

November 22, 2021

Secretary Thomas Vilsack

Attention: Chief of Staff, Katherine Ferguson
Deputy Secretary, Jewel Bronaugh
Director, FSA, Zach Ducheneaux
Senior Advisor, Dewayne Goldmon
Assistant Secretary for Civil Rights, Margo Schlanger

U.S. Department of Agriculture
1400 Independence Ave., S.W.
Washington, DC 20250

Secretary Thomas Vilsack:

The numbers are harsh and compelling. Whichever way you look at it, land was stolen from Black farmers. In the early 1900s, there were approximately 950,000 Black farmers working approximately 19,000,000 acres. Between 1910 and 1997 we lost 90% of our farm land worth anywhere from \$250/350 billion to upwards of \$1 trillion dollars. White farmers lost only 2% of their land during that time. Ninety-eight percent of Black agrarians have been dispossessed. Now there are approximately 38,000 Black farmers farming approximately 4.6 million acres. Our farms are smaller than white farmers and our farms produce much smaller income than do white farms. Our people have been victimized by systematic racism and land theft since the days of Reconstruction. There is absolutely no excuse to be had for what US Department of Agriculture (USDA) and others have done to our Black farmers. And now we want immediate systemic fixes to this centuries old problem.

USDA faces a reckoning regarding its long history of discrimination against Black farmers and others. Investigative journalism continues to expose the racist mistreatment of minority farmers, especially Black farmers. Unfortunately, your history as administrator over these complaints remains extremely troubling. Whether as Governor of the State of Iowa (Pippen v. Vilsack, 6,000 Iowa state Black employees file class action) or Secretary, USDA, many of these trends occurred on your watch and they are very revealing.

The most recent articles in Mother Jones (<https://www.motherjones.com/food/2021/11/black-farmers-debt-relief-stephen-miller-usda-loans-discrimination>) and The Nation (<https://www.thenation.com/article/society/black-farmers-pigford-debt>) plus numerous radio talk shows and podcasts from such celebrities as Roland Martin (<https://www.youtube.com/watch?v=6eOV4HULp0Q>) and Yvette Carnell (<https://www.youtube.com/watch?v=GTbYz6oFiQQ>) come together. They speak to our opinion that Black farmers continue to experience racism and other wide-spread abuses even though there are false assertions about fixing the civil rights problems at USDA.

We have watched with disbelief and discouragement as a sequence of events played out in a “self-fulfilling prophesy:” a member of the Vilsack agriculture transition team declared that what we wanted, debt relief for Black farmers was “**unconstitutional.**” We contend that there was an unnecessary length of time spent from Senator Warnock’s two bills, voted into the American

Rescue Plan Act of 2021, and the decision by a Florida judge to issue a temporary restraining order against you.....which stopped relief for Black farmers. Our contention is that you “**slow-walked**” the processing of these claims with a “**process**” that went beyond 100 days. We are fully aware that you with the stroke of your pen could have removed the debt that these farmers have suffered because of USDA’s long history of discrimination, not a “**process**”....but debt relief. Instead, we have white privilege that continues to be a part of USDA landscape at the pain and suffering of Black farmers and others. Trump paid out \$16B in allotments to white farmers in a very speedy fashion, and Black farmers received only a very small fraction of those funds. Why for them and not us?

The word of USDA’s maltreatment of Black farmers is now being spread coast to coast, and north and south, via the award-winning documentary, “I’m Just a Layman in Pursuit of Justice: Black Farmers Fight Against USDA.” It is being seen in California, Maryland, Massachusetts, Texas, and Washington, DC, to name a few. People around the country are rightly alarmed that pre-Pigford farmers faced discrimination at the hands of USDA and that it is still ongoing. The trailer for that documentary can be found at: <https://blackfarmersinsearchofjustice.film>. We invite you to view it.

The Equity Commission will only reveal truths that many of us already know...farmers and USDA employees included. This is another method of side-stepping and not dealing with the culture of systemic racism, sexism, and other civil rights abuses that have haunted USDA for decades. This is discrimination within and of itself.

The evidence resides in the history of internal and external reviews of USDA and the Office of Civil Rights in particular:

- 1965 document by the US Commission on Civil Rights;
- 1982 document by the US Commission on Civil Rights;
- D. J. Miller Report, 1996;
- Civil Rights Action Team Report, February, 1997;
- Civil Rights Implementation Team Report (One Year of Change), March, 1998;
- Commitment to Civil Rights, 2000;
- Jackson Lewis Report, “Civil Rights Assessment,” 2011;
- Harvard Studies and Reports, 2015 and 2021;
- GAO and OIG reports, especially the latest OIG report, September, 2021, which contained “sensitive information that has been redacted for public release due to concerns about the risk of circumvention of the law,” and
- More.

The question must be.....who is looking into and implementing all these **recommendations** and **solutions** that have been offered by these very credible organizations.

We can ill afford to wait for an Equity Commission Report in year 2023 that will tell us what we already know. Farmers are losing their land, dying, losing wealth, and experiencing other abuses....not to mention all of the thousands of civil rights cases not processed....farmers and employees.

An important issue is the historical discrimination by the USDA county committee system. Another area is the Office of Civil Rights and its false assertion of no backlog of cases that we know is not to be true. The added assertion that there is a "**firewall**" separating the Office of Civil Rights and the Office of General Counsel continues to undermine the fair administration and processing of civil rights at USDA. We want to see the Commodity Credit Corporation used to benefit Black farmers. We want to see accountability, transparency, independent oversight, and justice over the entire civil rights process.

The Democratic party is facing a bold reckoning. We saw it in Virginia and other places around the country. Blacks come out and vote when they have causes they can support. A decrease in recent Black support puts President Biden, and perhaps Senator Reverend Warnock, and others at risk as well. Black farmers, their extended families around the country, and their supporters are watching very closely what is being played out in USDA and Washington, DC.

The taking for granted the Black vote is a failed and false assumption. Yes, our vote matters. Washington is paying more attention to its own drum beat....as flawed as it may be. The wishful thinking that we will go away because you ignore us is another false assumption. And for those who applaud your civil rights success have their heads in the sand.....for the sake of favors from USDA.

We will not be silent this time around. The cost is too great. This is no game with us. This is not time to continue sugar-coating the dysfunctional civil rights administration and processing at USDA.

President Biden has spoken of justice, that it will be deferred no longer. You have admitted that racism has existed within USDA for decades, if not longer. We want the speed of your efforts at bringing about solutions that work.

A hug will not replace the pain and suffering, loss of a way of life, generational wealth, and more.....and, yes, lives being destroyed and lost. This is what we have asked of you and your administration. We are sorry to say that "systemic discrimination" solutions have been ignored. Instead, we are offered up an equity commission that will investigate what we already know. That is unacceptable. We want to see results now.....not later in 2022 or in 2023.

Farmers in the Black farmer documentary referenced above told the truth. A farmer grieves at his loss, "I lost my livelihood in farming. I couldn't farm. They took away the one thing I really love, and that's farming. That's what the USDA did." Another farm reflects, "The lack of people, by too many people, not really caring whether we get justice or not." A third farmer says, "We've experienced discrimination for a very long time. Most people would have given up. To this date, I haven't given up and I never will give up until justice is served." A fourth farmer defiantly says, "[My father] says, 'Don't let USDA take my land.' It was like anybody else, but just don't you let them have it. We've done that. Nobody else has taken it either, but for sure the USDA will never get it. Quite frankly, I say the United States Department of Agriculture murdered my mother and father, and my brother." Listen to their words, see their faces, and respect and understand their pain and suffering.

We continue to wait for a call from you and/or your office regarding working with us to address the ongoing culture of systemic racism, sexism, and other longstanding abuses at USDA. We will set up a Zoom call with you, our group, and farmers from around the country. It will include

plenty of time for questions and answers. We want a minimum of at least an hour in length with a commitment to further engagement.

Respectfully,

Lawrence Lucas, President Emeritus
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CC: President Joe Biden
Vice-President Kamala Harris
Will McIntee
Cedric Richmond

Resources November 22, 2021

California Reparations Task Force Presentation by Lawrence Lucas:
Spoken testimony: https://www.youtube.com/watch?v=e_wxNjtyNqk
Written testimony (p. 307): <https://acresofancestry.org/wp-content/uploads/2021/10/task-force-meeting-materials-.pdf>

Carnell (Yvette) Podcast, September 13, 2021:
<https://www.youtube.com/watch?v=GTbYz6oFiQQ>

Civil Rights Action Team Report, February 1997 (CRAT):
<https://static.ewg.org/reports/2021/BlackFarmerDiscriminationTimeline/1997-crat-report.pdf>

Civil Rights Implementation Team Report, September 1997 (CRIT):
<https://permanent.fdlp.gov/lps15852/critprog.pdf>

Commitment to Civil Rights Progress, 2000:
<https://www.govinfo.gov/content/pkg/CHRG-106shrg70527/html/CHRG-106shrg70527.htm>

The Counter article:
<https://thecounter.org/usda-black-farmers-discrimination-tom-vilsack-reparations-civil-rights>

The D. J. Miller Report:
https://static.ewg.org/reports/2021/BlackFarmerDiscriminationTimeline/1996_DJ-Miller-Report.pdf

General Accounting Office, 2008:

https://static.ewg.org/reports/2021/BlackFarmerDiscriminationTimeline/2008_GAO-Report.pdf?_ga=2.117748234.2030931043.1633380024-1157757141.1625069779

General Accounting Office, 2008:

<https://www.govinfo.gov/content/pkg/GAOREPORTS-GAO-08-755T/html/GAOREPORTS-GAO-08-755T.htm>

General Accounting Office, 2016:

https://static.ewg.org/reports/2021/BlackFarmerDiscriminationTimeline/2019_GAO-Report.pdf?_ga=2.101709058.2030931043.1633380024-1157757141.1625069779

The Harvard Report:

<https://hnmcp.law.harvard.edu/projects/u-s-department-of-agriculture-early-resolution-and-conciliation-division/>

The Harvard Study:

https://www.chlpi.org/wp-content/uploads/2013/12/FLPC_OASCR-Issue-Brief.pdf

“I’m Just a Layman in Pursuit of Justice: Black Farmers Fight Against USDA:”

<https://blackfarmersinsearchofjusticefilm.com/>

The Jackson-Lewis “Civil Rights Assessment,” 2011:

<https://www.coalition4change.org/USDA%20jackson.pdf>

Mother Jones, 2021:

<https://www.motherjones.com/food/2021/11/black-farmers-debt-relief-stephen-miller-usda-loans-discrimination/>

The Nation:

<https://www.thenation.com/article/society/black-farmers-pigford-debt/>

Office of Inspector General, 2021:

https://www.usda.gov/sites/default/files/audit-reports/60601-0001-21_FR_508_FOIA_redacted_public_930%20%28signed%29.pdf

Pippen v. Vilsack (May, 2006):

<https://casetext.com/case/pippen-v-state-7>

Roland Martin, “Still Getting Screwed: Black Farmers Fight Back Amid Texas Lawsuit Over \$5B In Debt Relief,” October 15, 2021:

<https://www.youtube.com/watch?v=6eOV4HULp0Q>

Senator Warren’s Plan, 2019:

<https://elizabethwarren.com/plans/equity-farmers-of-color>

US Commission on Civil Rights, 1965:

https://static.ewg.org/reports/2021/BlackFarmerDiscriminationTimeline/1965_USCCR-Report.pdf?_ga=2.35569186.2030931043.1633380024-1157757141.1625069779

US Commission on Civil Rights, 1982:

https://static.ewg.org/reports/2021/BlackFarmerDiscriminationTimeline/1982_USDA-History.pdf

US General Accounting Office. (1998). Report to the Honorable Edolphus “Ed” Towns, Committee on Government Reform, House of Representatives. U. S. Department of Agriculture: Problems continue to hinder the timely processing of discrimination complaints.

<https://www.gao.gov/archive/1999/rc99038.pdf>

The USA Today article:

<https://www.usatoday.com/story/news/politics/2021/09/24/usda-launches-commission-study-systemic-racism-against-black-farmers/8372151002>