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Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

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Subcommittee on Government Management, Organization, and Procurement

May 11, 2007

The Honorable Margo M. McKay
Assistant Secretary for Civil Rights
U.S. Department of Agriculture
1400 Independence Avenue, SW
Mail Stop 0115
Washington, DC 20250

Dear Ms. McKay:

The Subcommittee on Government Management, Organization, and Procurement has oversight jurisdiction over management practices and organization in federal departments and agencies. For a number of years, there has been concern over management of the United States Department of Agriculture's (USDA) civil rights program. As you know, Congress recently enacted legislation intended to remedy longstanding problems, including a reorganization in USDA establishing your office. The Subcommittee is conducting oversight of the USDA's implementation of this reorganization and management of USDA's civil rights enforcement and monitoring procedures, including delays in its processing of discrimination complaints and the role of the court-appointed monitor instituted as a result of *Pigford v. Glickman*.

It is imperative that those who seek USDA program benefits are treated equitably and that accountability measures are in place to monitor and enforce civil rights standards throughout the agency. Accordingly, the Subcommittee is reviewing the following questions:

- 1) Does the Office of the Assistant Secretary for Civil Rights (OASCR) have the resources, personnel, and authorities to effectively resolve complaints concerning the delivery of program benefits and services?
- 2) What is the average processing time for all stages of complaint resolution?

- 3) What processes does OASCR employ to obtain and retain staff with the requisite skills needed to process complaints?
- 4) Describe OASCR's progress in addressing previously identified problems associated with untimely processing of discrimination complaints.
- 5) Describe the guidance and procedures that are currently in place to promote department wide compliance with and standardization and effective enforcement of civil rights statutes.
- 6) In cases where discrimination is found to have occurred in the assessment of program benefit eligibility, what accountability measures are imposed upon guilty employees? What forms of redress are available to the affected party?
- 7) Describe the nature of outreach by OASCR to raise awareness of financial assistance programs that support socially and economically disadvantaged farmers.
- 8) Has the role of the court-appointed monitor been beneficial in the execution of the *Pigford* consent decree? What challenges have hampered the implementation of the consent decree? What legislative remedies should be implemented to further assist in achieving the goals of the consent decree?

As an initial step to assist the Subcommittee in its review, I request that you arrange a staff-level briefing on these issues, and any other related issues that you deem relevant. Please contact Velvet Johnson of the Subcommittee staff at (202) 225-3741 to arrange this briefing or with additional questions.

The Committee on Oversight and Government Reform is the principal oversight committee in the House of Representatives, with broad investigative jurisdiction as set forth in House Rule X.

I look forward to working with you toward our common goal of effective and impartial management of USDA farm programs.

Sincerely,



Edolphus Towns
Chairman