that have to answer to what you [3] tell them do and the directives that are sent down, [4] we're not making any progress.

[5] Thank you.

[6] (Applause.)

[7] **MR. JOHNSON:** Thank you, Gregory.

[8] Is Kay Janis here? And then after Kay, [9] Ernest Blunt. Go ahead, Kay.

[10] **MS. JANIS:** Okay. I have a document here [11] that a Farmers Home agent filed on my family in [12] 1961. It took me 35 years to catch this agent and [13] these crooks, but I have them now.

[14] Here is your document, your land option [15] that had been filed in the Horry County courthouse [16] without my parent's permission. If you'll get it, [17] please.

[18] My family paid on this farm for seven [19] years. There has never been a late payment. There [20] wasn't a payment due.

[21] This Farmers Home agent knew that there [22] was timber on this land and he decided he wanted it

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[1] for him and he took it for his own personal gain. [2] He has it today, but he took part of my inheritance [3] away from me, and my family and my brothers and [4] sisters.

[5] I have done a full investigation on [6] Farmers Home and found out a lot of things. Mr. [7] Strom Thurmond's office swallowed \$30,000 from one [8] of my neighbors. He has no authority to do that by [9] USDA rules. A Farmers Home agent could only take [10] refreshments. I don't

call taking land and timber [11] refreshments.

[12] I've got a lot that I'd like to say, but I [13] know I don't have time today. Let me go through [14] some of my notes here.

[15] I have investigated a lot of people that [16] has been done wrong in Horry County. There has been [17] money took by Farmers Home agents.

[18] There's a letter wrote in Horry County, in [19] case some of them murder this man. This one man has [20] had his farm took. He worked with the United Farm [21] Association. Him and four other men tried to help [22] the farmers in Horry County. His house has been

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[1] burnt down. He's had to move to North Carolina to [2] live.

[3] It's unreal what has happened in this [4] system. And it's been going on for 40 years. And [5] when is it going to end? When are y'all going to [6] wake up and see the light?

[7] 40 percent of the American people knows [8] there's something wrong with our government. When's [9] the other 60 percent going to realize what's going [10] on?

[11] (Applause.)

[12] **MS. JANIS:** There has been so much money [13] wrote off in Horry County and so much corruption, [14] and these agents has got rich.

[15] I went to see the state prosecutor that [16] prosecuted two Farmers Home agents and convicted [17] them for taking land. One of them was in Sumter [18] County, South Carolina. I don't know where the [19] other one was at.

[20] This is wrong. We are God's children. [21] Y'all cannot treat God's children like this. This [22] world's going to end if y'all don't do something.

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[1] Look at all the farmers and what we've lost.

[2] Look what my family's lost. Farmers Home [3] put my family in a state of poverty. I grew up and [4] lived off homemade biscuits and homemade preserves [5] that my mama made for us to keep from us starving. [6] He took our farm, he took our land. He took [7] everything that meant anything to us.

[8] There's forgery, there's fraud. This [9] paper right here that was filed in the clerk's [10] office in 1961, when I confronted our clerk of court [11] in Horry County about this document, she claimed no [12] knowledge of it. I came back two weeks later and I [13] says, ma'am. I think your handwriting's on this [14] document. She didn't work for three weeks.

[15] The witness on this document was a

Farmers [16] Home agent. Well, she was a clerk, excuse me. She [17] witnessed documents knowing that my parents didn't [18] sign this document.

[19] He took this land and he kept it for his [20] self. He still has this land as of today.

[21] We want our land back. It was rightfully [22] ours, it was my inheritance, and we're going to

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[1] fight until we have it back.

[2] I would like for Mr. Dan Glickman to come [3] to Horry County and visit with the farmers there and [4] find out what's going on, what has went on. I have [5] did an investigation and asked for farmers to call [6] me. I've had phone calls and it is just too much to [7] tell in five minutes.

[8] But y'all have got to do something. Y'all [9] have got to help these people. Y'all have got to [10] give back what y'all have took from the farmers. [11] The corruption has got to end. It's been going on [12] in this system for almost 40 years. And I want to [13] know what Farmers Home's going to do about it.

[14] It looks like to me, also that Farm Credit [15] Cooperative, all roads have led to their trail. It [16] seems like they're involved in this corruption. The [17] AFC office is involved in this corruption.

[18] There's just too much went on, and only [19] thing I want to know is when it's going to stop and [20] if Mr. Dan Glickman will come to Horry County and [21] straighten this corruption out.

[22] Thank y'all.

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[1] (Applause.)

[2] **MR. ROMINGER:** Thank you,

[3] Grant, we'd like to have someone from Farm [4] Service Agency follow up with this lady, please.

[5] **MR. BUNTROCK:** We have our state directors [6] from each one of the states here today, so that we [7] have both the local state managers as well as the [8] Washington.

[9] **MR. JOHNSON:** Okay. Ernest Blunt, and [10] after Ernest, Sam Donald.

[11] **MR. BLUNT:** Secretary Glickman, senior [12] staff, the CRAT Action Team, I'd like to thank the [13] Secretary for listening to the sensitive issue that [14] has been going on for years.

[15] You know, I was part of the National [16] Family Farm Coalition and we worked on minority [17] rights bill, minority land register. I wrote an [18] article about the loss of minority farmer, the black [19] farmer, in the nation. And it's really depressing. [20] It's an emotional issue, very emotional issue.

[21] But what I would like to address today is [22] - you know, I've got enough

to write a book on,

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[1] but I'm going to have to try to address that this [2] evening.

[3] But my most recent thing that has impacted [4] my county - my name is Ernest Blunt and I'm from [5] Surry County, Virginia. And I would like to address [6] the most recent issue that has been brought about by [7] USDA and the adverse impact that it has on my county [8] which I live in, Surry County, Virginia. That's the [9] scheduled closing of the Farm Service Agency.

[10] You know, the Agency is supposed to cover [11] all the programs for us. The agency, we have to [12] address for everything. It's mandatory that we go [13] there to take care of our business. I mean the farm [14] credit team is there, everybody's there. And now [15] we're going to close the office.

[16] It's going to be moved to a location in [17] Smithfield, Virginia, about 60 miles from some of [18] our minority farmers. It's going in more of an [19] urban-type setting. I mean, you know, it's not in a [20] rural-type setting.

[21] Smithfield, every time you turn around, is [22] going up in industry, motels, housing. It's

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[1] standard development. Farmers are steadily going [2] out of business and serious rules for the main [3] rule. And my position there is ask the Secretary [4] who will?

[5] We've been working on this thing for now [6] last 18, 24 months. Our state FAC committee has [7] addressed it, asked you all to please keep our [8] office open. It came about as the reorganization of [9] USDA. You all are aware of it, and the downsizing.

[10] Let me give you a little history about [11] Surry County. Surry County has the largest number [12] of black farmers in the state of Virginia. Surry [13] County has a large minority-owned base, land and [14] acreage, and has a minority committee chairperson.

[15] We have been a role model over the years [16] for other localities throughout the state of [17] Virginia. We are represented on the committees by [18] minorities and we've tried to set the pace above [19] those who haven't wanted to follow along in the same [20] lines.

[21] But you know, in doing this, in all this [22] representation - and I must say we're represented

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[1] by the Honorable Bobby Scott who's also a minority, [2] a Congressman. And we wonder if all this minority [3] participation, all the discrimination going

on, have [4] we been out on the closing because the fact that our [5] minority participation and our white counterparts [6] that have to suffer as well from not traveling to [7] that direction.

[8] We often ask that question. We hate to [9] ask it but we wonder if it's so. And I would ask [10] the Secretary and all those here that they would [11] look at Surry County, leave its Farm Service Agency [12] office open.

[13] The Surry government has offered free [14] office space. I mean they're going out of the way [15] to build a, what, 6,200 square foot complex, you [16] know, and we offered free office space to keep our [17] office there.

[18] We know what impact it's going to have on [19] our locality. We know the impact it's going to have [20] not only on the farmers but the small and minority [21] businesses, the socially disadvantaged people in our [22] county. And we've been trying and trying to ask you

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[1] to please hear our cry and answer our plea.

[2] Thank you.

[3] (Applause.)

[4] **MR. JOHNSON:** Thank you, Ernest.

[5] Sam Donald, and after Sam we'll have Bruce [6] Taylor.

[7] **MR. DONALD:** Mr. Secretary and other [8] distinguished platform individuals, ladies and [9] gentlemen, I am Sam Donald.

[10] I am Regional Research Director for the [11] 1890 land grant colleges and universities. I [12] represent the Association of Research Directors and [13] on behalf of the chair of that association, as well [14] as the chair of the Council of 1890 Presidents, we [15] are pleased to have the opportunity to participate [16] in this Listening Session.

[17] Mr. Secretary, thank you for having this [18] Civil Rights Listening Session, as well as others [19] around the country. We in the 1890 land grant [20] community recognize that there are significant [21] challenges in this area and applaud your efforts and [22] those of others in the Department who seek to

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[1] develop positive action agenda to address these [2] challenges.

[3] Further, I would encourage those in [4] leadership roles and positions as implementors of [5] the action agenda, to recognize the 1890 land grant [6] universities as national resources, available and [7] willing to assist the Department to find solutions [8] to these long-standing problems. This includes [9] assisting in the design and implementation of new [10] programs that may be necessary once

the results from [11] the Listening Sessions are in and analyzed.

[12] As for existing programs to provide [13] support and technical assistance for farmers and [14] many others in rural and urban areas in this [15] country, the Department's portfolio may be, as [16] economists would say, approaching or at diseconomies [17] of scale.

[18] The portfolio includes commodity program, [19] conservation programs, food assistance programs, [20] disaster and emergency assistance programs, farm [21] purchasing and operating loan programs, grant [22] programs, and the list could go on and on. Since

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[1] the 1994 reorganization of the Department, I believe [2] there is one-stop shopping for customers, designed [3] to make it easier for them to gain access to and [4] assistance from the above mentioned programs.

[5] Additionally, Mr. Secretary, the [6] reorganization was designed to maintain local farmer [7] and customer committees and boards to oversee [8] programs and to encourage diversity in local [9] committee and board operations. If the [10] reorganization in this regard is to accomplish what [11] was intended, then the problem may be merely one of [12] implementation, primarily at the local level.

[13] Mr. Secretary, I know, as well as the 1890 [14] land grant community, that your goal and desire is [15] to implement all programs in the Department's [16] portfolio in such a manner that no one may have his [17] or her civil rights violated. With this as a basis [18] of contention, on behalf of the 1890 land grant [19] community, I offer five recommendations.

[20] First, all key USDA personnel from the [21] national to the local level should have diversity [22] and sensitivity training, receiving refresher

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[1] training when appropriate or necessary, relative to [2] working with people and providing services to [3] people. This is extremely important for personnel [4] in leadership roles and positions.

[5] Second, facilitate and provide technical [6] assistance for diversity and sensitivity training [7] for all key personnel employed by land grant [8] colleges and universities, and other institutions in [9] the cooperative extension programs, the 2501 [10] outreach and assistance for socially disadvantaged [11] farmers and ranchers program, and other pertinent [12] programs. We, too, must clean up our act if [13] violations of people's civil rights are to be [14] stopped.

[15] Thirdly, ensure equal opportunity for

[16] membership on USDA-established advisory committees [17] and boards at the level that represent racial and [18] ethnic makeup. I suggest that you follow the [19] process that was used in identifying and selecting [20] people, participants on the National Advisory Board [21] for the Research, Extension, Economics and Education [22] National Advisory Board. Slots were identified for

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[1] individual groups and only individuals from those [2] groups could be selected to serve on that board.

[3] Fourth recommendation, establish minority [4] advisory committees and boards at appropriate levels [5] to provide advice and to assist in the design and, [6] if applicable, implementation of programs to help [7] minority recipients, utilizing the 1890 land grant [8] universities in this endeavor. The intent here is [9] to ensure the use of minority groups in [10] collaboration with others to solve the problem.

[11] And finally, with funds from the Fund for [12] Rural America, support programs from the 1890 land [13] grant universities that would identify barriers to [14] family and community development, incentives for new [15] linkage and partnership, infrastructure needs, [16] business and job opportunities, development of human [17] capital leadership, use of natural resources, [18] community development, and new markets.

[19] Let me close by quoting from a famous [20] writer, the author of The Greatest Salesman in the [21] World, who states, I was not delivered into this [22] world in defeat, nor does failure cross in my

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[1] veins. I am not a sheep waiting to be prodded by my [2] shepherd. I am a lion, and I refuse to talk, to [3] walk, to sleep with the sheep.

[4] I will hear not those who weep and [5] complain, for their disease is contagious. Let them [6] join the sheep. The slaughterhouse of failure is [7] not my destiny. I will persist until I succeed.

[8] I say to you, farmers, ranchers, [9] housewives, to all of us, we must be persistent. [10] May God provide us the strength and determination to [11] persist until we succeed.

[12] Thank you.

[13] (Applause.)

[14] MR. JOHNSON: Thank you, Sam.

[15] Bruce Taylor is next, followed by Lynwood [16] Brown. Bruce.

[17] MR. TAYLOR: Ladies and gentlemen, I came [18] here as a representative of Cherokee Nation of [19] Oklahoma. I have a number of remarks to make [20] spec-

ifically to the Secretary and I would like to [21] pass until his return, if that's possible.

[22] MR. JOHNSON: We'll do that.

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[1] MR. TAYLOR: Thank you.

[2] MR. JOHNSON: He should be back in just a [3] couple minutes. But we'll continue, if you will.

[4] Ralph Paige - or Lynwood Brown. Lynwood, [5] are you here?

[6] (No response.)

[7] MR. JOHNSON: Ralph Paige?

[8] MR. PAIGE: Thank you very much for the [9] opportunity to address this group. I'll try to keep [10] it to five minutes.

[11] First of all, I represent the Federation [12] of Southern Cooperatives. I'm the executive [13] director. I represent African-American farmers [14] throughout the southeast.

[15] We are advocates, a resource organization [16] that works in poor communities across the south, [17] organizing farmers, putting them into cooperatives, [18] self-help marketing, cooperative development, [19] training. We have an institute in the black belt of [20] Alabama, one of the poorest counties, 1,365 acres of [21] land where we provide training, technical [22] assistance, and we also operate the enterprise

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[1] community.

[2] With that, I would like to say thanks to [3] the committee, commend the Secretary for doing [4] this. This is the first time we've ever had a [5] Listening Session of this kind.

[6] We have struggled with this problem of [7] discrimination since 1920 or longer. It has been a [8] persisting problem that has adversely affected the [9] African-American community more than that of any [10] other race.

[11] You know, we noted all minority farmers, [12] Native Americans, Hispanics suffer, but we all [13] suffer. We're three and a half times more likely to [14] lose our farm or our land than white farmers.

[15] With that, I would submit to you, back in [16] 1920 over a million black farmers were engaged in [17] agriculture in the south, owned and operated over 15 [18] million acres of land. However, many of these were [19] sharecroppers. We have lost that land.

[20] By 1960, there were only 100 black farmers [21] operating, owning 6 million acres of land. And in [22] 1992, the latest census that we have our hands on,

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[1] only 18,000 black farmers owning less than 2.3 [2] million acres of land.

[3] Now, that's terrible for a community. It

[4] has been said that a landless people is a hopeless [5] people. We don't - we don't pay taxes. What [6] happened to the million people? Moved into inner [7] cities.

[8] This is causing much of the hoopla about [9] welfare and this kind of thing. If we had the right [10] to stay on our land and be productive citizens and [11] it had not been taken from us, we'd not have some of [12] these problems.

[13] Now there's only 187 farmers that's under [14] the age, black farmers, of 37 years old in this [15] country. That in itself is something we must not [16] have and we cannot long afford.

[17] We've heard all these problems today. I [18] concur with them. We need do something about them. [19] We do not need a quick fix.

[20] We have been in this problem through - I [21] know I've been in here through four presidents, [22] Bush, Reagan, Ford, Carter. The problem's the

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[1] same. We've complained.

[2] We need a fix that will go forward through [3] the next four presidents or longer. We should never [4] have to come back to a hearing like this. This is a [5] step in the right direction. We're not dissidents.

[6] To go on to show you, African Americans [7] are losing 1,000 acres of land a day. At a [8] conservative value, \$750 per acre, we are losing [9] annually \$300 million in irreplaceable equity [10] resources annually. I mean we can't have that. [11] We're losing and nobody really cares or knows.

[12] In 1982, the Civil Rights Commission [13] issued a report that states unless government [14] policies of neglect and discrimination change, there [15] may be no black farmers by the year 2000.

[16] Yet 1990, a report of the U.S. House of [17] Representatives Committee on Government confirms [18] these conditions have not changed in 1990. And it [19] concludes that Farmers Home and the U.S. Department [20] of Agriculture may be the catalyst of this declining [21] land and farmers. We must do something about that.

[22] I'm going to try to just hit the high

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[1] spots. I will submit this.

[2] Things that we should do about it. We [3] need to look very strongly at FSA committees. The [4] federation is concerned of the proposed dismantling [5] of Farm Service Agency. The past reorganization [6] efforts have already reduced services and curtailed [7] access to black farmers. You've heard that in [8] speakers before me.

[9] Our members depend on FSA as their lender [10] of last resort. We cannot go to banks, don't let [11] anybody fool you. We need Farmers Home as an [12] intact, as a lender of last resort, because banks [13] don't loan to black folk. And you can bet that.

[14] (Applause.)

[15] **MR. PAIGE:** I have not yet sent a black [16] farmer, neither me or my staff, to where we can get [17] that. Even a guaranteed loan, ain't no such thing. [18] We need direct loans. We need FSA to stay intact.

[19] And I repeat that, because if we don't [20] have participation in this agriculture system, which [21] is the greatest one in this country, we might as [22] well trade places with what we - with Russia.

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[1] The federation feels that FSC systems, [2] County Committee systems, need improving. Family [3] farmers need to participate. It's corrupt. You've [4] heard that. I can say it over and over again.

[5] It does not work. But dismantling it is [6] not the answer. We need to fix it in a way that if [7] there's voting, if it means going out, designating, [8] but we need voting members where we can have [9] something to say. This is a powerful committee.

[10] And I know you've heard that in Georgia, [11] you've heard it in South Carolina, North Carolina, [12] you've heard it in Tennessee. But it is the truth. [13] That needs to be fixed.

[14] It doesn't need to be destroyed. Because [15] if we don't participate in agriculture, we are one [16] step toward where Russia's coming out of. We need [17] participation, participatory-type agriculture, where [18] citizens can participate and make decisions.

[19] It worked for the white folk. It can work [20] for everybody. So let's do it. Okay.

[21] We just came out of a Farm Bill that does [22] not work. The farm credit system, the farm credit

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[1] provisions in there, is worse than a bank. If a [2] farmer's foreclosed, they can't ever go back and get [3] credit. We need to fix that.

[4] Mr. Secretary, you spoke of that earlier. [5] We need to revisit that and you need to be dedicated [6] to revisiting the credit provisions in the act. The [7] 19 farm - the transitional payments, those are for [8] white folk and large farmers. Black farmers don't [9] get the complete message. It needs to be fixed.

[10] Okay, going on. You know, this - we need [11] to have an outreach program, you know, that we had [12] - 1990, we

worked with about 180 groups in the [13] coalition movement to get provisions, including [14] 1890s community-based organization, Native American, [15] and we got the provisions for the minority provision [16] in the Farm Bill. That needs to be fully [17] implemented.

[18] And I understand in a press conference [19] some funding was put there. You'll be commended. [20] This is the first time 4 million, 4.5 million has [21] been put in there. You'll be - this group, you are [22] to be commended for that. But we need to go

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[1] further.

[2] FSA, NRCS, forestry, crop insurance, each [3] mission area should have and must have an outreach [4] program where we can reach the farmers. This is [5] especially true when you're cutting back services, [6] when you're threatening to close the FSA offices. [7] We need that.

[8] Marketing services, surely we're doing [9] some things. NAFTA does not speak to black [10] farmers. We need to ensure that we have programs [11] where we can participate in it.

[12] It's not enough to just clean the books [13] off and we need that more than anything, all the [14] complaints that our friends have talked about [15] today. But when we get them off, we don't need to [16] get back in a rut. So we must set up a long-term [17] system that will keep us from ever, ever going back [18] and losing another acre of black-owned land or any [19] other minority-owned land.

[20] The register for minority farmers, we [21] fought for that and it didn't get there. We need a [22] register for minority farmers. We need to know when

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[1] another minority farmer, another brother in [2] California stump his toe, we can fill feel it in [3] South Carolina. We need to know if he owns that [4] land.

[5] This is the kind of thing we need. And a [6] register will let us know who owns the land, will [7] let us take the outreach service so we can go to [8] that farmer and offer the assistance there.

[9] We don't have anything to hide, y'all. [10] Y'all know every piece of land we got. You can look [11] at it from up top, it's nothing to hide. Don't be [12] afraid of that. We need a register, where we can [13] know what we're doing and we can know what our [14] brothers and sisters, be it Native American Indians, [15] poor white farmers, whatever, have, where we can [16] save that particular land.

[17] So our rights complaints, and you heard [18] that over and over again, it must be - those [19] complaints must be solved. And we know that they're [20] there.

They've been there since the turn of the [21] century.

[22] And finally, we want to restore the

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[1] complete 15 million acres of minority farmland that [2] we have lost by the very nature of so-called [3] discriminatory acts at USDA, banks, and I'm not [4] letting anybody off the hook, corporate [5] agriculture. All of them are in the same mode of [6] operation, the same MO. That's to put the black [7] folk and poor folk and minorities out of business.

[8] Thank you.

[9] (Applause.)

[10] **MR. JOHNSON:** Thank you, Ralph.

[11] Bruce Taylor, do you want to take another [12] run at yours? And after Bruce we'll have Dave [13] Harris.

[14] **MR. TAYLOR:** Thank you very much. Thank [15] you for allowing me to pass until the Secretary was [16] here.

[17] Ladies and gentlemen, my name is Bruce [18] Taylor. I represent the Cherokee Nation of [19] Oklahoma. Cherokee Nation of Oklahoma operates [20] Cherokee Nation Industries, of which I'm the [21] chairman of the board.

[22] Cherokee Nation Industries is an 8(a)

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[1] minority contractor. Currently the USDA does not [2] have any, or at least very few, 8(a) minority [3] contracts with Indian tribes, and that's why I'm [4] here today.

[5] Mr. Secretary, I'm going to take less than [6] five minutes. I've got a short memo that if you [7] will sign it, it will solve my problem. It will let [8] me get out of here, it will let you get home early.

[9] (Laughter.)

[10] **MR. TAYLOR:** First let me say, though, [11] that as I said I want to focus on a solution. In [12] order to develop our reservation economies and [13] address the high unemployment rates of our [14] reservation, many tribes like my tribe, the Cherokee [15] Nation, have established tribally-owned 8(a) [16] businesses. An increasing number of tribes are [17] putting their business enterprises under the 8(a) [18] program to take advantage of federal procurement to [19] our reservation.

[20] Congress has chosen to give tribally-owned [21] 8(a) businesses special rights under the 8(a) [22] program. For example, while an ordinary 8(a)

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[1] company can only receive a sole source contract of [2] \$3 million, a tribally-owned 8(a) firm may receive a [3] sole source contract for any amount with no upper [4] limit.

[5] Let me say that again. A tribally-owned

[6] 8(a) company with receive a sole source contract of [7] any amount with no upper limit. That's very [8] important. Federal Agencies have an opportunity to [9] simplify the procurement process and at the same [10] time obtain quality products and service and help to [11] build our reservation economies.

[12] I'm pleased to report that the USDA Office [13] of Small and Disadvantaged Business Utilization, [14] under the competent leadership of Sharon Harris and [15] in concert with your Native American desk, Mary [16] McNeil, and many other officials at the various [17] divisions within the Department, have reached out to [18] the tribal 8(a) firms and have begun an initiative [19] that we hope will become a model for every other [20] federal Agency.

[21] Specifically, the 8(a) - the USDA federal [22] office is planning a conference this spring to bring

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[1] together the tribally-owned 8(a) businesses with the [2] procuring offices in different Agencies at USDA. At [3] this conference the tribes will ask - will get to [4] explain their unique legal status and how that [5] unique status can provide mutually beneficial [6] opportunities for firms and the United States [7] government.

[8] The firms will also at an Indian Business [9] Fair be allowed, as a part of that conference, be [10] allowed to display their capabilities to Department [11] officials.

[12] What makes this even more exciting is [13] that, in preparation for this conference, the SDBU [14] office has put together several small group meetings [15] to bring together tribal 8(a) firms and Agency [16] procurement officials as pilots for the larger [17] conference. These initial meetings have been [18] extremely productive and positive.

[19] As a result, we believe that there will be [20] a blossoming of business relationships between the [21] tribal firms and the Department. So while in some [22] areas the Department needs to catch up with the rest

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[1] of the government, here through these unique [2] relationships that you're developing with the Indian [3] community, you are leading the rest of the [4] government Agencies.

[5] And I would like to complement your [6] Department for this initiative and ask that you, Mr. [7] Secretary, to please endorse this effort through a [8] written communication to your Department officials. [9] And if your schedule permits we would like you to be [10] the key note speaker at the conference. Are you [11]

willing to do that?

[12] **SECRETARY GLICKMAN:** When is this [13] conference?

[14] **MR. TAYLOR:** I'm not sure it's been [15] scheduled, but that's - but if possible -

[16] **SECRETARY GLICKMAN:** Absolutely.

[17] (Laughter.)

[18] **MR. TAYLOR:** And in that vein, I would [19] also like to have you sign a very short memorandum [20] to your staff that simply says, and I wrote this out [21] a few minutes ago, to the Cherokee Nation and the [22] tribes and all tribes in the Alaska Native

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[1] Corporation in the SBA 8(a) program. I agree to [2] support the Department of Agriculture's 8(a) Tribal [3] Contracting Initiative being launched by your Small [4] Business Director, Sharon Harris.

[5] Are you willing to sign that today?

[6] **SECRETARY GLICKMAN:** Well, let me take a [7] look at it. You know, again, this is a Listening [8] Session, but certainly endorse what you've just [9] said.

[10] **MR. TAYLOR:** You will endorse it? He has [11] endorsed it.

[12] (Laughter.)

[13] **MR. TAYLOR:** Don't nod your head like this [14] to say yes, I endorse it.

[15] **SECRETARY GLICKMAN:** Do you know Mr. [16] Myart? You and he could be in the same law firm.

[17] (Laughter.)

[18] **MR. TAYLOR:** Well, if it's all right with [19] you, Mr. Secretary, I'll pass this along. I would [20] appreciate your reviewing it and supporting our [21] program.

[22] Thank you very much.

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[1] (Applause.)

[2] **MR. JOHNSON:** Thanks, Bruce.

[3] His time ran out before the Secretary said [4] yes, right? Well, we'll work on it.

[5] All right. David Harris, and after David, [6] Shelley Davis.

[7] **MR. HARRIS:** Mr. Secretary, members of the [8] Action Team, good afternoon. One of the nice things [9] about speaking the latter part of the day, is that [10] most of the people have made most of the points for [11] you.

[12] The Land Loss Prevention Project is a [13] 14, [14] actually a 15-year-old nonprofit law firm that has [15] provided free legal assistance to farmers facing [16] foreclosure or otherwise the last of their land. We [17] focus or work in North Carolina but we provide [18] training, technical assistance to farmers and [19] lawyers throughout the entire country.

[19] Half our clients are people of color. And [20] most of those persons have been victims of [21] discrimination by one Agency or another of the [22] United States Department of Agriculture.

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[1] I hold up to you a report. Actually it's [2] hearing proceedings and a report. It looks small, [3] but actually the print is extremely small and you [4] need a magnifying glass to read.

[5] These are from the proceedings during the [6] 1990 hearing of a subcommittee of the House [7] Government Operations Committee. This report found, [8] and I'm paraphrasing but I'm not very far off, that [9] the Farmers Home Administration had been a catalyst, [10] and the word catalyst was used, in the decline in [11] the number of minority farmers throughout this [12] country.

[13] This report is one of dozens of reports [14] that have been written over the years, Mr. [15] Secretary, documenting unequal treatment with [16] respect to various services provided by the [17] Department of Agriculture to people of color, [18] farmers who are people of color, and also women [19] farmers. There's also been documentation -

[20] **SECRETARY GLICKMAN:** What year was that [21] report?

[22] **MR. HARRIS:** 1990. The hearing was July

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[1] of 1990 and the report was issued November 20th, [2] 1990.

[3] Might add, too, I have a written statement [4] for today and I'll be submitting some supplemental [5] documents as well. And the citation to this is in [6] there, and if you like I can get the information [7] immediately to your legal assistant.

[8] I make that point, Mr. Secretary, because [9] it's important to note two things. You've had, [10] what, twelve Listening Sessions throughout the [11] country, about twelve? And during those sessions [12] you've heard from some very unhappy people, some [13] very angry people.

[14] It's important to note that those people [15] you've heard from represent a fraction, a small [16] fraction of a number of very unhappy folks who are [17] out there, because their tax dollars have not been [18] used in a way to provide the services that they need [19] to be effective, competitive farmers in this [20] nation.

[21] It is also important to note that, given [22] the number of reports and the number of documents

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[1] that have been filed by my office,

Federation of [2] Southern Cooperatives, the Rural Coalition, the [3] Farmers Rural Action Group, and many, many other [4] organizations and attorneys over the past decades, [5] given those documents - when you put them all [6] together it will take up this whole building.

[7] Given those documents, it is important [8] that this committee, this Action Team, come up with [9] recommendations that are, this time, serious, [10] comprehensive, and attacks the problem in a way that [11] addresses the problem in 50 years.

[12] I see I have about 45 seconds left. I [13] will address one of those. You have an Office of [14] Supervised Enforcement, and I'm very much aware of [15] the problem related to its making findings with [16] respect to discrimination, and the Department turn [17] around and saying but we can't do anything.

[18] I filed a memo with the Office of General [19] Counsel in late '93 related to this. And the [20] Attorney General filed an opinion in early '94 [21] stating but, oh, you can't do anything.

[22] So one recommendation I would emphasize

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[1] today in addition to the others that you've heard [2] today is that the Office of Civil Rights Enforcement [3] must be given the authority to enter effective [4] remedies to people who have been victims of [5] discrimination. Also, it must be elevated from the [6] level that it is to a higher level within your [7] office, so that it would have more authority, more [8] status, more power to take steps necessary.

[9] Also the regulations, the [10] anti-discrimination regulations within the Code of [11] Federal Regulations, are a disaster. They need to [12] be rewritten.

[13] One final point and I will shut up. And I [14] might add -

[15] **SECRETARY GLICKMAN:** Regulations in what [16] area did you say were disaster?

[17] **MR. MYART:** All the antidiscrimination [18] regulations, throughout Title VII, the Code of [19] Federal Regulations. They're a disaster. They need [20] to be updated at a minimum, and they are not [21] comprehensive.

[22] One more point. Many banks have adopted

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[1] the idea of testers, sending people into local [2] offices to determine if the discrimination is [3] happening. I would suggest that you consider this, [4] sending testers, maybe working with the [5] community-based organizations to send testers to [6] some of these offices.

[7] And, Mr. Secretary, if you find that [8] people in local offices are committing [9] discriminatory acts or practices, they need to be [10] fired.

[11] (Applause.)

[12] **MR. JOHNSON:** Thank you, Bruce.

[13] Shelley Davis, followed by Lorrette [14] Picciano, Shelley.

[15] **MS. DAVIS:** Good afternoon, Mr. Secretary, [16] Mr. Rominger, and distinguished panelists. My name [17] is Shelley Davis. I'm the Co-director of the Farm [18] Workers Justice Fund. We provide advocacy and legal [19] assistance to migrant and seasonal farm workers' [20] around the country.

[21] 2.5 million men, women and children [22] harvest the fruits and vegetables that help make our

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[1] country healthy. Despite their vital role in the [2] agricultural economy, the USDA has not viewed them [3] as one of its customers. And it is for that reason [4] that I'm here today to seek a change.

[5] Farm workers are primarily people of [6] color. 70 percent or more are Hispanic. Others are [7] African American, Asian, and Native American. [8] They're largely poor, earning an average of \$6,500 a [9] year, so that even when both parents work they can't [10] keep a family of four above the poverty line.

[11] Most of them are foreign-born and speak [12] little English, but they are legal permanent [13] residents and citizens in the vast majority. Yet [14] they are politically powerless.

[15] This Department has systematically aligned [16] itself with the interests of those who own large [17] agribusiness enterprises, to the great detriment of [18] farm workers. Let me give you a few examples.

[19] First, in the area of pesticides, tens of [20] thousands of farm workers are poisoned with [21] pesticides every year. Pesticide poisoning can [22] cause anything from the flu and rashes and eye

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[1] irritation to kidney damage, neurological problems, [2] birth defects, cancer and death.

[3] The EPA, over a ten-year period, developed [4] worker protection standards just to provide some [5] minimal safety training and basic worker safety [6] practices with regard to pesticides. After hundreds [7] of comments by all the groups that are affected, it [8] went to the USDA as part of the statutory [9] consultative process. USDA opposed every single one [10] of those provisions.

[11] Let me just give you one example. One of [12] the basic requirements was training, because unless [13] workers

know the hazards they face they really can't [14] protect themselves. Under OSHA standards, all other [15] workers in other industries who are exposed to toxic [16] chemicals must be trained before they are exposed to [17] the chemical.

[18] EPA proposed a standard which would give [19] agribusiness 60 days before they had to provide the [20] worker training, 60-day grace period. USDA opposed [21] even that modest provision, saying it was too costly [22] and burdensome.

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[1] That kind of attitude reflects a total [2] disregard for the safety of the workers. Let me [3] give you a second example also in the pesticide [4] area.

[5] Under the 1990 Farm Bill, Congress [6] entrusted USDA with the responsibility of issuing [7] regulations to require users of restricted-use [8] pesticides, which are the most highly toxic [9] chemicals, to keep records of what they apply and [10] provide that information to medical providers in [11] case of emergency. Took four and a half years for [12] USDA to issue those regulations. But it still [13] hasn't implemented them.

[14] As recently as two months ago, I was at a [15] meeting of the EPA Food Quality Protection Act [16] Advisory Committee, where USDA officials flatly said [17] that they are not looking at these records. And in [18] fact they said not one single user of restricted-use [19] pesticides has ever been fined in the seven years of [20] this program.

[21] This is very basic, vital information. At [22] a time where we're trying to move towards a

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[1] reduction in use and safer products, accurate [2] information is critical and USDA has simply dropped [3] the ball.

[4] Third example, currently before the Office [5] of Management and Budget are proposed regulations by [6] Department of Labor to define who is the employer [7] for purposes of the minimum wage requirement and the [8] basic work protections of the Migrant and Seasonal [9] Agricultural Worker Protection Act. This is [10] important when large enterprises use crew leaders to [11] provide the workers.

[12] These regulations merely interpret [13] existing law. USDA has systematically opposed the [14] Department of Labor's regulations and it instead [15] advocated basically a wish list of large [16] agribusiness about what they would like to have the [17] law say.

[18] That kind of attitude will deprive tens of [19] thousands of farm workers of the basic protections [20] of the minimum

wage and the most basic labor [21] protections they need.

[22] USDA has never provided farm workers a

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[1] voice, and so we have a single recommendation. What [2] we ask is that USDA create an Office of Farm Worker [3] Affairs, which would reach out to farm workers and [4] their organizations.

[5] (Applause.)

[6] **MS. DAVIS:** It would provide an [7] opportunity for farm workers to have their concerns [8] heard within the Department so that it could [9] influence the Department's policies and it's advice [10] to other federal Agencies.

[11] I just have to say one final word. And [12] that is that there is currently a Coordinator of [13] Labor Affairs. And that individual has [14] systematically over the years never once taken a pro [15] farm worker position on any question.

[16] This is simply inadequate. We have to be [17] heard and the time is now.

[18] Thank you very much.

[19] (Applause.)

[20] **MR. JOHNSON:** Thank you, Shelley.

[21] Lorrette? And Dr. Susan Tomkins after [22] Lorrette.

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[1] **MS. PICCIANO:** I am Lorrette Picciano of [2] the Rural Coalition. And I speak today on behalf of [3] our chairperson, Carlos Fuentes, who also leads a [4] farm worker organization in El Paso, Texas, and our [5] more than 90 community-based members who live in the [6] poorest communities in this nation.

[7] Mr. Secretary, the question before us [8] today is have minority farmers and other [9] constituents of this Department suffered an adverse [10] impact or disparate treatment based on the manner in [11] which resources are allocated and services delivered [12] by the Department? If so, what response is [13] necessary and sufficient?

[14] We suggest that they have suffered major [15] impacts and there is much that can be done that has [16] not been done. We do know that even if all of the [17] current complaints are resolved, the system exists [18] such that more will be generated.

[19] The many years of experience of our member [20] groups show that violations of civil and human [21] rights by the Department are serious, blatant, [22] routine, systematic and widespread practices which

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[1] continue today.

[2] The cumulated losses include the almost [3] total eviction of the African-

American community [4] from the land which sent their children to college, [5] built the black middle class and the leaders of the [6] civil rights movement. It caused the collapse of [7] agriculture as an economic foundation for minority [8] and Indian communities, and set in place a system of [9] involuntary servitude that not only precludes the [10] largest work force in agriculture, the 4.5 million [11] farm workers with their varying accounts, from ever [12] participating in the system was producers, and also [13] without the tools to change the conditions that [14] cause them to have an average life span of 48 years, [15] an average income rate far below the poverty line, [16] and face indignities every day to their humanity.

[17] We have a body of civil rights and other [18] applicable laws pertinent to the investigation, and [19] the Department must be measured by those. As my [20] colleague mentioned, we will send federal [21] investigators when Texaco violates these [22] principles. We are a government that will

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[1] investigate church burnings, but not the practice of [2] its own employees.

[3] We've heard over and over that the [4] minority farms are failing at substantially higher [5] rates because the farmers are smaller in size and [6] their operators are less skilled and educated. We [7] remind you, as my colleague Greg Snitman told us, [8] that it was the Indian farmers who were the first [9] researchers and developers of plant varieties.

[10] It was the African people who were brought [11] to this continent were brought here not because they [12] were less capable, but precisely because they knew [13] agriculture. Without their labor and their [14] knowledge, the agriculture system and trade which [15] built this nation and the foundation of its economy [16] would not have been possible.

[17] And without the farm workers today, the [18] fresh food that fills our table would not be [19] possible. Harvesting sugar cane or raisins or [20] filling ten-gallon buckets of chilli, ten-gallon [21] buckets of chilli in an hour in 104 degree heat, [22] requires great skills.

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[1] These are expert producers who have a deep [2] connection to the land and desire to work it. They [3] faced a drought of justice, a flood of iniquity and [4] an erosion of decency.

[5] If it's truly your intent to resolve and [6] reverse the wrongs and provide the services, your [7] direct leadership and a new team of leaders and a [8] new system of civil rights principles, guidelines [9] and goals and monitoring are necessary.

So is a [10] widely expanded approach and proactive approach to [11] outreach, and a creation of new programs and [12] resources needed to replant minority people and [13] their communities on the land and restore [14] agriculture.

[15] A first step is acknowledging the problems [16] which do exist. With regard to the County Committee [17] system of 8,300 members on County Committees in the [18] nation, 20 are African American, 33 are Native [19] American, and 55 are Latino.

[20] Our member groups worked on a project with [21] Farm Services Agency to try and increase minority [22] participation this past fall. But we continually

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[1] have to try and work with the committees and use our [2] credibility to convince them that this will be a [3] worthwhile process. You've given D.J. Miller & [4] Associates two years to help complete the [5] investigation needed for a GAO report.

[6] Most minority farmers we find were [7] completely unaware of the full power that the [8] committees had and the range of responsibilities [9] mandated to them. There's no guidelines on how [10] these committees should work.

[11] And as our colleagues have also indicated, [12] people are routinely told when they go and ask for [13] an application, the applications are not yet [14] available. When they come back three weeks later, [15] they're told the resources are already committed. [16] We would suggest that insider trading laws may be [17] applicable in this situation.

[18] We also think if elections are conducted, [19] they should reflect the spirit of the Voting Rights [20] Act. If any county in the United States reported [21] that they had disqualified 25 percent of the [22] ballots, there would be an investigation. We're

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[1] finding those as regular, routine practices in the [2] counties where we worked all over the south and the [3] west.

[4] Mr. Secretary, you noted you'd like all [5] USDA clients to be treated like members of your [6] family. The constant denial of most basic [7] information affects this dignity.

[8] Nor, Mr. Secretary, would we want our [9] mothers or children to be consigned to laboring in [10] the fields full of pesticides and hazards without [11] water or sanitary facilities. The Department has [12] not yet devised a way to communicate directly with [13] this work force.

[14] How would you respond to the entreaty we [15] received this past June

from two workers if they [16] were members of your family? These are two farm [17] workers in El Paso.

[18] We are writing to ask for your help. We [19] were working in the fields and the owner did not [20] have bottled water for us as part of the law. So we [21] had to drink from the ditch. We know this water has [22] many pesticides. There was nothing else. We drank

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[1] it. The next day we were sick. Because we missed a [2] day of work, we were fired.

[3] Attention to these matters related to farm [4] workers is essential and we in community-based [5] organizations who represent these groups have [6] offered to work as your partners to do outreach to [7] the Department, to make sure that a system is set in [8] place such that these abuses do not occur again.

[9] We'll submit the rest of our comments in [10] written testimony.

[11] (Applause.)

[12] **MR. JOHNSON:** Thank you, Lorrette. [13] Dr. Susan Tomkins, are you here?

[14] (No response.)

[15] **MR. JOHNSON:** If not, Shirley Sherrod.

[16] **UNIDENTIFIED SPEAKER:** She had to leave [17] for a flight.

[18] **MR. JOHNSON:** Okay.

[19] **UNIDENTIFIED SPEAKER:** I can give five [20] minutes more.

[21] **MR. JOHNSON:** There are a lot of people [22] here who need five minutes.

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[1] **Katherine Ozer? Then after Katherine,** [2] Larry Mitchell.

[3] **MS. OZER:** I'm Katherine Ozer. I'm [4] Director of the National Family Farm Coalition. And [5] as David Harris mentioned, a lot of issues have [6] already been raised and brought up.

[7] And I agree with that and feel that I [8] wanted to be here representing the Family Farm [9] Coalition, of which there are 37 family farming [10] rural advocacy organizations around the country who [11] appreciate the effort right now of listening to [12] various concerns of holding the regional hearings.

[13] But really feel very, very strongly that [14] this is an opportunity to respond, to take some [15] swift action, to put in place some changes in [16] programs so that we don't have a situation where a [17] few years from now there's a reiteration of many of [18] the same concerns that many of us have been working [19] on and recognize.

[20] David Harris had that testimony from that [21] 1990 hearing which we all

worked very hard to raise [22] some of those issues publicly. There were some

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[1] lawsuits, there was a massive FOIA request that was [2] fulfilled that helped set the stage for some other [3] litigation.

[4] But even prior to that, in '87, as part of [5] the Agricultural Credit Act, there was finally some [6] legislation that would help target some of the [7] direct farm ownership loans, target some of the land [8] and inventory to help not only deal with the [9] problems that existed, but to help create some newer [10] opportunities for either new minority farmers, [11] farmers that wanted to go into farming, or sons and [12] daughters who wanted to stay in farming.

[13] And so many of us have worked on these [14] issues for what is now a decade, which is somewhat [15] hard to believe. But I think what's most critical [16] right now is what is taken from these Listening [17] Sessions, what actual practices have been happening [18] gets converted into policy and then really gets [19] implemented in a way that makes a difference and [20] helps restore some of both the sense that the [21] Department of Agriculture can respond directly to [22] concerns of all customers, whether African American.

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[1] minority, white, smaller farmers and people who are [2] struggling very, very hard to stay on their farms [3] and to stay in their rural communities.

[4] Just very briefly, there's one issue that [5] we've raised before that is very important to all [6] farmers we feel, and that's the integrity of the [7] National Appeals Division. We feel that that's an [8] area where there are problems and people have felt [9] that there's been adverse decisions.

[10] It's a way to get some independent look at [11] the problem, resolve issues earlier on, to minimize [12] some of the future conflicts. And right now there's [13] very serious problems with that whole review [14] process, with how the Appeals Division is operating [15] for all farmers who are dealing with different [16] levels of problems.

[17] And that's something that we raised last [18] month. We think it's still an issue that needs to [19] be responded to. Because every day that goes by, [20] the integrity of the process and the ability of [21] hearing officers to feel that their decisions are [22] being - are being respected both by the farmer and

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[1] by the Department, is very, very critical.

[2] Lorrette mentioned the whole issue with [3] County Committees. There's a lot

of local [4] decision-making and how that translates all the way [5] up through the process. We feel very strongly that [6] the entire implementation of the Farm Bill - old [7] regulations that have been sitting in the process [8] need to get finalized and the implementation for [9] those need to be felt at the farmer level and at the [10] office level so that there is in fact the best [11] possible implementation of different programs.

[12] I think that we join with many of the [13] other people who have spoken today to work hard to [14] make sure that there are changes. If some of those [15] changes mean a new reorganization that looks at how [16] credit issues are delivered, both at the loan [17] servicing level and at the access to credit level, [18] that needs to be really examined.

[19] And whether that means looking at FSA's [20] delivery mode or at RUCD or the overall Department, [21] that we stand ready to help be part of the solution [22] so that in fact there are some very positive changes

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[1] and people don't look back at these grueling two [2] weeks of traveling and making comments and being a [3] part of the process as just another time to talk, [4] but in fact a time for some action.

[5] So we look forward to working with you on [6] that. Thank you.

[7] (Applause.)

[8] **MR. JOHNSON:** Thank you, Katherine.

[9] Larry Mitchell, and following Larry will [10] be Donna Carol.

[11] **MR. MITCHELL:** Thank you. On behalf of [12] family farmers, ranchers and rural Americans who are [13] the National Farmers Union, it's my honor this [14] afternoon to be before this distinguished panel.

[15] We commend you, Secretary Glickman, for [16] your leadership and initiative in moving to address [17] the problems we face here by minorities and socially [18] disadvantaged farmers. Representing some 300,000 [19] agriculture families, Farmers Union is very [20] concerned when anyone's civil rights is threatened.

[21] There may be those that would wonder why [22] Farmers Union would be here today to discuss this.

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[1] We represent farmers, not just white, not just [2] black, not farmers that just raise beef or just [3] raise corn or just raise one commodity or another, [4] or not from just one locality. We represent all [5] farmers in the United States, regardless of those [6] issues.

[7] We have a long history of leadership in

[8] civil rights in an industry which quite sadly has [9] not been known for its progressiveness in this [10] area. It began many decades ago. Aubrey Williams [11] of the Alabama Farmers Union was one of our early [12] leaders in civil rights.

[13] When F.D.R. gave his first inaugural [14] address, Williams decided that he belonged to the [15] New Deal and part of the team. He went to work for [16] the Reconstruction Finance Corporation in the south, [17] where his skills came to the attention of F.D.R.'s [18] adviser and confidant, Harry Hopkins.

[19] Hopkins brought Williams to the staff of [20] the Federal Emergency Relief Administration. Mr. [21] Williams created the overall plan for the Civil [22] Works Administration and agitated for a program for

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[1] jobs for youth. This resulted in the creation of [2] the National Youth Administration, which Williams [3] was appointed to head.

[4] At the same time, Hopkins kept Williams [5] involved in the WPA. Williams appointed blacks to [6] his staff and provoked some animosity in those days [7] in that part of the country, but he refused to [8] observe the color line.

[9] Arriving at a Birmingham luncheon for [10] NW - pardon me, NYA workers, you found an all white [11] assemblage, although he had ordered no [12] discrimination be shown. The white workers were [13] seated at the luncheon tables and the black workers [14] were standing along the walls.

[15] Williams refused to let the luncheon [16] proceed until the tables were brought in for the [17] black workers as well. Williams declared, I want to [18] say as a Southerner that I covenant that the black [19] man shall have his share of a better life.

[20] That covenant made so many decades ago by [21] Farmers' Union remains part of our policy today. As [22] recently as in our 94th anniversary convention in

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[1] Cincinnati, Ohio, last year, we declared although [2] much has been accomplished in sheer freedom and [3] equality, opportunity for all citizens regardless of [4] color, sex, or national origin, much remains to be [5] done.

[6] We support efforts to provide equality of [7] rights for all in every aspects of life. These [8] rights shall not be denied or abridged by the United [9] States or by any State within.

[10] NSU stands ready to work with you, [11] Secretary Glickman, stands ready to work with other [12] organizations in correcting the problems with the [13] delivery system.

[14] Failure to do so will mean the demise of [15] the very system that we're talking about here [16] today. That affects all farmers and ranchers.

[17] But before concluding my remarks, I need [18] to make a couple of specifics. One is not all [19] minority farmers are disadvantaged. But more [20] importantly, not all socially disadvantaged farmers [21] are minorities.

[22] We should not allow ourselves to fall into

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[1] yet another travesterial typing of any kind. These [2] programs need to be available and equally [3] administered to all.

[4] Secondly, there are those, and I will [5] admit that problems exist at the elected County [6] Committee level and they are not blameless, but [7] there are those that would lay the blame of some of [8] these major credit problems at the feet of the [9] farmer-elected committee system.

[10] We need to remind ourselves that the [11] farmer-elected committee system did not get this [12] jurisdiction until about 15 months ago. And that [13] the problems originated under the old structure of [14] the county-appointed system under the old Farmers [15] Home Administration.

[16] I see that my time has run out. I [17] appreciate your hearing us today and look forward to [18] working with you to correct many of these problems.

[19] (Applause.)

[20] **MR. JOHNSON:** Thank you. Donna Carroll.

[21] (No response.)

[22] **MR. JOHNSON:** Vernon Hamilton. And after

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[1] Vernon, Reverend Macio Hill on my list.

[2] **MR. HAMILTON:** Mr. Secretary, members of [3] the panel, I'm somewhat embarrassed to stand here [4] right now after listening to all the hardships that [5] the farmers have gone through because I haven't [6] traveled that path with them.

[7] I'm a retired Civil Service employee with [8] 32 years of service, my last 18 years with the [9] Postal Service. Which they had early retirement [10] back in 1992. As part of that package of [11] retirement, they gave me a half a year's salary, [12] which is what I started my business with.

[13] I started to go home earlier, but I feel [14] as though what I have to say, I have to say anyway.

[15] **SECRETARY GLICKMAN:** We can't hear you. [16] Can you get closer to that microphone?

[17] **MR. HAMILTON:** I said - okay. I said I

[18] started to go home earlier. However, I came here to [19] say something so I might as well stay and say it [20] anyway. My home is not being threatened to be a [21] loss or my land is not going to be taken.

[22] I'm in a new field called aquaculture and

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[1] I find it's very exciting, profitable, and there's [2] plenty of room for expansion. In fact, I did my own [3] marketing and I found that I could sell more fish [4] than I can raise at the present time.

[5] There's - for any of those here who are [6] interested in aquaculture, there is churches - [7] churches that have fundraisers that they are crying [8] to buy fish. They have feeding programs for the [9] hungry. They're wanting fish. I have upscale [10] restaurants that would like to have their fish [11] delivered live, as I do, because you can't get [12] anything fresher. There's a market for it.

[13] I have formed - I am in the process of [14] forming a partnership with the Salem County [15] vo-technical - vocational and technical schools [16] where the students that are studying the [17] environments and also aquaculture will actually come [18] to my land and work and that's a future pool for [19] me.

[20] The reason why I came here today is that I [21] have had problems with your Department. Not as to [22] the extreme as by speakers here today, but I found

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[1] some inconsistencies. Where it's true aquaculture [2] is a new field to the Department of Agriculture, I'm [3] not asking for technical guidance or assistance.

[4] All I require is a quality water supply. [5] I have the land. All I'm asking your Department is [6] to give me the drawings. I'll find the funds to get [7] it done. I have no problem with that.

[8] The problems that I have is your so-called [9] experts, they are too busy to help me. And those [10] that are available to help me are - doesn't have [11] enough knowledge to help me. So the net result is [12] the same. There's nothing accomplished.

[13] Without going on further, I've been mostly [14] moved by the gentlemen here today. I'll end my [15] remarks. Thank you.

[16] (Applause.)

[17] **MR. JOHNSON:** Thank you, Reverend Hill.

[18] **SECRETARY GLICKMAN:** I'm trying to figure [19] out, if I might ask you, first of all, what part of [20] this Department were you working with and is there [21] something specific that you would want us to try to [22] follow up on?

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[1] **MR. HAMILTON:** Yes. In fact, I'll bring [2] that to your attention now. This is being [3] recorded?

[4] **SECRETARY GLICKMAN:** Yes.

[5] **MR. HAMILTON:** May I have one of your [6] cards so I can contact you anytime?

[7] **SECRETARY GLICKMAN:** Yes, you can contact [8] me anytime.

[9] **MR. HAMILTON:** The reason why I said that, [10] last December the 23rd, an expert was supposed to [11] come out to my house to do a site survey. The [12] appointment time was 2:00 o'clock in the afternoon.

[13] At 1:00 o'clock, I received a call stating [14] that they would not be there. No reappointment. I [15] got a reappointment for tomorrow after I called and [16] said I wanted to come here. That's why.

[17] **SECRETARY GLICKMAN:** Who in the Department [18] were you talking to? What agency?

[19] **MR. HAMILTON:** All right. I'll give you [20] an example. Your Extension Service, I had your [21] Extension Service, Cape May County Courthouse. I [22] had talked to the USDA service, their Soil

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[1] Conservation Service in Cumberland County. I've [2] talked to Gloucester County. I've talked to several [3] counties.

[4] True, okay, I'm a minority. I'm the only [5] one in this field in South Jersey, white or black. [6] So what I keep running into is they're telling me [7] they don't know that much about aquaculture. That's [8] my point. All I want them to do is design a water [9] supply for me. That's all.

[10] **MR. REED:** I will follow up with you [11] personally after the meeting.

[12] **MR. HAMILTON:** I certainly appreciate it. [13] I would appreciate getting your card.

[14] (Applause.)

[15] **MR. JOHNSON:** We will follow up. Reverend [16] Hill and then Early Monroe.

[17] **REVEREND HILL:** Secretary, members of the [18] panel. It is a pleasure to have this opportunity to [19] address you. I stand to represent Mr. Lipscomb and [20] Mr. Randall.

[21] These are two gentlemen that I have known [22] for a number of years and they are farmers. They

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[1] are black farmers. Mr. Lipscomb, will you stand? [2] Mr. Randall, will you stand?

[3] (Mr. Lipscomb and Mr. Randall stood.)

[4] **REVEREND HILL:** Thank you very much.

[5] We are not going to say very much

because [6] many of the things that we are concerned about has [7] already been said and we don't think that we need to [8] repeat these things over and over again.

[9] We do want to work with you. We do want [10] to be put on the list that we will be contacted of [11] everything that might go on and that will go to the [12] other black farmers.

[13] We know that there is only so much money [14] that is going to be restoration in terms of funds [15] and we would like to be considered for that.

[16] I would like to say this in closing: [17] There's a story in the Bible and the story has to do [18] with Nehemiah. And Nehemiah was a man who found out [19] that his people were being mistreated. And when he [20] found this out, he grieved for about four months.

[21] And after grieving for about four months, [22] the king, Aga Xerxes, noticed that he was in pain.

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[1] And Aga Xerxes gave him permission to go to [2] Jerusalem to build that wall.

[3] We have been talking about building. We [4] would like to be a part of that group that is going [5] to be building the wall, not just a bridge, but [6] building a wall that our children in days to come [7] can go and look at what has been done.

[8] Miller Williams said in his poem, [9] "Yesterday and the Day Before Yesterday," and let [10] me read just a portion of it to you. He said:

[11] "We have memorized America," and so we [12] have. He said, "How it was born and who we have [13] been and where. In ceremonies and silence, we say [14] the words, telling the stories and singing the old [15] songs. We like the places they take us, mostly we [16] do."

[17] And he goes on to say in the last portion [18] of his poem, and here he's talking to young people [19] and he says this, "All this is, all in the hands of [20] children, eyes already set on land we never can [21] visit. It isn't there yet, but looking through [22] their eyes, we see or we can see what our long gift

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[1] can then may come to be. If we can truly remember, [2] they will not forget."

[3] We're asking that you not forget the black [4] farmer.

[5] (Applause.)

[6] **MR. JOHNSON:** Thank you, Reverend Hill. [7] Early Monroe. And after Early, Carol Ann Gregg.

[8] Early Monroe?

[9] (No response.)

[10] **MR. JOHNSON:** Carol Ann.

[11] **MS. GREGG:** Honorable Secretary

Glickman,^[12] honorable Mr. Roninger, Chairman Johnson, and the ^[13] Civil Rights Action Team. Thank you for inviting me ^[14] to share my views and those of American Agri-Women ^[15] members with you.

^[16] My name is Carol Ann Gregg, a farm woman ^[17] and agriculture advocate from Grove City, ^[18] Pennsylvania. My husband and I own a family farm in ^[19] partnership with my brother-in-law and his wife. It ^[20] was a dairy operation for nearly 50 years and ^[21] currently is a hay and grain operation.

^[22] Today I am representing American

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^[1] Agri-Women and currently am serving as the ^[2] organization's vice president for vital issues. ^[3] American Agri-Women is a coalition of over 50 ^[4] agriculture organizations representing about 50,000 ^[5] farm, ranch, and agribusiness women.

^[6] As the public looks at the U.S. Department ^[7] of Agriculture, we expect nothing less than ^[8] nondiscrimination in your dealings with your ^[9] customers, the American farmers. But to understand ^[10] the problems, we need to think about what ^[11] discrimination is.

^[12] According to Webster's Eighth Collegiate ^[13] Dictionary, one of the definitions of discriminate ^[14] is to make a difference in treatment or favor on a ^[15] basis other than individual merit.

^[16] As I talked with a number of members ^[17] across the Nation, I found no one who had personally ^[18] experienced discrimination or harassment in their ^[19] dealings with USDA staff or officials.

^[20] Many of these women are farm operators, ^[21] farm wives, family farm corporate officers who have ^[22] regular dealings with the local Farm Service Agency

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^[1] or the Natural Resource and Conservation Services ^[2] personnel with no apparent problems.

^[3] Because some of these women serve in ^[4] leadership positions in agriculture, we have had ^[5] interaction with many people here in Washington. ^[6] They all spoke with very high regard of the people ^[7] at USDA who serve American agriculture.

^[8] In a recent press story, Secretary ^[9] Glickman called for the removal of discrimination ^[10] from the Department. You should be praised for ^[11] taking the initiative to correct problems that have ^[12] been brought to your attention.

^[13] Though there have been some unfortunate ^[14] instances in some locations around the country, that ^[15] does not indicate that sexual or racial ^[16] discrimination is common throughout the Department.

^[17] People who work at the local and county ^[18] offices in USDA usually are people who live in these ^[19] communities. The County Committees are made up of ^[20] farmers elected by their peers within the local ^[21] areas.

^[22] The attitudes that are common in an area

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^[1] will probably prevail within the local USDA ^[2] offices. That does not condone or excuse ^[3] discriminatory behavior. It only points out how ^[4] difficult it may be to correct completely.

^[5] The role of women in agriculture is ^[6] changing. More and more women actively participate ^[7] in the farm operations rather than only provide ^[8] support for their husband's endeavors.

^[9] Farm realtors and bankers have begun to ^[10] look at farm women as contributors to the management ^[11] of farm operations, whether they are sole ^[12] proprietors, partners, or spouses. Employees and ^[13] the staff of USDA need to make these attitude ^[14] changes as well, if they have not already done so.

^[15] Many young women graduating from our ^[16] agriculture colleges and universities seek farm ^[17] management jobs with the goal of owning and ^[18] operating their own farms. Many farm daughters as ^[19] well as sons are returning to farm - family farms ^[20] to eventually take over the operations when their ^[21] parents retire.

^[22] In the not too distant past, many women

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^[1] became owner/operators only because they had become ^[2] widowed. To change attitudes is a very personal ^[3] thing. It is not something that can be legislated, ^[4] but it is something that can be learned.

^[5] Every effort should be made to provide the ^[6] training necessary for USDA officials and staff. ^[7] Your customers deserve to be served fairly without ^[8] regard to gender or racial differences.

^[9] Having a goal to end discrimination by ^[10] anyone in the U.S. Department of Agriculture is ^[11] noble. Our real goal as Americans should be to make ^[12] discrimination a nonissue.

^[13] During this week of Martin Luther King's ^[14] birthday, we are again reminded of the contributions ^[15] of all peoples to making this a great country. How ^[16] much better it will be when we are judged on our ^[17] merits and not by the color of our skin or our ^[18] gender or our religion or by any other ^[19] characteristic which divides us as Americans.

^[20] Thank you.

^[21] (Applause.)

^[22] MR. JOHNSON: Thank you, Carol Ann. Donna

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^[1] Duncan. And after Donna, Luke Chapel.

^[2] (No response.)

^[3] MR. JOHNSON: Donna is not here. How ^[4] about Luke?

^[5] (No response.)

^[6] MR. JOHNSON: Betty Miles.

^[7] (No response.)

^[8] MR. JOHNSON: Eddie Wise. I was just ^[9] going to say we all had to shorten up or we wouldn't ^[10] make it, but this helps. Eddie Wise.

^[11] If any of you have written comments, too, ^[12] that you would like to make, please make sure that ^[13] you get them in outside on your way out.

^[14] But Eddie, and after Eddie, Dr. Samuel ^[15] Donald. Go ahead.

^[16] MR. WISE: Mr. Secretary, ladies and ^[17] gentlemen, my name is Eddie Wise, and my wife, ^[18] Dorothy, and I are presently farming on the Eastern ^[19] Shore of Maryland in Somerset County.

^[20] In 1991, we visited the Farm Service ^[21] Agency office in North Carolina looking for a farm ^[22] to purchase. That day we were shown a flier that

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^[1] they had a minority farm that was set aside for ^[2] minorities only.

^[3] We went out and looked at this farm and ^[4] came back to the Farm Service Agency office and ^[5] requested an application to apply for a farm.

^[6] From 1991 through 1993, we tried to get ^[7] applications not only approved in North Carolina, ^[8] but we came here to Washington. We went to ^[9] Maryland. And a lot of the Farm Service agent's ^[10] offices didn't know what we were talking about when ^[11] we were talking about an application package.

^[12] Anyway, we made it through '93. We didn't ^[13] give up. The laws were changed. A lot of things ^[14] went around the circle.

^[15] Finally, in January of 1994, we got a ^[16] chance to submit our first application package. 30 ^[17] days later, we received a letter from the Farm ^[18] Service agent's office saying that our application ^[19] was disapproved because of bad credit. So we filed ^[20] a complaint with the National Appeal Board.

^[21] And when we went to the National Appeal ^[22] Board, they overturned the decision and said

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^[1] continue the application phase.

^[2] Shortly after that, we started the ^[3]

application phase again and we were placed in [4] Category 3. But when the law changed, all of the [5] minority farmers were taken out from under minority [6] status and were put in five different categories.

[7] Category 1 and 2 were socially [8] disadvantaged, beginning family farmers needing FHA [9] assistance. Three, 4, and 5 applied to everyone [10] else. So my wife is a beginning family farmer, so [11] am I, and we needed FHA assistance.

[12] So when we complained, he told us he [13] already had somebody in Category 1, so we couldn't [14] be in Category 1. Again we filed a complaint with [15] the National Appeal Board. His decision was [16] overturned. So now we were back into the [17] application phase of it.

[18] **SECRETARY GLICKMAN:** What year is this? [19] When are you talking about?

[20] **MR. WISE:** Okay. The appeals started in [21] 1994. And each time he would change something, we [22] would go back to the National Appeal Board again and

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[1] they would overturn his decision and then he would [2] drag out the process again.

[3] So finally, after this - when we went to [4] the Appeal Board the second time, we complained that [5] we were not being assisted. He had refused from day [6] one to help us do the application package. And this [7] is where part of the problem was coming.

[8] So while we were at the Appeal Board [9] complaining, he stated that since I was a retired [10] master sergeant and my wife did complicated grants [11] at Howard University, we didn't need any [12] assistance. But, you know, our qualification did [13] not qualify us to interpret the regulations.

[14] And we also found out that he was supposed [15] to assist us, but to the present day, we have not [16] received any assistance from him. So anyway, after [17] the Appeal Board, we had five applicants, six [18] applicants counting us, that had applied for the [19] farm, so they pulled the names out of the hat.

[20] We received - our name was the first one [21] pulled out of the hat. We were given 30 days to do [22] another application packet, five-year plan, and have

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[1] it into the office. We completed this, got the [2] application into the office by 9 January 1995.

[3] From '95, January of '95 until June [4] of '95, the packet wasn't even observed. When we [5] complained to the State, they said that the [6] Extension Service agent's wife was sick and he [7] didn't

have the time.

[8] Following that complaint, in September we [9] were notified that we had two choices. We could [10] come up with \$135,000 cash to buy the farm or we [11] could lease the farm with the option to purchase in [12] three years. So naturally, we didn't have the [13] money, so we leased the farm with the option of [14] purchasing it in three years.

[15] Now, mind you, all this time we had not [16] had a loan packet submitted. We wrote our [17] Congressman. This extension agent sent our [18] Congressman a letter in October of '95 that said he [19] had submitted our loan packet. In June of 1996, we [20] called the State office and they hadn't heard of [21] us. No loan packet had been submitted.

[22] We're constantly talking to the extension

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[1] agent and he's telling us that in 19 - as of [2] January 1996, there was only \$300,000 in the State [3] and the money was already used. Following our [4] contact with the State office in June, they [5] contacted him.

[6] Our loan packet was submitted on a [7] Monday. We received a letter from him that Friday [8] saying our loan packet was submitted. Five days [9] later, we get a second letter from him saying that [10] it had been funded.

[11] **SECRETARY GLICKMAN:** Had been funded?

[12] **MR. WISE:** Had been funded. Okay. We're [13] home free now, we thought. Following that, in the [14] next couple, three months, they took things out, see [15] if we had to hire attorneys.

[16] Remember, we're in the Eastern Shore of [17] Maryland and we're running into Rocky Mountain, [18] North Carolina, doing all this, back and forth. No [19] problem. Whatever it took to get the farm, that's [20] what we were doing.

[21] We got ready to go to closing on the 8th [22] of August of 1996. On the 5th, we found out, we

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[1] reviewed our farm home plan, that they had changed [2] the farm home plan. Now, we had signed a sales [3] contract, a promissory note, and had a quit claim [4] deed guaranteeing us a 40-year loan at 7 percent. [5] When we reviewed our farm home plan, they had [6] changed the farm home plan and given us 15 years.

[7] So when we called the extension agent and [8] asked him why he gave us 15 years, he said we didn't [9] need it, our farm home plan was too good.

[10] So we immediately called the State. When [11] we talked to the State re-

presentative, he said, [12] okay, we'll give you three more years. The maximum [13] we can give you is 18 years because we just don't [14] loan money for over 18 years.

[15] So they told us the same, they said you [16] got two choices. You can either close on the farm [17] on the 9th as scheduled or we're going to cancel the [18] check and send the money back.

[19] Well, after fighting for the farm for five [20] and a half, six years, we were not about to not [21] close. So we went ahead and closed on the farm.

[22] And the only question we have and the only

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[1] help we need is we'd like to know how the county [2] agent and State agent can change the federal [3] regulation and reduce?

[4] It's like a double sword. If the farm [5] home plan is bad, they disapprove you. If it's too [6] good, they reduce the years. So now when you go [7] from a 40-year note to a 15-year note, you just got [8] jammed into a double payment.

[9] My wife's ankle was broken back in March. [10] She hasn't worked or over a year. And I'm trying to [11] run two farms, running one and renovating the other [12] one. The only thing we need is the 40-year [13] guaranteed note that we were given and we will [14] manage.

[15] **SECRETARY GLICKMAN:** Let me ask you this: [16] This is a classic catch-22 case you got yourself [17] into and it's - I mean, it's disgraceful from what [18] you say. The farm was in Maryland?

[19] **MR. WISE:** The farm is in Nash County, [20] North Carolina.

[21] **SECRETARY GLICKMAN:** So which State office [22] were you dealing with?

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[1] **MR. WISE:** North Carolina.

[2] **SECRETARY GLICKMAN:** All of this is North [3] Carolina?

[4] **MR. WISE:** All of this is North Carolina. [5] We're farming in Maryland.

[6] **SECRETARY GLICKMAN:** I know that a North [7] Carolina State, a director of the Farm Service [8] Agency was here. I don't know if he still is. [9] Mr. Coley right back here with his hand up.

[10] **MR. WISE:** Mr. Coley received letters. [11] He's aware of the situation.

[12] **SECRETARY GLICKMAN:** I would like -

[13] **MR. WISE:** He was not the one that made [14] the decision.

[15] **SECRETARY GLICKMAN:** I would like you to [16] talk to Mr. Coley. Then I would like Mr. Coley to [17] give me a report of your case. So I want to know [18]

exactly from him what happened as well, because [19] there's a problem here, obviously.

[20] **MR. WISE:** Now, in the process of all [21] this, we wrote the President, USDA. We filed a [22] complaint with EEO. And in January of '96, we

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[1] received a letter from Mr. Cook.

[2] **SECRETARY GLICKMAN:** Mister?

[3] **MR. WISE:** Cook at EEO. And he stated [4] that since we had been on one farm, we did not have [5] any discrimination allocations and he was closing [6] the case.

[7] And this has been what's been happening [8] all along. Every time we complain to someone, they [9] talk right back to the county agent and the county [10] agent gives them this excuse and they buy it:

[11] And the county agents are the guys that [12] are really killing the black farmers. And they have [13] an unwritten agenda. When you walk through the [14] door, they tell you what you can and can't do.

[15] And the only reason that we have survived [16] is because we've been persistent. God has been [17] blessing us, and we've been studying the [18] regulations, which we're not supposed to know [19] about. And so every time we study the regulations [20] and found out what was supposed to be taking place, [21] we filed a complaint.

[22] And they talk with the extension agent and

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[1] he - we tell them a little something and they will [2] reply to us. We're still standing in the mud.

[3] **SECRETARY GLICKMAN:** Just to clarify, when [4] you're referring to the extension agent, you mean [5] the county agent?

[6] **MR. WISE:** The county agent.

[7] **SECRETARY GLICKMAN:** It's probably the [8] county FSA agent, Farm Service Agency agent then?

[9] **MR. WISE:** Yes.

[10] **SECRETARY GLICKMAN:** I would like you to [11] talk to Mr. Coley and then I would like Mr. Coley to [12] give me a report of your case.

[13] **MR. WISE:** The only other problem that's [14] been created in all this whole situation is we did [15] an appraisal of the farm that we're renovating.

[16] Five years ago, it was costing \$35,000 to [17] renovate the farm. Because of four and a half years [18] of water damage to six buildings, we're talking [19] close to \$70,000 now to renovate the farm. They [20] gave us \$40,000 and said do it.

[21] And on top of all of this, they told us [22] because of our plan was so good, that we couldn't

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[1] get any operating money. So now I'm running the [2] farm in Maryland, renovating the farm in North [3] Carolina, trying to move to North Carolina with no [4] money. Well, we will manage if you give us our 40 [5] years.

[6] Thank you.

[7] (Applause.)

[8] **MR. JOHNSON:** I would call on Dr. Donald, [9] but I notice he's already spoken.

[10] **MR. WU:** Mr. Johnson, I would like to file [11] a complaint.

[12] **MR. JOHNSON:** You may.

[13] **MR. WU:** I'm very disturbed and I hope my [14] community is not being punished. I refuse to [15] believe that with only one Asian Pacific American [16] representative for this afternoon's session that he [17] would be at the bottom of the list.

[18] We have gone through many groups and I [19] cannot believe that he deserved to be at the bottom [20] of the list. If there had been any scheduling [21] errors that his name was put on the morning session, [22] I hope there would be some reconsideration that he

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[1] would not in fact be our last.

[2] I'm a statistician. The chance of this [3] happening by chance is less than one in 10 million.

[4] **MR. JOHNSON:** I'm following down through [5] the list that was given me and I understand the [6] issue of Dr. Chang is next.

[7] **DR. CHANG:** Thank you for consideration of [8] the Asian Pacific for a chance to speak up.

[9] Mr. Secretary, members of the council, I'm [10] from Hmong. We came from Hmong to fight along with [11] the American GI. And we are farmers.

[12] Now we are here along with your neighbor. [13] Not only just only Hmong, but we as a group, Asian [14] Pacific Islander. Break down, we have Southeast [15] Asian community and now I talk about Hmong farmers.

[16] As an Asian Pacific Islander farmer at the [17] Hmong community, the Hmong look into the background, [18] farming background, and go here and there. So they [19] look at Oregon, probably a good place to farm. And [20] they heard that Fresno probably right place. [21] In '84, only 24 families live in Fresno County. And [22] now 35,000 pick up farming.

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[1] And the Hmong do not get any assets

or [2] resource from your Department, the USDA. No loan. [3] No resource. No training. No technical [4] assistance. Not only the Hmong, but the Southeast [5] Asians, as well as Asian Pacific Islander [6] community.

[7] And because we are tradition farming, not [8] like you in your modern farming or farmer, because [9] of that, many Hmong have faced pesticide poisoning, [10] chemical illness, and get cancer, kidney failure, [11] liver damage, you name it.

[12] I mean, I learn that you already went [13] through California out in the western part. You [14] probably heard about the Hmong complaint and you [15] probably know about what we are asking for.

[16] And I represent [17] organizations [17] throughout the country within the 32 States and we [18] just moved here to understand the American culture [19] and we are new here, only two months old.

[20] The Hmong national development, we are [21] here. So I am proud that moving right along and [22] getting to know the process. Due to the welfare

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[1] reform, many Hmong will get cut off. So with your [2] program, the U.S. Department, if you support, and [3] 57 percent are farmer in Fresno is Hmong, but they [4] are small business, small farming, and you not [5] recognize like a big farm of 200 million farmer.

[6] So this is I suggest. I know that I have [7] a limited time. I would like to suggest four points [8] for your consideration, because we need support to [9] get to know the process. And I urge you to provide [10] grant for minority farmer, for Asian Pacific [11] Islander, including the Hmong, to learn about the [12] modern farming so we not getting illness like [13] cancer. If you not provide those and we get [14] illness, you will pay more price because the bill, [15] the medical bill will cost more.

[16] Number two, I would like to suggest that [17] you provide technical assistance to the Hmong FSA so [18] they can learn more proper procedure to farming.

[19] Number three, I like to urge you to put [20] our organization, the Hmong organization into your [21] mailing list that one day we will have a chance to [22] be one of the USDA customer and receive your

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[1] services.

[2] Number four, at least I would like to [3] suggest that you recruit at least one of the Hmong [4] person within your Department so we can get [5] information and do a proper way.

[6] And thank you for your attention.

[7] (Applause.)

[8] **MR. JOHNSON:** I'm sorry for the delay. We [9] still have about eight people left and we'll do our [10] best to get through them all, if they're still [11] here.

[12] Jane Balmer is next, followed by Lutrell [13] Osborne.

[14] Jane, are you still here?

[15] (No response.)

[16] **MR. JOHNSON:** Lutrell?

[17] (No response.)

[18] **MR. JOHNSON:** Dorothy Wise?

[19] (No response.)

[20] **MR. JOHNSON:** This is difficult to read. [21] Is it Sam Akias?

[22] **MR. AKINS:** Is it Sam Akins, A-K-I-N-S?

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[1] **MR. JOHNSON:** You're right. I'm sorry. [2] It's hard to read.

[3] Dorothy Wise?

[4] **MRS. WISE:** Yes.

[5] **MR. JOHNSON:** I'm sorry. Go ahead.

[6] **MRS. WISE:** Okay. To the Secretary and to [7] the ones that are present here, my husband has [8] already said basically everything that I was going [9] to state some things, but what I wanted to say is [10] that I am a farmer and I'm a beginning farmer.

[11] And as you know, all farmers plant things [12] in some kind of way. Regardless of what their [13] discipline is, they plant. And so we planted a seed [14] today and all we're asking for is to help to have [15] that seed to grow.

[16] And we will be willing to do whatever is [17] necessary it is to do so that we cannot only help [18] ourselves, but help others to come through a lot of [19] the things that they had to come through to get [20] where they are.

[21] Thank you.

[22] (Applause.)

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[1] **MR. JOHNSON:** Thank you, Dorothy. [2] Sam. And after Sam, Edward Lee.

[3] **MR. AKINS:** Good afternoon. I am Sam [4] Akins. Everybody here has been representing [5] somebody and a few people, a lot of the small [6] farmers have to represent themselves and that's [7] great.

[8] One thing I want to do today is thank [9] Secretary Glickman for this wonderful opportunity to [10] tell you how I would represent myself about my [11] complaints at the Department of Agriculture.

[12] Aside from being a - I got relatives in [13] the counties that these black farmers are talking [14] about. I come from that area. I am a part of that [15] product. I still do that.

[16] But here I'm a computer specialist. I [17] have had complaints in the Farm

Service Agency for, [18] well, close to five years. Disfair treatment. [19] Reprisal based on race. Denial of promotional [20] opportunities.

[21] Now, I can say that somebody knows about [22] it because the complaint has been filed. Informal

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[1] processes has occurred. People have been [2] interviewed. What has been done about it?

[3] Well, the process is still going on. And [4] this is still part of the process. Hopefully, we'll [5] get to a solution to these problems of [6] discrimination, but my biggest problem here is with [7] the Farm Service Agency.

[8] Those people tend to have a fixed [9] imagination about people, thinking people do not [10] hurt when you do things against them; people do not [11] feel their prestige, their power has been lost; they [12] don't feel dehumanized.

[13] We do. I can tell you, I feel that. And [14] I can tell you how long have I been waiting for [15] these things to be addressed? Not long. Five years [16] is not long. Some of these people been talking [17] about the same problems for a long time.

[18] Will somebody do something about it? The [19] first thing that somebody has to do is stand up for [20] any complaints, injustice, discrimination, any ill [21] treatment that they felt and tell somebody about [22] it.

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[1] (Applause.)

[2] **MR. AKINS:** Let's start with each of us. [3] We can represent ourselves on that. And you know, I [4] know that I can do that. I'm an American. I know [5] I'm an American. And I have all those liberties [6] that Americans have.

[7] Do I have to look over our shoulder to [8] know that I'm American? No. I know that when I [9] look at people who are white males, in control, and [10] say he doesn't fit in because he's black, I know [11] there's a problem with them and not me.

[12] I also know that these cases haven't been [13] resolved because the word in the hallway is that [14] "the USDA got good lawyers, let them go there, [15] that's what they get paid for. We'll say no. Let [16] the lawyers handle it." That needs to be fixed.

[17] There is a perception that they can do [18] what they can want to do without regard to any [19] retaliation or any action being taken against them. [20] How do I know that for a fact?

[21] I can tell you for, let's see, five years, [22] at least, from my own experiences, at least, and I

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[1] have - well, in 1996, I have studied agriculture [2] for the Department. I have received an honor award [3] from Dan Glickman in 1996, but those five years, [4] we're still going on. Discrimination is still going [5] on. I had to start working. I won't stop.

[6] How long is too long? I don't know. But [7] I do know that this discrimination has to be fixed [8] by somebody and that somebody has to be Dan [9] Glickman. And that's all I have to say.

[10] Thank you.

[11] (Applause.)

[12] **MR. JOHNSON:** Thank you, Sam. [13] Edward Lee. Is Ed still here?

[14] **MR. LEE:** Yes, I am.

[15] **MR. JOHNSON:** And after Ed, we have -

[16] **MR. LEE:** Can I yield and come back after [17] the next one?

[18] **MR. JOHNSON:** We will go on to Ed [19] Conflight.

[20] (No response.)

[21] **MR. JOHNSON:** How about Phillip Hiney, [22] II?

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[1] **MR. HAINEY:** Hainey, Phillip Hainey.

[2] **MR. JOHNSON:** Hainey, sorry.

[3] **MR. HAINEY:** Good evening, Secretary [4] Glickman and distinguished panel. I would like to [5] thank you for giving me the opportunity to speak.

[6] I'm here on behalf of the minority farmers [7] of the Northern Neck of Virginia. I know this is a [8] Listening Session, Secretary, but I have one [9] question.

[10] I know you have given Mr. Ira Hobbs the [11] authority to settle these cases and we appreciate [12] that, but I want to know if you have given [13] Mr. Pearlle Reed the authority to deal with the [14] discrimination?

[15] Does he have the authority to deal with [16] this discrimination?

[17] **SECRETARY GLICKMAN:** He has authority to [18] make recommendations to me and to the Deputy [19] Secretary about discrimination, but I ultimately [20] have the authority to make those decisions.

[21] **MR. HAINEY:** Thank you.

[22] And the other question I would like to

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[1] know, have you spoken to Mr. Lloyd Jones about - [2] who is in Virginia, about the discrimination that's [3] going on there against black farmers?

[4] **MR. REED:** I have not personally talked to [5] Lloyd Jones yet.

[6] **MR. MYART:** Do you all plan to?
 [7] **MR. REED:** I have not talked to him yet.
 [8] **MR. MYART:** Mr. Jones has a story to tell, [9] Mr. Glickman, and he needs to be called because I [10] think he has a lot to tell you all about what's [11] going on with black farmers.
 [12] And all you have to do is call him up and [13] I'm sure you will get an earful.
 [14] **SECRETARY GLICKMAN:** We hear you.

[15] **MR. HAINEY:** I'm here, Mr. Secretary, [16] because discrimination is real in the Northern Neck [17] of Virginia. And not only is it real, it's out of [18] control.
 [19] In 1996, a black farmer went into the [20] local office to apply for an operating loan in [21] January. He was informed that the office didn't [22] make any operating loans. He was never given an

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[1] application.
 [2] Before that year was out, the very [3] individual that was running that office had gone out [4] and rented the land from that black farmer and [5] planted winter wheat in that land.
 [6] And this is in 1996. And these are the [7] kinds of things that you need -

[8] **MR. MYART:** A government official.
 [9] **MR. HAINEY:** A government official. The [10] person that was running the office went out, called [11] all of us black farmers, land owners, and told us he [12] didn't have any money, he was going out of business, [13] and he went out and rented about 50 percent of his [14] land.
 [15] **MR. MYART:** Tell them the name.

[16] **MR. HAINEY:** The name of the officer was [17] Charles Warren. It happened in Northumberland [18] County.
 [19] Since that time, with the downsizing, four [20] counties have been combined and I was told that [21] there would be a committee made up of one farmer [22] from each county.

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[1] Well, my concern is that when you go in [2] that office, there are no black employees. And with [3] the way that this is structured with one member from [4] each county, there will be no black people on the [5] committee. Black farmers won't have any idea of [6] what's going on or if we're being treated fairly.
 [7] The other thing that I would like to bring [8] to your attention is that in the Northern Neck of [9] Virginia, the government provides protection for the [10] bird of the air and the fish of the sea.
 [11] They have protection for the bald eagles [12] and they have protection for rock fish. There are [13] limits on them. They are very strict about it. [14] There

are a lot more bald eagles and there are a lot [15] more rock fish than there are black farmers. And [16] are we who are created in the image of God not [17] worthy of some type of protection? I would like for [18] you to think about that.
 [19] The other thing is my personal case. One [20] of the other reasons I'm here. I've applied for [21] a - I'm a fourth-generation black farmer. I'm [22] about to lose the land that my great-grandfather

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[1] acquired because of discrimination by the farmers - [2] what was Farmers Home Administration.
 [3] I've had a loan with Farmers Home [4] Administration that's been on hold for 10 years, for [5] 10 years of my life has been on hold. They have all [6] of my security and all of my credit has been tied [7] up. I can't - won't anybody loan me any money and [8] they won't loan me any money.

[9] The interest is ticking on my - has been [10] ticking on my loan for 10 years. I've gone back [11] repeatedly and tried to get them to restructure and [12] restructure. And it got to the point that they went [13] on with foreclosures. The only way that I could [14] stop the foreclosures was I had to file a personal [15] bankruptcy.

[16] Now, that means for the next 10 years of [17] my life, it will be messed up because I won't have [18] any credit because of the bankruptcy that I had to [19] file because of the discrimination of FHA.

[20] I've also been told that because I had to [21] file bankruptcy, that makes me ineligible to [22] participate in any programs. So the system has been

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[1] deliberately been set for me to fail.
 [2] Mr. Secretary, in closing, because I see [3] my time is about up, you know, I know this is a [4] Listening Session, and after you listen, most of the [5] time you speak.

[6] I want to leave you with one thought that [7] my grandfather left with me: What you do will speak [8] so loud that we won't be able to hear what you say.
 [9] Thank you.

[10] (Applause.)
 [11] **MR. JOHNSON:** Maybe we can go back to [12] Edward Lee. Are you here?

[13] **MR. LEE:** Yes.
 [14] **MR. JOHNSON:** And then after Edward, [15] Walter Taylor.

[16] **MR. LEE:** Mr. Secretary, and to your [17] senior staff, and to the Action Committee, [18] Mr. Secretary, I, too, will join in the appreciation [19] for you to have this session and to undergo this [20] kind of scrutiny. I think it's the kind of [21]

leadership in government that has been too long [22] absent.

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[1] Let me qualify myself by saying I'm going [2] to talk about some nontraditional things just for a [3] few minutes. But I am a farmer, was a farmer. We [4] lost our family farm, 240 acres, a lot of the stuff [5] that's been said here today, and I don't want to [6] bemoan that.

[7] I want to talk, Mr. Secretary, to you [8] almost directly, if I may, not that these fine [9] people who are with you are not listening.

[10] I want to talk about a nontraditional [11] product, a nontraditional market. And then I want [12] to talk about making a recommendation to USDA.

[13] Mr. Secretary, in my closing remarks, I [14] would like to renew my request to you. I said I was [15] not going to say that if I had to speak to a [16] microphone. If I thought you were going to be close [17] enough when you left here, I was going to pull your [18] coattail, but since you're going to go out that back [19] door, I think I have to holler at you a little bit [20] from this mike, if I may.

[21] Saving the black farmer from extinction, a [22] market-driven choice, a nontraditional product,

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[1] Natural Bird, Inc., is in the development stage of [2] creating a nontraditional product. The nature of [3] the business is a vertically integrated provider [4] of - a vertically integrated provider of [5] organically raised broiler meat for human [6] consumption.

[7] The organic nature of the business is [8] unique. The birds are fed an all-natural, certified [9] organic diet which is free of carcinogenic agents, [10] artificial growth promoters, antibodies, in an [11] environment under confined conditions altered to [12] provide fresh air, light, space, and optimum [13] sanitation.

[14] Natural Bird will provide, produce, [15] process, and distribute ready-to-cook poultry [16] products to wholesale/retail markets at a 60 percent [17] premium price, 60 percent markup premium price, a [18] \$2.8 billion nontraditional market.

[19] The nontraditional organic niche market [20] accounted for organic sales of \$2.8 billion in 1995, [21] marking the sixth year in a row of double-digit [22] industry growth.

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[1] Natural Bird's projections are that by the [2] year 2000 this market will reach \$7.85 billion. A [3] subset of this larger organic market, which was a [4] study, is the Baltimore-Washington, D.C., market, [5] one of the prime organic markets in

the country.

[6] The Maryland Department of Agriculture's [7] primary market - preliminary market research [8] indicates that there are an existing 50 million [9] pounds of organic poultry market at this time in the [10] Atlantic region and there is no known commercial [11] organic producer of organic poultry in the Delmarva [12] peninsula.

[13] 300 new jobs. Natural Bird's organic [14] poultry processing operation will create 300 new [15] jobs in the plant and will require over 100 small [16] family farms to raise their chickens, for which the [17] farmers will receive a premium.

[18] Also, an equal number of small family [19] farms will be required to grow organic grain. They [20] will be paid a premium, \$40-plus per bushel above [21] the market price.

[22] Maryland Industrial Partnership, MIPS.

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[1] MIPS. After 18 months of planning, Natural Bird is [2] now in the beginning phases, Phase I of its research [3] and development. The Maryland Industrial [4] Partnership has awarded the company a matching [5] grant. The total budget for this phase is [6] 87,000-plus dollars.

[7] The grant will involve a literature search [8] and compilation of data; the development of a [9] decision matrix; the creation of preliminary [10] housing; design, testing of selected components; and [11] defining the optimum housing design for organic [12] poultry.

[13] USDA denies marketing grant. The Maryland [14] Department of Agriculture collaborated with Natural [15] Bird and submitted a federal market improvement [16] program grant to the United States Department of [17] Agriculture in February of '96. This grant was not [18] approved.

[19] The State conferred with USDA and [20] resubmitted the application for the next round. [21] Again, it was denied. The Maryland Department of [22] Agriculture is now reluctant to resubmit the grant

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[1] because they were advised that USDA, I'm quoting [2] now, "USDA did not want to see the application [3] again," end quote.

[4] The Maryland Department of Agriculture [5] said it does not want to compromise its relationship [6] with USDA in resubmitting the grant.

[7] USDA turns down requests to me. In an [8] effort to have a dialogue with the participating [9] departments of USDA and to reach a common accord [10] regarding the company's project, Natural Bird [11] requested that USDA's 1890

liaison officer at UMES [12] assist them in arranging with meeting in Washington, [13] D.C., with the Department personnel who would be [14] involved in this project. The liaison offices were [15] to provide Natural Bird with the contact at USDA.

[16] At first, the news was encouraging. [17] However, it was not long before the company was [18] given the runaround.

[19] Finally, Natural Bird was told that one of [20] the persons scheduled to attend the meeting being [21] arranged with the company disqualified himself [22] because he had participated in the federal market

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[1] improvement grant submitted to the USDA on behalf of [2] Natural Bird.

[3] The person at USDA who was facilitating [4] the organizing of the meeting then decided that the [5] meeting would be an exercise in futility and [6] canceled out.

[7] A letter of understanding with UMES. The [8] University of Maryland Eastern Shore 1890 HBCD has [9] signed a letter of understanding with Natural Bird, [10] Inc., setting forth research and demonstration [11] project guidelines.

[12] **The university's Rural Development Center,**

[13] the Dean of Agriculture, the university staff, the [14] Cooperative Extension Service are supportive of [15] Natural Bird's goal to produce the certified organic [16] poultry.

[17] Natural Bird processing model. The [18] available experience and technology exist within the [19] commercial poultry industry and the university to [20] produce organic poultry in confinement. What is [21] required for black farmers to be successful in [22] penetrating this organic market is a successful

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[1] demonstration processing model.

[2] Natural Bird in collaboration with its [3] partners is creating an organic poultry processing [4] system which can be duplicated on a small-scale [5] basis throughout the farming community. The [6] question is, will the sustainable agriculture [7] project be given the legitimacy through the support [8] of the USDA?

[9] A market-driven solution to save black [10] farmers. Natural Bird recommends, Mr. Secretary, [11] that the USDA provide a preference status, not [12] quotas, for black farmers.

[13] And I want to interject here. I'm a [14] veteran and I have a veteran's preference. I have [15] been nowhere in this country, almost the world, that [16] that veteran's preference was not recognized for [17] whatever you want to use it for.

[18] And it is the same thing that I'm [19] suggesting, that in terms of the demise of the black [20] farmer and, as has been stated here today, I need [21] not reiterate it, if a preference status were given [22] in terms of USDA in matters that they were involved

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[1] with before USDA and its affiliates, we would see, I [2] believe, a tremendous difference in communications [3] and coordination.

[4] This status would apply to farmers engaged [5] in or seeking to become engaged in organic food and [6] grain production and other such enterprises [7] recognized by USDA as farming-related activity which [8] are directed to saving the black farmer.

[9] This status will give the black farmer [10] access to grants, low-interest fixed loans, and [11] access to other current resources at USDA to help [12] position the black farmer in the emerging [13] multibillion organic market bonanza.

[14] Mr. Secretary - yes, ma'am. I respect [15] that. I'm closing out.

[16] Mr. Secretary, for some time, there were [17] naysayers who said that organics and natural foods [18] were a fad and that they wouldn't last. I think [19] that this market, recent market data that has [20] been - has come forward opens a tremendous [21] possibility for the black farmer and the small [22] farmer.

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[1] If USDA will join with us in an education [2] program and look at that sustainable agriculture [3] program that's been rolled out, and what you're [4] doing at USDA now beginning to certify organic [5] meats, and talk to us in a partnership, I think [6] together we can begin to turn it around.

[7] And finally, sir, I wrote you a letter [8] January the 2nd and yes, sir, I know you've seen it, [9] Mr. Secretary. It's absolutely critical for our [10] success that we sit down.

[11] Would you do that with us, sir? How do I [12] come back to you on that?

[13] **SECRETARY GLICKMAN:** We'll get back with [14] you. I think it's also appropriate to have somebody [15] from Jill Long-Thompson's shop there because she's [16] the one that's most responsible for this. But I'll [17] be glad to set that up with you.

[18] **MR. LEE:** Mr. President - Mr. Secretary.

[19] **SECRETARY GLICKMAN:** I'm not the president [20] yet.

[21] **MR. LEE:** I'm trying to get you - hold me [22] down. I am trying to get you there. If you can do

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[1] this kind of stuff, maybe you need to be president.

[2] We have - yes, sir. We have set with the [3] governor's staff and all the people on the ranks. [4] Can we arrange that? They are willing to do that [5] with you.

[6] Can we kind of do that in that kind of [7] forum? Would that be acceptable to you?

[8] **SECRETARY GLICKMAN:** We'll arrange [9] something with you. And this lady right here, Jill [10] Long-Thompson, is who you should talk to.

[11] **MR. LEE:** Thank you.

[12] (Applause.)

[13] **MR. JOHNSON:** Thank you, Edward. [14] We have come close to the end. I have one [15] more person on my list, and then if the Secretary is [16] still here, I would like him to say a few words. I [17] think he is.

[18] Walter Taylor.

[19] **MR. TAYLOR:** To the Secretary, I started [20] farming when I was - the year that President [21] Franklin D. Roosevelt died. I was a 4-H Club [22] farmer, you know, where you use those 13 rows, 13

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[1] feet long. That's the way I learned in the [2] government.

[3] So I farmed for some of the biggest [4] farmers in the United States and I like to farm like [5] they did, not like some of the others that they [6] laugh about.

[7] And so after I got to farm so good, I [8] worked for the biggest farmers in Florida, Texas, [9] South Carolina, North Carolina, and Virginia. All [10] over.

[11] Then I was contacted by a few other big [12] people, say, "Man, why don't you go to farming for [13] yourself? Being as they ain't going to pay you no [14] more money than they paying you for growing and [15] taking care of this exercise and everything, why [16] don't you just stop running migrant workers and [17] everything? You do it for yourself."

[18] Okay. I started doing it for myself and [19] nobody in the State of Florida can beat Walter [20] Taylor, all right. On pack-out slip record, nobody [21] beat me. And so they got word I was just buying [22] land and farming and cows, too. And so then they

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[1] told me they wasn't going to lease me no more land [2] in Ruskin.

[3] It done got a little prejudice now because [4] a lot of the older farmers had died and their son [5] wanted to run their own farm. And so I just didn't [6] want to dry up. I'm farming for myself now.

[7] And so I got to farming real big, bigger [8] than two or three of them because I

was trained by [9] the biggest farmers in Florida, Texas, everybody [10] know the Holmes, quite a few others in South [11] Carolina. And I got where I could beat everybody [12] farming.

[13] Then they said they couldn't lease me no [14] more land in that area. I had to go way out in the [15] boondocks where I could grow my farm at. So I went [16] way out there and I cleared up a little better bit [17] than 8,000 acres.

[18] And I grow the super, super crop. I have [19] my pack house slips to back this up. Both crops. [20] Nothing called stake tomatoes ever been grown that [21] high. I got a call from President Jerry Ford [22] because of my growing record.

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[1] And then the rain came. Then they didn't [2] want none of my workers then who had been working [3] for me who come from Texas with me to help me gather [4] my crop. Then a storm coming in destroyed [5] everything they had. By I'm way out in the [6] boondocks, it's in Ruskin, Florida, I'm the only one [7] that got safe.

[8] Now I got 8,000 acres of tomatoes, just [9] started picking. They went sky high. I made a [10] killing. Mr. J. C. Verlaney taking care of [11] everything for me. They run them through six [12] packing houses to get them before the rest of the [13] rain come in, destroy the rest of them.

[14] That fall I did the same thing right back [15] over again when they had all kind of fire, disease, [16] cows and everything. I had a super, super crop. [17] Then they had me framed and sent to prison.

[18] After I got out, Mr. J. C. Verlaney, who I [19] was a salesman for in tomatoes, he had my money kept [20] for me. And then after I got a packing license, he [21] had my money put with Mr. Dan Landers in [22] Philadelphia, who he's the one vouch for me to be a

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[1] packer, fruit and vegetable farmer. Him and [2] Mr. Paul Cobb. And so they put my money into that [3] account then, because everything was over.

[4] Then I had to qualify, as you know, to go [5] through the line before I could be a full packer. [6] Now I'm a full packer. All my money done walked out [7] of their county. It's over \$109 billion that's [8] supposed to have been in that account. And it ain't [9] now a quarter in there now, what they're telling [10] me.

[11] So I came up here to see you in August the [12] 10th from Texas. I had the governor of Texas, I [13] went to see them because I got some land out there, [14] too, and he got his assistant, Lieutenant Governor, [15] to write the papers up and everything.

[16] And I wanted to know why I can't get

my [17] money out of the Agriculture Department? And this [18] is my own money, is in my packer license account. [19] Why I can't use my own money?

[20] And so then when I come up here, they [21] wouldn't let me see you. So I went back to see [22] President Carter, because I was in an old religion

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[1] called the Voice of Miracle religion, and I haven't [2] been paid yet because I was in prison when everybody [3] else got paid.

[4] And I showed them that I could go up to [5] Act VII by writing it in on the paper and they said, [6] "Give me my money." And so I come up here again. [7] Then I check with Jose and I said I want to see [8] Mr. Glickman, because the governor of Texas, she [9] done sent in her paper.

[10] And I went to see the Justice Department, [11] Don Walker, I went to see, and he wouldn't even talk [12] to me. He wouldn't even talk to me. So Jose said [13] that he'd come out and talk to me. I said I had an [14] appointment up here to see Mr. Glickman the 10th of [15] August.

[16] **SECRETARY GLICKMAN:** Mr. Taylor, why don't [17] we do this?

[18] **MR. TAYLOR:** Yes, sir.

[19] **SECRETARY GLICKMAN:** This man, Dallas [20] Smith, why don't you raise your hand, Dallas. Why [21] don't you talk to him after this is over? He's my [22] personal representative. He's the Acting

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[1] Undersecretary for the programs and we'll get to the [2] bottom of it.

[3] **MR. TAYLOR:** All right. I've been writing [4] you and the President and everybody.

[5] **SECRETARY GLICKMAN:** We'll get to the [6] bottom of it.

[7] (Applause.)

[8] **SECRETARY GLICKMAN:** Mr. Johnson, before [9] we leave, I would just like to make a couple of [10] comments. I think it's important.

[11] This is obviously very useful. There's [12] one more of these things on Friday in Mississippi [13] and then Mr. Reed and the Action Team will roll up [14] their sleeves, I suspect their sleeves have been [15] rolled up pretty good so far, and get us a report.

[16] I do want to make a couple of comments, [17] however. I didn't say it before, but I think it [18] needs to be said.

[19] I want to act to correct these problems, [20] and we will. I will, however, say that personal [21] attacks on members of the staff or the subcabinet, [22] people who work hard, are not well-tolerated by me.

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[1] And you don't win friends and influence [2] people by demeaning and attacking the integrity of [3] people who may have good, bad, or indifferent [4] reasons for doing what they are doing. And so I [5] don't appreciate that.

[6] Now, one wrong doesn't make another wrong [7] right. Two wrongs don't make a right. We're going [8] to get at this problem, but I'm not going to let [9] people who work hard and do their best get attacked [10] unfairly. That is wrong.

[11] And whether it's the general counsel or [12] whether it's people on my personal staff or whether [13] it's a Member of Congress, everybody is trying to do [14] their best in their own way.

[15] And they may not always have the best [16] judgment. Lord knows I don't have the best judgment [17] a lot of times. You know, I'd like to have not seen [18] this problem be created and people could get along [19] and people all be treated equally as human beings [20] the way God intended.

[21] That's just not the way human nature works [22] and periodically we've got to come in and fix the

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[1] problems. But they are not going to be fixed as [2] easily when people get personally attacked.

[3] So we're going to try to resolve these [4] problems the best we can. We are all going to work [5] together to resolve the problems. If we don't work [6] together, they won't get solved. The old theory: [7] United we stand, divided we fall.

[8] So we're not going to pit different [9] members of the staff or different people who were [10] elected or different people who are appointed [11] against each other to get these solved.

[12] I commit to you this team is going to get [13] these issues solved, but I do want to make it clear [14] that everybody is working their best to try to [15] resolve these matters.

[16] There's an old expression. Somebody [17] talked about their grandfather. There is an old [18] expression my father used to tell me: Today is the [19] first day of the rest of your life.

[20] It does no good to beat up on all the [21] mistakes we've made beforehand, because all of us [22] have enough to put this room all the way to the top

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[1] of the Washington Monument with those mistakes. And [2] I'm sure there are no perfect angels in this room. [3] Some may think so, but I don't think there are any.

[4] So I just want to make it clear, we're [5] going to resolve these problems. I like

this USDA [6] to a patient that's undergoing major surgery. I'm [7] the supervising physician right now. We got a lot [8] of nurses and a lot of doctors and a lot of support [9] personnel who want to help correct this patient and [10] we're going to take all that help.

[11] Ultimately, however, there is just one [12] surgeon to fix the organs and sew up the wounds. [13] And with the folks' help here, we're going to do our [14] best to make sure that's done. Working together, [15] not demeaning anyone's intentions.

[16] And I just think I need to say that [17] because that is the only way that we can revitalize [18] the effort here, working together, making sure that [19] people are treated fairly and people are treated [20] with dignity.

[21] (Applause.)

[22] **MR. JOHNSON:** Thank you all for coming

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[1] today.

[2] **MR. LEON JOHNSON:** Mr. Johnson? [3] Mr. Johnson, evidently you omitted my name. I was [4] on the list, signed on the list to make some [5] comment. It's easily done. I can understand how [6] you could miss someone's name.

[7] **MR. JOHNSON:** You want to introduce [8] yourself?

[9] **MR. LEON JOHNSON:** Yes, sir. I'm Leon [10] Johnson. I'm a retired area extension agent with [11] the University of Maryland. I worked in two [12] counties, Somerset and Worcester Counties on the [13] Eastern Shore of Maryland.

[14] I also am presently serving as chairman of [15] the Maryland Governor's Commission on Migratory [16] Labor and I have been serving in that position for [17] the past 20 years.

[18] I have heard the cries of black farmers [19] complaining about not being able to get a loan from [20] Farmers Home Administration. I have also heard the [21] black farmers crying about the shackles of control [22] that's put on those few who was able to get a loan

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[1] from Farmers Home Administration, RECD.

[2] However, I'm not here to talk about the [3] farmers and my experience as a 39-year career [4] extension worker. I'm here today to represent the [5] president of Somerset County Assistance Association, [6] a nonprofit tax-exempt corporation that owns a 30 [7] housing unit in Princess Anne, Maryland.

[8] Unfortunately, Mr. Secretary, our problems [9] seem not to be with county commissions or county [10] office personnel. I'm not going to blast any [11]

persons where our problems are located because it is [12] located in the Maryland, Delaware - Camden, [13] Delaware State office.

[14] And judging from the letters that I have [15] read that was written to me and the letters that [16] have been written to the president, Reverend [17] Isaac Jenkins, the problem is basically [18] communication and it's at the State director's level [19] down.

[20] The apartment was built with a \$530,000 [21] loan from Farmers Home Administration in 1978. [22] Since that time, we pay approximately \$800,000 in

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[1] interest alone, \$250,000 more than the original [2] loan.

[3] And what happened here lately? We have [4] received communication that they threaten to [5] accelerate the loan. Well, this corporation may be [6] able to get another loan and still operate, but I [7] can guarantee you there will not be any low-income [8] families in there.

[9] It's going to cost 30 low-income families [10] to be moved, because if we have to pay 11 percent [11] interest on money where we are paying eight, [12] eight-and-a-half percent now, I'm not exact, those [13] low-income families cannot afford to live there [14] because the rent is going to be too high.

[15] In addition to the total amount of [16] interest that we have paid, we got \$40,037 in the [17] bank that we can't touch unless it's approved by [18] RECD. The Federal Government is not at risk in any [19] manner in this project whatsoever. We pay our [20] bills. We pay them on time.

[21] But yet we have been harassed by, say, yet [22] another new management agent. We had several

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[1] management agents over the past 18 and a half years [2] and only one that has been there that we seem not to [3] have no problem and that was a white female that had [4] a GED education.

[5] We've had managers there with - who were [6] retired teachers, sergeants in the military, and now [7] we have a manager that have a bachelor's degree, a [8] master's degree, and only need five courses in [9] having a doctor's degree from the University of [10] Maryland, College Park. But still he's not [11] qualified.

[12] We received a letter saying how he's [13] worked for large management companies in Maryland [14] and Delaware. I checked the records. I have a copy [15] of the resume of one of those management company [16] owners and their qualification is a lot less than [17] the present management that we have.

[18] So Mr. President - Mr. Secretary, I'm not [19] going to stay here all day. We will be submitting [20] you some other comments in writing, but I would like [21] to say that during the time that Abraham Lincoln [22] established the Department of Agriculture, we had

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[1] visible shackles, but now we are faced with [2] invisible shackles around us from RECD of control.

[3] In fact, they have changed our original [4] agreement, financial original agreement, which [5] says - which they had authority at that time and [6] control over all assets, including land and so [7] forth, of the housing project.

[8] Now they want control of all the financial [9] and business of this non-profit charitable and [10] educational tax-exempt corporation. And we have [11] other programs.

[12] We do not plan, we have not planned, and [13] basically it will - to be frank and very candid, [14] I've talked with members of the board of directors [15] and they don't plan to give you control of all of [16] their money.

[17] So all I'm asking, Mr. Secretary, is for [18] you to relieve the shackles of control over us [19] because we will provide safe and sanitary housing [20] for those 30 low-income families who the project was [21] designed to serve.

[22] And it just happened to be my idea,

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[1] Mr. Secretary, too, and I wrote most of the [2] information in the application to get the housing [3] project established.

[4] So please, Mr. Secretary, relieve the [5] pressure from us, please.

[6] (Applause.)

[7] **MR. SHADBURN:** I'll be glad to get with [8] you immediately after the meeting here and sit down [9] with you and we'll work out some communication on [10] this and make sure that our staff get with you and [11] the State director and we'll see what we can do to [12] correct the communication and also look into the [13] problem. Okay. I'll be with you in just a few [14] minutes.

[15] **MR. JOHNSON:** Thank you all for coming [16] today. It's been a very good session. The panel [17] has got its work to do at this point and we'll carry [18] on. Again, thank you very much.

[19] (Thereupon, the Listening Session was [20] concluded at 5:47 p.m.)

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