

REPARATIONS COMMITTEE PRESENTATION
LAWRENCE LUCAS
OCTOBER 13, 2021

Thank you for this invitation to address this important effort. I am honored to be with you this afternoon. My name is Lawrence Lucas. I served as President of the United States Department of Agriculture Coalition of Minority Employees beginning in 1994, and I currently serve as President Emeritus. We focused in our earliest of days on the same things that we focus upon now: fair, ethical, and humane treatment of employees at USDA, especially, women employees who receive the most violent of treatment within the USDA Forestry Service, and the rights of Black farmers to fair and equal treatment in the areas of programs and services. Yes, for decades, hundreds of years Black farmers have suffered. Black farmers deserve the same treatment as white farmers here in America, but, sadly, they do not.

We can tell our stories back to the shores of Africa, our agricultural, communal societies. We can tell you of the brutalities of the Middle Passage, the degradation of the auction block, and the horrors of plantation life. We can tell you stories of joys of freedom and the systems set up to marginalize our people during and after Reconstruction. We can tell you of amazing efforts to achieve land ownership during a time when we were to work the land and not to own it.

Yes, the faces and voices you just saw and heard from the trailer of **“I’m Just a Layman in Pursuit of Justice: Black Farmers Fight the USDA,”** are but the tip of the iceberg. This documentary, co-produced by Shoun Hill and Waymon Hinson, and funded by the Black Farmers and Agriculturalists Association of Tillery, North Carolina, Gary Grant, President, reflects the narratives of 9 of 15 African American farmers and families who prevailed against the United States Department of Agriculture and the Department of Justice, and insurmountable odds, between 1997 and 1999. Without the courage of these Black farmers and families, there

would be no Black Farmer Movement, and there would be no Pigford I, nor Pigford II. Even as they prevailed, the USDA found ways to deny them services.....the same services they give to white farmers.

Their stories are difficult to hear and see. They had to deal with racial epithets that include the “N-word,” “boy,” and “KKK signs.” Also, NAACP, “**Now Apes Are Called People,**” was found on the bathroom doors at two of the main USDA buildings in Washington, DC. Farmers were ignored by the county office personnel, they had to sit and wait while white farmers went in and out, and they even had to sit and talk to county personnel who wore their signs of white supremacy. Loans were delivered too late in the planting season, disaster relief funds were not offered, and payment restructuring options were also not denied.

We know the stories of the Whistleblowers One, for instance is Francis Haugen who was an employee at Facebook. We read and hear of the blowback to her expose. Many of us believe what she has been saying. In the US Department of Agriculture, we have had our fair share of Whistleblowers, especially those women who had the courage to expose the sordid truth as to how women were being mistreated, which included sexual abuse, sexual assault, harassment, intimidation, and fired for speaking out, in the Western Region, US Forestry Service. On December 1, 2016, Denise Rice and Lesa Donnelly, representing the USDA Coalition of Minority Employees, provided riveting testimony before the Committee on Oversight and Government Reform, chaired by Jason Chaffetz, Utah. Also, on November 15, 2018, Shannon Reed appeared before the same committee, chaired by Trey Gowdy, South Carolina. And on March 1, 2018, PBS reported on sexual harassment. Then retaliation began. Rosetta Davis, a civil rights office employee, told her personal story of sexual abuse that she experienced by top members in the Office of Civil Rights as she went on stage uninvited before a Black History

Month event in the USDA auditorium in February, 2018. And those persons responsible for that mistreatment who work in the Office of Civil Rights and work for the Secretary have not been held accountable. Top officials at the highest level of the Secretary's office had the opportunity to settle her case and didn't. We know that happens at USDA and nobody is held accountable.

The entire system at USDA's civil rights is toxic for employees, Black farmers, and others. We have had Whistleblowers in other departments of USDA. They tell different stories with common threads. The system is organized, and has been historically, especially since the era of the New Deal, to advantage white people and not people of color nor women. Power was placed in the hands of southern white men and remains. The plethora of class action suits and their settlements confirm these stories.

Black farmers were their own whistleblowers. The system at USDA is designed to protect itself. The stories of the farmers in the documentary are but the tip of the proverbial iceberg because of complaints against the USDA and its egregious system of favoring white farmers in programs and services. The USDA has indeed become "the last plantation."

Against insurmountable odds, racism, the KKK, public and private lynchings, black codes, and all manner of other machinations of white citizens, African Americans came to be prodigious landowners. In 1920, there were 950,000 Black farm operators; 22,000 Black farm land owners; and in 1910, Black farmers farmed 47,000,000 acres which dropped to 45,000,000 acres in 1920. In 1910, Black farmers owned over 19,000,000 acres, saw this drop to 16,700,000 in 1920, and then plummet to approximately 4,600,000 acres in 2017 when there were approximately 35,470 Black-owned farms with an average of 132 acres. By comparison in that latest census report, by comparison, over 2,000,000 farmers were farming 900,000,000 acres with an average of 441 acres. The comparison speaks volumes.

According to one news source (USA TODAY, September 24, 2021):

“Black farmers account for only 1.4% of all U.S. farmers, farm only 0.5% of the country’s farmland and generate only 0.4% of total U.S. agricultural sales every year. In contrast, about 14% of all U.S. farmers in 1920 were Black, according to that year’s agriculture census.”

This land theft has enormous economic consequences for Black Americans. Investigative reporters and researchers Joyce, Rosenberg, and Stucki have labeled the USDA as a “machine that eats” farmers. Their research indicates that 90% of Black-owned land has been lost, never to be returned.

Professors affiliated with Harvard University estimate that the value of Black land loss adds up to upwards of \$250 to \$300 billion and perhaps as high as \$1 trillion. Ancestors who worked so hard to own the land, knowing that land ownership is crucial to independence, and are not able, then, to pass this wealth on to the generations to follow is a travesty.

Why, we must ask, did the number of Black farmers drop so dramatically and why did the number of acres drop as well? This question haunts many people, those who would like to know, and it haunts those of us who do actually know, because we know the answers.

In addition to the incredible number of acres stolen through the years, we also must consider the damage to the health and well-being of Black farmers and to their families. Chronic, unremitting stress with intermittent and unpredictable stressors such as going to the county office, finding that loans have not been filed, that loans for white farmers have come in but not for the Black farmer, and the best rental lands and seeds and fertilizer are gone. Then the Black farmer gets his funds, but it is half of what he requested and it is too late in the growing season. Then, when disasters come, the Black farmer is not offered disaster relief. The list goes on and on, all of which indicate unspeakable levels of stress that grinds people to the bone. They have heart attacks or strokes, their kidneys fail, they lose their eyesight, and they die all too early.

These things are addressed by a researcher who has found that the greatest stress is shown in the mind and body of the farmer, then that of the spouse, followed by that of the children. Those of us who work in the Black Farmer Movement have lost count of those who have died waiting for justice which never arrives. Bottom line, there is a price for farming while Black in America.

The Secretary of Agriculture, Thomas Vilsack, has admitted that systemic discrimination has existed within USDA for decades. He indeed leads the system that works the way it was designed to work. It advantages white, male farmers and marginalizes Black, Hispanic, Native American, Asian American, and women farmers. He has established yet another equity commission despite the fact that USDA has internal and external documentation that reveals the problems and outlines the solutions all the way back to 1965, 1982, 1999, and on and on. During his term as Secretary of Agriculture under President Obama, he had the opportunity to change the Civil Rights landscape and he didn't. We do not need another lengthy expensive study to know what discrimination looks like. And to replicate The Jackson-Lewis Report (a cost of approximately \$10 million) with an Equity Commission is another waste of taxpayer dollars.

The Justice for Black Farmers Group came together in 2019 during the presidential campaign. This group plus the USDA Coalition of Minority Employees engaged initially with Senator Warren when we observed her attempt to explain Black land loss as a function of heirs property. While we agree with her that heirs property is a small part of the problem, she came to agree with us that in reality the USDA, county committee system, rural banks, real estate speculators, and others are responsible.

At the same time, we engaged with Senator Bernie Sanders, and shortly thereafter with Mike Bloomberg. We eventually engaged with the Biden/Harris campaign and ultimately their transition team.

By far, it was Senator Warren who grasped the significance of Black land loss. Her policy mirrored her understanding of the issues. It is easy to find on the internet. Bloomberg and Sanders were close.

We were then encouraged when Senator Warren engaged Senator Booker of NJ, and the Justice for Black Farmers Act of 2020 was submitted by Senator Booker, and then resubmitted by Senator Booker in 2021. We believed then and we believe now that with the stroke of his pen, Secretary Vilsack could bring about 90% of the changes needed within USDA.

Senator Warnock weaved the debt relief piece from the Justice for Black Farmers Act of 2021 into section 1005 of the American Rescue Plan Act of 2021 along with section 1006. This promised \$4,000,000.000 in section 1005 was designed to provide debt relief to socially disadvantaged farmers who had experienced decades of discrimination. Section 1006 of the ARPA of 2021 would direct the Secretary to make direct payments to Underserved Farmers and Ranchers where there is reasonable cause to believe that the person has suffered discrimination or bias in USDA programs. This provision can assist many of the 92 percent that will not get relief from section 1005 debt relief. Additional funds need to be added to this section to enable a large number of farmers and ranchers to get relief. Additionally, a new definition is being proposed that excludes race and outlines eight conditions for which a person must meet one or more in order to get complete debt relief. It is not clear how many of the 3,100 Black farmers that were included under ARPA will now be covered under the new definition. The relief in the new ACT will be for 100 percent and not 120 percent as under ARPA, which means the farmers might have to pay taxes on the debt relief.

Before the ink was dry on the Relief Act of 2021, several groups of white farmers stepped in to claim reverse discrimination. These lawsuits were both racist and frivolous. One

court issued a Temporary Restraining Order, and the DOJ decided ultimately not to appeal the court's decision to put a halt to these law suits across the country. At this point, we are deeply concerned about the inability of our country's leaders to respect Black farmers and the intense and unremitting discrimination that has robbed thousands of farmers and their families of their livelihood, culture, and way of life, and generation after generation of lost wealth and land which will never be returned to them.

Black land loss at the hands of USDA pulls together a coalition of the county committees, FSA offices, local banks, and white land farmers. The Black land owners often are kept in the dark while adjacent white farmers are all too ready to seize their property at oftentimes below market rates. These stories are written in our hearts as Black farmers and their families die all too early in the brutal struggle of unremitting and intense stress.

Black farmers know all too well that the issue at hand is the land. They are aware because they have felt the onslaught of egregious actions, all designed to put the land back into the hands of white farmers.

Therefore, it is imperative that America come to a reckoning of how it has treated its Black farmers and families and work toward justice.....you call it reparations. How does a family live in the space of loss of their land? How do family members continue to hope for a brighter day against the brutal realities that systems of government deprived them of their parents or grandparents or great-grandparents via strokes, heart attacks, psychotic breaks, kidney failure, loss of eyesight, and other physical problems which all too often end in premature death?

You cannot convince us that Janelle Waggoner, whistleblower and firefighter US Forestry Service, Western Region; Black farmers: Eddie and Dorothy Wise, Matthew and

Florenza Grant, Welchel and Emma Long, George Hildebrandt, and Harry Young; class agent for the Hispanic class action against USDA, Lupe Garcia; and so many others, would have not lived another hour, another day, another month, another year, if not for the deprivation and abuse of a failed civil rights process and administration at the US Department of Agriculture