

I yield back the balance of my time.

REPORT ON RESOLUTION IN THE
MATTER OF REPRESENTATIVE
CHARLES B. RANGEL

Ms. ZOE LOFGREN of California (during the Special Order of Mr. CARTER), from the Committee on Standards of Official Conduct, submitted a privileged report (Rept. No. 111-661) on the resolution (H. Res. 1737) in the matter of Representative CHARLES B. RANGEL of New York, which was referred to the House Calendar and ordered to be printed.

PIGFORD FARMS AND
DISCRIMINATION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes as the designee of the minority leader.

Mr. KING of Iowa. Madam Speaker, it's my privilege to be recognized to address you here on the floor of the United States House of Representatives and to take up the issues that are on my mind and the issues that I hope are on the minds of the American people, the minds of the people who are the elected leaders here in the United States Congress, and hopefully on the minds of those of us who see this American taxpayer dollar as a pretty sacred dollar that should be invested wisely and responsibly.

And there are any number of issues that can be brought up under that particular parameter. But I choose to come to the floor tonight, Madam Speaker, to talk to you about the situation of Pigford Farms.

Pigford Farms is an issue that emerged here in the United States government around about and exactly on, began I'd say in 1983, in 1983 when the United States Department of Agricultural civil rights office was closed. At that period of time, there wasn't an oversight department within the USDA that might have looked over the shoulders of our USDA employees to see if they were actually treating people equally with equal opportunity under the law, as I think everyone in this Congress will agree every American citizen deserves equal opportunity under the law. That's part of the 14th Amendment. We take an oath to uphold the Constitution that includes the 14th Amendment and equal protection under the law and provide for equal opportunity, not necessarily equality of result, but equality of opportunity.

And so I suspect that that focus under the USDA diminished somewhat or at least didn't have a check on it from 1983 on. But with the Pigford Farms issue—and this is the largest civil rights class action lawsuit in the history of America, Pigford Farms.

□ 2010

It looms over the heads of the Members of Congress here to be not what it

was just a few years ago, \$1.05 billion, not what it was when the Farm Bill passed here on the floor of the House under the direction of the chairman of the Ag Committee, COLLIN PETERSON of Minnesota, at an additional \$100 million, which was designed to be the sum total that would ever be required to sweep up any of the remnants of Pigford Farms, this civil rights case, and package it all up and make sure that people were compensated and put it behind us. No, it has reared its ugly head again, Madam Speaker. It's reared its ugly head with an issue called Pigford II.

It wasn't enough to have Pigford I. Pigford I, which emerged because I believe there was discrimination taking place within some of our USDA offices, particularly around the South, where the culture of segregation had prevailed beyond the end of the legal segregation that we had, and was still, I believe, in some of the offices manifested in the form of discrimination between the Farm Service Administration personnel. But that discrimination that then perhaps, and I think likely, and I believe did carry on through some of those years of the eighties, perhaps as far back as the seventies, but this case deals with the eighties, the eighties and the nineties.

So Pigford Farms, the chronology of it goes this way, Madam Speaker. In 1983, the United States Department of Agriculture Civil Rights Office was closed. In 1994, and this would be under Bill Clinton's administration with Dan Glickman as the Secretary of Agriculture, commissioned an accounting firm or an analysis firm to analyze the treatment of minorities and women in the Farm Service agencies throughout the United States.

The study examined the conditions from 1990 until 1995 and looked primarily at crop payments and disaster payment programs in Commodity Credit Corporations, that's CCC, loans. A final report found from 1990 until 1995, minority participation in Farm Service Administration programs was very low, and that minorities received less than their fair share of USDA money for crop payments, disaster payments, and loans.

Now, Madam Speaker, I am always suspicious of the "their fair share." I know that the word "fair" comes up in law over and over again. It comes up in many, many pieces of case law, precedent cases out there. If one would read through that case law, you will see the word "fair" over and over again. You will hear the word "fair" debated here on the House of Representatives over and over again. And whenever I hear this word "fair," didn't receive their fair share, I always cringe, because you know, we are a body that should be dealing with facts and empirical data. And the judgment should be on the facts, not the judgment of the facts.

But the word "fair" is always in the mind and the eyes of the person who utters that word "fair." And none of us

can agree on what the meaning of the word is of the word "fair." Didn't receive their fair share. Perhaps that's true. I actually believe it is true.

But Marilyn and I have raised three sons. And anybody that's raised two or more kids knows there is no such thing as fair unless it's the State Fair or the World Fair or the County Fair or a fair ball or a foul ball versus fair. But this word "fair" that's a judgment call is an amorphous word. It could be anything. It could be within the context of what was fair in 1776 doesn't fit with what was fair in 1865, doesn't fit with what was fair in 1942, and not with what's fair in 2010. It's subjective, not objective, the term "fair." And I would like to get away from using the word "fair."

But nonetheless, the data didn't support that African American farmers were engaged in the programs to a similar extent as non-African American farmers, what primarily would be white farmers. So that was the report from 1994. Two years later, actually the end of that year, 1996, December of 1996, the Secretary of Agriculture Dan Glickman ordered a suspension of government foreclosures all the way across the country pending the outcome of an investigation into racial discrimination in the United States Department of Agriculture's agency loan program. And he later announced the appointment of a USDA Civil Rights Task Force.

So under the Reagan administration the USDA Civil Rights Office was closed, 1983. Dan Glickman in 1996 reestablished a similar agency called the USDA Civil Rights Task Force. And in February of '97 that task force recommended 92 changes to address the racial bias that existed, I believe, and to the extent is negotiable or debatable as part of the USDA Civil Rights Action Plan. And while the action plan acknowledged past problems and offered solutions for the future improvements, it did not satisfy those seeking redress of past wrongs and compensation for losses suffered.

So there was a move that was made to try to alleviate the allegations of racial discrimination within the USDA. Dan Glickman stepped forward in 1996 and announced the formation of the Civil Rights Task Force. That press conference in December of 1996, Madam Speaker, was essentially the confession by the Department of Agriculture that they had engaged in racial discrimination with farm programs, crop payments, disaster payments, and loans. And this started then the litigation that was at least anticipated at the time. And this litigation began in 1997.

So in February, February 28 of '97, the Civil Rights Task Force of the USDA recommended 92 changes. And those changes were not implemented. And so in 1997, same year, the litigation against the U.S. Department of Agriculture for discrimination against African American farmers began in August of '97. Two cases. One was brought