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## **MENENDEZ ON USDA DISCRIMINATION AGAINST HISPANIC FARMERS: NEED FOR LAWSUIT SETTLEMENT IS A MATTER OF FAIRNESS AND COMMON SENSE**

*Video of Menendez's floor statement in the Senate:*

<http://www.youtube.com/watch?v=y7q055renrl>

**WASHINGTON** – U.S. Senator Robert Menendez (D-NJ) yesterday stood on the Senate floor to urge the Administration to provide a settlement in the USDA discrimination lawsuit brought by Hispanic Farmers. Senator Michael Bennet (D-CO) stood in support of the farmers:

“Decades of indifference and discrimination in lending practices at the United States Department of Agriculture have made it difficult for minority farmers – specifically Hispanic farmers -- to make a living at what they love to do – leaving many no choice but to leave the farms and ranches they have tended all their lives.”

“These hard-working farmers, Hispanic families -- who bought a piece of land – built a family farm -- their small piece of the American dream – were wrongly denied loans and other benefits in violation of the Equal Opportunity Act by county committees that review Farm Service Administration credit and loan applications for approval..”

“Consequently, these farmers filed suit in the hope that it would change the discriminatory practices at the USDA – how it treated America’s minority farmers -- but under the Bush Administration nothing changed...”

Earlier this year \$1.25 billion was allocated in the Fiscal Year 2010 budget to settle similar outstanding lawsuits by African American farmers in the Pigford v Glickman suit. Earlier this year, in letter to the president (<http://menendez.senate.gov/pdf/06202009USDAHispanicFarmersLetter.pdf>), eight Senators reminded President Obama that the Food, Conservation and Energy Act of 2008 calls on the administration to resolve outstanding discrimination lawsuits against the USDA brought by Hispanic and other farmers in an expeditious and just manner.

The video of Senator Menendez’s remarks on the Senate floor are available here:  
<http://www.youtube.com/watch?v=y7q055renrl>

**Full text of speech in the Senate floor, as prepared for delivery:**

**Introduction: The Issue**

Mr. President, it is no secret that decades of indifference and discrimination in lending practices at the United States Department of Agriculture have made it difficult for minority farmers – specifically Hispanic farmers -- to make a living at what they love to do – leaving many no choice but to leave the farms and ranches they have tended all their lives.

In 2000, one hundred and ten Hispanic farmers brought a lawsuit against the USDA for the same egregious discriminatory practices that resulted in an historic settlement with African-American farmers...

...and for eight long years -- under the last administration thousands of Hispanic farmers who joined the suit waited and waited and waited for justice. Some of them died waiting and will never be made whole.

And -- for eight long years -- the Bush administration did nothing.

These hard-working farmers, Hispanic families -- who bought a piece of land – built a family farm -- their small piece of the American dream – were wrongly denied loans and other benefits in violation of the Equal Opportunity Act by county committees that review Farm Service Administration credit and loan applications for approval.

Consequently, these farmers filed suit in the hope that it would change the discriminatory practices at the USDA – how it treated America's minority farmers -- but under the Bush Administration nothing changed...

...The discrimination continued.

Then, something did change. We got a new President and a new Secretary of Agriculture who described past practices at the USDA as *“a conspiracy to force minority and socially disadvantaged farmers off their land.”*

Consequently, the Administration committed to appropriate \$1.25 billion in the Fiscal 2010 budget to settle some of the outstanding discrimination lawsuits -- but not all of them...

To date, Hispanic farmers, women, and Native-Americans have not yet seen a settlement.

Mr. President, we need to remedy this situation once and for all. The new USDA Secretary needs to make these farmers whole.

Secretary Vilsack has created a task force to review the department's civil rights complaints and announced new efforts for the USDA to end any and all discriminatory practices, and I commend the Secretary for addressing this lingering issue. But more needs to be done.

As I said, along with seven of my Senate colleagues, in a letter to the President:

*“The USDA’s corrective role in this instance has been clearly laid out, and there remains no legitimate reason to delay action for any of the affected groups.”*

The fact is, eight years of a do-nothing Republican administration -- that earned the USDA the designation of *“the last plantation”* -- put people’s lives and livelihoods at risk.

Mr. President, we simply cannot wait any longer.

Certainly Alfonso and Vera Chavez cannot wait any longer.

*The Fresno Bee* reported last week that Mr. and Mrs. Chavez stopped farming seven years ago when they could not get a USDA loan.

In fact, they said that they not only could not get the loan, but were discouraged from applying and -- even worse -- they believe they were given misinformation so they would not apply.

*"It was like they didn't want us to have the money," Vera Chavez told the reporter.*

Mr. and Mrs. Chavez owned 300 acres. They sold off 200, shut down their packing house, and leased the remaining 100 acres to survive.

Vera said -- and I quote: *"It's why we've been hanging on to those 100 acres, so my children and grandchildren can have a little piece of the land we worked so hard to get...*

*"I'm not going to give up. But we have written so many letters and had so many meetings and nothing seems to be moving forward."*

Mr. President, we need to move this forward. It is about fairness -- about doing what's right.

When we see discrimination in any form -- when those who have been wronged because of their race, gender, or heritage are forced to sell what they have worked so hard to build -- abandoned by an administration that cared more about Wall Street than Main Street -- we have to make things right for them -- for people like Vera and Alfonso Chavez.

We need to make sure they can keep their farms and give them back their lives.

### **A Matter of Fairness and Common Sense**

Mr. President, all these farmers are asking is a common sense solution sooner rather than later because they have waited long enough.

Mr. President, I urge Secretary Vilsack to ensure all farmers will be granted the same consideration so they can begin to rebuild their lives and their farms this year.

Despite clear language in Section 14011 of the Food, Conservation, and Energy Act of 2008 which urges the Administration to settle lawsuits brought by Hispanic and other farmers...

...the Administration clearly needs to assure Hispanic farmers – many of whom have come to me to ask for help -- that it fully intends to settle these cases consistent with Section 14011 of the 2008 Farm Bill.

We simply cannot continue down this winding road to nowhere.

### **Conclusion: Farmers in Need**

To ignore the plight of the thousands of Hispanic farmers – families who seek nothing more than justice – who want only a chance to keep the farms and ranches they worked so hard for all of their lives -- is just wrong.

Mr. President, for eight years thousands of families like the Chavezes were ignored.

Now, we need to change that. We need to move quickly to resolve what is clearly and patently unfair and unjust.

We will never turn the page on the past discriminatory policies within the USDA until all victims – ALL victims – every last one of them – is made whole for the loss of their land, their dignity, their hope for a decent life for themselves and their families.

Let us move quickly to give them the chance they have waited for – the chance to rebuild their lives.

With that, Mr. President, I yield the floor.