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ONE HUNDRED TENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

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August 21, 2007

The Honorable Mike Johanns
Secretary of Agriculture
U.S. Department of Agriculture
1400 Independence Ave., S.W.
Washington, DC 20250

Dear Secretary Johanns:

The Subcommittee on Government Management, Organization, and Procurement has been conducting oversight of the USDA's management of civil rights enforcement and monitoring, including delays in its processing of discrimination complaints. As you know, Congress enacted legislation several years ago to address USDA's longstanding history of discrimination against black farmers, and the House of Representatives recently passed a bill including a provision to reopen a landmark civil rights case against USDA for discrimination in providing farm loans to black farmers.

An e-mail recently circulated among USDA employees appears to denigrate the efforts to remedy USDA's history of discrimination against black farmers, and raises serious questions about USDA's commitment in this area. Moreover, the e-mail message appears to violate federal law prohibiting executive branch employees from using official resources to lobby Members of Congress.

The e-mail, which appears to have circulated among employees of Farm Service Agency (FSA), criticized the bill passed by the House and urged employees to lobby against the bill in the Senate. The e-mail includes a factually questionable argument that "ample time and opportunity was given during the initial suit to file and this late filing would bury the agency and cost taxpayers billions of dollars if the 73,000 later filers are accepted." The e-mail indicated that Carolyn Cooksie, deputy administrator for farm loan programs, has already started working the Senate but needs help. It concludes with a call to action and a reminder that USDA computers and phones should not be used in the lobbying campaign. A copy of the e-mail is attached.

The e-mail circulated by USDA employees raises serious concerns for several reasons. According to federal law and USDA policies, the use of federal resources for lobbying members of Congress is strictly prohibited. It is even more troubling that the USDA employees lobbying against due process for black farmers work for the very agency black farmers sued in the 1990s for discrimination in the administration of its farm loan programs.

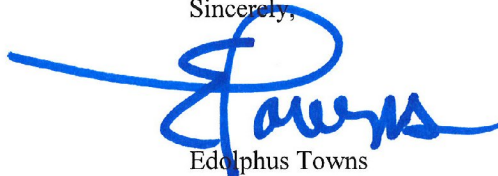
Pursuant to the Subcommittee's investigation of management of USDA civil rights programs, please provide the following information by September 1, 2007:

- 1) A list of all recipients of the attached e-mail;
- 2) Copies of all replies and other e-mails sent to or received from USDA e-mail accounts that quote or reference the attached e-mail;
- 3) A statement of the steps that have been taken to prevent further violations of anti-lobbying laws and policies within USDA;
- 4) A statement of whether the contents of the attached e-mail reflect USDA policy.
- 5) A statement of whether USDA is conducting an internal or external investigation of improper conduct relating to the attached e-mail.

In a separate letter, I am asking the USDA Inspector General to conduct an independent investigation of the issues discussed above.

For additional information, please contact Velvet Johnson, Subcommittee counsel, at

Sincerely,



Edolphus Towns
Chairman
Subcommittee on Government Management,
Organization, and Procurement

Enclosure

cc: Reps. Bilbray, Waxman, Tom Davis

NACS, NASE, and other FSA employees need to contact their Senators and work hard to get it stopped. The contacts need to be made before the debate starts in the Senate.

PLEASE CONTACT YOUR SENATOR TODAY CONCERNING THE FOLLOWING:

- REMOVE THE TERM LIMITS ON FSA LOANS IN THE NEXT FARM BILL
- DO NOT ALLOW LATE FILERS ON THE PIGFORD LAWSUIT.
AMPLE TIME AND OPPORTUNITY WAS GIVEN DURING THE INITIAL SUIT TO FILE AND THIS LATE FILING WOULD BURY THE AGENCY AND COST TAXPAYERS BILLIONS OF DOLLARS
IF THE 73,000 LATE FILERS ARE ACCEPTED

Members, please step up and make your voice heard in this Farm Bill debate.

I am willing to tell my Senators that I will not cast my vote for anyone who will not stand up and do what's right instead of worrying about being politically correct.

They should be fiscally responsible
and at the same time listen to their constituents!

WE CAN STOP THIS IF
WE RISE UP TOGETHER AND MAKE OUR VOICE HEARD! KEEP CONTACTING THEM UNTIL THEY HEAR YOU! MAKE SURE THEY RECEIVE YOUR MESSAGE, FAX, E-MAIL,
ETC.

Remember, don't make contacts using the office telephone or computer. Send your contacts from home or from another location other than the office, but send them! It would also be great to have others contact them as well. Tell your friends, CED's, and farmers what's going on in this Farm Bill debate and they may wish to make contacts as well. Especially those that have influence with their Senators!