

SENATE AGRICULTURE COMMITTEE

September 12, 2000

Good morning, my name is Juanita Carranza from Lambert, Montana. I would like to thank the Senate Agriculture Committee for the opportunity to address the civil rights resolution process at the United States Department of Agriculture.

I will have no statistics to testify to because numerical figures do not tell what the reality is about. The fact is, that in the delivery of its federally mandated farm programs the United States Department of Agriculture has like the Bridgestone/Firestone Corporation a broken, defective and deadly product that must be recalled.

If a recall isn't in order at USDA, what other reason can one give why certain farmers and ranchers are selectively chosen to be denied services at the FmHA/FSA County Office level when federal law states that no one shall be "treated differently"?

If a recall isn't in order at USDA, why is the pattern of discrimination that begins at the County Office level continued and enforced by entrenched FmHA/FSA State Office officials regardless of what Congress mandates?

If a recall is not in order at USDA, why is the mandatory in-house appeals system, one that ultimately reiterates the original death sentence begun at the County Office for the targeted family farmers and ranchers foolish enough to believe that there can be justice in that mortally flawed charade?

If a recall is not in order at USDA, why do regional USDA Offices of General Counsel combine forces with the Department of Justice not just to remove farmers and ranchers from their land but go for the jugular effect. Then the selected farm and ranch families are left penniless, humiliated and beaten with not one shred of human dignity left and in some cases self-inflicted death is an easier solution than the tortuous process delivered from those two government entities?

If a recall is not in order at USDA, why has the civil rights resolution process been such a dismal, bumbling farce? On November 13th, 1998 when Secretary of Agriculture Glickman spoke of resolving the discrimination fiasco at USDA, he quoted Dr. Martin Luther King: "an unaddressed injustice at any time is an injustice for all time." The Secretary should be reminded of what Dr. King instinctively knew, that it is the speakers' actions that validate the spoken word not just the pacifying rhetoric.

Let the Secretary and his Civil Rights team tell Joann Martens of Wolf Point, MT who filed a civil rights complaint in 1993 because she was denied the same servicing actions that were only given to her ex-husband and was then told by the County Office Supervisor that women don't belong in farming, and is still waiting for her case to be resolved that USDA really does believe in justice?

Let the Secretary and his Civil Rights team tell Sharon Mavity of Sidney, MT who filed a civil rights complaint in 1997 when she tried and failed to save her 4th generation family ranch for her and her sons because she was denied the loan servicing that was instead given to a selected young, white male and is still waiting for her case to be resolved that USDA really does believe in justice?

Let the Secretary and his Civil Rights team tell Rose Mary Love of Harlem, MT who filed a civil rights complaint in 1997 and whose 36-year marriage ended three months ago because of the strain of fighting FmHA/FSA for seventeen years and is still waiting for her case to be resolved that USDA really does believe in justice?

Let the Secretary and his Civil Rights team tell Dolly Stone, from Browning, MT who last week had to stare-down a Sheriff's foreclosure sale on her ranch despite USDA's own moratorium on foreclosures for class members of the Keepseagle v. Glickman class action that USDA really does believe in justice?

Let the Secretary and his Civil Rights team tell Margaret Carranza, my eighty-nine year old mother who experienced the deliberate pattern of insufficient and repeated late funding from FmHA/FSA meant to drive certain farmers and ranchers into insolvency and bankruptcy.

The USDA in-house appeals process deliberately failed her by failing to make FmHA/FSA adhere to the regulations and rules that are supposed to regulate farm programs.

The USDA civil rights process failed her at the time of the discrimination complaint, partly because it had been dismantled by the Reagan/Bush administrations.

The Chapter 12 bankruptcy process failed her because the long tentacles of FSA could reach into that system as well. The State FSA Office furious that a discrimination complaint had been filed refused to let the family operation into Chapter 12 protection unless they signed a drop-dead agreement that signed away the discrimination complaint and all of their rights under due process guaranteed to them under the law.

Our Congressional delegation failed her because when letters were written asking for their intervention, FmHA/FSA State and National officials responded denouncing her operation as being the guilty party. Even elected representatives, like the general public can also be guilty of believing that only government knows best and that the government is always right, until its too late.

Too late, to stop an over zealous Assistant U. S. Attorney from declaring that she is aware of Secretary Glickman's Moratorium against foreclosures on open USDA civil rights complaints but she is going to bring down the full force of the federal government down upon the Carranza women and make an example of them.... And she did.

The personal property was seized by U.S. Marshall's and sold at public auction even though Dr. Jeremy Wu of USDA Office of Civil Rights kept assuring the Carranza's that the sale would be stopped. When it wasn't, he would not return repeated phone calls.

Personal family effects: baptismal records, farm and ranch records, family heirlooms are still on their former property because the same Assistant U.S. Attorney said she would: "have the FBI on their heads so fast it will make their heads spin." If they attempted to retrieve their possessions from their former property now owned by FSA's pre-determined buyer.

The USDA Office of Civil Rights has failed Margaret Carranza miserably as well, because they not only failed to protect her rights in the foreclosure process, but they have failed to honor her rights as a human being. The same rights that our country was founded upon: "that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are: Life, Liberty and the pursuit of Happiness."

I ask you today, is seven years long enough for Margaret Carranza to wait for the justice that the Secretary pontificated about? What about the women from Montana that I mentioned earlier? What about all over the other farmers and ranchers, men and women that this out-of-control FmHA/FSA system has been allowed to selectively remove from farming and ranching?

Senators, this is not exaggerated, unsubstantiated testimony that a federal system that you are responsible for is defective and that it must be fixed. What you have heard is the reality of our lived-experience and no buck-passing; denials or stonewalling is going to make it go away. Because, we the people upon whom the injustice was committed are not going to go away until the system is changed. Changed not just for us, but also for all of those that will be a target the next time someone walks into a USDA office and wants their land, too.