

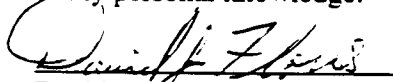
**Declaration of David Flores**

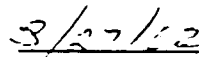
I. David Flores, hereby state and declare the following:

1. I am over 18 years of age, a Hispanic American, and a U.S. Citizen. My date of birth is July 22, 1942. My mailing address is 173 Chickasaw Road, Hagerman, NM, 88232.
2. I have been a farmer for 35 years. I was born and raised on a farm and learned farming from my father.
3. I leased 550 acres of farmland to grow cotton, corn, alfalfa, oats and sudan.
4. In early 1989, I filed an application in response to a farm (the Harshey farm) for sale "targeted for sale to socially disadvantaged farmers". This advertisement was in accordance with the Farmers Home Administration (FmHA) 1987 Farm Credit Act, 13 CFR 124.1. I spoke with Dick Floyd, the FmHA Supervisor for Roswell County, and he told me that I should lease the Harshey farm for 1989, and then sign the papers to purchase the farm in January 1990. Relying on Mr. Floyd's advice, I leased the Harshey farm and paid \$9360.00 to FmHA. Later in 1989, Mr. Floyd informed me that no problems appeared and that no one else had made a bid for the Harshey farm.
5. The Harshey farm had been abandoned, it was completely over-grown and was generally in bad shape. I moved onto this farm with my family, using my own money, and through hard work, we put the farm in good working order again. Even though we leased the farm late in the year, we were able to plant and produce a crop.
6. During June of 1989, Mr. Floyd was transferred to another county office. The new FmHA officials in Roswell County were Mike Hendricks and his assistant John Barncastle. Mr. Barncastle informed me in November of 1989, just prior to the January purchase date, that my deal that I had worked out with Mr. Floyd for the Harshey farm was no longer acceptable. Mr. Barncastle informed me that he wanted more bids on the farm and he re-advertised the sale of the farm. The farm was reclassified so that anyone could bid on it, and was no longer slated to "socially disadvantaged farmers".
7. In January of 1990, Michael Hendricks, the FmHA County Supervisor, told me to vacate the Harshey farm because I was trespassing.

8. On January 14, 1990, a new farm for sale listing came out for the Harshey farm. This new listing made me ineligible to purchase the farm. Mr. Barncastle began soliciting bidders for the Harshey farm including a White neighbor of mine, Wayne Pilley.
9. I was informed by members of the FmHA committee that decide who would be awarded the Harshey farm, that Mr. Barncastle misrepresented facts and that these misrepresentations were detrimental to my chances of acquiring the farm. The committee selected Wayne Pilley as the buyer.
10. I appealed the Pilley award and on March 15, 1990, I won the appeal. On March 15, 1990, Mr. Pilley appealed the whole decision. Mr. Pilley lost four appeals. When Mr. Pilley finally bought the Hershey farm, he sold the water rights on it to the State, and never farmed the land. Mr. Pilley wanted the Harshey farm so that he could have a hay barn. I needed the farm so that I could make a living. Mr. Pilley never used the farm, or the barn.
11. I complained to the USDA that I was a victim of blatant discrimination. In June of 1990 the USDA sent Dan Abeyta to investigate the issue, but the results of the investigation remain a mystery. In the early 1990s, I filed written complaints regarding my mistreatment by the USDA office to Senator Jeff Bingman, Senator Pete Dominice, State Rep. Joe Skeen, State Rep. Barbara Casey, and to the State Director of the League of United Latin American Citizens-Jose Mario Salinas. I also filed complaints with the Secretary of Agriculture, the national, state and local Farm Service Agency (FSA) office, and to President Clinton.
12. In the end I had to sell all of my farming equipment at a loss. In 1989, I used my own money to lease the Hershey farm. I have suffered a number of health problems, including triple bypass heart surgery, due to the emotional stress of my ordeal with Mr. Barncastle and the USDA.
13. I believe that the USDA discriminated against me because I am Hispanic.

I have reviewed the foregoing Declaration, consisting of (13) thirteen numbered paragraphs, and declare, under penalty of perjury that it is true and correct and to the best of my personal knowledge.

  
David Flores

  
Date