

111TH CONGRESS  
2D SESSION

# S. 3693

To provide funding for the settlement of lawsuits against the Federal Government for discrimination against Black Farmers.

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IN THE SENATE OF THE UNITED STATES

AUGUST 3, 2010

Mr. GRASSLEY introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

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## A BILL

To provide funding for the settlement of lawsuits against the Federal Government for discrimination against Black Farmers.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. PIGFORD SETTLEMENT AGREEMENT.**

4       (a) There is hereby appropriated to the Department  
5       of Agriculture, \$1,150,000,000, to remain available until  
6       expended, to carry out the terms of a Settlement Agree-  
7       ment (“such Settlement Agreement”) executed by In re  
8       Black Farmers Discrimination Litigation, No. 08–511  
9       (D.D.C.) that is approved by a court order that has be-  
10      come final and nonappealable, and that is comprehensive

1 and provides for the final settlement of all remaining  
2 Pigford claims (“Pigford claims”), as defined in section  
3 14012(a) of Public Law 110–246 (122 Stat. 2209). The  
4 funds appropriated herein for such Settlement Agreement  
5 are in addition to the \$100,000,000 in funds of the Com-  
6 modity Credit Corporation (“CCC”) that section 14012  
7 made available for the payment of Pigford claims and are  
8 available only after such CCC funds have been fully obli-  
9 gated. The use of the funds appropriated herein shall be  
10 subject to the express terms of such Settlement Agree-  
11 ment. If any of the funds appropriated herein are not used  
12 for carrying out such Settlement Agreement, such funds  
13 shall be returned to the Treasury and shall not be made  
14 available for any purpose related to section 14012, for any  
15 other settlement agreement executed In re Black Farmers  
16 Discrimination Litigation, No. 08–511 (D.D.C.), or for  
17 any other purpose. If such Settlement Agreement is not  
18 executed and approved as provided above, then the sole  
19 funding available for Pigford claims shall be the  
20 \$100,000,000 of funds of the CCC that section 14012  
21 made available for the payment of Pigford claims.

22 (b) Nothing in this section shall be construed as re-  
23 quiring the United States, any of its officers or agencies,  
24 or any other party to enter into such Settlement Agree-  
25 ment or any other settlement agreement.

1 (c) Nothing in this section shall be construed as cre-  
 2 ating the basis for a Pigford claim.

3 (d) Section 14012 of the Food, Conservation, and  
 4 Energy Act of 2008 (Public Law 110–246; 122 Stat.  
 5 2209) is amended—

6 (1) in subsection (c)(1)—

7 (A) by striking “subsection (h)” and in-  
 8 serting “subsection (g)”; and

9 (B) by striking “subsection (i)” and insert-  
 10 ing “subsection (h)”;

11 (2) by striking subsection (e);

12 (3) in subsection (g), by striking “subsection  
 13 (f)” and inserting “subsection (e)”;

14 (4) in subsection (i)—

15 (A) by striking “(i)” and all that follows  
 16 through “Of the funds” and inserting the fol-  
 17 lowing:

18 “(h) FUNDING.—Of the funds”;

19 (B) by striking “subsection (g)” and in-  
 20 serting “subsection (f)”; and

21 (C) by striking paragraph (2);

22 (5) by striking subsection (j); and

23 (6) by redesignating subsections (f), (g), (h),  
 24 and (k) as subsections (e), (f), (g), and (i), respec-  
 25 tively.

1 **SEC. 2. USE OF STIMULUS FUNDS TO OFFSET SPENDING.**

2 (a) IN GENERAL.—The unobligated balance of each  
3 amount appropriated or made available under the Amer-  
4 ican Recovery and Reinvestment Act of 2009 (Public Law  
5 111–5; 123 Stat. 115) (other than under title X of division  
6 A of that Act) is rescinded, on a pro rata basis, by an  
7 aggregate amount that equals the amounts necessary to  
8 offset any net increase in spending or foregone revenues  
9 resulting from this Act and the amendments made by this  
10 Act.

11 (b) REPORT.—The Director of the Office of Manage-  
12 ment and Budget shall submit to each congressional com-  
13 mittee the amounts rescinded under subsection (a) that  
14 are within the jurisdiction of the committee.

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