

BATON ROUGE - The U.S. Department of Agriculture has conducted or is conducting an internal review of employees who plotted to illegally lobby the U.S. Senate against a farm bill that helps black farmers but it will not publicize any action taken against the employees.

Keith Williams, press secretary for Agriculture Secretary Mike Johanns, said the agency considers any actions taken against employees to be "a personnel issue" that, like any employer's actions, would not be a public matter.

An Aug. 2 e-mail circulated by employees of the Farm Service Agency in Virginia urged opposition to a farm bill provision reopening the settlement of a discrimination lawsuit settlement against the USDA. During a specified period, the agency paid \$50,000 to every black farmer who could show that he was discriminated against in receiving loans or other assistance.

The e-mail urging fellow FSA employees to lobby senators to block the House-passed bill triggered several congressmen, including presidential candidate Sen. Barack Obama, and government interest groups to call for a full investigation into the matter.

Publication of the e-mail incident in Louisiana's Gannett newspapers led to USDA general counsel Marc L. Kesselman and FSA administrator Teresa C. Lasseter reminding employees of the laws dealing with the situation and what they appeared to have done was illegal.

Lasseter said in her memo that her office "will conduct an inquiry into the circumstances and, depending on the findings, appropriate action will be taken."

"We don't have a choice when there is a violation of the law," Williams said Tuesday. "We're required to look at it."

Williams said he could not discuss any action that might have been taken.

"A lot of folks were concerned" about the wording of the e-mail expressing further discrimination, he said. "That's just not tolerated here."

The message quoted a top FSA official as saying it would be "awful" to allow more black farmers to qualify for the \$50,000 settlements issued before a deadline in 1999. It also said the official, Carolyn Cooksie, deputy administrator for farm loans, was already

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lobbying against the provision.

As to lobbying the Senate, using government computers to pass the messages and doing it while on the government payroll - all against federal law and USDA ethics rules, Williams said "We don't tolerate that kind of conduct. End of story."

Obama, D-Illinois, and Rep. Edolphus Towns, D-New York, chair of a powerful government watchdog subcommittee, told Johanns they wanted the details of the department's handling of the situation and an investigation by the department's Inspector General Phyllis Wong.

Referring to a section of the e-mail that said reopening the Pigford lawsuit settlement would require "a boatload of information" and processing the claims "would bury us," Obama said in his letter "It is unconscionable that some USDA employees appear to be more concerned about their workloads than on correcting a serious injustice.

"I ask that you publicly disavow the apparent efforts of these employees to undermine the attempts to provide justice to Pigford claimants," he said. "I also ask that you notify me by August 15, 2007, as to what steps you have taken to remedy this situation and prevent a recurrence, including employee training or disciplinary action."

Michael Ortiz of Obama's Washington, D.C., office said Tuesday that the senator never received a response from Johanns.

Obama has introduced, with Sen. Charles "Chuck" Grassley, R-Iowa, separate legislation that would reopen Pigford benefit qualifying for the more than 50,000 black farmers whose applications were rejected because they were considered filed too late.

John Boyd, president of the National Black Farmers Association, said he talked to Johanns last week "and urged him not to have USDA investigate itself." He said the inspector general's office would take an objective, overall look at the situation and "the fox wouldn't be watching the hen house."

Boyd said USDA never took action against the employees that were found in the Pigford lawsuit to be discriminating against black farmers.

"The biggest downfall over the years with the department is lack of accountability," he said.

Ken Cook of the Environmental Working Group said he has "not heard a peep out of the USDA" on the matter. But he heard from USDA employees that an investigation is under way but he's not sure whether it is an internal USDA operation or if the inspector general's office is involved.

Cook said he does agree on one issue raised the USDA employees who criticized the farm bill: the \$100 million cap on future awards to black farmers is not enough to satisfy

the potential demand. He said he joins Boyd in pushing for a higher limit.