

POINT OF CONTACT

If you have any questions regarding program discrimination complaint processing, please contact:

Steve Shelor

Assistant Director

**Program Delivery, Outreach,
and Compliance**

USDA/APHIS/CREC

Voice: (202) 720-0010

Fax: (202) 720-2365

email: steve.shelor@aphis.usda.gov

Gwendolyn A. Smith

Outreach Team Leader

Voice: (301) 734-5584

Fax: (301) 734-3698

email:

gwendolyn.a.smith@aphis.usda.gov



Civil Rights Enforcement and Compliance (CREC)

Mission Statement

To provide leadership, direction, coordination, evaluation, and support to the Civil Rights efforts of the Animal and Plant Health Inspection Service; to implement and monitor our Agency's progress in achieving established policies and objectives; and to integrate Civil Rights into the APHIS management, evaluation and information systems and processes relative to nondiscrimination in Employment and Program Delivery.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or family status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotope, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Adjudication and Compliance, Room 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

PROGRAM DISCRIMINATION COMPLAINTS RECEIPT AND PROCESSING

APHIS CIVIL RIGHTS ENFORCEMENT AND COMPLIANCE

[www.aphis.usda.gov/about_aphis/
programs_offices/civil_rights/](http://www.aphis.usda.gov/about_aphis/programs_offices/civil_rights/)



FOR INTERNAL USE ONLY
JANUARY 2009

BACKGROUND

Program discrimination complaints are defined as those complaints filed by persons (non-employee), organizations or companies who, based on being a member of a protected class, allege discrimination in a program or activity by APHIS or its recipient (cooperator/ grantee).

USDA Departmental Regulations (DR) 4330-2 and 4330-3 provide that all program complaints of discrimination against USDA agencies and/or their recipients must be forwarded to USDA's Office of Adjudication and Compliance (OAC) within 5 days of their receipt by the agency. OAC will then determine whether the complaint will be formally accepted. If OAC formally accepts the complaint, it requires APHIS and/or its recipients to submit an Agency Position Statement (APS), outlining our review of the complaint. OAC will then review the APS, possibly conduct its own investigation, and issue a final decision stating whether discrimination occurred. Civil Rights Enforcement and Compliance (CREC) tracks these complaints for the APHIS Management Team, submits the APS, and works closely with OAC.

PURPOSE

Ensure that APHIS and its recipients are in compliance with DR 4330-2 and 4330-3. Complaints against APHIS/recipient personnel or programs alleging or inferring discrimination or unfair treatment in program delivery or activity must be forwarded to the OAC for processing.

INSTRUCTIONS

If a person indicates that he or she wishes to file a complaint, APHIS employees **must** advise him or her to contact OAC at the following address:

**USDA, Director, Office of Adjudication
and Compliance
1400 Independence Avenue, SW
Washington, DC 20250-9410
Telephone:
1 (866) 632-9992 (Toll free)
(202) 401-0216 (TDD)
(202) 720-8046 (FAX)**

This information is also on USDA's "And Justice for All" poster (FORM AD-475A (Revised 3-98)) which instructs the public on how to file a program complaint in English and Spanish. All APHIS facilities must prominently display this poster.

If any APHIS employee receives a written complaint, that complaint should be forwarded to CREC for review. Please note that OAC is the office responsible for formally processing the complaint, so any inquiries or discussions regarding that complaint should be between the complainant and OAC, not APHIS personnel.

You must continue to provide the complainant with whatever program services he or she would normally be entitled to from our agency. After reviewing the complaint, CREC may request that you provide our office with a status report, so we recommend that you complete an incident report or record of the circumstances of the complaint as soon as possible after the complaint is made. Due to the wide geographic locations of our work sites, and the 5 day forwarding requirement, please immediately forward (fax preferred) any program discrimination complaints to:

**USDA/APHIS/OA/CREC
Attn: Steve Shelor
Assistant Director
Room 1137 South Building
1400 Independence Avenue, S.W.
Washington, DC 20250-3436
Telephone Number: (202) 720-0010
Fax Number: (202) 720-2365**