

## § 15f.3

### § 15f.3 If I want to use these procedures to have USDA consider my complaint, how long will it take for USDA to make a decision?

To the maximum extent practicable, a final determination under these procedures will be issued within 180 days after you have filed your request.

### § 15f.4 What do certain words and phrases in these regulations mean?

*Agency* means the USDA agency, office, or committee that the complainant alleges has discriminated against the complainant in the administration of a covered program.

*ALJ* means an Administrative Law Judge appointed pursuant to the Administrative Procedure Act (5 U.S.C. 557(b)(3), 3105) who presides over a hearing if requested by a complainant.

*ASCR* means the Assistant Secretary for Civil Rights.

*Complainant* means a person who requests that USDA consider his or her complaint under the procedures of this part.

*Complaint* means a written document filed with USDA by a person alleging discrimination by USDA under a covered program.

*Covered program* means:

(1) A farm ownership, farm operating, or emergency loan funded from the Agricultural Credit Insurance Program Account;

(2) A housing program established under title V of the Housing Act of 1949; or

(3) A commodity program or disaster assistance program.

*Director* means the Director of USDA, OCR, or his or her subordinate designee.

*Docketing clerk* means an employee of the USDA Office of Civil Rights, designated to serve in this capacity.

*Eligible complaint* means a complaint that was filed with the Department of Agriculture before July 1, 1997, and that alleges discrimination occurring at any time during the period beginning on January 1, 1981 and ending December 31, 1996—

(1) In violation of the Equal Credit Opportunity Act (15 U.S.C. 1691 *et seq.*) in administering—

(i) A farm ownership, farm operating, or emergency loan funded from the Ag-

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ricultural Credit Insurance Program Account; or

(ii) A housing program established under title V of the Housing Act of 1949; or

(2) In the administration of a commodity program or a disaster assistance program.

*Ex parte communication* means a prohibited communication between a party to a proceeding and the ALJ outside of the presence of, or without notice to, the other parties to the proceeding, as explained more fully in § 15f.13.

*Final determination* means the final USDA decision made on your complaint under these rules.

*Hearing* means a proceeding in which you may present your case before the ALJ.

*Interested party* means a person, other than the complainant, OCR, and the agency, who has an interest in a proceeding under these rules and is admitted to the proceeding under § 15f.20.

*OCR* means the USDA Office of Civil Rights.

*Party or parties* means the complainant, OCR, the agency, or a person admitted to the proceeding as an interested party.

*Secretary* means the Secretary of Agriculture.

*Section 741* means section 741 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1999, enacted in Division A, section 101(a) of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999, Pub. L. 105-277.

*Section 741 Complaint Request (or Request)* means a request by a complainant to consider his complaint under these rules.

*USDA* means the United States Department of Agriculture.

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