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# Hispanic Farmers Feel Shortchanged by Settlement Offer

By BRANDI GRISSOM

Modesta Salazar remembers playing baseball with her 12 brothers and sisters on the family farm outside the South Texas town of Pearsall, where her father and brothers grew cotton, corn and maize. "All this was beautiful," she said wistfully, looking out over more than 500 acres of once-lush fields that are now scrubland, overtaken by mesquite trees and cactus. "Now it's just stories."

The cause of the decline, Mrs. Salazar said, is discrimination by the [United States Department of Agriculture](#) since the 1960s in the awarding of loans and other federal benefits to minority farmers.

She and more than 1,000 other Hispanic farmers in Texas and other states sued the U.S.D.A. a decade ago, demanding that the government make reparations and change its ways. Last month, Congress agreed to multibillion-dollar settlements for mistreatment — but with black and American Indian farmers. Hispanic farmers say the government has offered them a laughable sum by comparison.

"The government seems to be of the view they can simply throw some money — and very little money at that — at the problem, and ignore completely the practices that caused these lawsuits," said Stephen Hill, a partner at the Howrey law firm in Washington and the lead lawyer in the Hispanic farmers' case.

The Agriculture Department acknowledges the mistreatment that has been alleged. Secretary [Tom Vilsack](#) has said his agency is committed to resolving past discrimination cases, and government officials insist they are working to ensure that the plaintiffs get a quick and equitable settlement. But the Agriculture and Justice Departments argue that the Hispanics' suit is different from the one brought by blacks and Indians. Unlike the other minority farmer lawsuits, judges who presided over the Hispanic farmers' case said the group did not share enough in common to file a class-action lawsuit.

Mrs. Salazar's father, Juan Rodriguez, bought the farm in 1952. Neighbors told him that the two previous owners had each lost the farm and warned him that local Agriculture Department agents would try to drive off his family as well. A few years later, a local bank told Mr. Rodriguez that he

owed \$1,000 — a loan he did not remember receiving — and that he would lose the land if he did not pay it. An Anglo woman at the bank who had seen a similar scenario before wrote Mr. Rodriguez a check on the spot, saving the farm.

Problems with the Agriculture Department persisted, Mrs. Salazar said, and loans needed for planting would come too late or not at all.

When he died in 1982, his sons took over the Pearsall farm and also encountered problems with the Agriculture Department. Loans were denied, and even when high-level officials ordered local agents to lend the family money, it never came. The brothers filed complaints, sent letters and pleaded for help. One by one, Mrs. Salazar said, her brothers had to leave the farm until finally only her brother Modesto Rodriguez remained.

When he had a series of disabling strokes, Mrs. Salazar continued the struggle. Today, the farm's only inhabitants are a few cattle and horses and a small group of abandoned dogs. In 2001, the government began foreclosure proceedings that are on hold, pending the outcome of the lawsuit.

This year, the Justice and Agriculture Departments offered Hispanic farmers \$1.33 billion to settle their discrimination claims and the claims of women farmers in a similar lawsuit. Then, Congress approved a settlement of more than \$2.25 billion with black farmers — even though census data indicated that nationwide there were about twice as many Hispanic farmers. The government's offer would also cap damages for individual Hispanic farmers at \$50,000.

Mr. Hill and other lawyers on the case told government lawyers that the proposal was “woefully inadequate.” Since then, Mr. Hill said, negotiations are at a standstill.

Government officials said they had gone to great lengths to be fair to Hispanic farmers. If not for Mr. Vilsack's efforts to settle the claims quickly and fairly, the officials said, each of the thousands of Hispanic farmers would have to spend years arguing in court. (The current offer, they said, allows farmers who believe they are entitled to more than \$50,000 to pursue their cases in court.)

“We believe that the voluntary settlement process we set forward is a fair option,” said Jessica Smith, a Justice Department spokeswoman.

As Mrs. Salazar stepped over cactus and cooed at dogs that roam the ruins of mobile homes and rusted farm trucks, she said she hoped the case was resolved in her lifetime. Maybe some of her dozens of nieces and nephews will be able to make a living here, she said, and finally vindicate her family after years of mistreatment.

“We've gone through hell,” she said. “I'm willing to do anything.”

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