



Highlights of [GAO-03-413](#), a report to the Honorable Eddie Bernice Johnson, House of Representatives

Why GAO Did This Study

A 1981 U.S. District Court decision found that the Drug Enforcement Administration (DEA) had discriminated against African American special agents in a number of personnel practices. Over the years, the plaintiffs and DEA had agreed to remedies in many of these areas. However, minority representatives continued to raise issues in three areas—hiring, promotion, and discipline. GAO was asked to examine DEA's current processes for hiring, promoting, and disciplining special agents, and provide information about racial, ethnicity, and gender differences in these three areas.

What GAO Recommends

GAO recommendations to DEA include

- initiating a process to monitor hiring results to identify differences in selection rates among groups, determine why they occur, and what, if anything, can be done to reduce the differences while maintaining high standards and
- expanding the study of disciplinary actions taken against African American versus white special agents to determine whether discipline is administered fairly to all racial, ethnic, and gender groups of special agents.

In commenting on this report, the Acting Administrator of DEA agreed with our recommendations and listed a number of actions being taken to implement them.

www.gao.gov/cgi-bin/getrpt?GAO-03-413.

To view the full report, including the scope and methodology, click on the link above. For more information, contact Victor S. Rezendes at (202) 512-6808.

EQUAL EMPLOYMENT OPPORTUNITY

Hiring, Promotion, and Discipline Processes at DEA

What GAO Found

During the October 1997 through March 2002 period, African American, Hispanic, and white applicants to be special agents passed DEA's medical requirements and interview process at about the same rates. However, African American and Hispanic applicants had lower passing rates on (1) the test of an applicant's ability to recall and write about a video of a drug-related enforcement action and (2) suitability requirements measured through a background investigation and other tests. DEA's hiring procedures are based on criteria in federal regulations, professional standards, and standards established by subject matter experts. However, DEA had not studied its hiring requirements to see why its procedures resulted in different selection rates and whether they could be modified to reduce differences while maintaining the high standards necessary for special agents.

There were no statistically significant differences in promotion rates among the various racial, ethnic, and gender groups during fiscal years 1997 through 2001. DEA has a rigorous and validated competency-based process that uses job simulations to assess capabilities at the target grade level. However, the job-relatedness of a key step involving recommending special agents for promotion had not been established and our analysis showed that African American and Hispanic special agents were recommended for promotion at significantly lower rates. Despite differences in recommendation rates, DEA's promotion decisions mirrored the race, ethnic, and gender makeup of the agency's special agent workforce. Additionally, the agency, working with a diverse panel of special agents, subsequently developed a revised recommendation process. At the time of GAO's review, DEA and the African American representatives were involved in mediation to reach final agreement.

Disciplinary data for fiscal years 1997 to 2001 showed that the proportion of African American, Hispanic, and women special agents disciplined for misconduct was significantly higher than their representation in the DEA special agent workforce. These higher rates reflect that African Americans, Hispanics, and women had a significantly higher percentage of allegations of misconduct lodged against them and that a significantly higher percentage of these allegations were substantiated by investigations and resulted in disciplinary action. A recent study by an outside contractor found DEA's disciplinary process to be fair and nondiscriminatory, but that study only considered African Americans and whites and not women or other minority groups.