

## Hispanic Farmers Dispute Deal

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By [Rene Romo](#)

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LAS CRUCES — The USDA and Department of Justice on Friday rolled out details of a process aimed at resolving discrimination claims filed by Hispanic and female farmers, but Hispanic farmers here said the offer continues allegedly inequitable treatment.

"It just adds insult to injury," said Hatch resident Norma Flores, one of more than 1,000 Hispanic farmers who have unsuccessfully sought class-action certification in the case. "We can't accept this."

The claims process unveiled Friday by Agriculture Secretary Tom Vilsack and Assistant Attorney General Tony West provides a streamlined alternative to litigation alleging violations of the Equal Credit Opportunity Act.

The federal government has set aside at least \$1.33 billion in compensation to eligible Hispanic and female farmers and ranchers, and is offering awards of up to \$50,000 to claimants who can show the USDA discriminated against them by denying a loan or loan servicing between 1981 and 2000.

Washington, D.C., attorney Stephen Hill, who is representing Hispanic farmers in the 11-year-old case, said the offer is inadequate because black and Native American farmers, who alleged the same discriminatory treatment, are eligible for higher settlement offers.

The federal government has set aside a total of \$2.25 billion to cover the claims of black farmers in two settlement rounds. Settlement amounts were not capped in the first round of claims filed by black farmers, while awards can reach \$250,000 in the second round.

In the case of Native American farmers, individuals were offered up to \$250,000 to resolve their claims.

"It's not fair, and it's not equal. We don't have equal rights," said Guadalupe Garcia, a Doña Ana County farmer who is the lead plaintiff in the Hispanic farmers case. "All the cases had the same discrimination. None of them are different."

Garcia noted that, under the resolution process outlined by the USDA, the burden of proof for Hispanic farmers to receive the maximum \$50,000 offer is the same as that for black and Native American farmers who can receive bigger settlements. The USDA's resolution effort, Garcia said, "just continues the insult of

discrimination."

The USDA said in a statement that the agency is committed to resolving allegations of past discrimination, which have been documented in various studies by the U.S. Commission on Civil Rights, Congress and the Government Accountability Office. Vilsack has said he wants to usher in a "new era of civil rights" for the department, and Friday said, "We are committed to closing this sad chapter in USDA's history."

West said that, under the resolution process, Hispanic and female farmers "will be able to move forward and focus on the future."

No filing fees or other costs will be charged to Hispanic or female farmers and ranchers who participate in the process, and participation is voluntary. Those who choose not to participate could still file an individual complaint in court. The USDA will launch an outreach effort to potential claimants, including a call center, a website and public service announcements.

Hill acknowledged that some plaintiffs may choose to participate in the process, but he said that the fight is not over and he will continue to press Congress and the Obama administration for a better offer. Hill said he is considering filing another lawsuit alleging the resolution process itself is discriminatory.