



U.S. Department of Agriculture
Office of Inspector General



IMPORTANT NOTICE

This audit report contains sensitive information that has been redacted for public release due to privacy concerns.

USDA Actions to Address Program Discrimination

Inspection Report 60801-0001-21

For FYs [REDACTED], OIG evaluated OASCR's efforts to ensure compliance and accountability among USDA agencies and staff, in accordance with applicable civil rights laws and regulations.

OBJECTIVE

Our objective was to assess the steps USDA has taken to address and mitigate discrimination within USDA programs, in accordance with applicable civil rights laws and regulations. Specifically, we evaluated OASCR's efforts to ensure compliance and accountability among USDA agencies and staff when there is a finding of discrimination.

REVIEWED

We interviewed OASCR officials and reviewed supporting documentation for [REDACTED] FADs with associated corrective actions in FYs [REDACTED]. We also identified and reviewed applicable regulations and procedures.

RECOMMENDS

We recommend that OASCR revise or develop guidance to: (1) ensure agencies implement corrective actions in a timely manner; (2) establish an implementation plan and ensure the outstanding corrective actions are addressed; (3) clearly define the frequency of its civil rights compliance reviews; and (4) include an alternative compliance review process to assess USDA programs when resources are limited.

WHAT OIG FOUND

The Office of the Assistant Secretary for Civil Rights' (OASCR) mission is to provide leadership and direction for the fair and equitable treatment of all U.S. Department of Agriculture (USDA) customers and ensure the delivery of quality programs and enforcement of civil rights. As such, our inspection focused on OASCR's monitoring and oversight for the USDA civil rights compliance and enforcement program.

We determined that OASCR did not monitor implementation of the corrective actions resulting from [REDACTED] final agency decisions (FADs) [REDACTED] fiscal year (FY) [REDACTED]. Specifically, we noted that [REDACTED]

[REDACTED] In addition, OASCR has not conducted its own civil rights compliance reviews for 8 years. Without consistent monitoring and evaluation, OASCR lacks assurance of timely compliance and cannot fully ensure that USDA programs and activities are conducted, managed, and administered in accordance with applicable civil rights requirements.

OASCR generally agreed with our findings and recommendations, and we accepted management decision for all four recommendations.



OFFICE OF INSPECTOR GENERAL

United States Department of Agriculture



DATE: May 13, 2025

INSPECTION

NUMBER: 60801-0001-21

TO: Patricia St. Clair
Associate Assistant Secretary for Civil Rights
Office of Assistant Secretary for Civil Rights

ATTN: Joelle Bowers Oxley
Management and Program Analyst/Audit Liaison
Office of Assistant Secretary for Civil Rights

FROM: Steve Rickrode
Acting Assistant Inspector General for Audit

SUBJECT: USDA Actions to Address Program Discrimination

This report presents the results of our inspection of USDA Actions to Address Program Discrimination. Your written response to the official draft is included in its entirety at the end of the report. Based on your written response, we are accepting management decision for all four recommendations in the report, and no further response to this office is necessary.

In accordance with Departmental Regulation 1720-1, final action needs to be taken within 1 year of the date of each management decision. Please follow your internal agency procedures in forwarding final action correspondence to the Office of the Chief Financial Officer.

We appreciate the courtesies and cooperation extended to us by members of your staff during our fieldwork and subsequent discussions. This report contains publicly available information and only publicly available information will be posted to our website (<https://usdaoig.oversight.gov>) in the near future.

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Background and Objective

Background

The Office of the Assistant Secretary for Civil Rights' (OASCR) mission is to provide leadership and direction for the fair and equitable treatment of all U.S. Department of Agriculture (USDA) customers, while ensuring the delivery of quality programs and enforcement of civil rights.¹ Within OASCR, the Center for Civil Rights Operations provides leadership and direction through proactive prevention in civil rights programs and activities. OASCR's Center for Civil Rights Enforcement processes program complaints from customers, recipients, and applicants for USDA programs and services and any member of the public eligible to receive program services or benefits through any USDA conducted and assisted program.

OASCR utilizes various tools to determine compliance with applicable civil rights statutes, regulations, standards, and policies. For example:



Compliance reviews are systematic, planned examinations that include on-site visits, surveys, and desk or virtual audits. These reviews assess and evaluate the policies, procedures, and practices to determine compliance with applicable civil rights statutes, regulations, standards, and policies. Compliance reviews may be prompted by various criteria, such as: geographic areas where problems have been identified; issues raised in complaints or identified during an investigation process; or a routine review cycle.



Civil rights impact analysis is an analytical process used to determine the scope, intensity, direction, duration, and significance of the effects of an agency's proposed employment and program policies, actions, and decisions.



According to OASCR officials, the Civil Rights Performance Assessment is an annual survey regarding civil rights actions implemented each fiscal year (FY) to ensure Mission Area Under Secretaries, agency heads, and staff office directors comply with civil rights laws and regulations.

OASCR is also responsible for investigating and making final determinations of program complaints in approximately 300 USDA programs based on the merits of a discrimination claim and recommending any corrective action(s) required to address the complaints.² The program complaints process is designed to analyze facts relevant to determining discrimination and consists of three phases—intake, investigation, and adjudication.

Adjudicators are responsible for reviewing the evidence presented in the report of investigation and determining whether the evidence supports a conclusion of discrimination, followed by a

¹ OASCR enforces Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*) and its implementing regulations, 7 C.F.R. Part 15. No individual shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity based on race, color, or national origin.

² 7 C.F.R. § 2.25(a)(13).

final determination, or final agency decision (FAD). The FAD will present either a “no finding” of discrimination or a “finding” of discrimination. Findings of discrimination will be accompanied by specific corrective actions as appropriate and authorized by law.^{3 4} Following the issuance of a FAD with a finding of discrimination, OASCR is responsible for monitoring and evaluating the corrective action of the mission area or agency to ensure compliance with the actions ordered. See Exhibit A for OASCR’s FAD monitoring process.



Figure 1, below, presents data for FYs 2020 through 2024.

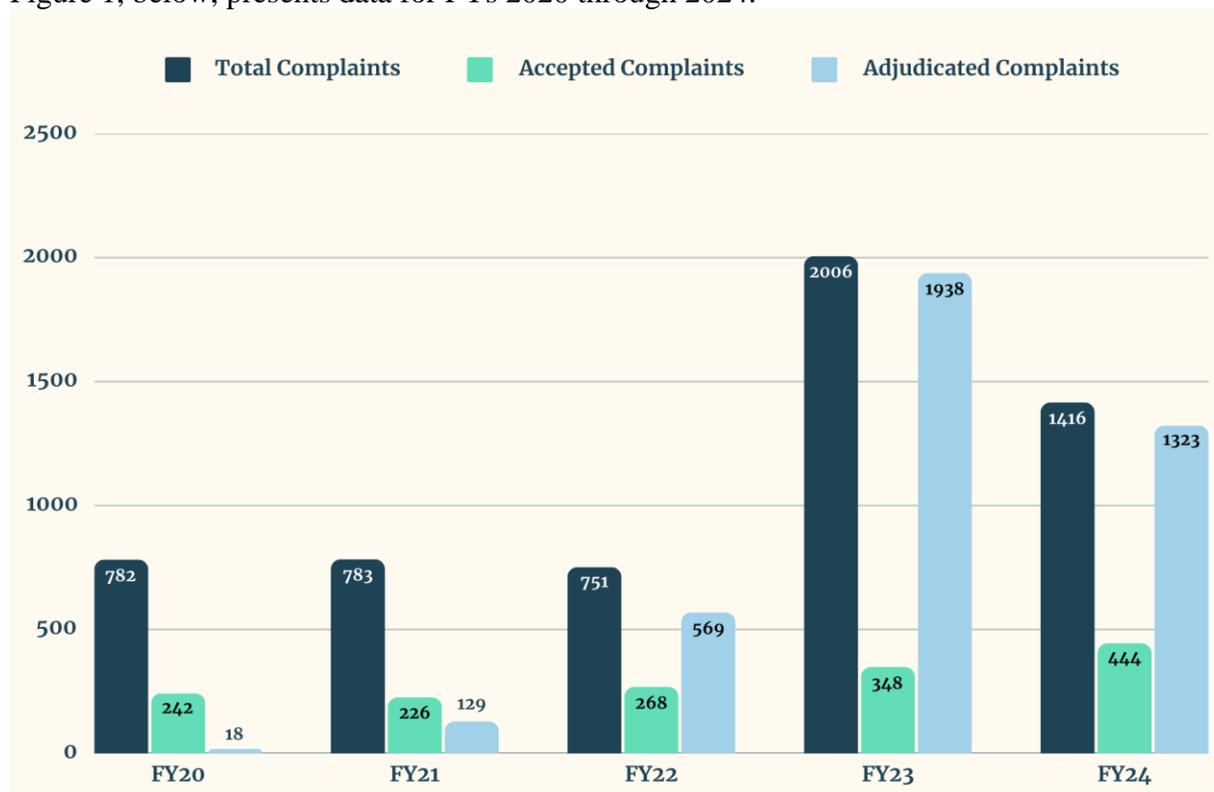


Figure 1: Total filed, accepted, and closed discrimination complaints in FYs 2020 through 2024, as of March 10, 2025. Figure by the Office of Inspector General (OIG).

³ OASCR has discretion to allow Alternative Dispute Resolution (ADR) for program complaints even after a complaint has been forwarded for an investigation. USDA customers, mission areas, or agencies may request ADR for program complaints at any point before a FAD is rendered. Complaints resolved through ADR will be closed, and all settlements reached during ADR will be reduced to writing.

⁴ Corrective actions are measures taken toward enhancing USDA’s civil rights goals, which may be disciplinary or adverse actions and may include training or other similar actions.

Objective

Our objective was to assess the steps USDA has taken to address and mitigate discrimination within USDA programs, in accordance with applicable civil rights laws and regulations. Specifically, we evaluated OASCR's efforts to ensure compliance and accountability among USDA agencies and staff when there is a finding of discrimination.

Finding 1: OASCR Needs to Strengthen its Monitoring of Corrective Action Implementation

We determined that OASCR did not monitor the implementation of FAD corrective actions to ensure USDA agencies implement corrective actions in accordance with the terms and timeframes for the actions ordered. This occurred because OASCR lacked effective procedures to ensure its officials monitored the agencies' implementation of FAD corrective actions. As a result, a USDA agency that received FAD corrective actions during FY [REDACTED] did not implement all corrective actions in accordance with the terms and timeframes for the actions ordered.

Departmental regulation requires OASCR to monitor the implementation of corrective actions and evaluate the corrective action of the mission area or agency to ensure compliance with the action ordered in the FAD.⁵ When corrective actions are included, the FADs will also require compliance with the corrective actions within specific timeframes, followed by evidence to demonstrate compliance.⁶

In our review, we identified [REDACTED] FADs with civil rights concerns or findings of discrimination during FYs [REDACTED] that required USDA agencies to implement corrective actions. We examined the corrective actions stated in the FADs and found corrective actions that were not complete or not completed timely.⁷ We noted that [REDACTED]

OASCR's standard operating procedure (SOP) for monitoring FADs requires an Equal Opportunity Specialist (EOS) to track the implementation of FAD terms by establishing a tracking matrix. The matrix should track important dates, such as when agencies are expected to implement corrective actions and when those actions were completed. However, OASCR's SOP lacks detailed guidance on the specific monitoring actions that the EOS should take to ensure agencies timely implement the corrective actions ordered. It also lacks guidance on the timing and frequency of implementing OASCR's monitoring processes and specific guidance to follow when USDA agencies do not timely comply with FAD requirements.

According to OASCR, the EOS monitors corrective action implementation through formal and informal methods. These methods include issuing a formal compliance monitoring letter to alert the agency of their corrective action responsibilities, informal communication with an agency's point of contact, and formal discussions with the agencies' Civil Rights Directors during monthly meetings. We requested documentation to verify that OASCR executed these monitoring actions for the outstanding corrective actions. OASCR provided formal letters and informal emails sent to the responsible agency, requesting an agency point of contact, highlighting evidence still

⁵ Departmental Regulation 4330-003, *Nondiscrimination in USDA-Conducted Programs and Activities*, Oct. 3, 2022.

⁶ The FADs required various timeframes for corrective action compliance, ranging from 30 days to 180 days or 6 months.

⁷ Corrective actions included conducting compliance reviews, providing training, postings of the findings of discrimination, compensatory damages, taking one personnel action, and investigating potential violations of the Payment Integrity Information Act.

⁸ [REDACTED]

needed to demonstrate full compliance with the corrective actions ordered, and requesting implementation status updates. However, [REDACTED] OIG's inspection [REDACTED]

While USDA mission areas and agencies are ultimately responsible for implementing corrective actions in accordance with the FAD's requirements, OASCR is responsible for monitoring compliance and ensuring timely implementation. Although OASCR's SOP aims to provide a consistent method for monitoring compliance, we concluded that OASCR could improve its guidance by developing specific monitoring actions its EOS should take within the timeframe outlined to correct issues identified in the FAD. This includes establishing actions for its EOS to elevate instances when agencies do not comply timely with the FAD requirements. Developing this guidance is an important control for OASCR's management officials to provide effective oversight of its EOS and ensure agency compliance with the FAD terms and timelines, as required by departmental regulation. OASCR acknowledged weaknesses in its monitoring SOP and agreed that its monitoring process could be improved.

As previously mentioned, we identified [REDACTED] outstanding corrective actions, [REDACTED]. Therefore, OASCR should also coordinate with the responsible USDA agency and ensure these outstanding corrective actions are addressed. Without consistent, documented monitoring of corrective actions to ensure timely implementation, OASCR has less assurance of civil rights compliance with applicable laws and regulations and accountability among USDA agencies and programs.

OASCR officials agreed with our finding and conclusions to amend its monitoring processes for corrective actions to include timeframes for communication with the agency, identifying challenges for timely implementation, and documenting follow-up.

Recommendation 1

Update and implement FAD monitoring procedures to include routine, documented monitoring activities to ensure timely implementation of corrective actions.

Agency Response

OASCR agrees with this recommendation. OASCR will update and implement FAD monitoring procedures that will include routine, documented monitoring activities to ensure the timely implementation of corrective actions required by FADs. These procedures will be distributed to USDA agencies and compliance staff to provide notice of new FAD monitoring procedures.

OASCR provided an estimated completion date of September 30, 2025.

OIG Position

We accept management decision for this recommendation.

Recommendation 2

Coordinate with the responsible USDA agency to establish an implementation plan and ensure the outstanding corrective actions identified in this report are addressed.

Agency Response

OASCR has implemented this recommendation. OASCR will provide OIG supporting documentation to support closure of this recommendation as implemented.

OASCR provided an estimated completion date of May 8, 2025.

OIG Position

We accept management decision for this recommendation.

Finding 2: OASCR Needs to Strengthen its Oversight Efforts Through Compliance Reviews

We determined that OASCR has not conducted its own civil rights compliance reviews, which ensure USDA agencies conduct, manage, and administer USDA programs and activities in accordance with civil rights requirements, for 8 years.⁹ This occurred because OASCR did not define a frequency for conducting compliance reviews or implement alternative measures to confirm that USDA agencies comply with applicable civil rights regulations, when resources are limited. OASCR officials stated that limited budgetary and staffing resources prevented them from regularly conducting compliance reviews. Without regular, systematic monitoring and evaluation through compliance reviews, OASCR has less assurance that USDA mission areas, agencies, and staff offices meet their obligations to administer Federally conducted and assisted programs in accordance with applicable civil rights requirements.

Federal regulation requires OASCR to conduct civil rights compliance reviews Departmentwide.¹⁰ Departmental regulation also states that OASCR will maintain a regular enforcement program that will monitor and evaluate whether mission areas, agencies, and staff offices meet their obligations to ensure Federally conducted and assisted programs are administered according to applicable civil rights requirements.¹¹ At its discretion, OASCR will conduct compliance reviews of mission areas, agencies, and staff offices.¹²

In a prior audit conducted to evaluate OASCR's oversight of the program complaints process, OIG noted that OASCR had not conducted its own compliance reviews.¹³ OIG recommended that OASCR develop and implement a process for selecting USDA agencies and program offices for compliance reviews on a recurring basis, based on program complaint activity, settlements, findings of discrimination, and other risk factors identified in agency assessments.¹⁴ In response to the recommendation, OASCR coordinated to amend the departmental regulation in August 2022 requiring its officials to select USDA agencies and program offices for compliance reviews. However, OASCR did not define a recurring frequency for conducting the compliance reviews.

Although Federal regulation established a requirement for compliance reviews, during our inspection, OASCR officials stated that they had not conducted any discretionary compliance reviews since 2017 due to budget restrictions and a reorganization of the responsible divisions. Although OASCR was aware of these challenges, OASCR did not evaluate and develop alternative strategies to fulfill its responsibility to conduct regular compliance reviews of agency operations.

Without regular, systematic monitoring and evaluation through compliance reviews, OASCR has less assurance that USDA mission areas, agencies, and staff offices meet their obligations to

⁹ [REDACTED]

¹⁰ 7 C.F.R. § 2.25(a)(14).

¹¹ USDA Departmental Regulation 4330-006, *Civil Rights Compliance Reviews*, Aug. 26, 2022.

¹² *Id.*

¹³ Audit Report 60601-0001-21, *USDA Oversight of Civil Rights Complaints*, Sept. 2021.

¹⁴ Audit Report 60601-0001-21, *USDA Oversight of Civil Rights Complaints*, Sept. 2021, Recommendation 19.

administer Federally conducted and assisted programs in accordance with applicable civil rights requirements. Departmental regulation identifies compliance reviews as a major tool for assessing agency compliance with civil rights requirements. Defining how often OASCR will conduct compliance reviews, identifying challenges, and developing alternative strategies for addressing those challenges when resources are limited will enhance OASCR's ability to proactively identify and mitigate civil rights concerns.

OASCR officials agreed with our finding and conclusions. OASCR officials stated that OASCR has the authority to conduct or request agencies complete targeted compliance reviews and that OASCR will begin performing compliance reviews in FY 2025.

Recommendation 3

Develop and implement guidance to clearly define the frequency that OASCR will conduct civil rights compliance reviews.

Agency Response

OASCR agrees with this recommendation. In partnership with USDA agencies, OASCR will develop and implement guidance to reflect that *annually*, OASCR will independently conduct civil rights compliance reviews of USDA agencies' civil rights programs. OASCR's FAD compliance monitoring will be continuing and ongoing.

OASCR provided an estimated completion date of September 30, 2025.

OIG Position

We accept management decision for this recommendation.

Recommendation 4

Develop civil rights compliance reviews policies, procedures, and practices, implementing an alternative process to ensure USDA programs are regularly assessed when budget and staffing resources are limited.

Agency Response

OASCR agrees with this recommendation. In partnership with USDA agencies, OASCR will develop and implement guidance to reflect that *annually*, OASCR will independently conduct civil rights compliance reviews of USDA agencies' civil rights programs, outlining an alternative process to ensure USDA programs are regularly assessed should budget and staffing resources become limited. OASCR's FAD compliance monitoring will be continuing and ongoing.

OASCR provided an estimated completion date of September 30, 2025.

OIG Position

We accept management decision for this recommendation.

Scope and Methodology

We performed this inspection to assess the steps USDA has taken to address and mitigate discrimination within USDA programs, in accordance with applicable civil rights laws and regulations. Specifically, for FYs [REDACTED], we evaluated OASCR's monitoring and oversight efforts used to ensure civil rights compliance and accountability among USDA agencies and staff.

We performed fieldwork from [REDACTED]. During this time, we met with OASCR officials within the Center for Civil Rights Enforcement's Program Adjudication Division and Center for Civil Rights Operations. We discussed the results of our inspection with OASCR officials on [REDACTED], and included their comments, as appropriate.

To accomplish our inspection objective, we:

- Reviewed applicable regulations, policies and procedures to obtain an understanding of OASCR's responsibilities related to Civil Rights enforcement and prevention;
- Obtained lists of adjudicated cases of USDA program discrimination from FYs [REDACTED], and obtained and reviewed [REDACTED] FADs with civil rights concerns and findings of discrimination to assess OASCR's monitoring of associated corrective actions;
- Interviewed OASCR staff to obtain an understanding of the roles, responsibilities, actions and oversight of USDA's Civil Rights enforcement program. Specifically, we gained an understanding of the reviews, analysis and assessments that OASCR conducts to ensure civil rights compliance and accountability among USDA agencies and staff; and
- Reviewed supporting documentation from USDA's Office of the Chief Financial Officer pertaining to recommendations from a FY 2021 OIG audit to determine whether the recommendations and supporting documentation pertained to the current inspection objective.¹⁵

We conducted this inspection in accordance with the *Quality Standards for Inspection and Evaluation*.¹⁶ These standards require that we obtain sufficient and appropriate evidence to meet our inspection objective, support our findings, and provide a reasonable basis for our conclusions. We believe that the evidence obtained provides a reasonable basis for our conclusions.

¹⁵ Audit Report 60601-0001-21, *USDA Oversight of Civil Rights Complaints*, Sept. 2021.

¹⁶ Council of the Inspectors General on Integrity and Efficiency, *Quality Standards for Inspection and Evaluation* (Dec. 2020).

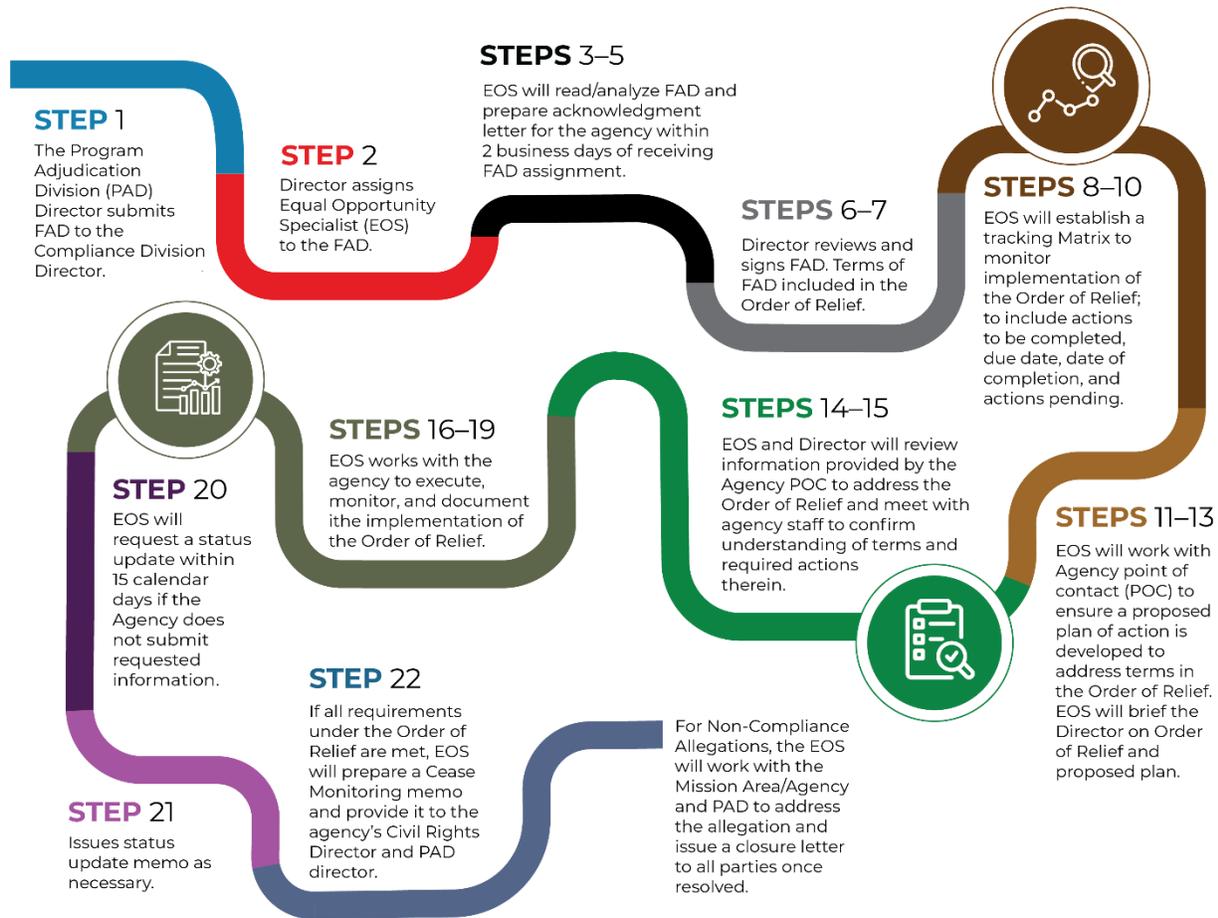
Abbreviations

ADR	Alternative Dispute Resolution
C.F.R.....	Code of Federal Regulations
EOS	Equal Opportunity Specialist
FAD.....	final agency decision
FY	fiscal year
OASCR	Office of the Assistant Secretary for Civil Rights
OIG	Office of Inspector General
PAD.....	Program Adjudication Division
POC.....	point of contact
SOP.....	standard operating procedure
USDA.....	U.S. Department of Agriculture

Exhibit A: OASCR's FAD Monitoring Process

Exhibit A is a flowchart that visually outlines the steps for monitoring OASCR's FADs, according to its procedures dated April 2019.

The Office of the Assistant Secretary for Civil Rights' Final Agency Decision (FAD) Monitoring Process



Graphic by OIG.

**Office of the Assistant Secretary for Civil Rights'
Response to Inspection Report**



United States
Department of
Agriculture

Office of the
Assistant Secretary
for Civil Rights

Center for Civil Rights
Operations

Compliance Division

1400 Independence
Avenue SW

Washington, DC
20250

Mr. Brent Watson
Director
Office of Inspector General
U.S. Department of Agriculture
1400 Independence Avenue, SW
Room 117-W Jamie Whitten Building
Washington, DC 20250

Dear Mr. Watson:

This letter responds to the Office of Inspector General's (OIG) request for management's response to OIG's draft final report for OIG audit 60801-0001-21, *USDA Actions to Address Program Discrimination*. The U.S. Department of Agriculture (USDA) appreciates OIG's review of the civil rights complaint compliance monitoring conducted by the Office of the Assistant Secretary for Civil Rights (OASCR). After reviewing OIG's final draft report, OASCR submits the following response:

OASCR reiterates that during fiscal year (FY) [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

OASCR accepts recommendations 1, 2, 3, and 4 and will work to implement each recommendation within the one-year timeframe required for achieving final action. We thank OIG for its attention to OASCR's program complaint FAD monitoring process. These recommendations will promote effective communication between OASCR and agencies and will ensure agency compliance with FAD requirements.

If you have any questions or need additional information, please contact OASCR's Audit Liaison, Joelle Bowers Oxley at joelle.bowers@usda.gov.

Sincerely,

Patricia L. St. Clair /s/
Associate Assistant Secretary for Civil Rights
Acting Deputy Assistant Secretary for Civil Rights
Office of the Assistant Secretary for Civil Rights

cc: [REDACTED]
[REDACTED]

Attachment

OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL
RIGHTS RESPONSE TO OIG AUDIT NUMBER: 60801-0001-
21

What OIG Found:

Finding 1: OASCR Needs to Strengthen its Monitoring of Corrective Action Implementation.

We determined that OASCR did not monitor the implementation of Final Agency Decision (FAD) corrective actions to ensure USDA agencies implement corrective actions in accordance with the terms and timeframes for the actions ordered. This occurred because OASCR lacked effective procedures to ensure its officials monitored the agencies' implementation of FAD corrective actions. As a result, a USDA agency that received FAD corrective actions during Fiscal Year (FY) [REDACTED] did not implement all corrective actions in accordance with the terms and timeframes for the actions ordered.

Departmental regulation requires OASCR to monitor the implementation of corrective actions and evaluate the corrective action of the mission area or agency to ensure compliance with the action ordered in the FAD. When corrective actions are included, the FADs will also require compliance with the corrective actions within specific timeframes, followed by evidence to demonstrate compliance.

In our review, we identified [REDACTED] FADs with civil rights concerns or findings of discrimination during FYs [REDACTED] that required USDA agencies to implement corrective actions. We examined the corrective actions stated in the FADs and found corrective actions that were not complete or not completed timely. We noted that [REDACTED]

[REDACTED]

OASCR's standard operating procedure (SOP) for monitoring FADs requires an Equal Opportunity Specialist (EOS) to track the implementation of FAD terms by establishing a tracking matrix. The matrix should track important dates, such as when agencies are expected to implement corrective actions and when those actions are completed. However, OASCR's SOP lacks detailed guidance on the specific monitoring actions that the EOS should take to ensure agencies timely implement the corrective actions ordered. It also lacks guidance on the timing and frequency of implementing OASCR's monitoring processes and specific guidance to follow when USDA agencies do not timely comply with FAD requirements.

According to OASCR, the EOS monitors corrective action implementation through formal and informal methods. These methods include issuing a formal compliance monitoring letter to alert the agency of their corrective action responsibilities, informal communication with an agency's point of contact, and formal discussions with the

agencies' Civil Rights Directors during monthly meetings. We requested documentation to verify that OASCR executed these monitoring actions for the outstanding corrective actions. OASCR provided formal letters and informal emails sent to the agency responsible, requesting an agency point of contact, highlighting evidence still needed to demonstrate full compliance with the corrective actions ordered, and requesting implementation status updates. However, [REDACTED] the Office of the Inspector General's inspection [REDACTED].

While USDA mission areas and agencies are ultimately responsible for implementing corrective actions in accordance with the FAD's requirements, OASCR is responsible for monitoring compliance and ensuring timely implementation. Although OASCR's SOP aims to provide a consistent method for monitoring compliance, we concluded that OASCR could improve its guidance by developing specific monitoring actions its EOS should take within the timeframe outlined to correct issues identified in the FAD. This includes establishing actions for its EOS to elevate instances when agencies do not comply timely with the FAD requirements. Developing this guidance is an important control for OASCR's management officials to provide effective oversight of its EOS and ensure agency compliance with the FAD terms and timelines, as required by departmental regulation. OASCR acknowledged weaknesses in its monitoring SOP and agreed that its monitoring process could be improved.

As previously mentioned, we identified [REDACTED] outstanding corrective actions [REDACTED]. Therefore, OASCR should also coordinate with the responsible USDA agency and ensure these outstanding corrective actions are addressed. Without consistent, documented monitoring of corrective actions to ensure timely implementation, OASCR has less assurance of civil rights compliance with applicable laws and regulations and accountability among USDA agencies and programs.

OASCR officials agreed with our findings and conclusions to amend its monitoring processes for corrective actions to include timeframes for communication with the agency, identifying challenges for timely implementation, and documenting follow-up.

OASCR's Response:

OASCR disagrees with the first paragraph in part and requests that the following revised paragraph be considered before publication of its final report.

[REDACTED]

Recommendation 1

Update and implement FAD monitoring procedures to include routine, documented monitoring activities to ensure timely implementation of corrective actions.

OASCR's Response:

OASCR agrees with this recommendation. OASCR will update and implement FAD monitoring procedures that will include routine, documented monitoring activities to ensure the timely implementation of corrective actions required by FADs. These procedures will be distributed to USDA agencies and compliance staff to provide notice of new FAD monitoring procedures. **Estimated Completion Date: September 30, 2025.**

Recommendation 2

Coordinate with the responsible USDA agency to establish an implementation plan and ensure the outstanding corrective actions identified in this report are addressed.

OASCR's Response:

OASCR has implemented this recommendation. OASCR will provide OIG supporting documentation to support closure of this recommendation as implemented. **Estimated Completion Date: May 8, 2025.**

Finding 2: OASCR Needs to Strengthen its Oversight Efforts Through Compliance Reviews

We determined that OASCR has not conducted its own civil rights compliance reviews, which ensure USDA agencies conduct, manage, and administer USDA programs and activities in accordance with civil rights requirements, in 8 years. This occurred because OASCR did not define a frequency for conducting compliance reviews or implement alternative measures to confirm that USDA agencies comply with applicable civil rights regulations, when resources are limited. OASCR officials stated that limited budgetary and staffing resources prevented them from regularly conducting compliance reviews. Without regular, systematic monitoring and evaluation through compliance reviews, OASCR has less assurance that USDA mission areas, agencies, and staff offices meet their obligations to administer Federally conducted and assisted programs in accordance with applicable civil rights requirements.

Federal regulation requires OASCR to conduct civil rights compliance reviews Departmentwide. Departmental regulation also states that OASCR will maintain a regular enforcement program that will monitor and evaluate whether mission areas, agencies, and staff offices meet their obligations to ensure Federally conducted and assisted programs are administered according to applicable civil rights requirements. At its discretion, OASCR will conduct compliance reviews of mission areas, agencies, and staff offices.

In a prior audit conducted to evaluate OASCR's oversight of the program complaints process, OIG noted that OASCR had not conducted its own compliance reviews. OIG recommended that OASCR develop and implement a process for selecting USDA agencies and program offices for compliance reviews on a recurring basis, based on program complaint activity, settlements, findings of discrimination, and other risk factors identified in agency assessments. In response to the recommendation, OASCR coordinated to amend the Departmental Regulation in August 2022 requiring its officials to select USDA agencies and program offices for compliance reviews. However, OASCR did not define a recurring frequency for conducting the compliance reviews.

Although federal regulation established a requirement for compliance reviews, during our inspection, OASCR officials stated that they had not conducted any discretionary compliance reviews since 2017 due to budget restrictions and a reorganization of the responsible divisions. Although OASCR was aware of these challenges, OASCR did not evaluate and develop alternative strategies to fulfill its responsibility to conduct regular compliance reviews of agency operations.

Without regular, systematic monitoring and evaluation through compliance reviews, OASCR has less assurance that USDA mission areas, agencies, and staff offices meet their obligations to administer Federally conducted and assisted programs in accordance with applicable civil rights requirements. Departmental regulation identifies compliance reviews as a major tool for assessing agency compliance with civil rights requirements. Defining how often OASCR will conduct compliance reviews, identifying challenges, and developing alternative strategies for addressing those challenges when resources are limited will enhance OASCR's ability to proactively identify and mitigate civil rights concerns.

OASCR officials agreed with our findings and conclusions. OASCR officials stated that OASCR has the authority to conduct or request agencies to complete targeted compliance reviews and that OASCR will begin performing compliance reviews in FY 2025.

OASCR Response:

[Redacted]

Recommendation 3

Develop and implement guidance to clearly define the frequency with which OASCR will conduct civil rights compliance reviews.

OASCR's Response:

OASCR agrees with this recommendation. In partnership with USDA agencies, OASCR will develop and implement guidance to reflect that *annually*, OASCR will independently conduct civil rights compliance reviews of USDA agencies' civil rights programs. OASCR's FAD compliance monitoring will be continuing and ongoing. **Estimated Completion Date: September 30, 2025.**

Once the Office of the Secretary has approved the resumption of clearance of departmental directives, OASCR will revise Departmental Regulation 4330-006, *Civil Rights Compliance Review*, to reflect OASCR's independent review of USDA agency's civil rights program.

Recommendation 4

Develop Civil Rights Compliance Review policies, procedures, and practices, implementing an alternative process to ensure USDA programs are regularly assessed when budget and staffing resources are limited.

OASCR's Response:

OASCR agrees with this recommendation. In partnership with USDA agencies, OASCR will develop and implement guidance to reflect that *annually*, OASCR will independently conduct civil rights compliance reviews of USDA agencies' civil rights programs, outlining an alternative process to ensure USDA programs are regularly assessed should budget and staffing resources become limited. OASCR's FAD compliance monitoring will be continuing and ongoing. **Estimated Completion Date: September 30, 2025.**

Once the Office of the Secretary has approved the resumption of clearance of departmental directives, OASCR will revise Departmental Regulation 4330-006, *Civil Rights Compliance Review*, to reflect that OASCR will implement an alternative compliance review process to ensure USDA programs are annually assessed should budget and staffing resources become limited.

Learn more about USDA OIG
at <https://usdaoig.oversight.gov>
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Agriculture OIG
Find us on X: @OIGUSDA

Report suspected wrongdoing in USDA programs:



<https://usdaoig.oversight.gov/hotline-information>

U.S. Department of Agriculture (USDA) is an equal
opportunity provider, employer, and lender.

In accordance with Federal civil rights law and USDA civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at How to File a Program Discrimination Complaint and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov.

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