

Nomination for Ambassador to Tunisia

May 11, 1994

The President today announced his intention to nominate Mary Ann Casey, of Colorado, as Ambassador to the Republic of Tunisia.

“Mary Ann Casey’s extensive foreign service experience will be a great asset in her role as

Ambassador to Tunisia,” the President said. “I am delighted to announce her nomination.”

NOTE: A biography of the nominee was made available by the Office of the Press Secretary.

Statement on Signing the Farmers Home Administration Improvement Act of 1994

May 11, 1994

I am today signing into law S. 1930, the Farmers Home Administration Improvement Act of 1994. This Act is intended to give the Farmers Home Administration in the Department of Agriculture (USDA) an additional tool with which to reduce the substantial backlog of delinquent farm loan debt. It authorizes the Secretary of Agriculture to use USDA’s Office of General Counsel or private attorneys acting under contract, in addition to the current authority to refer matters to the Department of Justice, to resolve loan delinquencies.

My Administration is committed to more aggressive Government action to resolve the problem of delinquent farm loan debt. There are too many borrowers, many of them of substantial means and not full-time farmers, who have been delinquent on their farm loans for years.

Resolving these cases will return resources to taxpayers and provide additional opportunities for beginning farmers.

Because the Attorney General has overall responsibility for the conduct of litigation by the United States, I have directed the Departments of Justice and Agriculture to work together to implement this authority.

WILLIAM J. CLINTON

The White House

May 11, 1994.

NOTE: S. 1930, approved May 11, was assigned Public Law No. 103–248. This statement was released by the Office of the Press Secretary on May 12.

Memorandum on Use of Private Attorneys by the Department of Agriculture

May 11, 1994

Memorandum for the Secretary of Agriculture, the Attorney General

This directive sets forth the terms and conditions under which the Department of Agriculture will exercise the authority granted to the Secretary of Agriculture pursuant to section 331(c) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1981). That authority permits the Secretary of Agriculture to contract

with private attorneys and use Department of Agriculture attorneys for legal services necessary to prosecute and defend any claims arising under subsection (b)(5) of section 331 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1981), concerning farmer program loans made by the Farmers Home Administration.

This directive permits, subject to the conditions set forth below, foreclosure, deficiency

judgment, and debt collection litigation by private contract attorneys arising from Farmers Home Administration farmer program loans and loan guarantees made pursuant to the Consolidated Farm and Rural Development Act, 7 U.S.C. 1921 *et seq.* (hereinafter referred to as "actions"). The Department of Agriculture will refer all other matters arising under the Consolidated Farm and Rural Development Act, including all matters in bankruptcy, claims of fraud, and appellate proceedings to the Department of Justice. The Department of Justice will prosecute such referrals expeditiously, and may, in its discretion, with the Department of Agriculture's concurrence, refer any action back to the Department of Agriculture.

The Department of Agriculture agrees that the decision to contract with private attorneys for prosecution of actions will be made only upon its determination that (a) the private attorney will provide competent and cost-effective legal representation and (b) representation by the private attorney will accelerate or improve the process by which the actions are brought to conclusion.

Thirty days prior to initiating the process to contract with a private attorney for prosecution of actions, the Department of Agriculture will inform the appropriate United States Attorney of the intent to contract and the basis for such decision.

Prior to referral by the Department of Agriculture of any action to a private attorney, or Department of Agriculture attorney, the Department of Agriculture shall notify the Department of Justice. The Department of Agriculture shall require that the private counsel or Department of Agriculture attorney promptly provide to the appropriate United States Attorney copies of all significant pleadings, motions, memoranda, orders, and opinions filed in State or Federal court.

Should any legal or policy issue of general importance to the Government arise that per-

tains to the conduct of actions under this agreement, the Department of Agriculture will ensure that the private contract attorneys or Department of Agriculture attorneys are made aware of guidance issued by the Department of Justice.

If the Department of Justice determines that the interests of the Government are better served through representation by the Department of Justice because there exist any significant factors, such as counterclaims, claims for equitable relief, multiple Federal agency interests, or significant legal or factual issues, of major importance to the Government, the Department of Agriculture will promptly withdraw the action from private counsel or the Department of Agriculture attorney and refer the action to the Department of Justice, for expeditious disposition. The Department of Agriculture will reserve the right to withdraw any case from the control of a private attorney.

The Department of Agriculture will fulfill its obligations under this directive through its Office of General Counsel. The Department of Justice will fulfill its obligations under this directive through the Civil Division or such other office as the Attorney General may direct.

The Department of Agriculture will provide to the Department of Justice a quarterly report tracking the status of all actions within the scope of this directive being pursued by the Department of Agriculture attorneys and private contract attorneys, including summary statistics to permit evaluation of this directive.

The Department of Justice will provide to the Department of Agriculture a quarterly report tracking the status of all actions within the scope of this directive being pursued by the Department of Justice, including summary statistics to permit evaluation of this directive.

WILLIAM J. CLINTON

NOTE: This memorandum was released by the Office of the Press Secretary on May 12.