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## **Groups Sue Farm Service Agency for Concealing Records on Funding of Industrial Animal Ag**

*FSA's history of withholding records from advocacy groups violates federal law and shields the provision of public funds from public scrutiny*

**Washington D.C.** - Today, a group of advocacy organizations filed a lawsuit against the Farm Service Agency (FSA) to stop its systematic delay and over-redaction of Freedom of Information Act (FOIA) responses. Advocacy groups have long been seeking loan-related records to understand how taxpayer dollars are propping up industrial animal agriculture operations at the expense of small family farms. FSA's illegal practices violate FOIA, and obscure FSA's funding of factory farms over independent farms.

The Public Justice Foundation, Animal Legal Defense Fund, Center for Biological Diversity, Center for Food Safety, and Food & Water Watch are plaintiffs in the suit. The groups are suing to stop similar delays and over-redactions in the future, and to ensure these public interest groups can access the information they need to oversee FSA's funding of industrial animal agriculture.

"The Public Justice Food Project is proud to lead the fight in court against these blatant violations of the Freedom of Information Act," said **Kellan Smith, Food Project Associate Attorney at Public Justice**. "FSA's conduct not only flies in the face of the principle of government transparency on vital issues of health and natural resources, it makes it impossible for groups like ours to ensure that public money is actually going to benefit the public good, not line the pockets of agribusiness at the expense of small farmers and rural health."

FSA is the agency at the U.S. Department of Agriculture responsible for administering direct farm loans and guaranteed farm loans to eligible agricultural producers or landowners, and making sure those loans comply with applicable environmental laws. FSA is subject to the FOIA, the landmark law that allows people to access agency records and learn about what the government is doing.

FOIA requires agencies to release requested records promptly, unless one of the statute's narrow exemptions apply. For over a decade, the plaintiff groups in this suit

have been interested in FSA's funding of industrial animal agricultural operations. Because FSA discloses very little information about its activities to the public, the plaintiffs have relied on FOIA requests to obtain essential information.

"The USDA's Farm Service Agency routinely violates the Freedom of Information Act in what appears to be an attempt to hide their disregard for the environmental harms made possible by providing loans and loan guarantees to factory farms all across the country," said **Tyler Lobdell, Staff Attorney at Food & Water Watch**. "FOIA is the bedrock of transparency and accountability in our federal government, and this lawsuit will ensure that FSA is not allowed to continue violating the public's right to know for the benefit of polluting factory farms."

FSA has not only regularly delayed producing requested documents for several months or years, it has regularly withheld thousands of pages of nonexempt information by broadly construing and misapplying FOIA's limited exemptions. FSA's history of undue delays and improper redactions prevent plaintiffs from learning how taxpayer dollars bankroll industrial animal agricultural operations and their environmental impacts, according to the complaint.

"FSA's shielding of federal subsidies for factory farms both violates the Freedom of Information Act and hides from the public the enormous scale of taxpayer support for farmed animal suffering," said **Daniel Waltz, Staff Attorney for the Animal Legal Defense Fund**.

The FOIA requests over which the plaintiffs file suit today concern loans designed for small agricultural operations, but the public record shows the scale of these loans' recent misuse. In 2014, a federal judge ruled that the FSA's loan of \$3.6 million to a single hog operation in Northwest Arkansas was [in violation of environmental law](#). It's a trend that is wider within the federal government. In 2018, the Small Business Administration's Inspector General revealed that his agency's loans intended for small-scale chicken farms [had been propping up huge chicken companies](#).

"The federal government has a history of propping up huge industrial animal factories with loans intended for small-scale operations," said **Victoria Yundt, Staff Attorney for Center for Food Safety**. "It is unacceptable that FSA continually violates the Freedom of Information Act to hide the fact that the government is funding industrial factory farms across the country."

A copy of the lawsuit filed today is available [here](#).

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***Public Justice** pursues high impact lawsuits to combat social and economic injustice, protect the Earth's sustainability, and challenge predatory corporate conduct and government abuses. The Public Justice Food Project supports rural communities, farmers, workers, and allies to achieve a just, humane, and sustainable animal agriculture system.*

**The Center for Biological Diversity** is a national, nonprofit conservation organization with more than 1.7 million members and online activists dedicated to the protection of endangered species and wild places.

**Food & Water Watch** mobilizes people to build political power to move bold and uncompromised solutions to the most pressing food, water and climate problems of our time. We work to protect people's health, communities and democracy from the growing destructive power of the most powerful economic interests.

The **Animal Legal Defense Fund** files high-impact lawsuits to protect animals from harm; provides free legal assistance and training to prosecutors to assure that animal abusers are held accountable for their crimes; supports tough animal protection legislation and fights harmful legislation; and provides resources and opportunities to law students and professionals to advance the emerging field of animal law.

**Center for Food Safety's** mission is to empower people, support farmers and protect the earth from the harmful impacts of industrial agriculture. Through groundbreaking legal, scientific and grassroots action, we protect and promote your right to safe food and the environment. Please join our more than 950,000 advocates across the country at [www.centerforfoodsafety.org](http://www.centerforfoodsafety.org). Twitter: [@CFSTrueFood](https://twitter.com/CFSTrueFood), [@CFS\\_Press](https://twitter.com/CFS_Press)