

EXHIBIT G



U. S. Department of Justice

Civil Division

Washington, D.C. 20530

June 13, 2003

Stephen S. Hill, Esq.
Howrey Simon Arnold & White
1299 Pennsylvania Avenue, N.W.
Washington, D.C. 20004-2402

Re: Garcia v. Veneman, CA-00-2445

Dear Mr. Hill:

Pursuant to Judge Robertson's direction at the April 29, 2003 status conference, and in response to certain of plaintiffs' discovery requests, USDA is today providing three compact discs containing information from Farm Service Agency (FSA) databases regarding the applications and closed loans of Hispanic and white male farmers. These discs are being delivered to you today directly from USDA.

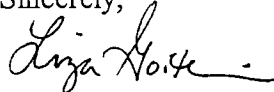
With respect to application information, USDA does not maintain information on individuals who received applications for loans from an FSA office. FSA maintains information on loan applications received during fiscal years 1998, 1999, 2000, 2001, 2002, and 2003 in the Management of Agricultural Credit (MAC) database. From this database, USDA is providing listings of applicants in six categories: 1) Hispanic individual applicants; 2) white male individual applicants; 3) Hispanic family unit applicants; 4) white family unit applicants; 5) organization applicants/Hispanic; and 6) organization applicants/white male. For each such applicant, USDA is providing the applicant's name and ID number (usually social security number); state and county code; the fund code; the assistance code; the date the application was first received by the local FSA office; the date the application was considered complete; the date a decision was made on the application; the decision made on the application; the date the loan was closed if applicable; the loan amount granted; and the loan amount requested. Applicants were identified as Hispanic or white male based on self-identification on the application form. USDA is also providing the User's Manual on the MAC database and a document that contains definitions for the various codes.

With respect to the history, nature, and reliability of the application data provided in the MAC database, FSA's first automated loan application tracking system, the Management Records System (MRS), was implemented in January 1993. Data from the MRS system for fiscal years 1998 and 1999 were converted to the MAC system, which began operating in January 2000; data from fiscal years 1993 through 1997 were disposed of in accordance with the applicable document destruction schedule. FSA has found that the conversion of the MRS data

to the MAC system was incomplete and that not all information on applications was transferred properly from MRS to MAC. Thus, the information for fiscal years 1998 and 1999 is estimated to be 70 percent complete or less. For fiscal years 2000, 2001, 2002, and 2003, not all information on applications has been entered into the MAC system, and FSA estimates that the information is approximately 85 to 90 percent complete. Document retention regulations require FSA to destroy all rejected or withdrawn applications after two fiscal years following the year in which the application was rejected or withdrawn.

With respect to closed loans (i.e., loans actually made), information is provided from the Program Loan Accounting System (PLAS) for all loans closed from January 1, 1988 through May 31, 2003. USDA is providing listings of borrowers in six categories: 1) Hispanic individual applicants; 2) white male individual applicants; 3) Hispanic family unit applicants; 4) white family unit applicants; 5) organization applicants/Hispanic; and 6) organization applicants/white male. The information provided for each borrower includes borrower name, address, and ID number; state and county fund code; loan number; loan closing date; loan amount; and settlement code. Borrowers were identified as Hispanic or white male based either on a visual identification by FSA personnel or on self-identification, depending on the year at issue. Because information on national origin was not collected until 1988, no information is being provided on loans from 1981 to 1987. A description of the servicing options and settlement codes is attached. It should be noted that in 1993, a small number of selected accounts were removed from the PLAS database to create additional space on the database. The accounts removed must have had no open loans or servicing activity after January 1988. In addition, in order to maximize storage efficiency, FSA has implemented a compression of records in the database. Due to the nature of this process, it is possible that some data was lost or damaged. Therefore, the PLAS database may not be complete for the time period at issue.

Sincerely,



Elizabeth Goitein
Federal Programs Branch

EXHIBIT H

St	Svc Ofc	County	Case No.	Applicant Name	Fd Cde	Asst Code	Date Recd	Date Comp	Date Decision	Decl- sion	Days Decl- sion	Date Closed	Loan Amount	Loan Amount Requested
AK	328	Fairbanks North	60-002-530082655	[REDACTED]	44	209	03/07/2002	04/11/2002	05/16/2002	R	35	NA	.00	74750.00
AL	301	Colbert	01-017-418904862	[REDACTED]	44	211	03/07/2002	04/11/2002	05/16/2002	R	35	NA	.00	30000.00
			01-017-424312412	[REDACTED]	44	051	05/14/2002	06/20/2002	06/20/2002	A	0	08/08/2002	172000.00	172000.00
			01-030-416565417	[REDACTED]	44	112	03/15/2002	02/05/2002	02/05/2002	A	0	03/08/2002	100000.00	200000.00
			01-030-4221139211	[REDACTED]	41	036	09/06/2002	NA	10/01/2002	R	NA	NA	.00	25000.00
			01-030-423689124	[REDACTED]	44	051	05/14/2002	NA	10/01/2002	R	NA	NA	.00	115000.00
			01-039-418296279	[REDACTED]	44	000	05/03/2002	NA	06/26/2002	W	NA	NA	.00	8000.00
				[REDACTED]	44	211	01/04/2002	01/30/2002	02/07/2002	A	8	03/18/2002	21000.00	21444.00
				[REDACTED]	44	211	01/04/2002	01/30/2002	02/07/2002	A	8	03/18/2002	21444.00	23000.00
				[REDACTED]	44	211	09/05/2002	09/16/2002	09/16/2002	A	0	10/08/2002	18000.00	18000.00
				[REDACTED]	41	203	03/12/2002	03/12/2002	03/12/2002	A	0	10/04/2002	20000.00	20000.00
302		Lawrence	01-039-419902081	[REDACTED]	44	112	04/25/2002	05/22/2002	05/22/2002	A	0	06/18/2002	45901.00	50000.00
			01-039-420198032	[REDACTED]	44	209	04/25/2002	05/22/2002	05/22/2002	A	0	06/18/2002	45901.00	50000.00
			01-039-420740151	[REDACTED]	44	051	10/15/2001	NA	11/28/2001	W	NA	NA	.00	200000.00
			01-039-422629438	[REDACTED]	44	112	01/31/2002	03/21/2002	03/27/2002	A	0	05/29/2002	40000.00	40000.00
			01-039-422946729	[REDACTED]	44	211	04/09/2002	04/30/2002	05/10/2002	A	10	07/05/2002	100000.00	100000.00
			01-039-423641091	[REDACTED]	44	112	03/26/2002	04/19/2002	04/19/2002	A	0	04/26/2002	138602.00	160000.00
			01-040-422407315	[REDACTED]	44	051	01/28/2002	NA	01/29/2002	R	NA	NA	.00	34000.00
			01-036-416211883	[REDACTED]	44	000	05/13/2002	06/05/2002	06/18/2002	R	13	NA	.00	30300.00
			01-036-420647681	[REDACTED]	44	112	03/04/2002	04/09/2002	05/29/2002	A	50	06/11/2002	35000.00	35000.00
			01-036-423190412	[REDACTED]	44	209	02/05/2002	02/14/2002	02/15/2002	A	1	02/26/2002	35000.00	35000.00
303		Marshall	01-048-418742137	[REDACTED]	44	211	02/05/2002	02/14/2002	02/15/2002	A	1	02/26/2002	26000.00	26000.00
			01-048-419709835	[REDACTED]	44	112	12/06/2001	12/18/2001	12/18/2001	A	0	01/04/2002	26500.00	26000.00
			01-048-424749763	[REDACTED]	41	000	08/12/2002	NA	08/19/2002	R	NA	NA	.00	60000.00
			01-022-418295435	[REDACTED]	44	051	07/12/2002	07/22/2002	07/23/2002	A	1	09/13/2002	37230.00	37230.00
303		Cullman	01-022-422290968	[REDACTED]	44	051	03/01/2002	NA	04/09/2002	W	NA	NA	.00	20000.00
				[REDACTED]	41	000	04/26/2002	NA	06/10/2002	W	NA	NA	.00	200000.00
				[REDACTED]	44	000	04/26/2002	NA	06/10/2002	W	NA	NA	.00	60000.00
		Morgan	01-052-421298525	[REDACTED]	44	211	03/03/2002	03/30/2002	03/30/2002	A	0	02/27/2002	10350.00	10350.00

EXHIBIT I

KEY

FARM SERVICE AGENCY, FARM LOAN PROGRAMS – APPLICATION INFORMATION:

KEY:

State or St – state in which the service office is located.

Svc Ofc -Service Office) – headquarters office where the Farm Loan Manager resides.

County – where the applicant/borrower's farm is located.

Case No.. - applicant/borrower's state code, county code and social security or tax id number.

Fd Cde-Fund Code) -- 2-digit code that identifies the type of loan. Example: 41 is a farm ownership loan.

Asst. Code – Assistance Code – the type of assistance code associated with the fund code. Example: Asst. code 206 is associated with the fund code 41 and further defines the farm ownership loan as a beginning farmer, socially disadvantaged, gender loan, which has loan funds targeted to an applicant who qualifies.

Date Recd – Date Received – date the application is received.

Date Comp – Date Complete – date the application is considered complete. FmHA Instruction 1910-A, Section 1910.4 defines what is needed for a complete application.

Date Decision – date a decision is made by the loan approval official.

Decision – the loan request may be either A (approved), R (rejection), or W (withdrawn) by the loan approval official.

Days Decision – the number of days it took for the loan approval official to make a decision. Count of days is from complete application to decision.

Date Closed – date the request becomes a loan.

Loan Amount – the amount of the loan.

Loan Amount Requested – the loan amount requested by the applicant.

LEGEND:

A – Approved

R – Rejected

W -Withdrawn

NA – no data was entered in this field.

** - reinstated application – application that was missing information for a complete application and was withdrawn but subsequently the information was provided and application processing was resumed or the loan approving official's decision was appealed and the outcome caused loan processing to be resumed.

CAVEATS:

Data from FY 1998 and FY 1999 is from the Management Record System (MRS) that was converted to the Management of Agricultural Credit (MAC) system. This data has been found to be incomplete and data entry may be incorrect. Subsequent data (FY 2000, FY 2001, FY 2002, FY 2003 to 5/30/03) was entered into the MAC system and is approximately 85 to 90 percent complete; however, the correctness of the data entry has not been determined to any large extent. To our knowledge, this data is the best available data on applications.

PDF FILES on the CD:

File name 1998hisp2.pdf is a file that includes application data on Hispanics in FY 1998.

File name 1998wrn2A-L.pdf is a file that includes application data on white males in FY 1998 in states whose names begin with the letters A through L.

File name 1998wrn2M-Z.pdf is a file that includes application data on white males in FY 1998 in states whose names begin with the letters M through Z.

File name 1999hisp2.pdf is a file that includes application data on Hispanics in FY 1999.

File name 1999wrn2A-L.pdf is a file that includes application data on white males in FY 1999 in states whose names begin with the letters A through L.

File name 1999wrn2M-Z.pdf is a file that includes application data on white males in FY 1999 in states whose names begin with the letters M through Z.

Subsequent application data files for the fiscal years 2000, 2001, 2002, and 2003 (to 5-30-03) follow the same naming convention.

File name fundcd.pdf is a file that includes information on decoding fund code and assistance codes.

EXHIBIT J

1

hispn2.txt

CURRENT DATE 07/02/2003

U.S. DEPARTMENT OF AGRICULTURE
FARM SERVICE AGENCY

PAGE 1

PRODUCER PAYMENTS REPORTING SYSTEM
IRS REPORTABLE FARM PROGRAM PAYMENT
PRODUCERS IDENTIFIED AS HISPANIC

REPORT

STATE	CNTY	TAX ID	PAYEE NAME	ADDRESS	
CODE	CODE				
01	005	[REDACTED]	[REDACTED]	[REDACTED]	
EUFAULA		AL	360279309		
		ISSUE DATE	CROP YEAR	PROGRAM CATEGORY NAME	PAYMENT
		1995-02-01	1995	EMERGENCY CONSERVATION PROGRAM	1,530.00
		1996-01-19	1995	LIVESTOCK EMERGENCY ASSISTANCE	318.75
		1996-05-02	1995	LIVESTOCK EMERGENCY ASSISTANCE	238.74

01	017	[REDACTED]	DR. [REDACTED]	VALLEY SURGICAL CENTER	
		1 MEDICAL PARK			
VALLEY		AL	368543665		
		ISSUE DATE	CROP YEAR	PROGRAM CATEGORY NAME	PAYMENT
		1991-04-23	1990	LIVESTOCK EMERGENCY ASSISTANCE	946.56

01	027	[REDACTED]	[REDACTED]	[REDACTED]	
RD		DELTA	AL	362580000	
		ISSUE DATE	CROP YEAR	PROGRAM CATEGORY NAME	PAYMENT
		1999-04-12	1998	LIVESTOCK EMERGENCY ASSISTANCE	145.00
		1999-06-23	1998	LIVESTOCK EMERGENCY ASSISTANCE	52.00
		2001-04-09	2001	EMERGENCY CONSERVATION PROGRAM	1,164.00

01	033	218761327	LEONIDES SANTOS	201 S JACKSON ST
		RUSSELLVILLE	AL	356530000

hispn2.txt

ISSUE DATE	CROP YEAR	PROGRAM CATEGORY NAME	PAYMENT
2000-03-14	1999	LIVESTOCK EMERGENCY ASSISTANCE	553.00
2000-11-17	2000	PASTURE RECOVERY PROGRAM	1,838.00
2001-06-11	2000	LIVESTOCK EMERGENCY ASSISTANCE	999.00
2002-12-03	2002	LIVESTOCK COMPENSATION PROGRAM	612.00

01 047 [REDACTED] AL [REDACTED] 367420000

GALLION

ISSUE DATE	CROP YEAR	PROGRAM CATEGORY NAME	PAYMENT
2001-06-11	2000	LIVESTOCK EMERGENCY ASSISTANCE	2,598.00

01 063 [REDACTED] AL [REDACTED] 354620000

EUTAW

ISSUE DATE	CROP YEAR	PROGRAM CATEGORY NAME	PAYMENT
2001-06-11	2000	LIVESTOCK EMERGENCY ASSISTANCE	34.00

01 071 [REDACTED] AL [REDACTED] 359669546

FLAT ROCK

ISSUE DATE	CROP YEAR	PROGRAM CATEGORY NAME	PAYMENT
1995-07-06	1994	DISASTER	865.00

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CURRENT DATE 07/02/2003

U.S. DEPARTMENT OF AGRICULTURE

FARM SERVICE AGENCY

PRODUCER PAYMENTS REPORTING SYSTEM

IRS REPORTABLE FARM PROGRAM PAYMENT

PRODUCERS IDENTIFIED AS HISPANIC

PAGE 2

REPORT

STATE	CNTY	TAX ID	PAYEE NAME	ADDRESS
CODE	CODE			

EXHIBIT K



United States
Department of
Agriculture

Farmers
Home
Administration

Washington
D.C.
20250

FmHA AN No. 1053 (1910)

August 1, 1984

SUBJECT: The Use of the Term "Character" in County Committee
Rejection Letters

TO: All State Directors, Farmer Program Chiefs, District Directors,
and County Supervisors

The County Office Advisory Team has brought to our attention that the term "character" is frequently used in County Committee rejection letters. Referring to an applicant's character in a rejection letter is often considered an insult and generates hostility. Therefore, you should discontinue the use of the term "character" in rejection letters.

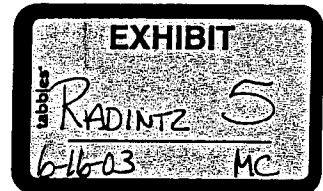
The phrases in paragraph 4 on page 2 of FmHA Guide Letter No. 410-3 (Revision 3) (FmHA Instruction 1910-A), or similar wording, will be used when referring to an applicant's credit history or other traits that involve character.

Charles W. Shuman

for CHARLES W. SHUMAN
Administrator

EXPIRATION DATE: August 31, 1985

FILING INSTRUCTIONS: Preceding
FmHA Instruction 1910-A



Farmers Home Administration is an Equal Opportunity Lender.
Complaints of discrimination should be sent to:
Secretary of Agriculture, Washington, D.C. 20250

FLP005-0465

EXHIBIT L

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UNCERTIFIED TRANSCRIPT

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

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GUADALUPE L. GARCIA, JR. at al.,	:	
Plaintiff(s),	:	Civil Action
vs.	:	No. 1:00CV02445
ANNE M. VENEMAN, Secretary,	:	
United States Department of	:	
Agriculture,	:	
Defendant.	:	

Washington, D.C.
Thursday, July 10, 2003

The deposition of CHARLES CANTRELL, II called for examination by counsel for Plaintiffs in the above-entitled matter, pursuant to notice, in the offices of Howrey, Simon, Arnold & White, 1299 Pennsylvania Avenue, Northwest, Washington, D.C., convened at 1:20 p.m., before Jonell Easton, a notary public in and for the District of Columbia, when were present on behalf of the

1 parties:
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1 APPEARANCES:

2 On behalf of the Plaintiffs:

3 STEPHEN HILL, ESQ.

4

5 Washington, D.C.
6 (202)

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7 On behalf of the Defendant:

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LISA A. OLSON, ESQ.

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1 P R O C E E D I N G S

2 Whereupon,

3 CHARLES CANTRELL, II

4 was called for examination by counsel for Plaintiffs
5 and, after having been first duly sworn by the notary
6 public, was examined and testified as follows:

7 EXAMINATION BY COUNSEL FOR PLAINTIFFS

8 BY MR. HILL:

9 Q. Good afternoon, state your name and
10 business address for the record, please.

11 A. Charles Cantrell, II, address 6501
12 Beacon, Kansas City, Missouri.

13 Q. What is your residence address?

14 A. 3700 Northwest Independence Avenue, Lee's
15 Summitt, Missouri 60664.

16 Q. You are appearing here pursuant to notice
17 of deposition for Rule 30(b)(6). Correct?

18 A. Yes.

19 MR. HILL: Mark as Exhibit 1 the

20 deposition notice of deposition.

21 (Cantrell Deposition Exhibit 1 was marked
22 for identification.)

6

1 BY MR. HILL:

2 Q. Take a moment to review it, and, in
3 particular, pages 2 through 4.

4 Let me know when you are ready.

5 (Pause in the proceedings.)

6 BY MR. HILL:

7 Q. Have you completed your review of the
8 exhibit?

9 A. Yes.

10 Q. With respect to specifications set forth,
11 one through ten, to which specifications will you
12 be testifying today?

13 A. Number 2,

14 Number 3.

15 Number five.

16 Parts of number six.

17 Parts of number 7.

18 Parts of number 8.

19 And parts of number ten.

20 Q. Would you describe for us briefly
21 beginning with high school your education
22 training?

7

8 hardware?

9 A. At that time there wasn't OCIO.

10 Q. What is that?

11 A. Office of--I would have to look it up
12 right now OCIO we make requests for purchases at
13 Department of Agriculture we work with two other
14 agencies in CS RAOURL and development become in
15 the 1980s, each agency had its own budget and
16 could purchase, for example, Farm Home
17 Administration 3B2, FCIC we were going to servers
18 based upon our need, the way we did our business.

19 Q. In 1993 when you were creating the MRS
20 system it was still being created, the 3B2?

21 A. It was, I can't say the date I came in 95
22 from research, it looks like 90, 91, 92, 93 time

21

1 they did that.

2 Q. Do you know whether or not in 1993 the
3 MRS system as it was at that time had any capacity
4 for expansion, to include other fields?

5 A. You can expand the files and add fields
6 to it and I know from one of documents we worked
7 from to create MAC I could tell when fields were
8 added because it was database system you leave
9 space add back, to add fields and they did, so
10 they have added fields along the way.

11 Q. Would it have been a difficult process to
12 add a field?

13 A. I can't speak for 3B2.
Page 17

14 I can tell you from IT point of view you
15 have to have capability to add fields.

16 Q. What do you mean?

17 A. For example, if Stephen Hill--Charlie
18 Cantrell was at 6501 Beacon Street, you can add a
19 room number, I need to add a field. That was
20 requirement after we started.

21 Q. There are references in what has been
22 marked Exhibit 3 to committee decision dates do

22

1 you know what those references are?

2 Look, for example, at page 5 of the
3 document.

4 Committee and decision code, do you see
5 those?

6 A. Yes.

7 Q. Do you know that is in reference to?

8 A. The ASCS, they had county committees and
9 each county office and Farm Home Administration
10 used those county committees when they did to give
11 the loan to those people.

12 Now I can only tell you what they did
13 based on what the program sponsor told me when
14 they give loan request to the county committee and
15 the they can look saying rejected or deferred and
16 put a date they made that decision.

17 Q. There appears to be in Exhibit 3
18 provisions for multiple records of committee

19 actions, at least three.

20 Do you know why that is?

21 A. It is my understanding I sent loan

22 request over and there was something missing and

23

1 said rejected, first, we would send it back with
2 that information, and that would be recorded
3 there.

4 Q. When the system was converted from MRS to
5 MAC and there were additional data fields added,
6 what did those relate to?

7 A. I would have to sit and match MRS TPO MAC
8 two fields that were added, last update and
9 individual ID or initial, I believe ID of person
10 that did last update to that record program, the
11 sponsor had additional requirements, workload
12 schedule, we have added some fields.

13 Q. What are workload scheduling items?

14 A. I walk into the office and give them
15 application, there was workload scheduling item
16 within so many days you have to process.

17 We use that for tracking to see if we are
18 servicing the business in set timeframe
19 information can be used look at, every office is
20 doing it the same way, were processing quickly,
21 timely.

22 Q. When you worked on the conversion from

1 MRS to MAC, were there any considerations given to
2 adding a field to database that would indicate
3 when the application was rejected and the reason
4 for rejection?

5 A. From my memory setting with users at that
6 time, that field they didn't ask for that field to
7 be added.

8 They basically said that should be in the
9 folder.

10 Q. What should be in the folder?

11 A. The reason for rejection.

12 Q. In the individual loan folder?

13 A. Yes.

14 Q. I take it t he subject was discussed
15 whether or not you would add a field to include
16 reason for rejection?

17 A. When we ere doing the conversion, we
18 talked about a lot of fields because I read it in
19 Radintz testimony, I went back and looked at the
20 notes, and one of notes I had was we were listing
21 fields for discussion, items that is happened to
22 be--

1 Q. What did the note say?

2 A. Like I listed out items or elements that
3 needed to be added to the system for IT, last

4 update, we don't need name and address, I don't
5 need lender information because it sits in another
6 file, are the codes correct.

7 In other words, I wanted to make sure
8 codes in MRS were correct, matches place codes, do
9 we need any other functional items and they talked
10 about various things.

11 Q. As best you can recall, what did your
12 notes say about adding fields with respect to
13 reason for rejecting the application?

14 A. It didn't. It didn't say why they didn't
15 accept it.

16 Q. Was that a proposal you made from IT?

17 A. I can't tell from my notes. That was
18 five six years ago.

19 Q. Are those notes still in existence?

20 A. They're like squiggles.

21 Q. Are they in existence?

22 A. Yes.

0

1 Q. Where?

2 A. In a file I have in my office.

3 Q. What is the name of that file?

4 A. File.

5 Q. Just file?

6 A. Yes.

7 Q. Can you recall any other issues that were
8 discussed in your notes?

9 A. We discussed a lot of things.