

Mike Espy a Hypocrite on Pre-existing Conditions

Mike Espy campaigns on protecting people with pre-existing conditions, but unfortunately his own record shows he doesn't practice what he preaches. The Washington Free Beacon today unearthed a case where Espy denied an employee's promotion due to his child's pre-existing condition.

The incident, which led to bipartisan condemnation, ended when the employee won a discrimination case on the matter. The findings showed that "discrimination based on associational disability was a factor."

Mississippians deserve a Senator who will lead by example. Cindy Hyde-Smith has cosponsored legislation in Washington to protect people with pre-existing conditions. Espy has shown he's all talk, no action.

Mike Espy, Who Has Made Protecting People With Preexisting Conditions A Central Part Of His Campaign, Denied An Employee's Promotion Due To His Child's Preexisting Condition

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Mike Espy Has Made Protecting People With Preexisting Conditions A Central Part Of His Campaign. "Espy's campaign did not respond to numerous inquiries regarding Patterson's case. His campaign has made his commitment to covering people with preexisting conditions a central part of his campaign, saying his own health condition makes him 'empathetic to people who have health problems.'" (Brent Scher, "Espy Denied Employee's Promotion Due To Child's Preexisting Condition, [The Washington Free Beacon](#), 11/20/18)

Espy Denied An Employee's Promotion Due To His Child's Preexisting Condition

As Secretary Of Agriculture, Espy Blocked A James Patterson's Promotion Due To His Child's Preexisting Heart Condition Even Though He Passed All Required Tests With Flying Colors. "As secretary of agriculture, Mike Espy fought to block the promotion of a department employee because his young daughter's preexisting heart condition was believed to be a potential financial burden on the government, according to documents reviewed by the Washington Free Beacon. Espy, now running for U.S. Senate in Mississippi, was confirmed to head the Department of Agriculture in January 1993 during the Clinton administration. It was after Espy took office that James Patterson, an agricultural economist for the department, says he learned that his promotion to the Foreign Agriculture Service, a department within USDA, was being stalled even though he had passed all the required tests with flying colors." (Brent Scher, "Espy Denied Employee's Promotion Due To Child's Preexisting Condition, [The Washington Free Beacon](#), 11/20/18)

- **Espy Allegedly Called Patterson's Daughter A "Disabled Thing" And An "Insurance Burden."** "Patterson recalled Espy referring to his daughter as a 'disabled thing' and an 'insurance burden' during the discrimination spat, labels that left a lasting impression on him regarding Espy. Patterson's daughter died in 2006 at the age of 17, and he has used her story to highlight the importance of the Americans with Disabilities Act." (Brent Scher, "Espy Denied Employee's Promotion Due To Child's Preexisting Condition, [The Washington Free Beacon](#), 11/20/18)

There Was Bipartisan Condemnation Of Espy's Actions

Democrat Senator Tom Harkin Said He Was "Very Concerned" About Espy's

Discrimination Toward Mr. Patterson. "Patterson managed to rally support for his case against Espy from Sen. Tom Harkin, an Iowa Democrat who chaired the Senate subcommittee on disability policy and was lead sponsor for the Americans with Disabilities Act. He shared with the Free Beacon correspondence he maintains between Harkin and Espy that shed light on the details of the case. 'Mr. Patterson believes that he has been denied a promotion due to the fact that his daughter has a disability,' Harkin wrote in a March 11, 1993, letter to Espy. 'As an employee of the federal government, Mr. Patterson may be protected against discrimination of this nature under section 501 of the Rehabilitation Act of 1973.' 'As chief sponsor of the Americans with Disabilities Act, I am very interested in Mr. Patterson's situation,' he continued. 'Federal employees have been protected from discrimination based on a disability since 1973, and I am very concerned to learn that this type of discrimination may still be occurring.' Harkin sent a follow-up letter to Espy on April 2, 1994, reasserting to Espy that the law barred any 'discrimination against a federal employee of an applicant for federal employment because of the disability of a dependent child.'" (Brent Scher, "Espy Denied Employee's Promotion Due To Child's Preexisting Condition," [The Washington Free Beacon](#), 11/20/18)

Chuck Grassley's Office Called Espy's Actions Deplorable. "Patterson also was aided in his fight by Iowa's other senator, Republican Chuck Grassley, whose office referred to Espy's call to block his promotion as a 'deplorable decision' in a 2002 letter to Patterson. Patterson says Espy put 'intense pressure' on him to drop his discrimination case, but he never relented. 'My daughter was struggling to live, and I believe he used, or misused, his power as secretary in hopes that I would drop this case and leave the government, which I did not do,' Patterson said." (Brent Scher, "Espy Denied Employee's Promotion Due To Child's Preexisting Condition," [The Washington Free Beacon](#), 11/20/18)

Espy Appeared To Insinuate That Espy Would Consider Promoting Patterson If Patterson's Daughter Died

Espy Said He Would Consider Promoting Patterson Once "Circumstances Change" "Espy's response to Harkin, sent on August 13, 1994, shows Espy stood by his agency's decision on Patterson, and even indicated that his promotion to the Foreign Agriculture Service (FAS) would be able to proceed if not for his daughter, saying he would receive the promotion once 'circumstances change.' 'Mr. Patterson was offered a settlement comparable to other similarly situated employees,' Espy told Harkin. 'This resolution offer included a 5-year limited appointment into the Foreign Service with an overseas tour. Should circumstances change during his tenure with FAS, he would be converted to the Foreign Service.'" (Brent Scher, "Espy Denied Employee's Promotion Due To Child's Preexisting Condition," [The Washington Free Beacon](#), 11/20/18)

Patterson Won His Discrimination Case

Patterson Filed A Complaint With The EEOC. "Patterson filed an Equal Employment Opportunity discrimination complaint regarding Espy's actions at USDA, which he saw as a direct violation of both the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, a law Espy voted for as a member of the House of Representatives." (Brent Scher, "Espy Denied Employee's Promotion Due To Child's Preexisting Condition," [The Washington Free Beacon](#), 11/20/18)

The Government Ruled In Patterson's Favor Finding That "Discrimination Based On Associational Disability Was A Factor." "It wasn't long after Espy left at the end of the year that Patterson's problem was resolved. The government ruled in January 1994 that 'discrimination based on associational disability was a factor' when the USDA denied Patterson's promotion to the position of Foreign Agricultural Officer. Patterson was granted the promotion and granted back pay.

The government was also ordered to cover Patterson's extensive legal fees. The decision came after the Department of Justice weighed in to let the USDA know it was likely violating the Rehabilitation Act by letting the health of Patterson's daughter impact his employment. The DOJ's opinion on the case was reiterated in 1995 in a letter to Harkin from Deval Patrick, who was at the time assistant attorney general in the DOJ's civil rights division. (Patrick has campaigned for Espy.) It also came after his case was receiving increased attention by the press, with the New York Times publishing a Sunday exposé on his struggle to expose the USDA's discrimination against him.” (Brent Scher, “Espy Denied Employee’s Promotion Due To Child’s Preexisting Condition, [The Washington Free Beacon](#), 11/20/18)

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