



## Lawsuit: U.S. Department of Agriculture discriminating against Hispanic farmers

by Brad Woodard / 11 News  
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HOUSTON—In the shadows of the mountains near El Paso, where New Mexico's border meets Texas, the remnants of a simple farming life sit mostly idle.

Lupe Garcia and his ancestors have been working the land there for centuries.

"The Spaniards came in the 1500s, and my family came with the Spaniards," Garcia said. "We were here before the Pilgrims."

In 1955, Garcia's father, a decorated World War II veteran, managed to buy a farm. In its prime, the family was working 1,000 acres.

But times have changed.

"Right now, I'm farming 60 acres," Garcia said.

"Imagine a business envelope and the postage stamp in the corner. At one point, Mr. Garcia owned the whole envelope. Now he owns the postage stamp, and every day of his life he has to wake up and look out to that," attorney Stephen Hill said.

Garcia is now the lead plaintiff in a lawsuit alleging discrimination by the U.S. Department of Agriculture.

"They wanted me to stop and give up. This is not right. We all have the same right to land freedom," Garcia said.

Hill said an Anglo neighbor once approached Garcia as he worked in his field and taunted him.

"[The neighbor] came by and said, 'Keep up the good work. You're just fixing it up for me,'" Hill said. The neighbor told Garcia the farm would belong to him in 10 years.

That was in 1989, and the neighbor's prediction eventually came true. Garcia was forced to liquidate.

"Between 1990 and 2000, they starved us to death. They shut off our credit. They cut our wrist and let us bleed out," Garcia said.

More than 100 Hispanic farmers have joined Garcia's lawsuit.

Some of the cases date back to the early days of the Reagan Administration when the civil rights office of the USDA was quietly dismantled. Farmers said their loans were either arbitrarily denied, or in the case of Bobby Ortega, intentionally delayed for months.

"So as the loans came in very late, I didn't have money to buy fuel, the seed, the fertilizer, and I was losing time. And with Mother Nature you only have so much time to get your crops in," Ortega said.

"White farmers have told me they've been notified by the USDA the money is here, come in and get it," Hill said.

But the money came too late for Ortega.

"I lost the farms," he said.

His only options were to allow the bank to repossess his equipment or somehow pay off his loans.

"I took out my life insurance and maxed out my credit cards to pay off these loans," Ortega said.

He's among an estimated 82,000 Hispanic farmers in the U.S., many of whom could be affected by the Garcia case.

Yet the case has languished in the courts.

What's more, a year before the Garcia lawsuit was filed, black farmers were granted class action status in a lawsuit making essentially the same allegations. Rather than risk a trial, the federal government is settling for \$1 billion.

President Obama has set aside an additional \$1.25 billion to cover new claims from black farmers, and yet the Supreme Court recently declined to hear the Garcia case.

"That is preposterous, and the only reason the government is doing that is to hope that some of these farmers will give up and go away, and those that don't give up and go away will die," Hill said.

"They ruined my credibility, my family's credibility, my kids' credibility beyond repair. My dad died five years ago," Garcia said.

He says the system that was supposed to be there to help them is ultimately doing them in.