



Area farmers await D.C. court decision Discrimination claims still in the air

BY MARVIN TESSNEER The Las Cruces Bulletin



VILSACK

The U.S. District Court in Washington, D.C. has postponed a scheduled hearing on the Garcia v. Vilsack suit until the U.S. Supreme Court can rule on case petitions from the lower court, according to Christine M.

Till, Howrey Legal Firm communications director.

Attorneys are attempting to file a class-action suit that was initiated by Doña Ana County farmer Guadalupe L. Garcia against Secretary of Agriculture Tom Vilsack, charging that the USDA was discriminating against Hispanic farmers by denying them loans and other benefits in violation of the Equal Opportunity Act.

Stephen Hill, attorney for the Hispanic farmers, said in a news release: "We have asked the Supreme Court to review the U.S. District Court's action in denying our law suit classaction status. While it is not a make-or-break issue and we can eventually obtain settlements for our Hispanic farmers without being granted class-action status, it is, nevertheless, important for us to resolve the issue.

"Secretary Vilsack and others have incorrectly suggested that our case cannot be settled at this time because we are not certified as a class. That is not so, and we have worked with him and his staff to help them understand how a settlement can be achieved quickly and fairly."

Vilsack spoke to a group of Hispanic farmers on Sept. 30 during one of his listening forums at the Southern New Mexico State Fairgrounds. During the forum, he told the farmers: "President Obama has instructed me to listen to you, to explain what we are doing in Washington for farmers and rural people. He wants you to understand that we are listening to you."

Hill added, "Our case is identical to that of the African American farmers. They have received \$1 billion in settlements so far, and the president has stated that he would appropriate an additional \$1.25 billion to cover the claims of Blacks who missed the filing deadline to participate in the original Black farmers' lawsuit, while our Hispanic farmers have received nothing. Equal treatment before the law demands a fair settlement for our Hispanic farmers, and we are prepared to fight to that end."