



MAIN JUSTICE

DOJ, USDA Offer Settlement to Hispanic, Female Farmers By Leah Nylen | May 26, 2010 6:06 pm

The Justice Department is seeking to resolve two lawsuits, offering a \$1.3 billion settlement to female and Hispanic farmers who have alleged the Agriculture Department discriminated against them, the Associated Press reported late Tuesday.

In the 1990s, a group of African-American farmers successfully sued the Agriculture Department, alleging discrimination against them in the awarding of government loans and other assistance. The farmers received more than \$1 billion under a 1999 class action settlement with the government and could get another \$1.15 billion under a deal Congress is expected to vote on this week. Hispanic and female farmers have sought similar settlements for their discrimination claims, but have been stymied in court where judges rejected class action status for the Hispanic farmers case – Guadalupe L. Garcia Jr. v. the Secretary of Agriculture – and the female farmers case, Rosemary Love v. Thomas Vilsack.

According to the AP, the Justice Department has offered to reach out to the affected groups and offer awards of up to \$50,000 per claimant.

“We have made significant progress on addressing USDA’s civil rights record and look forward to providing substantial relief to Hispanic and women farmers in an expedited manner,” Agriculture Secretary Tom Vilsack said in a statement to the AP.

In a statement issued Wednesday, Stephen Hill of Howrey LLP, lead counsel in the Hispanic farmers suit, said the case is “far from over.”

“While we applaud the government’s beginning settlement discussions there is much more to be considered before this can be presented to those who have suffered this discrimination,” Hill said. “The Justice Department’s proposal serves to highlight the inequities being faced by Hispanic farmers as the government insists on treating groups that suffered the same discrimination differently.”

Hill also criticized the proposed process for awarding claims, saying it would cut out many eligible farmers.

“The government, which after all perpetrated the discrimination, now seeks to be the sole administrator of the settlement process,” Hill said. “That simply does not make sense.”