

**Fiscal Year 2003
Civil Rights Performance Plan and Self-Assessment Report
USDA Forest Service**

Goal	Performance Objective	Indicators	Evaluation Criteria
<p>1. Accountability: Incorporate the USDA Civil Rights policy throughout Agency operations to ensure that customers and employees are treated fairly and equitably, with dignity and respect.</p>	<p>1.1 Hold managers, supervisors, and other employees accountable for ensuring that USDA's customers and employees are treated in accordance with USDA's Civil Rights policy.</p>	<p>1.1.1 The Agency displays commitment to USDA's Civil Rights goals in its strategic plan:</p> <p>1.1.2 Managers' performance standards mandate actions that:</p> <ul style="list-style-type: none"> • Implement the Agency's Civil Rights program objectives, • Integrate Civil Rights principles throughout the Agency's programs and operations, and • Ensure an environment free of discrimination. <p>1.1.3 The Agency ensures that all employees' performance standards provide for Civil Rights accountability.</p> <p>1.1.4 The Agency takes appropriate disciplinary or corrective action when case file or other evidence indicates:</p> <ul style="list-style-type: none"> • Discrimination, • Misconduct related to Civil Rights violations other than findings of discrimination, and • Reprisals. 	<p>(1a) Develop and Maintain a work place that is discrimination free, (1b) Take appropriate disciplinary actions when warranted in complaint findings, (1c) Take corrective measures where actions result in inappropriate behavior and misconduct related to civil rights. (2a) Resolve complaints & disputes early in process. (2b) Analyze trends and implement changes, and (2c) Where warranted, show implemented changes in policies and practices (3a) Increase outreach to underserved populations. (3b) Improve customer access & participation in Agency programs by underserved populations, and (3c) Conduct civil rights compliance reviews, develop plans, & reports in accordance with civil rights regs. & policies. (4a) Recruitment, employment plans report in EEO regs, policies (4b) Identify/eliminate barriers to employment & advancement in employment. (4c) Decrease underrepresentation, (4d) Create a diverse workforce. (5a) Provide civil rights, diversity, and cultural awareness training for managers, supervisors, and employees. (5b) Evaluate and report on the effectiveness of the training offered.</p>

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1.1.1 The Agency displays commitment to USDA's Civil Rights (CR) goals in its strategic plan.

USDA CR Goals in Agency Strategic Plan

The Forest Service (FS) FY 03 Strategic Plan, clearly displays commitment to the CR strategic vision, mission, guidance, and direction. The Plan supports CR through five objectives that focus program action and accountability to increase public outreach and participation in programs by historically underserved groups. These five objectives are linked to the FS Business Operations Deputy Area Strategic Plan. FS has completed its FY 03 Strategic Plan Update which focuses on key Agency priorities that will guide development of annual Performance Management Plans (PMP) for FY 04-08. These PMP's will be developed and will incorporate CR objectives and performance measures by which the Agency will address issues related to workforce diversity, program delivery and services to socially disadvantaged, minority, and low-income communities, both urban and rural.

CR goals are integrated into the Deputy Chief of Business Operations Strategic Plan, put in place in FY 03, following the FS Strategic Plan. The Plan's CR goal statement is to provide for diversity, equal opportunity, and fairness in employment and program delivery. Quantifiable measures for CR include increase in representation by PATCOB, gender, ethnicity, and disability; a decrease in formal complaints per capita; and an increase in the complaint resolution rate. In addition, prior to the Strategic Plan, five focus items along with milestones were negotiated with CR for FY 03: 1) Improve Complaints Management and Processing, 2) Improve compliance and equitable access; 3) Identify and remove systemic barriers to diversity; 4) Improve collaboration between CR, Human Resources Management (HRM) and the Employment Intervention Program (EIP); and 5) Enhanced capacity building and recruitment, also coordinated with CR and HRM. Ninety percent of CR milestones were met for FY 03. This focused approach is showing short-term results, but, more importantly, has a high potential of showing long-term results, by aggressively addressing systemic CR issues. Gradual, strategic accomplishments are being achieved in the area of Employment Complaints processing due to the emphasis on increased accountability. Roles and responsibilities have been defined for CR, HR and EIP; the number of formal complaints is about 50 percent of last year; per capita the rate of formal complaint resolution is .17 percent lower than last year and lower than the federal-wide average. Database improvements have linked the informal, formal and EIP processes for increased efficiency in timeliness and accuracy. Links to disciplinary actions are planned. **Attachments 1.0 and 1.1** (Address all Evaluation Criteria)

The CR Budget is linked to Strategic Plan and Performance. Resources for CR are devoted to maintaining a workplace that is discrimination-free and provides equal access and provide equal treatment in delivery of FS programs and services in the National Forests. There are 15 FS Units, with Civil Rights Directors located in nine Regions and six Research Stations; each unit has a separate annual budget. The CR National budget for FY 03 is \$8 million and supports 54 FTE's of which \$4.6 million is for operating costs, \$1.8 million for program support and \$1.6 million for Agency Support. The CR Agency Support budget consists of FS national commitments such as: (1) the Hispanic Association for Colleges and Universities Internship program funded at \$215,000; (2) the American Indian Higher Education Consortium (AIHEC) funded for \$100,000 (3) the USDA 1890 Scholars Program funded at \$251,000; (4) Partnerships with 1890 Land-Grant Institutions and other HBCU's are funded at a total of \$2.9 million Agency-wide and (5) Four USDA 1890 Liaison positions funded at \$400,000. (Evaluation Criteria 1a, 4a)

An estimated 212 million people will visit the National Forests this year. The FS comprises 30 percent of United States Department of Agriculture (USDA) and has only three percent of USDA Program Complaints pending in the Department. Focus on accountability, preventive training, guidance, closely monitored processing and collaboration between CR and National Forests Systems, particularly with disability complaints, can be credited to this excellent record. These actions are consistent with the FS Strategic Public Outreach Plan, published in 2000, which provides guidance and direction for managing program results, and integrating diverse community perspectives in Agency decision-making processes. The strategy implements Executive Order 12898, Environmental Justice of 1994 that seeks to assure human health and environmental protection for all communities. The FS Strategic Public Outreach Plan is available via the FS website at <http://fsweb.wo.fs.fed.us/cr>. (Evaluation Criteria 3a, 3b, 3c)

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1.1.1 (Continued)

Succession Planning Program Launched. A full-time executive champion was announced in April to spearhead the Leadership Success Program. Given the coming wave of retirements, the effort is identifying and developing the next generation of Agency leaders. A key goal is to capitalize on this unprecedented opportunity to build a diverse leadership in line with FS workforce planning and affirmative employment strategies. The Leadership Success web site (<http://fsweb.wo.fs.fed.us/leader>) was launched July 1 and already receives more than 1200 employee hits a month. A two-year strategic plan outlines what must be done to ensure the Agency is teaming with "leaders growing leaders." (A copy is available upon request.) **Attachment 1.2** (Evaluation Criteria 1a, 4b, 4c, 4d, 5a, 5b)

FS published the Agency Affirmative Employment Program (AEP) Plan with a comprehensive executive summary. The Chief's transmittal memorandum for the AEP Accomplishment Report and Update for Minorities and Women, demonstrated the integration of the underrepresentation data assessment and policy information as a management tool to implement Agency affirmative employment initiatives and civil rights performance indicators. The AEP Plans for People with Disabilities and Disabled Veterans were also prepared in a timely manner. FS has emphasized the integration of AEP underrepresentation index information in the Agency Work Force Management Plan, and short/long term outreach and recruitment goals. The Chief has established and utilized the Chief's Workforce Advisory Group (CWAG), with top SES leadership meetings quarterly, to advise on key workforce management decisions and affirmative employment strategies to achieve a skilled diverse workforce. Several measurement tools for capacity building and recruitment have been adopted this year. Currently, HRM and CR are working on a diversity measurement tool for hiring accountability. **Attachment 1.3** (Evaluation Criteria 1a, 4a, 4b)

The Chief issues a quarterly Leadership Report that focuses on accountability for complaint resolution, which, in turn, is linked to the Strategic Plan. Statistics on both the informal and the formal complaint inventory identify bases and issues, per capita measures of complaint filings, and resolution rates. A new addition to the report reflects the number of individual formal complaints subsumed by class complaints that are not permitted to be resolved. The report reflects both national complaint statistics and statistics broken down by major FS units. The report is disseminated to key management throughout the organization and to all field Leadership, including CR Directors. Cover memoranda reiterate the need to mediate eligible complaints and reference current policies, practices and changes in policies and practices regarding complaint resolution. **Attachment 1.4** (Evaluation Criteria 1a, 2a, 2b, 2c)

1.1.2 Managers performance standards mandate action that 1) implement FS Civil Rights Program objectives, 2) integrate Civil Rights principles throughout Agency programs and operations, and 3) ensure an environment free of discrimination.

Performance Standards Implement FS CR Program Objectives. Civil Rights accountability is priority in Performance Appraisal System for all managers and supervisors. All Senior Executives have a stand-alone CR performance element (element #3), which was strengthened, at the beginning of FY 03 with two Agency-specific focus items for Civil Rights relating to Affirmative Employment, Strategic Outreach, Dispute Resolution and Equal Employment Opportunity, following Performance Criteria in this report. In addition to this, all other managers, have several required performance elements that include the following Civil Rights components 1) Leading, coaching, supervising, developing and promoting equal employment opportunity; 2) Interpersonal relations and partnerships; and 3) Teamwork. Both Senior Executives and all other managers are evaluated on these performance elements at least twice a year. Further, all FS Units prepare a written report to address this Chief's Accomplishment Report Performance Criteria every August. (Addresses all Evaluation Criteria)

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1.1.1 (Continued)

Performance Standards integrate CR principles throughout Agency Programs and Operations and ensure an environment free of discrimination.

All FS Units integrate CR principles throughout Agency Programs and Operations. The CR Director gives feedback to the Deputy Chief of Business Operations and to the Chief on all SES CR Performance Elements. FS Unit CR Directors provide input into each FS Unit Leader's performance. Rocky Mountain Research Station Leadership initiated a process where subordinates provide feedback to the second-line supervisor on their supervisor's performance. (Addresses all Evaluation Criteria)

In the Pacific Southwest (R5), under a Settlement Agreement, a letter was issued to Forest Supervisors and Staff Directors to implement new standards to performance elements for non-bargaining unit employees. The new performance elements and standards are designed to improve the Region's ability to hold employees accountable for appropriate workplace conduct, implement CR Program objectives and prevent sexual harassment. As part of the mid-year discussions, the Regional Forester utilized the new standards and elements to provide feedback to Regional Leadership members. (Copies are available upon request.) Regional leadership is also discussing with the Union the possibility of requiring bargaining unit employees and supervisors to adopt new performance standards. All employees are mandated to attend Prevention of Sexual Harassment training in their performance standards. (Addresses all Evaluation Criteria).

Examples of additional efforts include: The Rocky Mountain Research Station's strategic framework, dated February, which displays commitment to USDA's civil rights goals of treating each other with dignity and respect and valuing each other's perspectives. As evidence of this, the Research Station conducts work environment reviews at individual units as a pro-active management tool to assess the work environment. These reviews also provide a feedback mechanism from employees to management. A report is written, complete with recommendations for improving the unit's work environment. Four reviews were conducted in FY 03. In addition, the Station Leadership established a \$10,000 budget to support civil rights awards and to fund civil rights proposals. The Civil Rights Committee solicits all employees for award and proposal nominations. Twelve awards were bestowed in FY 03.

Actions that ensure an environment free of discrimination

The Chief personally engages in the FS Civil Rights Program. The Chief participated with the May Civil Rights Leadership Team meeting (CRLT), whose members include Civil Rights Directors at all FS units (about 15), now in its third year. Meetings cover emerging CR issues, resolution of complaints and education. This meeting also certified Directors in policies and procedures regarding reasonable accommodations, with speakers from the Department Office of Civil Rights (OCR) and Office of General Counsel (OGC). (Evaluation Criteria 1a, 4b, 5a)

The Chief and Associate Chief make it a point to maintain a work place that is discrimination-free, by personally discussing and encouraging resolution of complaints at their National and Regional Leadership team meetings. The Associate Chief attended the Women's Conference held in the Pacific Southwest Region. The CR Director attends the Chief's daily morning meetings, bi-weekly Chief's meetings, quarterly National Leadership Team Meetings and Regional Leadership Meetings. The CR Director is facilitating a visit to Pacific Southwest Regional managers and employees with the Undersecretary of Natural Resources, the Undersecretary of Civil Rights, and the Chief Counsel. The Associate Chief and the Chief of Staff monitor diversity statistics, findings of discrimination and the class action complaints oversight. The Deputy Chief of Business Operations gives added emphasis and leadership of the Civil Rights Program. (Evaluation Criteria 1a, 4b, 5a)

A Civil Rights EEO Leadership Training Forum was held in June where the Associate Chief and the Deputy Chief of Business Operations attended and stressed the importance of proactive and early resolution. This forum provided three days of EEO complaint and thirty FS managers were trained to be part of the Chief's Resolution Resolving Cadre. Training included presentations by top-level staff from the Equal Employment Opportunity Commission, USDA's Office of General Counsel and the USDA Office of Civil Rights. Attendees were the Civil Rights Directors and staff, Human Resource Management Directors and staff, and the EIP Director and staff. (Evaluation Criteria 1a, 4b, 5a)

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1.1.2 (Continued)

Many FS Units have active CR Committees that assist in maintaining a discrimination-free work environment. The Northern Region recently selected a ten-person CR Committee to advise management in the regional office on implementation of strategic goals for employment, program delivery, and accountability. This is the first committee of this kind to be established in over 15 years. This Region has just successfully completed a regional maintenance study and competition in competitive sourcing. (Evaluation Criteria 1a, 4b, 4d)

Several Regions conduct exit interviews and follow-up on suggestions of exiting employees. In particular, Pacific Southwest reported that in the last six months, about 1,890 separations occurred. Over 54 percent completed exit interviews. An automated tracking has begun to increase participation rates, conduct analysis, and determine if any corrective actions are required. The Northeastern Research Station notified all employees of the opportunities for them to meet with their supervisors, the Director, HRM Director or CR Director for exit interviews prior to leaving the Agency. (Evaluation Criteria 1a, 2b, 2c, 4b)

1.1.3 The Agency ensures that all employees' performance standards provide for civil rights accountability.

FS conducts annual civil rights compliance reviews of FS headquarters and field units to evaluate whether the establishment and implementation of Civil Rights performance standards and accountability are incorporated into the existing Performance Appraisal System for all managers and supervisors, and all Senior Executives. (Addresses all Evaluation Criteria)

FS conducts annual mid-year and final performance appraisals of all employees, which contain and implement civil rights performance standards. The FS and the Union adopted five performance elements to be used in all performance plans starting FY 99 without additions, modifications or alterations. Element No. 4: Leading, Coaching, Developing supervising, and Promoting Equal Employment Opportunity/Civil Rights are mandatory for all supervisors and management officials. It is optional for non-supervisory employees, depending on the major duties and responsibilities of the position, as described in the employee's position description. This is a critical element for any performance plan in which it is used. 1) Creates a work environment that provides equal opportunity for all employees in accordance with law, regulations, and USDA, and FS policy and 2) Demonstrates valuing diversity by actively seeking and using a broad range of experiences, background, and points of view to achieve organizational goals, and support employee success and development.

1.1.4 The Agency takes appropriate disciplinary or corrective action when case file or other evidence indicates: 1) discrimination, 2) misconduct related to civil rights violations other than findings of discrimination, and 3) reprisals.

The Chief issued on July 10, 2003 a Policy Letter regarding Delegation of Disciplinary Authority, for Discipline for Nationally Significant Misconduct or Performance involving Employees GS-14 or Above. The purpose for the process is to clarify FS business processes and to provide more consistent application for the level of penalty imposed when taking disciplinary actions addressing nationally significant misconduct. Suspension, as severe as 14 days, has been imposed on management officials as high as GS-15, and in one case at that level a senior level manager has been reassigned to non-supervisory duties. [Attachment 1.5](#) (Evaluation Criteria 1a, 1b, 1c, 4d)

Agency Policy on the Prevention of Sexual Harassment takes a strong stance on taking disciplinary action as warranted. The Chief issued an Agency Policy on the Prevention of Sexual Harassment in July, expressing his personal commitment to enforcing the policy, creating and maintaining a work environment where there is a "zero tolerance" with respect to sexual harassment by any manager, supervisor, employee or contractor, and affording every employee a "discrimination-free work environment." (Evaluation Criteria 1a, 1b, 1c, 4d)

[Attachment 1.6](#)

The Chief also signed a Prevention of Sexual Harassment Reminder letter to the Fireline and other Fire Environments, identifying a list of 10 behaviors that will not be tolerated in the work place. The Chief stated, "inappropriate behavior is harassment including sexual and racial harassment and shall not be tolerated." The Policy stated that "employees determined to have engaged in sexual harassment, will be subject to disciplinary actions based on the severity of the particular circumstances." This is consistent with the Fireline Handbook, Chapter 6, Common Responsibilities. [Attachment 1.7](#) (Evaluation Criteria 1a, 1b, 1c, 4d)

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1.1.4 (Continued)

FS Units take appropriate disciplinary or corrective action when warranted. One example, an independent Nationally sponsored fact-finding was conducted in the Pacific Southwest on the Los Padres National Forest based on allegations of reprisal subsequent to a settlement agreement. An action plan by the Regional Forester based on the report's recommendations has been developed. Disciplinary actions were taken in response to the allegations. Further, the Job Corps took disciplinary action against supervisors relative to reasonable accommodation compliance. Misconduct related to inappropriate behavior in the work place was reported by several regions. Several regions have Adverse Action Digests that summarize actions and are distributed to employees and located on the Regional websites. [Attachment 1.8](#) (Evaluation Criteria 1a, 1b, 1c)

Under the Chief's direction, FS has begun requiring that management take specific steps for each finding of discrimination and/or reprisal and each settlement involving a substantial payment to a complainant. Management in the field determines, through either the record in the case or additional inquiry/investigation, whether misconduct on the part of FS employees caused the adverse situation. Should misconduct be found, the Field manager recommends a corrective action. The Washington Office reviews the case and determines the appropriate range of penalty, should a penalty be appropriate for corrective action. The field is then delegated the authority to act within the specified range. Through July, the FS had three findings of discrimination in FY 03. All three cases are being reviewed and corrective action will be taken as appropriate. These matters will be continually monitored until each respective matter has been closed. (Evaluation Criteria 1a, 1b, 1c, 2a)

The HR Office is developing a database for tracking disciplinary actions Agency-wide, which will be linked to discrimination complaint decisions and based on Access software. The National FS Complaints Data Base now collects and tracks HRM advisors on EEO complaint cases as well as information on responsible management officials named in EEO complaints. (Evaluation Criteria 1a, 1b, 1c, 2b,4b)

The FS and the Department OCR are working together to identify the status of all reprisal complaints, monitor and track them closer, review for possible mediation, and track timeliness and corrective/disciplinary actions. (Evaluation Criteria 1a, 2a, 2b, 2c, 4b)

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Goal	Performance Objective	Indicators	Evaluation Criteria
<p><u>2. Program Delivery:</u></p> <p>Ensure all customers' equal access and equal treatment in the delivery of USDA programs and services.</p>	<p>2.1 Deliver Agency programs in compliance with Civil Rights laws and with Departmental regulations, policy and goals.</p>	<p>2.1.1 The Agency conducts compliance review of Federally-assisted and –conducted programs in accordance with Departmental guidelines.</p> <p>2.1.2 The Agency:</p> <ul style="list-style-type: none"> • Identifies deficiencies, and • Implements preventive and corrective measures to address deficiencies found as a result of compliance reviews. <p>2.1.3 The Agency:</p> <ul style="list-style-type: none"> • Conducts effective Civil Rights Impact analyses, • Makes environmental Justice Issue Determinations, and • Develops Limited English Proficiency plans, as required. 	<p>(1a) Develop & maintain a work place that is discrimination free. (2a) Resolve complaints and disputes early in the process. (2b) Analyze trends and implement changes, and (2c) Where warranted, show implemented changed in policies and practices (3a) Increase outreach to underserved populations. (3b) Improve customer access/participation in FS programs by underserved. (3c) Conducts CR compliance reviews, develops plans, reports in accordance with CR regulations/ policies. (4b) – Identify/eliminate barriers to employment & advancement in employment. (5a) Provide civil rights, diversity, and cultural awareness training for managers, supervisors, and employees. (5b) Evaluate and report on the effectiveness of the training offered.</p>

OUTCOMES:

2.1.1 The Agency conducts compliance reviews of Federally-assisted and conducted programs in accordance with Departmental guidelines

National Reviews

Three comprehensive civil rights compliance reviews of Field units were conducted this FY with assistance from an 8(a) small business consulting firm. The review sites were: Southwestern Region (R3), Northern Region (R1) and Alaska Region (R10) (scheduled for mid-September). Copies of these review reports were forwarded to OCR. The September review of the Alaska Region (R10) is a pilot project using a streamlined process and assessment templates, which we anticipate will be an effective model for

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2.1.1 (Continued)

comprehensive reviews in FY 04 and beyond. The process FS uses to collect data and analyze CR compliance is in accordance with Departmental guidelines. Implementation plans and follow-up reports are an automatic part of this compliance process. National CR compliance reviews have been scheduled through FY 05. [Attachment 2.0](#) (Evaluation Criteria 1a, 3b, 3c)

Field Title VI Pre-award and Post-award Reviews of Assisted Programs

FS units report the numbers of pre-award and post-award Title VI reviews conducted. The total number of pre-award reviews completed was 1,467 (905 for program permits, 562 for research grants). FS encourages recipients to be in full compliance before assistance is awarded. Post-award reviews conducted by special use permit administrators totaled 826. These accomplishments are contained in the Agency's FY submission for the Department of Justice's Information and Reporting Requirements Report. Field Leadership requests annual review schedules and assesses accountability by monitoring accomplishments at year-end. Annual reviews of state organizations receiving assistance are actively scheduled by State and Private Forestry Staffs, using guidance on Title VI compliance developed with the WO CR. (Evaluation Criteria 1a,3a,3b, 3c)

Field Compliance Reviews of Conducted Programs

The FS Deputy Areas for the Regions/Stations/Area/IITF conduct annual cooperative management and program management reviews of their units, which integrate civil rights compliance. Program delivery elements are assessed and, depending on the unit, the CR staff is involved as subject matter experts. Evaluations also included employee awareness of program access and civil rights goals relevant to increased participation by non-traditional groups, limited English proficient groups, and underserved communities. Civil Rights Directors and program delivery managers monitor the posting of signage, access and equal opportunity in FS conducted programs and facilities on an ongoing basis. (Evaluation Criteria 1a, 3a, 3b, 3c)

Field Examples:

- State Forestry Organization reviews were conducted in Virginia, Texas and North Carolina by the Southern Region (R8).
- The WO Cooperative Forestry Staff conducted a management review of the Southwestern Region (R3) to assess effectiveness of urban programs.
- As a result of self assessments, over \$69 million was expended this FY to complete all forest developed recreation construction resulting in accessibility improvements. National Forests improved more than 868 facilities and related programs in FY 03. This work included a wide range of accessibility improvements to outdoor developed recreation areas including campgrounds, picnic areas, interpretive sites, trails and trailheads, boating and fishing access sites, cabins, shelters, informational materials, improved access for individuals who are deaf or hard of hearing as well as for those with low vision.
- A review of the Congressionally Designated Areas (CDA) in Oregon and Washington State was conducted. The review included equal opportunities in program delivery and public accessibility to programs and facilities, with deficiencies noted to the CDA managers for follow-up action.
- Alaska Region's (R10) review of its websites for Section 508 accessibility reported 95 percent compliance.

2.1.2 The Agency (1) identifies deficiencies and (2) implements preventive and corrective measures to address deficiencies found as a result of compliance reviews.

The joint employment and program delivery reviews of the Southwestern (R3) and Northern Regions (R1) comprehensively assessed their civil rights programs through analysis of current policy and data, and interviews and employee surveys to determine levels of compliance. Review reports outlined findings on the CR program strategy, leadership commitment, organizational structure, planning, policy and procedures, handling of employment and program discrimination complaints, Alternative Dispute Resolution (ADR) and the Early Intervention Program (EIP), outreach and recruitment strategies, employee CR training, reviews and monitoring activity, and CR program deployment and results. CR, HR and EIP staffs reviewed the findings and recommendations to assess units' programs and offer guidance. (Evaluation Criteria 1a, 2a, 2b, 3b, 3c)

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2.1.2 (Continued)

(1.) Identification of CR deficiencies

All CR directors were briefed at a May leadership meeting on trends of findings from two of the FY 03 compliance reviews, to aid in preventive measures. Sample of Findings include a need for: 1) the Field to issue their own policy affirming Agency CR direction; 2) consistency in position descriptions of line and staff employees to include Title VI responsibilities; 3) increased Title VI training and awareness, program coordination and accountability; 4) coordination, training, accountability, and consistency for CR action groups and Special Emphasis Program Managers; 5) more effective, creative outreach efforts to diversify workforces, which could be strengthened by accountability in hiring; 6) increased monitoring of forest accountability for Title VI Federal financial assistance compliance reviews; and 7) increased CR training other than the USDA mandatory modules. (Refer to Section 3.2.1 for additional joint review results.) (Evaluation Criteria 2b, 3b, 3c)

(2.) Implements preventive and corrective measures

The Southwestern Region (R3) prepared an implementation plan addressing findings and recommendations from their FY 03 review. Planned actions to be taken are reissuing all CR policy statements for the 2003 AEP; a new position description is being prepared to reflect the Title VI program responsibilities for Regional line officers and staff, which may be utilized Agency-wide; a working team was established to outline recommended changes needed for improved Title VI processes and procedures; all review recommendations were posted along with the implementation plan for all employees to access on the Region's website; and the Region's CR Staff will provide resources for forests to conduct ongoing training to employees on Title VI responsibilities. The Regional Forester and CR Staff are accountable for completing the plan, which will be monitored by the WO. (Evaluation Criteria 2b, 2c, 3b, 5a, 5b)

(3.) Post compliance review updates

The Forest Products Laboratory completed an implementation plan addressing the findings of a CR compliance review conducted in August 2002. Sample of some actions taken: local CR policy statements were reissued by the Station director; amendments were made to position descriptions in conjunction with performance appraisals for FY 03; joint presentations by employee relations, CR, HR given to employees to clarify roles; and addition of Titles VI and VII training to employees, and management annual training plans. The Station Director and CR Director are accountable for implementing the actions in the plan in October. (Evaluation Criteria 2b, 2c, 3b, 3c, 5a, 5b)

The final FY 03 review report for the Northern Region (R1) was submitted to the Regional Forester in August. The Region is expected to prepare an implementation plan addressing their specific findings and recommendations.

The September 2003 employment and program delivery review of the Alaska Region (R10) requires the CR Staff to conduct the onsite review while the consultant analyzes the collected data and generates the reports.

(4.) Identification of Deficiencies in Federally assisted programs

Units finding deficiencies during special uses post-award reviews work on a case-by-case basis with recipients on corrective action plans, as needed. i.e. The Southern Region (R8) continues to monitor the Mississippi and Alabama Forestry Commissions for Title VI compliance and have verified corrective actions were met. (Evaluation Criteria 2b, 3b, 3c)

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<p>2. Program Delivery (Continued):</p> <p>Ensure all customers equal access and equal treatment in the delivery of USDA programs and services.</p>	<p>2.1 Deliver Agency programs in compliance with Civil Rights laws and with Departmental regulations, policy and goals</p>	<p>2.1.1 The Agency conducts compliance review of Federally-assisted and –conducted programs in accordance with Departmental guidelines.</p> <p>2.1.2 The Agency:</p> <ul style="list-style-type: none"> • Identifies deficiencies, and • Implements preventive and corrective measures to address deficiencies found as a result of compliance reviews. <p>2.1.3 The Agency:</p> <ul style="list-style-type: none"> • Conducts effective Civil Rights Impact analyses, • Makes environmental Justice Issue Determinations, and • Develops Limited English Proficiency plans, as required. 	<p>(1a) Develop & maintain a work place that is discrimination free.</p> <p>(2a) Resolve complaints and disputes early in the process.</p> <p>(2b) Analyze trends and implement changes, and</p> <p>(2c) Where warranted, show implemented changed in policies and practices</p> <p>(3a) Increase outreach to underserved populations.</p> <p>(3b) Improve customer access/participation in FS programs by underserved.</p> <p>(3c) Conducts CR compliance reviews, develops plans, reports in accordance with CR regulations/ policies.</p> <p>(4b) – Identify/eliminate barriers to employment & advancement in employment.</p> <p>(5a) Provide civil rights, diversity, and cultural awareness training for managers, supervisors, and employees.</p> <p>(5b) Evaluate and report on the effectiveness of the training offered.</p>

OUTCOMES:

2.1.3 The Agency: (1) conducts effective Civil Rights Impact Analyses, (2) makes Environmental Justice Issue Determinations, and (3) develops Limited English Proficiency Plans, as required.

Civil Rights Impact Analysis Guidelines distributed: FS Civil Rights Impact Analyses (CRIAs) continue to follow USDA Departmental Regulations and guidelines. The new USDA DR 4300-4, Civil Rights Impact Analysis, May 30, 2003, document/direction has been distributed to and shared with FS field unit Civil Rights Directors for field unit review, training development and implementation during the third quarter. (Evaluation Criteria 1a, 2b, 2c, 3b)

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2.1.3 (Continued)

More than 300 CRIA staffs have been completed FS-wide. Most FS CRIAs were in response to decisions that include national competitive sourcing study decisions, Washington Office Staff reorganizations, administrative field offices/unit consolidations/reorganizations, implementing new national programs/policies, implementing consistent Fire Program Management Standards, implementing National Competitive Sourcing Study decisions for FY 02 and 03, and establishing and re-chartering Federal Advisory Committee(s) and Councils. (Evaluation Criteria 1a, 2b, 2c, 3b)

Competitive Sourcing Study CRIA Guidelines Distributed: FS has worked with the USDA Office of Civil Rights Staff, Human Resource Management Staff, Competitive Sourcing Staff, and field unit Civil Rights Director Staffs to provide and implement CRIA guidance for Competitive Sourcing Study decisions. FS actively worked with the USDA OCR Staff to review, comment and contribute to the USDA efforts to develop the current Department of Agriculture CRIA Guidance for Competitive Sourcing, throughout FY 03. FS coordinated such a meeting on March 26, 2003, to articulate issues, and provide key guidance recommendations to the USDA. **Attachment 2.1.** (Evaluation Criteria 2b, 3b)

CRIA and Competitive Sourcing Training conducted at the May 2003 National Civil Rights Leadership Team meeting in Washington, D.C. FS issued CRIA Guidance for Competitive Sourcing Planning and Implementation, dated June 20, 2003, to FS field units. During FY 03, the National Civil Rights website was updated and linked to the National Headquarters Competitive Sourcing website, to provide all pertinent CRIA and Competitive Sourcing guidance and information to WO and IITF Field Units. **Attachment 2.2** (Evaluation Criteria 5a)

National Civil Rights and Environmental Justice website was updated to provide all pertinent CRIA and Environmental Justice guidance and information to WO and IITF Director Staffs, and linked to the National Environmental Justice National Environmental Policy Act (NEPA), Environmental Analysis Forum Information websites. This included the up-to-date resource paper identifying key staff/people and programs related to FS work in environmental justice. The availability of centralized, web-based material enables the FS to address environmental justice issues through multiple programs, including the civil rights environment, data collection, analysis, research, training and outreach. **Attachment 2.3.** (Evaluation Criteria 1a, 2c, 3a, 3b, 4b, 5a)

Environmental Justice (EJ) and Limited English Proficiency (LEP). In FY 03, the Agency continues to incorporate Environmental Justice (EJ) and Limited English Proficiency (LEP) plans and guidance into Agency civil rights impact analysis/decision-making, bi-lingual public notification opportunities, FS planning policy, and program delivery practices. Specific examples include the revised Forest Planning Regulation, Proposed Categorical Exclusions for Limited Timber Harvest, revision of the service-wide employee training - Social Impact Analysis (SIA) to integrate CRIA and Environmental Justice curriculum, and the Proposed and Final Categorical Exclusions for Post-Fire Activities. The Washington Office National Fire Plan Staff developed and implemented a Spanish language website, to improve information access of Spanish language communities. (Evaluation Criteria 1a, 2c, 3a, 3b, 3c, 4b, 5a)

FS continues to implement an aggressive LEP program through numerous projects to increase LEP customer's issues in program delivery provided quality service and public access, including the following examples:

- FS provided a grant to the International Society of Arboriculture to translate the first in a series of instructional, interactive CDROM into Spanish for the increasing number of Hispanic tree care workers in the industry.

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2.1.3 (Continued)

- Puerto Rico Electric Power Authority (PREPA) continued offering specialized training consisting of a two-day workshop, delivered in Spanish language, where four PREPA Technical Offices have been trained and all the crewmembers have been certified in tree biology, planting and establishment, pruning, tree identification, and safety to the Puerto Rico Electric Power Authority personnel responsible for implementing management practices for power line clearance and maintenance.
- Pacific Northwest Research Station obtains translation services from Eastern Oregon State University for a Spanish version of the Station's publication titles and abstracts.
- FS Partners with the USDA Cooperative State Research, Education and Extension Service to promote the distribution of the English and Spanish versions of the FS Natural Inquirer Science Journal among all participating schools in Conservation Education's Agriculture in the Classroom program.
- Implemented the "Hispanic Radio Outreach Project," a national partnership with the Hispanic Radio Network La RED Hispana, Inc. (HRN) a non-profit radio media organization. Utilized the HRN to provide Spanish language educational media programming for local field unit program information. HRN worked with FS Staff to translate information and broadcast in Spanish language, such program opportunities as recreation on the national forest, conservation education and Smokey Bear, wildfire prevention and suppression risks, contracting programs and employment opportunities, publicizing the National Fire Plan and Forest Lands Enhancement Program actions, workshops, and training opportunities. (Evaluation Criteria 2a, 2b, 3a, 3b, 3c)

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Goal	Performance Objective	Indicators	Evaluation Criteria
<p>2. Program Delivery (Continued.)</p> <p>Ensure all customers equal access and equal treatment in the delivery of USDA programs and services.</p>	<p>2.2 Maintain an effective process for handling Civil Rights Program complaints.</p>	<p>2.2.1 The Agency promptly implements preventive and corrective actions resulting from complaint findings.</p> <p>2.2.2 The Agency promptly implements terms of conciliation agreements.</p> <p>2.2.3 The Agency analyzes trends in complaints; promptly implementing changes to avoid future complaints and ensure nondiscrimination.</p>	<p>(1a) Develop & maintain a work place that is discrimination free. (2a) Resolve complaints and disputes early in the process. (2b) Analyze trends and implement changes, and (2c) Where warranted, show implemented changed in policies and practices (3a) Increase outreach to underserved populations. (3b) Improve customer access/participation in FS programs by underserved. (3c) Conducts CR compliance reviews, develops plans, reports in accordance with CR regulations/policies. (4b) – Identify/eliminate barriers to employment & advancement in employment. (5a) Provide civil rights, diversity, and cultural awareness training for managers, supervisors, and employees. (5b) Evaluate and report on the effectiveness of the training offered.</p>

OUTCOMES:

2.2.1 The Agency promptly implements preventive and corrective actions resulting from complaint findings.

OCR has rendered no findings of discrimination in FS program discrimination complaint cases this FY.

National Program Discrimination Complaint Status

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In FY 03, an estimated 212 million people will visit National Forests, according to the FS National Visitors' Use Monitoring System. The Agency currently has 15 program

2.2.1 (Continued)

discrimination complaints pending with the OCR Program Investigations Division. The FS represents 30 percent of the USDA workforce and our inventory of 15 program complaints 15 represents less than 3 percent of the USDA complaint caseload. Only two new discrimination complaints against the FS were filed and accepted by OCR this FY. The majority of the cases are based on disability with issues including off highway vehicles and road closure access. Our goal is to promptly process or refer customer complaints to OCR within 5 to 10 days of receipt. A database was designed to track the FS program complaints through the process to aid in reconciling case status with the OCR Program Investigations Division records. (Evaluation Criteria 1a, 2a, 3b, 5a, 5b)

The WO CR Staff works with Field Title VI Program Managers to develop training tools for awareness of the program discrimination complaints process. The National CR website contains updated program delivery resources and guidance. Field units provide training to employees during new employee orientations and refreshers as needed. "And Justice for All" posters are available to units for both conducted and assisted programs. [Attachment 2.4](#)

The WO and Field units participated in the review of the USDA templates for conducted and assisted program complaint discrimination forms and brochures in April.

2.2.2 The Agency promptly implements terms of conciliation agreements.

The Agency has received no determinations of CR noncompliance or discrimination for any of the FY 02 or 03 FS pending program complaint cases. If so, the FS would adhere to DR 4330-2 or DR 4330-3 to develop corrective action plans and monitor conciliation. (Evaluation Criteria 1a, 2a)

2.2.3 The Agency analyzes trends in complaints; promptly implementing changes to avoid future complaints and ensure nondiscrimination.

The majority of FS program complaints address "access for customers with disabilities." FS has implemented a strong Civil Rights Accessibility Program complete with positions in both the Recreation Program and the Civil Rights Staffs to analyze trends, and effectively address and make changes to ensure nondiscrimination. (Evaluation Criteria 2a, 2b, 2c, 3b, 3c)

Examples:

Staff Resources and Guidance. The Recreation Heritage and Wilderness Resources (RHWR) National Accessibility Program Manager and the Civil Rights Program Delivery Staff work cooperatively to ensure consistent policies and effective field support for program and facility accessibility as well as in response to program discrimination complaints that involve recreation, heritage, or wilderness programs or facilities. The Accessibility Program Manager coordinates with Field colleagues to provide program delivery accessibility resources to all employees. The Accessibility Program Manager has provided extensive training and resources, policy direction and handbook/manual updates concerning Off Highway Vehicle (OHV) access to national forest lands, which is an issue trend in FS program complaints. (Evaluation Criteria 2b, 2c, 5a, 5b)

Communication

The Civil Rights Leadership Team and Title VI program managers are kept apprised of program complaint issues and trends during monthly conference calls. Resources to aid in training and awareness are distributed and located on CR web pages. Guidance on financial assistance program Title VI responsibilities is being updated and formatted to create a resource package for use by managers and supervisors. (Evaluation Criteria 2b, 2c, 3b, 5a, 5b)

Customer Service

RHWR added a standard feature in the Passport In Time Traveler and www.passportintim.com to explain how volunteers for various heritage projects are selected. This effort was in response to questions received from project applicants, who were not selected. These new information sites highlight that limited space is the primary reason for non-selection.

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(Evaluation Criteria 2b, 2c, 3b)

2.2.3 (Continued)

Training. The Intermountain Region conducted Title VI awareness and sensitivity training for all new employee and fire orientations. This was done per an analysis of complaints and the need for training. (Evaluation Criteria 2b, 2c, 5a, 5b)

- Spanish versions of the “Justice for All Posters” were sent to all forests.
- Human Resource messages at fire camps were translated into Spanish.
- Spanish speaking interpreters have been identified at all forest offices.

Contracting

In response to complaints regarding contractors and vendors for the fire suppression program, the Fire and Aviation Management Human Resources Workforce group identified the need to review and recommend changes to contract language regarding inappropriate behavior. The goal is to increase awareness and enforce policy. (Evaluation Criteria 2b, 2c, 4a)

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Goal	Performance Objective	Indicators	Evaluation Criteria
<p>2. Program Delivery (Continued.)</p> <p>Ensure all customers equal access and equal treatment in the delivery of USDA programs and services.</p>	<p>2.3 Improve service delivery to historically underserved populations.</p>	<p>2.3.1 The Agency:</p> <ul style="list-style-type: none"> • Creates mechanisms to improve service to underserved populations, • Establishes specific goals, and • Identifies new priorities and accomplishments. <p>2.3.2 The Agency:</p> <ul style="list-style-type: none"> • Identifies barriers to participation for underserved groups • Takes affirmative steps to remove barriers, and increases program participation and service delivery. <p>2.3.3 The Agency increases outreach and improves service delivery to underserved populations by with:</p> <ul style="list-style-type: none"> • Outside groups, • Minority-serving institutions, and • Community-based organizations 	<p>(1a) Develop & maintain a work place that is discrimination free.</p> <p>(2a) Resolve complaints and disputes early in the process.</p> <p>(2b) Analyze trends and implement changes, and</p> <p>(2c) Where warranted, show implemented changed in policies and practices</p> <p>(3a) Increase outreach to underserved populations.</p> <p>(3b) Improve customer access/participation in FS programs by underserved.</p> <p>(3c) Conducts CR compliance reviews, develops plans, reports in accordance with CR regulations/ policies.</p> <p>(4b) – Identify/eliminate barriers to employment & advancement in employment.</p> <p>(5a) Provide civil rights, diversity, and cultural awareness training for managers, supervisors, and employees.</p> <p>(5b) Evaluate and report on the effectiveness of the training offered.</p>

OUTCOMES:

2.3.1 The Agency (1) creates mechanisms to improve service to underserved populations (2) Establishes specific goals, and (3) Identifies new priorities and accomplishments

Creates Mechanisms to Improve Service to Underserved. FS has an expanding role in regional planning, community growth, economic revitalization, diversification, sustainable development, recreation, tourism, and other quality of life and civil rights issues. The USDA identified “underserved customers, populations, or communities” within the American public that included minority and low income people and utilizes existing authorities, (i.e., laws, regulations, Executive Orders and directives) to facilitate collaboration and outreach to the underserved. The Agency consistently implements memorandums of understanding and other formal agreements, contracts and grants to form partnerships and deliver program services to underserved populations. These collaborative partnerships have accomplished much to improve services to and increase participation by underserved communities and tribes across the country.

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2.3.1 (Continued)

Specific Goals, Identifying New Priorities and Accomplishments. Identified under National Strategies including the FS Strategic Public Outreach Plan, Line Officers and Staff Directors utilize mechanisms that improve services to Underserved Populations. The Southwestern Region implemented several initiatives that meet specific goals, identifying new priorities and accomplishments, as follows:

1. A total of 35 percent or \$512,000 of National Fire Plan funds were distributed to tribes, women and minorities.
2. New Mexico Forestry Alliance based out of Mora, New Mexico was awarded \$50,000 to assist local forest product producers in Northern New Mexico to organize and share labor, markets, supply, equipment and obtain group rate insurance.
3. A direct payment of \$200,000 through the Fence Reimbursement Program was dispersed to 12 tribal, women or minorities receiving reimbursements.
4. Tree New Mexico (organization) received \$32,000 to conduct resource environment education to diverse residents in and around the Rio Puerico watershed.
5. The Northern Rio Arriba County Coalition was granted \$10,000 to assist in the organization of their fire protection efforts.

(Evaluation Criteria 3a, 3b, 3c)

Implemented New Mechanisms to Connect Asian American Communities. FS utilized existing authorities, to develop and implement new mechanisms to connect the Asian American Communities with FS program benefits. Required by the White House Initiative On Asian Americans and Pacific Islanders, Executive Order 13216. FS implemented a grant with the Environmental Impact Resource and Conservation District to support a small village of 232 Hmong-Lao (Asian) American community in Samthong Village, Monterey County, North Carolina. The focus of the project is to support the self reliance aspects of the community which is in the process of developing an effective strategic plan and master development plan. Their plans will include the protection, restoration, and enhancement of fish and wildlife habitat, and other resources, plus action to revitalize the Samthong Village. (Evaluation Criteria 3a, 3b, 3c)

Services Improved Through Partnerships. Partnerships are routinely established with many external community based organizations, other State and Federal Agencies, and underserved communities. For example, a Memorandum of Understanding was established with the National Black Farmers organization, to facilitate collaborative action and improve service to African American Farmers and small woodland owners, and to provide financial support to the Agro Forestry Center to provide technical assistance to the Black Farmers in Alabama. (Evaluation Criteria 3a, 3b, 3c)

State and Private Forestry's Cooperative Forestry Rural Community Assistance Program provided direct technical and financial assistance to over 200 tribes and minority communities which funded significant outreach efforts to Indian Tribes engaged in tree nursery production. This effort also included financially supporting 50 percent of an outreach coordinator/liason position to provide technical expertise to Tribal nurseries and to attend Tribal meetings. Efforts funded the National Landowner Assistance Program Managers meeting in Puerto Rico which focused on working with Hispanic landowners and dealing with finite resources in a small geographic region having high biodiversity and significant population impacts. (Evaluation Criteria 3a, 3b, 3c)

National Forest System Deputy Area provided technical and financial assistance to underserved communities for forest restoration activities, planning for fire protection, utilization and marketing of small diameter trees, demonstration projects and community-based action planning for economic development and diversification of the local economy. (Evaluation Criteria 3a, 3b, 3c)

Accessible Information Via FS Web Sites. FS websites implement Section 508 of the Rehabilitation Act requirements, and field units have converted all web pages to the National Template. FS websites make current program information accessible to persons with disabilities including employees and customers, and potential job applicants. FS jobs, vacancy announcements, employment and natural resource program information are accessible to persons with disabilities, members of minority groups and women. FS vacancies can be found throughout the FS website, through a hot link to the USA Jobs website. FS has also implemented the IMDiversity web site at <http://www.IMDiversity.com> which allows skilled, diverse candidates to post resumes, and FS managers and supervisors to conduct recruitment for quality candidates provided through the IMDiversity website. (Attachment 2.5) (Evaluation Criteria 3a, 3b, 3c, 4a, 5b)

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2.3.1 (Continued)

Chief's Workforce Advisory Committee (CWAG). FS Chief has established and utilizes the Chief's Workforce Advisory Committee (CWAG), populated with top SES leadership to provide key recommendations for workforce diversity management and affirmative employment strategies, to ensure establishment of a skilled diverse workforce, to address positive workforce/environment initiatives, and to provide guidance, direction, and accountability measures that create a workplace free of discrimination. (Evaluation Criteria 3a, 3b, 3c, 4a, 4b)

New FS Leadership Success Program. The Chief designated a senior employee to lead the new Leadership Success Program, which focuses on development of individuals for leadership positions within the Agency. The Program emphasizes leadership to lead a diverse skilled workforce reflective of the nation's demographic diversity, and that better serves underserved groups. CR goals for the Leadership Success Program are linked to the FS workforce planning and affirmative employment program strategies, ensuring the FS has a continuous flow of skilled, diverse leaders. (Evaluation Criteria 3a, 3b, 3c, 4a, 4b)

Forest Service Strategic (GPRA) and Performance Management Plans. The FS leadership and staff utilize and implement the full set of FS 2003 Strategic, Performance Management Plans, and local field unit strategies and plans which provide performance goals, objectives and indicators, guidance and direction to utilize existing mechanisms to increase outreach and service delivery to historically underserved populations, and improve customer access and participation in FS programs. Refer to section 1.1.1 for the related FS Strategic Plans. The current FS 2000 Strategic GPRA Plan (through FY 03) deployed the set of Agency GPRA Strategic Plan (FY 00-03 Revisions) objectives; five of which focus on FS civil rights program action and accountability for effective public outreach and monitoring. FS's strategies implement Executive Order 12898, Environmental Justice of 1994 that seeks to assure human health and environmental protection for all communities. The Agency Strategies build on workforce diversity in order to improve service to underserved communities. (Evaluation Criteria 1a, 2c, 3a, 3b, 3c, 4d)

2.3.2: Agency (1) identifies barriers to participation for underserved groups. (2)Takes affirmative steps to remove barriers and increases program participation and service delivery.

Takes Affirmative Steps

Civil Rights Capacity Building Programs Re-evaluated to Identify Measurable Results. Internally, FS delivers a more than \$1.6 million National Civil Rights Capacity Building Program and has established a FY 03 Agency Strategic Capacity Building Council to provide the Director, Civil Rights advice on cross-Deputy Area Director program investments for the \$1.2 million Historically Black Colleges and Universities program, the \$100,000 Tribal Colleges and Universities program, the \$335,000 Hispanic Serving Institutions program, and the \$35,000 Asian Pacific Communities outreach program. During FY 03, FS established Civil Rights Capacity Building Performance Objectives and Outcome Measures which will now be used to manage Capacity Building programs, and have required liaison personnel, and ask college and university administrators to incorporate these into their ongoing administration. (Attachment 2.6)

Strong FS Leadership on USDA Inter-Agency Council. Senior FS leadership continues to actively participate in and provide funding support for several USDA Inter-Agency Councils that provide the Secretary advice on the investments in research at minority institutions, public outreach to underserved communities, and hiring and program delivery to underserved communities. For example, the Deputy Chief, for Research and Development participates on the USDA Asian American Pacific Islander Council; the Deputy Chief, State and Private Forestry, participates in the Secretary's Farm Bill Briefing Team, and on the Native American Outreach Program focusing on a National Native American Summit. USDA Inter-Agency Councils like these continue to identify barriers to participation and take steps to remove barriers and increase participation and service delivery to underserved communities. Further examples include strong FS leadership on the Secretary's Farm Bill Briefing Team, which held a series of meetings to underserved populations across the Nation and Puerto Rico to provide information on USDA programs and the 2002 Farm Bill. FS funded two meetings, i.e., Columbia South Carolina, and Lincoln, Nebraska. Attendance at these meetings ranged between 200-600 people. (Evaluation Criteria 3a, 3b, 3c, 4a, 4b)

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2.3.2 (Continued)

FS remains a major participant and contributor in the successful Annual USDA Small Farmers Conference every August, including for the past two years \$30,000, leadership to host and coordinate the conference in-kind services by the Southwestern Region. Participation in the conference has resulted in effective technical assistance, information and program delivery to underserved farmers and assistance in the identification and removal of barriers to program participation by Hispanic and Tribal farmers, ranchers, and small woodland owners. (Evaluation Criteria 1a, 2a, 3a, 3b, 3c, 4a, 4b)

Equal Access for Farmers, Ranchers and Small Woodland Owners. Identified under the FS Strategic Public Outreach Plan, and by USDA, “underserved customers, populations, or communities” within the American public included minority and low income people which have not received equitable access and program benefits during the past. National Fire Plan Partnership identifies and takes steps to remove barriers to increase participation of underserved communities. FS implemented the new national Hispanic Outreach Partnership, designed to specifically increase public outreach and to improve access and participation in the National Fire Plan program by Hispanic and Indian Tribal communities. FS Washington Office provided \$475,000, obligated through Challenge Cost Share Agreement and service contract in the Southwestern Region, to augment/support existing Southwestern Region’s National Fire Plan programs. The partners include the Washington Office Civil Rights, State and Private Forestry (S&PF) and National Forest System (NFS) Deputy Areas, the Southwestern Region, the Hispanic Radio Network, La RED Hispana, National Network of Forest Practitioners (NNFP), and American Forests. National support assists the Southwestern Region program to specifically utilize the external partners to assist and involve other non-profit community based organizations, to conduct workshops and training, leverage additional resources, and to publicize National Fire Plan programs to the broadest Southwestern communities. (Evaluation Criteria 3a, 3b, 3c)

Equal Access and Accessibility Focus for National Forests. FS continues to implement field unit strategies and the CR Balanced Scorecard Strategic plan, and to analyze trends in program complaints to ensure all customers have equal access and equal treatment in the delivery of programs and services. Examples of efforts underway implementing FS Initiatives which take affirmative steps to identify and remove barriers to increase participation and service delivery to persons with disabilities, seniors, and underserved communities can be demonstrated in numerous examples provided by the FS leadership and Staff. Some examples are as follows: (Evaluation Criteria 3a, 3b, 3c, 5a)

1. National Forests invested over \$69 million dollars to complete forest developed recreation construction to improve more than 868 recreational facilities and related programs in FY 03. Work included a wide range of accessibility improvements to outdoor developed recreation areas including campgrounds, picnic areas, interpretive sites, trails and trailheads, boating and fishing access sites, cabins, shelters, and informational materials, and included actions to ensure access for individuals who are deaf or hard of hearing as well as for those with low vision.
2. FY 03, FS began honoring the InterAgency Golden Passports at over 1,150 national forest recreation sites, a dramatic increase from only 17 sites in 2002. The passports include Golden Age passports for citizens 62 years of age and older and the Golden Access passports for citizens who are blind or permanently disabled. These represent significant new benefits for those who qualify and may increase their participation in outdoor recreation activities at National Forest recreation fee sites.
3. Through a **Memorandum of Understanding** on public health and recreation, the Recreation, Heritage and Wilderness Resources (RHWR) is working with Environmental Alliance for Senior Involvement board members and other Federal agencies to develop volunteer opportunities in federal agencies that could assist seniors with staying physically active.
4. FS made revisions to the process for obtaining the Golden Access Passport (Passport) by persons with disabilities, in order to clarify and simplify that process. Posted on the FS recreation web site are detailed information and frequently asked questions and answers concerning the Passport process to assist customers seeking the Passport and FS employees administering the program. The revised Golden Access Passport process is included in the proposed 2330 FS Manual (FSM) interim directive.
5. Continues to refine and improve internal guidance, direction and complete action to improve facility and program access for persons with disabilities. Accessibility improvements have been completed through the use of a wide range of funding sources, including capital investment and maintenance funds, Fee Demonstration program funds, Transportation Equity Act (TEA-21) projects, cooperative agreements, and grants. Emphasis is continuously placed on integrating accessibility into Agency policies, procedures, and actions.

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2.3.2 (Continued)

6. Accessibility is integrated into all program and facility reviews including general management, functional assistance, and compliance reviews. In addition each region has reviewed its accessibility accomplishments and reported them to the national office. The results indicate a significant improvement in program and facility accessibility across the Agency. Every Region has increased the number of programs and facilities that are accessible. In addition, 72 percent of accessibility transition plans have been completed for existing facilities that are not now accessible.
7. The FS Section 504 Self Evaluation Plan is completed and on file in accordance with Departmental guidelines. Annual FS budget direction required units to conduct program and facility self assessments and develop transition plans. Both the National Civil Rights Staff web page and National Accessibility Coordinators Team room and web page contain the current guidance and resources on Sections 504 and 508 compliance. Training for line managers, supervisors and employees is conducted using a national training module. FS provided training for FS facilities engineers on the integration of accessibility.
8. FS developed a proposed interim directive policy for FSM 2350 integrating accessibility into trails managed for pedestrian use and associated constructed facilities. This proposed FSM also institutionalizes the definition of a wheelchair/mobility device.
9. FS developed a proposed revision of FS Manual 2330 integrating accessibility and universal into the design, development and construction of developed recreation areas within National Forest System boundaries. FS revised the Exhibits FSM to ensure the integration of accessibility and the revision of the Audio-Visual FSM to integrate captioning and audio description in accordance with Section 508 accessibility requirements.
10. FS provided training for special use permit holders on the integration of accessibility into outfitter and guide programs.

2.3.3 Agency increases outreach and improves service delivery to underserved populations by partnering with (1) External groups, (2) Minority-serving institutions, and (3) Community-based organizations

Leadership annually addresses Senior Executive Service employees' civil rights performance and accountability, and their personal efforts to increase public outreach, partner with and provide equitable service delivery to underserved groups and minority serving institutions.

National Dialogue Addressing Service Delivery to Underserved. Strategic public outreach efforts have addressed gaps in outreach and program delivery to underserved communities and FS has made policy changes to address small landowner needs. Program requirements (e.g., size/acreage requirements) were out of sync with the majority of underserved customer land holdings making them ineligible for program benefits. Historically underserved ranchers, farmers, and small land owners have not qualified for program benefits. Changes in these program requirements have increased access (in several program areas) to a much broader underserved audience, such as American Indian Tribal Trust Lands, Native Corporation lands, Hispanic Land Grants and populations, private African American landowners, and other larger land holdings that had been categorically excluded in previous programs.

Collaborative Partnerships and Community Stewardship Programs. FS continues to demonstrate excellent collaborative community stewardship partnerships with external underserved community based organizations and minority serving institutions to deliver programs to underserved communities, including the following National and field unit initiatives. (Evaluation Criteria 2c, 3a, 3b, 3c)

1. FS is a key partner in the U.S./Mexico Border Coalition of the Resource Conservation and Development councils. This is a group of eleven RC&D councils that comprise 24 counties that work together on environmental, economic, and developmental issues of concern to Hispanic populations in the four Border States.
2. Collaborative Forestry program efforts with underserved African American landowners supported development of the Black Family Land Trust. This emerging organization is working to protect the natural and cultural resources of land owned by African Americans.
3. FS implemented an underserved community outreach plan for the new Forest Land Enhancement Program (FLEP). One of the components included working with the FS Civil Rights Staff to outreach to the Hispanic population through the Hispanic Radio Network, La RED Hispana, non-profit community based organization and the translation and nation-wide radio broadcast of FLEP information into Spanish.

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2.3.3 (Continued)

4. Provided significant outreach efforts to Indian Tribes engaged in tree nursery production, providing financial support (50 percent) for an outreach coordinator/liaison position to provide technical expertise to Tribal nurseries and to attend significant Tribal meetings.
5. Supported and funded the national landowner assistance program managers meeting in Puerto Rico which provided significant focus on working with Hispanic landowners and dealing with finite resources in a small geographic region having high biodiversity and significant population impacts.
6. White House Initiative On Asian Americans and Pacific Islanders, Executive Order 13216, including the FS grant to the Environmental Impact Resource and Conservation District provided support to the Hmong-Lao (Asian) American community in North Carolina, supporting community self reliance in the process to develop an effective strategic, master development plan for the protection, restoration, and enhancement of fish and wildlife habitat, to revitalize the Samthong Village.
7. Support of Asian American/Pacific Island American communities in small forest products programs.
8. National Fire Plan Hispanic/Tribal Outreach Project in the Southwestern Region;
9. Implemented the 1st National Urban and Community Forestry Education and Outreach Conference for Minority and Underserved Communities, in Baton Rouge, LA., a significant CR capacity building partnership with Southern University.
10. Implemented the Multicultural Workforce Strategic Initiative (MWSI) an Agency-wide employment recruitment strategy and coordination with field units
11. FS continues to partner with the Bureau of Indian Affairs to provide forestry support and training to Native American forestry operations.
12. Line leadership is working to decrease impacts on underserved communities impacted by drought and restrictions on permitted livestock grazing and fuel wood costs.
13. New categorical exclusion (CE) for limited timber harvest was developed to facilitate some cultural uses, including Tribal needs such as cutting trees for ceremonial purposes. Additionally, in the Southwestern United States, small Hispanic communities located near national forests are characterized as suffering from continued land loss, economic decline, and poverty and are expected to benefit from products that will be available using this new CE.
14. FS continues to improve facility accessibility and program service delivery to persons with disabilities, and provides Agency with tools and support for making consistent accessibility related decisions.
15. FS provided support and assistance to the Hawaiian and Alaska native student exchange partnership; a program designed to expose students to environmental concerns of the Pacific basin and Alaska.

Tribal Government Relations. Two Washoe Tribes of California and Nevada Elders have landed safely in Irkutsk, Russia for the first ever TBI Washoe-Buryat Exchange. They will be at Lake Baikal for 10 days on a cultural exchange, sponsored by the FS, with native people of the region (Evenk, Buryat, and Tuvan). The purpose of this trip is for the two indigenous tribes from Lake Tahoe and Lake Baikal (Central Siberia) to exchange cultural ideas on the use of native plant species, native natural restoration practices, language, and potentially build upon a future International Washoe/Buryat Cultural Center in Taylor Creek. This will hopefully set future exchanges in perpetuity along with other TBI efforts for environmental education exchanges. The FS (LTBMU) and Tahoe Baikal Institute have been working in partnership for many years. This partnership helps to strengthen and foster parallel environmental education efforts.

Native American Treaty and Title claims Resolved. The FS places a high priority on encouraging equitable and non-confrontational, non-judicial settlement of Native American Treaty and Title claims. FS has found ways to reach agreement on land and resource management issues that allow both the public and Native Americans to meet their goals and lands for desired uses. The following are examples of such accomplishments: (Evaluation Criteria 3a, 3b, 3c)

1. Settlement of the Sandia Pueblo title claim in New Mexico - Reached a settlement whereby the FS and the Sandia Pueblo have agreed to joint, co-management of the Sandia Wilderness Area that meets the objectives of the Pueblo. This dispute was headed for the Appellate Court until the Pueblo and FS undertook a 2-year collaborative, dispute resolution effort. The results of this effort were an agreement on joint management that was recently codified by Congress in Legislation. This agreement and legislation are unique and provide a new blueprint for further controversial and complex claims.

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2.3.3 (Continued)

2. San Ildefonso Pueblo Aboriginal Title Claim – the FS is proceeding to negotiate a settlement that would allow for sale of the disputed public lands and the proceeds being used to purchase suitable lands for the public elsewhere in the area. Included in the agreement are actions that would also ensure permanent public access across the disputed lands and emergency routes for the citizens of Los Alamos, NM. Community needs for Los Alamos have also been addressed. The entire package has the support of the Congressional Delegation and legislation.
3. Acquisition of outstanding mineral interest for the Santa Clara Pueblo - Participated in negotiations between the Pueblo and the private mineral owners and the Baca Trust to ensure the Santa Clara Pueblo will obtain unencumbered ownership of their ancestral lands. Instrumental in ensuring that the Santa Clara Pueblo obtained 9,000 acres of ancestral lands as part of the overall acquisition of the 98,000 acre Baca Acquisition.

Hispanic Leadership Program in Agriculture and Natural Resources (HLPANR) completed its first year, with 11 program participants. The program held a series of meetings involving the participants between September and June, concluding with a newly developed graduate seminar in Leadership and the Management of Natural Resources. The Program Management Team visited the USDA twice during that period to promote awareness of the program and to develop relationships with key representatives from USDA agencies that can enhance learning and career opportunities for program participants. In addition, the Team was able to secure a Congressional appropriation for the program. With the additional funding, the program has added six new fellows to the program. An Orientation will be held in August 2003 that will include the members of the first and second cohort of fellows, their advisors, representatives from the USDA and other natural resource agencies, and institutional representatives. (Evaluation Criteria 3a, 3b, 4a, 4b)

National Council of Community and Education (NCCEP). An Eastern Region (R9) program was implemented in Chicago's Pilsen/Little Village community. It is one of the few enrichment programs available to low-income Hispanic communities, promoting aspirations to attend college and pursue non-traditional career goals with the FS. The program has worked collaboratively with a large number of educational and community-based organizations to implement and evaluate initiatives/programs designed to improve access to college for disadvantaged students. The program provides educational experiences that are aligned with state educational standards, provides information about careers in FS conservation and educational requirements. (Evaluation Criteria 3a, 3b, 3c, 4a, 4b)

Southwestern Region Public Outreach Partnerships to increase Service Delivery to Underserved communities. Funding provided through the Collaborative Forest Restoration Program (CFRP) is multi-year funding, tribes currently granted funding are the Jemez Pueblo (\$344,271), Eight Northern Pueblos Council (\$118,800), Zuni Pueblo (\$355,844), Acoma Pueblo (\$356,400), Navajo Hogan Project (\$175,061), San Juan Pueblo (\$359,979), Santa Clara Pueblo (\$344,642), Santa Ana Pueblo (\$360,000), Sandia Pueblo (\$84,250), Ramah (\$358,500), Teseque (\$360,000), Pojoaque (\$360,000), San Ildefonso (\$360,000) and San Carlos (\$70,000). (Evaluation Criteria 2c, 3a, 3b, 3c)

1. Since the establishment of the Tribal Relations Program in August 1998 for the Southwestern Region, FS has steadily increased its partnerships with all tribes in the Region. This has included site visits to the reservations to make tribes aware of the various programs available to them through the State and Private Forestry programs, as well as, the Collaborative Forest Restoration Program, which is specific to New Mexico. These partnerships have proven to be a valuable means through which to educate the many communities throughout the Southwest on forest restoration efforts. The total amount of funding awarded to tribes through the Regional Office for FY 03 is \$1,868,500.00. Not only has the Regional Office made a concerted effort to work with tribes on a government to government basis, but the Forests have also shown increases in funds granted directly to tribes in the past several years. Tribes funded for the first time in FY 03 include Santa Ana Pueblo (\$360,000) Ramah Navajo (\$358,500) Tesuque Pueblo (\$360,000) Pojoaque Pueblo (\$360,000) San Ildefonso Pueblo (\$360,000) and San Carlos (\$70,000).

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2.3.3(Continued)

2. Funding provided through the Collaborative Forest Restoration Program (CFRP) is multi-year funding; therefore, tribes who have received funding in prior years are not likely to reapply on a yearly basis. Therefore, the effort for future year funding is being focused on those tribes who have not received FS funding previously. This has proven to be a successful approach and the numbers of tribes receiving these funds has grown annually. Thirteen separate tribes have received funding through the CFR Program since its inception in FY 01. The majority of these funds are being used for Bosque Restoration efforts. In addition, the Regional Office is working to conduct a workshop at tribal sites to highlight the restoration efforts for other tribes, as well as other communities who are interested in initiating their own restoration efforts.
3. Southwestern Strategy (SWS) is a community development and natural resource conservation and management effort by federal, state and local governments. The focus is on partnership and collaboration to restore and maintain the cultural, economic and environmental quality of life in New Mexico and Arizona. With the Southwestern Regional Forester serving as co-chair of the Regional Executive Committee for the SWS this fiscal year, three main issues have been identified by SWS
 1. Water (drought, quantity, quality)
 2. Fire (forest health, suppression, restoration)
 3. United States and Mexico Border Issues (undocumented aliens, human and environment protection)

In addition to the three task teams that have been established to advance these items, three support teams have been established including a tribal relations support team to ensure tribal interests are addressed.

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Goal	Performance Criteria	Indicators	Evaluation Criteria
<p>3. Employment</p> <p>Provide a workplace free of discrimination and enhance the diversity of the workforce.</p>	<p>3.1 Take affirmative steps to recruit, hire, train, and promote employees from diverse backgrounds.</p>	<p>3.1.1 The Agency uses Federally-mandated plans to:</p> <ul style="list-style-type: none"> • Assess underrepresentation, • Target improvement, and • Develop and implement effective strategies for improving diversity. <p>3.1.2 The Agency:</p> <ul style="list-style-type: none"> • Identifies barriers, and • Take affirmative steps to remove barriers to workforce diversity • Conduct employee, committee member, and volunteer Civil Rights training to improve awareness, understanding and appreciation for workforce diversity. Training is to include alternative dispute resolution and disability. <p>3.1.3 Conduct employee, committee member, and volunteer civil rights training to improve awareness, understanding and appreciation for workforce diversity. Training is to include alternative dispute resolution and disability.</p>	<p>(1a) Develop and Maintain a work place that is discrimination free, (1b) Take appropriate disciplinary actions when warranted in complaint findings, (1c) Take corrective measures where actions result in inappropriate behavior and misconduct related to civil rights. (2a) Resolve complaints & disputes early in process. (2b) Analyze trends and implement changes, and (2c) Where warranted, show implemented changed in policies and practices (3a) Increase outreach to underserved populations. (3b) Improve customer access & participation in Agency programs by underserved populations, and (3c) Conduct civil rights compliance reviews, develop plans, & reports in accordance with civil rights regs. & policies. (4a) Recruitment, employment plans report in EEO regs, policies (4b) Identify/eliminate barriers to employment & advancement in employment. (4c) Decrease underrepresentation, (4d) Create a diverse workforce. (4e) Conduct EEO compliance reviews, develop plans and reports. (5a) Provide civil rights, diversity, and cultural awareness training for managers, supervisors, and employees. (5b) Evaluate and report on the effectiveness of the training offered</p>

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3.1.1 (Continued)

OUTCOMES:

The Agency Uses Federally Mandated Plans to: Assess Underrepresentation. Several workforce analyses were prepared for the current year, to identify underrepresentation among women, minorities, and people with disabilities. Agency reviews were conducted for the national, regional, forest, station, and area levels. Statistical analyses are conducted in accordance with EEOC requirements, relying on official civilian labor force figures. The national analysis is presented in the annual Affirmative Employment Program Plan Update and Accomplishment Report (AEP Report).

Full representation as based on the current AEP report is evident for:

Category	White Women	Black						
Men Black								
Women Hispanic								
Men Hispanic								
Women Asian Pacific		Asian						
Women Native American								
Men Native American								
	Women							
	Prof			*			*	*
	Adm	*	*	*	*	*	*	*
	Tech			*			*	*
	GS 13 -15					*	*	*
	SES		*	*	*	*	*	*

Disability representation: For employees with targeted disability, the current workforce representation is 1.08 percent of all permanent employees. The Agency goal for this category is 2.25 percent. For all reported disabilities, a category, which includes targeted disabilities, representation is 6.64 percent of the permanent work force.

FS units are regularly conducted, and AEPs prepared. The National AEP Report was prepared and timely submitted to the Departmental Office of Civil Rights, and distributed throughout the Agency. Local managers and staffs use the AEP to identify national barriers, priorities, and programs, for incorporation into local AEP efforts.

The Agency uses Federally Mandated Plans to: Target Improvement. The significant focus of workforce analysis is on Professional category of employment, accounting for 30.2 percent of the permanent workforce. The Administrative category accounts for 16.6 percent, and the Technical category accounts for 42.6 percent. These three categories constitute 89.4 percent of the total permanent workforce. In reviewing employment rates for FY 02 through FY 03, there appears to be no statistically significant change in minority and women employment.

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3.1.1 (Continued)

Changes in workforce representation over the past year are as follows:

Categories	All women	All Minorities
Professional	+ 0.9	+ 0.2
Administrative	+ 0.2	No change
Technical	- 0.4	+ 0.1
Clerical	+ 0.2	+ 0.1
Blue Collar	No change	- 0.8
GS 13 – 15	+ 0.5	- 0.5
SES	- 1.2	- 0.8

Based on DN714 as of 03/22/03.

Disability Change: For employees with targeted disabilities, employment representation declined over the last fiscal year from 1.16 percent to 1.08 percent in FY 03. For the category of all reported disabilities, employment representation declined by 0.25 percent, from 6.89 percent in FY 02 to 6.64 percent in FY 03.

The Agency uses Federally Mandated Plans to: Develop and Implement Effective Strategies for Improving Diversity Recruitment. During FY 03, the FS allocated \$350,000 to support coordinated recruitment efforts that are being carried out primarily at the local level. Agency recruitment efforts are developed and coordinated by the National Recruitment Council, which brings together human resources and civil rights staffs from across the nation. The Recruitment Council holds program and planning meetings on a quarterly basis, providing discussion and planning on: underrepresentation; supporting diversity building projects and Multicultural Workforce Strategic Initiatives (MWSI) located in various education related associations and institutions; and securing recruitment and employment outreach contractors. The Agency is making use of such tools as IMDiversity and Event Tracker, a listing a national events which feature minority and women resources, to coordinate diversity recruitment efforts, and to access a diversity of entry-level candidates via Web sources. The Recruitment Council also promotes workforce reviews which focus on future skills needs, the aging of the workforce, and workforce diversity. Finally, the Recruitment Council brings coordination to Agency recruiting efforts. It oversees programs for training recruiters, coordinating outreach and recruitment activities, and providing guidance to managers and key staff on Recruitment and Hiring objectives, strategies, and accomplishments.

Civil Rights Capacity Building Programs. FS implements the \$1.6 million National Civil Rights Capacity Building Program which consists of the \$1.2 million Historically Black Colleges and Universities program, the \$100,000 Tribal Colleges and Universities program, the \$335,000 Hispanic Serving Institutions program, and the \$35,000 Asian Pacific Communities outreach program. CR Capacity Building programs are a collaborative partnership among the respective program liaison personnel, college and university administrators and professors and FS field units who together administer and monitor annual budgets and accomplishments. (Evaluation Criteria 1a, 2a, 3a, 3b, 3c, 4a, 4b)

FS completed an extensive CR Capacity Building/Partnership and Outreach program review with stakeholders resulting in improved program performance, the development of effective measurements, and realistic program goals. Extensive communication and collaboration with the field unit liaisons, academic administrators, and FS unit coordinators was accomplished during FY 03, resulting in the following:

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- **Established CR Capacity Building Programs Performance Objectives and Outcome Measures** for evaluation and accountability of FY 03, 04 and 05 programs. These indicators and measures will be used to manage/ monitor program accountability from this point forward.
- **Established CR Capacity Building Programs Baseline data** for evaluation and accountability of FY 04 and 05 programs.

3.1.1 (Continued)

- **Established a National Strategic Capacity Building Council.** The WO CR Director Staff has established a National Strategic Capacity Building Council, with membership criteria and charter formulation being finalized at this time. The WO CR Director Staff will seek advice and counsel from the National Strategic Capacity Building Council regarding all CR Capacity Building management aspects.
- **Established Five coordinated links to Multicultural Workforce Strategic Initiatives (MWSI)** at the five co-located MWSI/Capacity Building programs for coordinated employment outreach programs.
- **Established a new process to award competitive funds** for FY 04-05 proposals which best meet Agency Performance Objectives and Outcome Measures.

Examples of Significant Capacity Building Projects include the following:

- Creation of new partnerships and enhancement of existing ones with 1890 Land Grant institutions and other Historically Black Colleges and Universities, including Alabama A&M, Florida A&M, Lincoln University, Langston University, and Southern and Tuskegee Universities, funded in the amount of \$335,000.
- Support for Centers of Excellence (COE) to increase recruitment potential for students trained in natural resources disciplines, such as “Wildlife and Geographical Information Systems” – Lincoln University; “Water Quality” – Florida A&M; and, “Biotechnology of southern Pines and Hardwoods” – Alabama A&M. Funding for COE was \$740,000 in FY 03.
- Support for the Urban Forestry Program at Southern University, in the amount of \$83,000. One USDA/1890 National Scholar will graduate from the program in FY 03 and be placed in a permanent career position in the Southern Region (R8).
- Support 23 USDA/1890 Scholars Program students in the amount of \$251,000. Three scholars graduated from the following participating schools: Southern University, Tuskegee University, and Alabama A&M. All three students will begin graduate studies this fall.
- Sponsored two students from the University of Maryland Eastern Shore under the STEP program where they worked with the National Civil Rights office.
- Fund 1890/HBCU Comprehensive Programs (BCUCP) that support communication and partnerships with HBCUs for research and program activities. BCUCP funding for FY 03 amounted to \$171,000.
- Support Washington Internships for Native Students (WINS) through the American University, which provides meaningful work experience for undergraduate and graduate students. During FY 03, two students were placed in the FS National Office.
- Support the White House Initiative for Tribal Colleges and Universities (TCU), with funding for FY 03 in the amount of \$90,000, to develop and enhance culturally relevant academic programs for training future professionals in food sciences, and agriculture and natural resources.
- Support the Hispanic Initiative, providing funds for recruitment and support of students in various natural resources disciplines.
- Sponsors the El Valor Science and Technology Camp, an eight week instructional opportunity for mainly Hispanic young people, providing environmental education and instruction in other areas of science, natural resources, computer technology, and career opportunity in the natural resources.
- Supports the Hispanic Association of Colleges and Universities Internship Program, which in FY 03 resulted in the support of 30 summer interns.
- Supports the Central California Consortium in Region 5, specifically to provide educational opportunity and support for residents in local Hispanic, Asian, and African American communities.

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The Annual National Hispanic Environmental Council Conference hosted by the Southwestern Region (R3), for the last three years, supports an annual survey on the environment and sustainable energy. The four day conference consists of site visits to locations such as wildlife refuges, and parks and forests, to explore different environmental and natural resource topics. The conference features a series of natural resources professionals speaking on resource issues being addressed by governmental agencies, environmental groups, and industry. Students from the US and Puerto Rico routinely attend. The FS interviewed 22 students and collected 26 additional resumes for nation-wide distribution. A total of 48 students were interviewed at the conference exhibit. In the future, Human Resources Management staff will represent the Agency at this conference, consistent with their leadership in outreach and recruitment.

3.1.1 (Continued)

Diversity Hiring examples: Recent hires in the Washington Office of Human Resources Management – 1) A Hispanic male HR Director; 2) three students from the Potomac Job Corps Center - one Hispanic and two African Americans; and, 3) one Hispanic Personnel Management Specialist. The FS relies on the SCEP authority to assure retention of young employees. Approximately 80 percent of WRP students hired under the PWD Initiative are either converted to permanent status or continuation of employment under SCEP. At this time the FS employs 35 students hired through this program.

Multicultural Workforce Strategic Initiatives (MWSI): Pursuant to USDA FS strategic goals to create a multicultural organization, the Agency developed a plan to make the workforce more representative and more responsive to the diversity of the American public. The MWSI program was initiated, involving 13 targeted universities, with the broad goal of strengthening the diversity of student hiring. All MWSI projects have a recruitment component, while some have capacity building as well. The three goals of the MWSI are 1) to attract a more diverse student into forestry and natural resources for purposes of recruiting into Federal service, 2) to support colleges and universities that serve diverse communities, and 3) to increase the understanding of FS programs among under-served communities and groups. MWSI programs are also integrated, where appropriate, with capacity building programs.

Examples of significant MWSI Projects include the following:

- Recruitment of primarily African American students in natural resources disciplines, Alabama A&M (\$377,000), and the Tuskegee University (\$196,000).
- Partnership with Florida A&M and University of Florida, for recruitment of primarily African American students in forestry and natural resources disciplines (\$190,000).
- Providing assistance to Native American institutions training Native Americans in natural resource disciplines, American Indian Higher Education Consortium (\$103,000);
- Recruitment of primarily Native American and Alaskan Natives who are associated with Haskell Indian Nations University (\$164,000).
- The Schenk Initiative, which provides Job Corps students the opportunity to receive 1-year study and job opportunities (\$89,000).
- The University of California Davis initiative, which recruits primarily Asian Pacific Americans into natural resources disciplines (\$166,000)
- The Hispanic Initiative, which supports primarily Hispanic students who pursue their educational and career interests in natural resources disciplines (\$293,000);
- The USDA 1890 Scholars Program, which provides scholarships and employment opportunity for students attending the 17 Land-Grant institutions (\$289,400).
- Persons With Disabilities (PWD) Initiative provides for recruitment of students with disabilities from colleges and universities across the nation, through the Department of Labor Workforce Recruitment Program for Students with Disabilities (WRP). Currently the FS employs 35 students recruited through this program (\$157,000).

In FY 03, the MWSI provided professional employment opportunities for over 250 diverse students. Additionally, the totality of support for MWSI in FY 03 amounts to \$2,366,000.

3.1.2 The Agency takes Affirmative Steps to Remove Barriers to Workforce Diversity. Barrier analysis is a constant and recurring program activity, which is presented primarily within the AEP Report, in accordance with EEOC Management Directive MD-714. The Agency follows MD-714 guidance on Barrier Analysis, in reviewing a) Organization and Resources, b) Work Force, c) Discrimination Complaints, d) Recruitment and Hiring, e) Employee Development Programs, f) Promotions, g) Separation, and Program Evaluation. Barriers identified at the national level are associated with: workforce diversity, recruitment and hiring, employee development and promotion, discrimination

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complaints and sexual harassment. Regional CR Directors, working with Regional Directors and managers, also prepare AEP barrier analyses associated with employment for their perspectives units.

3.1.2 (Continued)

The FS CR developed a monthly Leadership report that addresses workforce under representation, EEO complaints management, and early resolution of complaints. Agency leadership conducts careful reviews of complaints and decisions to determine culpability and accountability. The Recruitment Council has been given renewed support to improve outreach and recruitment, and to place renewed importance on the need for a diverse workforce. Increased efforts are being made to recruit people with disabilities, and to assure full support for needed work place accommodations. The Agency focus on resolution of conflicts and accountability has resulted in increased oversight and discipline of managers, with the direct participation of the Chief.

Civil Right Capacity Building Programs - FY 03. Integral to the FS Business Operations Deputy Area Strategy and Civil Rights (CR) Strategic Plan, Balanced Scorecard, the FS completed an extensive program review resulting in improved performance and program management systems, including the development of effective measurements, and realistic program goals. Under the CR Capacity Building initiative, 5 colleges and universities are linked to the HR MWSI Recruitment Initiative. Out of these 5 institutions 46 SCEP/STEP students are enrolled/trained/engaged in capacity building programs/ projects/ research. Three institutions have natural resources courses added to their curriculum, with OPM X 118 qualification standards, number of courses that offer FS mission related lab work. Three institutions of Underserved Communities commit to define research program needs. These institutions combined have a total of 15 partners committed to serving communities and accomplished a total of 9 technical assistance and technology transfer activities.

Central California Consortium (CCC). A Pacific Southwest (R5) environmental education and capacity building partnership outreach program has been in existence for the past five years and recently won a significant USDA and Regional awards. This outreach partnership with local underserved community groups, Fresno State University, focuses on employment and program outreach to underserved rural Hispanic, Asian Pacific American and African American communities. The WO provides \$100,000 and the Pacific Southwest Region (R5) contributes \$100,000 in support of the collaborative partnership. CCC implements various projects that provide training for students to assist in closing the educational achievement gap for residents in the local underserved communities throughout Fresno County. Students are given experience in areas of natural resource management. This fiscal year they have a total of 85 interns, 23 women, 54 Hispanics, 15 Asian Americans, and 3 African Americans. Ten interns have been placed in the Student Career Education Program (SCEP) and 75 in Student Temporary Education Program (STEP) positions. The CCC conducted activities to engage and involve Native Americans and hired four students this year. (Evaluation Criteria 1a, 3a, 3b, 3c, 4a, 4b)

Hispanic Association of Colleges and Universities (HACU). A program sponsored by the WO, provides meaningful student work experience, academic development (undergraduate and graduate) integral to growing FS research programs by addressing problems, achieving place-based solutions; and building community capacity through technology transfer. In FY 03, a total of 24 interns were placed in the following field units that annually support this effort: Regions 2, 3, 5, 6, 8, and 9, NCR, NE, NA, PNW, RMRS, SRS, FPL, FHP, WFWAR and JCC. FPL recently put one of last year's interns on a term appointment. The 24 interns were asked to post their resumes on the IMDiversity.com website for possible hires within the FS. An intern worked throughout the winter for FPL on a services contract, and then started this spring as a summer hire after his graduation. This term appointment is the next step towards a FS career. Another intern's supervisor has recommended establishing a SCEP appointment for him after next summer, and steering him towards graduate work.

Forest Service's Forest Products Laboratory (FPL) has continued to implement a capacity building partnership with Clark-Atlanta University (CAU), an HBCU. The FPL

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partnership includes the University of Wisconsin and the Institute of Paper Science and Technology collaboration with CAU to advance a science emphasis at the Universities and provide research related summer jobs to students. One PhD student, a participant in the FPL/CAU summer program as an undergraduate, was permanently placed at FPL through the Scientist Recruitment Initiative.

3.1.2 (Continued)

Reasonable Accommodations Procedures and Training. Official letter announcing USDA Reasonable Accommodation (RA) procedures was distributed to the FS FIELD UNITS. Draft Reasonable Accommodation (RA) procedures or Standard Operating Procedures (SOPs) were distributed for input at trainings as follows: On May 8 and 9, training was conducted on RA procedures for CR Directors and ECP Counselors, in conjunction with CRLT. Resource materials and training modules were distributed. The Reasonable Accommodation Lotus Notes Database was debuted and the results of the beta testing of the program were discussed. On June 4 and 5, training was conducted on RA procedures, SOPs, database, and resource modules at the EEO CR Leadership Training Conference.

RA Tracking Database. Establishment of a National Database to track RA requests in Lotus Notes has been developed and beta tested by selected CR staff and field personnel. The RA Database was debuted at the above trainings with the results of the beta testing of the program being discussed. It is currently 50 percent completed, with a more extensive pilot test scheduled for the future.

The Mission Area Designee (MAD). The Mission Area Designee (MAD) has overall responsibility to ensure Mission Area compliance with its obligations to provide reasonable accommodation to qualified employees. The MAD's maintain, review, and interpret all documentation, medical and non-medical, to determine a qualified individual with a disability and report the decision to appropriate officials. The Department has trained the National Disability Program Manager and three Civil Rights Directors as MAD's, and upon completion of the training, NRE designated them as MAD's for the FS. [Attachment 3.0](#)

3.1.3 Conduct employee, committee member, and volunteer civil rights training to improve awareness, understanding and appreciation for workforce diversity. Training is to include alternative dispute resolution and disability.

The Agency's National and Field Offices are to provide guidance and conduct training to ensure that all employees and customers are treated fairly, equitably and with dignity and respect. Training is one avenue used to respond to issues arising in the workforce in areas identified by both employees and customers. Training included such topics as civil rights laws, regulations, harassment, employee relationships, diversity, etc. Throughout the course of FY 03, a number of National and local training sessions have occurred to address these issues and also to address staff development in the area of civil rights and equal employment opportunity as follows. These summaries are in response to the training category and evaluation criteria number 5a and 5b.

New Employee Orientation Session. Over 600 new employees attended a 4-day training session in Nashville, Tennessee. A team of Regional Civil Rights Directors assisted in the development of the orientation session. They also teamed up, developed and presented a workshop on cultural diversity. The new employee orientation subjects and topics are also available on the FS website.

The FS conducted a joint Civil Rights EEO Leadership Training Conference that consisted of staff from HRM, EIP and CR in June 2003. The Associate Chief and Deputy Chief for Business Operations stressed the importance of proactive and early resolution of complaints. This conference provided three days of EEO complaints training for EEO

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Counselors, Employee Relations Specialists and also training for **thirty top FS managers to be part of the Chief's Cadre of Resolving Officials**. Training included presentations by top-level staff from the Equal Employment Opportunity Commission, USDA's Office of General Counsel and Departmental Office of Civil Rights. Attendees also were provided training on the policy and procedures for Reasonable Accommodations along with their roles and responsibilities.

Train-the-Trainer Modules on Reprisal and Sexual Harassment. In response to the numerous complaints in the areas of reprisal and sexual harassment, the Agency has entered into a contract with the Office of Personnel Management to develop train-the-trainer tool kits to address these areas. These kits will be available to the Field Units and training expected to be delivered in FY 04.

3.1.3 (Continued)

Reasonable Accommodation Training to be delivered in three Regions, (1, 6, and 8), with invitations to surrounding FS Units. During the month of September 2003, the FS will conduct three training sessions on reasonable accommodations specifically for managers and supervisors. The staff from the Office of General Counsel (OGC), USDA-Human Resources Management staff, and FS personnel will teach each of the sessions. Sessions are a daylong and will cover the topics and agenda delivered to the Civil Rights Leadership Team held in May 2003. Announcements of the sessions have been distributed.

Sexual Harassment Training. At the request of a WO Staff Director and his civil rights team, the WO Director of Civil Rights conducted a training session on the prevention of sexual harassment (POSH) for over 35 employees. This session was taught using a series of vignettes, the Agency's POSH handbook, and the new POSH policy issued in July 2003.

SEPMs attend Training Sponsored by Departmental-OCR. Several of the FS's Special Emphasis Program Managers attended the training sponsored by the Office of Civil Rights and delivered by Rushford and Associates. The overall course was rated very high by FS SEPMs.

New Human Resource Management Course. The Agency launched a new course titled: *"HR Management: what Supervisors and Managers Need to Know."* Several aspects of civil rights have been and highlighted in this course; however, it is currently being revised to fully integrate civil rights related topics. In FY 03, this course was delivered to over 125 supervisors and managers throughout the Agency. It is designed to satisfy the 40-hour supervisory training requirement.

Web & Intranet Tools/Automated Services/Accessibility. Implemented and continue refining automated pay, classification, training, orientation, and staffing systems to simplify processes and make systems available to employees and other customers at any time, such as:

- Corporate Training E-Learning Pilot: Using SkillSoft, NetG , and OPM's GoLearn Web-based services. Human Resources Management continues to pilot program that enables employees to receive training at no expense in exchange for their evaluation of the program. The pilot provided over 900 Web-based training courses to FS units and employees. The Agency has 5,600 SkillSoft and NetG licenses; the distance learning training was activated in FY 02;
- Partnering/Satellite Links established with Bureau of Land Management to deliver several new courses;
- Training Integrated Personnel System (TIPS). Implemented automated system that enables employees and their supervisors to develop individualized training plans; system defines developmental opportunities and paths to be followed for advancement and future positions for all employees. The system also allows the tracking of training expenditures as one means to evaluate and ensure equal opportunity for training is available for all employees.
- Orientation & Employee Benefits Info: Developed new employee orientation materials and information about employment benefits and resources that are Web accessible and/or on captioned video. Several field units are designing new employee orientation programs for MWSI and other SCEP hires that will compliment the nationally developed orientation program for new employees.

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- Tools for Remote Communication. Pilot testing two new communication tools called Same Time and WebEx that allow networked real-time interaction from remote locations. These tools save travel time, costs, and risks, plus offer new PWD accessibility opportunities. Web Accessibility: Implemented ongoing efforts to identify Web barriers, provide special Web browsers, and make Web sites compliant with the Workforce Investment Act of 1998, Section 508.

3.1.3 (Continued)

Alternative Dispute Resolution and Disability Training Modules. The Agency fully intends to deliver these modules required for FY 03 to the workforce when they are available from the Department. The Agency elected to and notified the Departmental Office of Civil Rights that it intended to use the modules being developed for Agencies-wide to meet the FY 03 requirements. Subsequently, we did not exercise any other options during the fiscal year related to these two modules.

WO Staff Unit Promotes Civil Rights Awareness. The Ecosystem Management Coordination staff requires that each program group within the staff sponsor at least one civil rights training session at an all staff meeting. During FY 03, this staff has conducted presentation or featured in house experts and professional speakers who covered topics such as: Build Your Disability Acumen; A New Era: Color, Culture, and Consciousness; Assessing Technology; Mentoring; and a presentation by the Office of Tribal Relations.

Northeastern Area (NA). The NA Civil Rights staff partnered with the U. S. Mint Office and Department of Navy to plan and present a professional development seminar during Women's History Month. Over 60 Federal employees attended. This Unit also provided funding for 17 employees to attend a day of EEO training sponsored by the Philadelphia Federal Executive Board.

Pacific Northwest (R6) holds Civil Rights Summit that provided a variety of training modules supporting workforce diversity, including "Playing the Hand You are Dealt"—how to get things done in the FS when you have a disability; Moving in Your Career from being an SEPM to being a District Ranger (Line Officer); Experiences in building an effective Federal Women's Program; and Critical thinking.

North Central Research Station (NCRS). Contracted with professional trainers to present the seminar "*Building a Diverse Organization.*" A videotape of this presentation was prepared and delivered throughout Field locations.

Intermountain Region (R4) Title VI Training. Training was conducted for approximately 300 employees on Title VI federally-assisted and conducted programs. Title VI awareness and sensitivity training was given at all new employee and fire orientations. This Unit also conducted a 2-hour training session for over 500 supervisors and employees on the complaints process and alternative dispute resolution. Over 95 percent of the evaluations gave the session an excellent rating.

Special Emphasis Programs and Observances. Over FY 03, the Agency coordinated the development and co-funded the major special observances and events with the Office of Civil Rights and the Secretary's Diversity Council. This effort also included collaboration with other USDA Agencies. The Agency's contribution in the area was over \$20,000.

Pacific Southwest Region (R5) spends \$80,000 for employee scholarships. Over \$80,000 was spent on employee scholarships to assist employees with meeting personal educational/training needs. This will assist employees in career development, enhancement of their skill level for their current position and, in some cases, help them to be more competitive for positions. This is also a valuable opportunity for the Region to replenish knowledge and skills in the workforce that may have been lost due to retirement or employee transfers. This program also strongly supports effort to eliminate sexual harassment and hostile work environment in the workplace by funding conflict resolution training and courses emphasizing interpersonal communication. \$100,000 is budgeted for scholarships each year for the next two fiscal years. [Attachment 3.1](#)

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Goal	Performance Objective	Indicators	Evaluation Criteria
<p>3. Employment (Continued)</p> <p>Provide a workplace free of discrimination and enhance the diversity of the workforce.</p>	<p>3.2 Conduct a comprehensive equal employment opportunity (EEO) evaluation program to assess employment policies and practices.</p>	<p>3.2.1 The Agency:</p> <ul style="list-style-type: none"> • Takes preventive and corrective actions resulting from compliance reviews, and report outcomes and actions taken. 	<p>(1a) Develop and Maintain a work place that is discrimination free, (1b) Take appropriate disciplinary actions when warranted in complaint findings, (1c) Take corrective measures where actions result in inappropriate behavior and misconduct related to civil rights. (2a) Resolve complaints & disputes early in process. (2b) Analyze trends and implement changes, and (2c) Where warranted, show implemented changed in policies and practices (3a) Increase outreach to underserved populations. (3b) Improve customer access & participation in Agency programs by underserved populations, and (3c) Conduct civil rights compliance reviews, develop plans, & reports in accordance with civil rights regs. & policies. (4a) Recruitment, employment plans report in EEO regs, policies (4b) Identify/eliminate barriers to employment & advancement in employment. (4c) Decrease underrepresentation, (4d) Create a diverse workforce. (4e) Conduct EEO compliance reviews, develop plans and reports. (5a) Provide civil rights, diversity, and cultural awareness training for managers, supervisors, and employees. (5b) Evaluate and report on the effectiveness of the training offered</p>

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OUTCOMES:

3.2.1 Conducts Employment Compliance Reviews, Takes Preventive Corrective Actions

National Employment Compliance Reviews Conducted. The FS actively monitors civil rights compliance of equal employment opportunity laws in our FS units. The FS CR Staff worked with an 8(a) small business consulting firm to conduct joint employment and program delivery reviews (Refer to section 2.1.2). CR compliance reviews were completed of Southwestern Region (R3) and the Northern Region (R1). A WO Team will have completed the planned on site review in September 2003 of the Alaska Region (R10). (Evaluation Criteria 1a, 4e)

EEOC Reviews Conducted of Field Units. The Equal Employment Opportunity Commission conducted an onsite program review of the Pacific Southwest Region. The November 2002 report identified the strengths and weaknesses of the EEO and affirmative employment programs and recommendations for corrective actions. The region developed an implementation plan to address the findings.

Reports Outcomes and Actions Taken. The FS process to collect data and analyze CR compliance was developed in accordance with Departmental guidelines. Final reports of FY 03 CR compliance reviews outlined findings on the CR program strategy, leadership commitment, policy development, recruitment efforts, employee training, Alternative Dispute Resolution (ADR), and CR program deployment. The FS CR, HR and Early Intervention Program (EIP) staffs reviewed the findings and recommendations to assess units' programs and offer guidance. Annually, regions conduct reviews of their units to assess civil rights compliance with final reports and recommendations. (Evaluation Criteria 2b, 4a, 4b, 4e)

Identification of Title VII CR deficiencies. All CR directors were briefed at a May leadership meeting on the findings from two of the FY 03 compliance reviews, to aid in preventive measures. Sample of findings include a need for: **1)** frequent training for new hires and temporary employees in Prevention of Sexual Harassment (POSH) and the FS "No tolerance" policy; **2)** increased training with modules such as preventing retaliation and complaints of reprisal for managers and supervisors; **3)** consistent use of individual development plans; **4)** improved awareness and confidence in the EIP process including improving resolution rates, ensuring timely response, and providing adequate information on the process and contacts; and **5)** increased communication on the status of employment complaints. (Evaluation Criteria 1a, 2b, 2c, 4b)

Implements Preventive and Corrective Actions. The Southwestern Region (R3) prepared an implementation plan addressing findings and recommendations from their joint employment/program FY 03 review. Actions have been taken such as: a Regional priority Action Plan which will emphasize to all employees the use of Individual Development Plans; improving the Region's marketing for EIP with EIP briefings given at every forest supervisor's office, and ranger district office; improved and increased training on ADR at all new employee orientations; and monthly briefings will be conducted with Regional EIP, CR, HR, and center employment complaint personnel to discuss the status of complaints and alternatives to resolve informal complaints. The Regional Forester and CR Staff are accountable for completing the plan which will be monitored by the WO.

The **Forest Products Laboratory (FPL)** completed an implementation plan addressing the findings of a CR compliance review conducted in August 2002. Sample of some actions taken: local CR policy statements were reissued by the Station director; joint presentations by employee relations, CR, HR given to employees to clarify roles; and the addition of Title VII training for employees, and management. The Station Director and CR Director are accountable for implementing the actions in the plan.

The final FY 03 review report for the Northern Region has been submitted to the Regional Forester. The Region is expected to prepare an implementation plan addressing the findings and recommendations. (Evaluation Criteria 1a, 2b, 2c, 4e, 5a, 5b)

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3.2.1 (Continued)

Field Compliance Review of Conducted Programs. The Pacific Southwest (PSW) initiated an independent “fact-finding” to assess the work environment of current female employees on the Los Padres National Forest since the PSW’s Women’s Settlement Agreement was signed in February 2001. This forest generates the greatest number of informal and formal EEO complaints in the PSW. The July report identified several findings and offered recommendations. The Regional Forester and Leadership have assessed any problem areas and developed a plan to implement action items. Regional Leadership remains especially vigilant and aggressively investigates any new reports of sexual harassment or hostile work environment on the Forest. (Evaluation Criteria 1a, 2a, 2b, 4e)

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Goal	Performance Objective	Indicators	Evaluation Criteria
<p>3. Employment (Continued)</p> <p>Provide a workplace free of discrimination and enhance the diversity of the workforce.</p>	<p>3.3 Manage an effective employment complaint-processing program.</p>	<p>3.3.1 The Agency</p> <ul style="list-style-type: none"> • Makes good-faith efforts to resolve employment complaints and workplace disputes at all times, early in the process, • Responds timely to requests for information from EEO Counselors, mediators, investigators, and adjudicators, and • Submits EEO counselor's reports timely <p>3.3.4 The Agency promptly implements preventive and corrective actions resulting from complaint findings.</p> <p>3.3.4 The Agency promptly implements terms of Settlement Agreements.</p> <p>3.3.4 The Agency analyzes trends in complaints; promptly implementing changes in policies and practices to avoid future complaints and ensure nondiscrimination</p>	<p>(1a) Develop and Maintain a work place that is discrimination free, (1b) Take appropriate disciplinary actions when warranted in complaint findings, (1c) Take corrective measures where actions result in inappropriate behavior and misconduct related to civil rights. (2a) Resolve complaints & disputes early in process. (2b) Analyze trends and implement changes, and (2c) Where warranted, show implemented changed in policies and practices (3a) Increase outreach to underserved populations. (3b) Improve customer access & participation in Agency programs by underserved populations, and (3c) Conduct civil rights compliance reviews, develop plans, & reports in accordance with civil rights regs. & policies. (4a) Recruitment, employment plans report in EEO regs, policies (4b) Identify/eliminate barriers to employment & advancement in employment. (4c) Decrease underrepresentation, (4d) Create a diverse workforce. (4e) Conduct EEO compliance reviews, develop plans and reports. (5a) Provide civil rights, diversity, and cultural awareness training for managers, supervisors, and employees. (5b) Evaluate and report on the effectiveness of the training offered</p>

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OUTCOMES:

3.3.1 The Agency Makes good-faith efforts to resolve employment complaints and workplace disputes at all times, early in the process.

Resolution efforts. The FS continues its commitment to the principle of *resolving complaints and disputes early in the complaint process*. The Chief's communication to National and regional senior officials is reinforced on a quarterly basis in the cover letter which transmits the Civil Rights Leadership Report on EEO Complaints to top level management and Civil Rights Directors. This report reflects resolution rates both nationally and by organizational component, and incorporates a trend analysis. (Evaluation Criteria 2a, 2 b)

Attachment 1.4

A key element in early complaints closure is an effective EEO complaint counseling program. Full-time Counselors are based in four regional centers, as well as in the national office. Counselors are guided by both the on-site center managers and by national complaints managers operating out of the Washington Office Civil Rights staff. FS Counselors, all of whom are experienced, are provided refresher counselor training on an annual basis. This training is provided by EEOC through their Technical Assistance Program. In addition to the annual EEOC training, FS hosted a meeting for all Counselors in June 2003, which included an 8 hour review of current case law by a former EEOC Judge, in addition to review of policies and procedures and coverage of topics by presenters from the Department's OCR on topics such as ADR, reasonable accommodation, quality counselor reports, and compliance issues. One measure of counseling program success is the resolution rate. As of June 30, 2003, the informal resolution rate achieved through traditional counseling (excludes ADR elections) was 54 percent; this rate will likely meet or exceed FY 02's rate of 55 percent by year's end.

Pacific Southwest Counselors have significantly increased their resolution rate in FY 03; 51 percent resolution through traditional counseling as of June 30, 2003, compared to 29 percent at the end of FY 02. (Evaluation Criteria 2a)

Formal complaints are routinely reviewed by the national Civil Rights Staff for determining opportunities for mediation or other forms of closure. National Civil Rights staff and field CR Directors work collaboratively to improve their involvement in resolution discussions. During FY 03, field CR Directors were routinely provided copies of Reports of Investigation, acceptances, and decisions of cases in their designated areas. WO Civil Rights Specialists provided field CR Directors monthly updates of open cases and, on request, written or verbal summaries of case evidence. The summaries were used to facilitate the field CR Director's resolution feasibility discussions with their local management officials. CR Directors who availed themselves of this service reported it to be helpful and instrumental in resolving cases previously thought to be unlikely candidates for resolution. (Evaluation Criteria 2a)

Policy guidance was also issued by the WO civil rights staff to assist field practitioners in their understanding of class complaints and the impact class complaints could have on settlement possibilities for individual complaints. This guidance emphasized that informal complaints are not subsumed and may be settled. **Attachment 3.2**

Human Resources (HR) continues to serve as the management advisor in the EEO complaint process as well as being the formal Agency representative in third party proceedings. HR works actively in collaborating with Civil Rights and the Early Intervention Program (EIP) Manager in assessing resolvability and strengths and weaknesses of cases. HR continues to use the resources of the Chief's Resolving Officials Cadre, which consists of a number of select senior executives and staff that have full authority to resolve EEO cases on behalf of the Chief. A new cadre of Chief's Resolving Officials was trained during the week of June 3, 2003. It was at this time that the Deputy Chief for Business Operations shared with the new Cadre members as well as EEO Counselors, Civil Rights Directors and HR staff members, his personal observations and direction about where FS needs to be headed in the area of EEO complaint prevention and resolution. One concept that he emphasized was the Agency's need to be more proactive in the delivery of good faith alternative dispute resolution (ADR) opportunities. He emphasized that FS must be open to mediation or other ADR processes with every EEO complainant and makes a good faith effort to better understand the issues and reach reasonable resolution. (Evaluation Criteria 2a, 2b)

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3.3.1 (Continued)

As reported in the third quarter Civil Rights Leadership Report (June 30, 2003), the resolution rate for informal complaints was 49 percent (135 of 276 closures). The year-end FY 02 resolution rate for informal complaints was 54 percent. Eighty-four (84) formal complaints have been filed this fiscal year compared to 207 complaints filed by the end of FY 02. If this trend continues through the last quarter, we should have significantly fewer formal complaints filed in FY 03 as compared to FY 02. There were 44 formal complaint closures due to settlements and withdrawals compared to 61 at the third quarter mark in FY 02. Forty-three (43) complaints had been closed with decisions issued by the Department, two of which were findings of discrimination. It is also significant to note that this report showed 86 formal complaints subsumed by class complaints, and therefore not eligible for resolution attempts. (Evaluation Criteria 2a, 2b) [Attachment 1.4](#)

The FS continues its collaborative approach in seeking complaint resolution. As in the previous Fiscal Year, dispute resolution practitioners from Civil Rights, Human Resources, and the Early Intervention Program (EIP), meet on a regular basis throughout the year to discuss resolution potential for EEO complaints, both at the informal and formal stages.

Alternative Dispute Resolution. The Deputy Chief for Business Operations funded a training event for ADR practitioners operating under the Early Intervention Program and the National Resources Conservation Service's ADR program. The training event focused on augmenting current conflict resolution skills for resolving discrimination complaints. The event served to solidify the partnership and sharing of resources between the two agencies' ADR operations.

The Deputy Chief of Business Operations inaugurated the first ADR Awareness Day, an event encompassing vendors from various USDA ADR programs. The Day's activities centered on informing USDA personnel about their respective ADR operations and how they might access the services to help with any type of workplace conflict.

Thus far in FY 03, the FS's Early Intervention Program (EIP) has been active in many facets of Alternative Dispute Resolution (ADR). The ADR Program continued to experience success with respect to individual workplace conflict cases during FY 03. In the first quarter of 2003, we had a success rate of 60 percent for non-EEO cases. In the second quarter of 2003, we had a success rate of 67 percent for non-EEO cases. Both are significant increases, as the EIP ended the fourth quarter of FY 02 with a 53 percent success rate. These resolutions undoubtedly prevented some workplace conflicts from developing into EEO complaints.

Furthermore, while our formal complaint EEO caseload remains small, we had a 50 percent success rate for formal complaints that were mediated through the EIP. As of June 30, 2003, 59 informal complaints had been processed through EIP, with a resolution rate of 31 percent. (Evaluation Criteria 2a)

ADR/EEO Complaints. The Deputy Chief of Business Operations instituted several actions to emphasize the importance of management's participation in attempts to resolve employee concerns, in particular, discrimination complaints, through good-faith Alternative Dispute Resolution (ADR).

One action involved directing the FS-wide assessment of cases in which mediation of EEO complaints had not occurred, for whatever reason, but usually because management had elected not to participate. The reasons for non-participation were reviewed against the existing guidance issued under the Deputy Chief of Business Operation's signature on August 30, 2002, which described a few compelling reasons for non-participation. The end result was that most of these cases were subsequently scheduled for mediation and some have been settled as a result. [Attachment 3.3](#)

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3.3.1 (Continued)

In April 2003, the national Civil Rights Director and EIP Program Manager briefed the Administrative Management Council (top level FS managers) on the importance of alternative dispute resolution in resolving EEO complaints and the obligation to comply with the instruction on ADR in the memorandum issued under the Deputy Chief of Business Operation's signature on August 30, 2003. This message has been reinforced throughout the year in meetings with managers, EIP, Civil Rights and Human Resources staffs. The Deputy Chief of Business Operations personally addressed the Chief's Resolving Cadre, and a joint meeting of Civil Rights and Human Resources staff in June 2003, to emphasize the need to be open to ADR opportunities and good faith resolution attempts. This message was also conveyed in the cover memo to both the second and third quarter Civil Rights Leadership Report which is issued to top level management. The second quarter cover memo was issued under the Chief's signature. (Evaluation Criteria 1a, 2a)

Pacific Southwest Region ADR. The Pacific Southwest (R5) issued a May 6, 2003 letter directing Regional Leadership Forum members to offer ADR to all complainants, citing only the limited exceptions to this policy as outlined in the Deputy Chief's ADR memorandum, dated August 30, 2002. In conjunction with this policy, beginning June 2003, Pacific Southwest Region (R5) and the Vallejo Counseling Center modified their ADR informal complaint election procedure so as to advise complainants that ADR would be automatically scheduled for their complaints unless the complainant declined and selected traditional counseling. Usage of ADR has significantly increased, approximately 40 percent of informal complainants have elected ADR as compared to 10 percent in fiscal year 2002.

Pacific Southwest (R5) has also focused on increased usage of ADR in the formal complaint process. Biweekly phone calls are held between the Region and national office participants to review the status of the Region's formal complaint load. This has again resulted in more cases being scheduled for mediation, and additional cases settled. A focus has been placed on cases which fall under the Region's Women's class complaint settlement. Additionally, as required by the Pacific Southwest Hispanic Settlement agreement, mediation has been offered to all complainants whose formal complaints meet the agreement's specified criteria. (Evaluation Criteria 1a, 2a)

Education in Mediation. The following is a summary of activities that were conducted in support of continuing education for our EIP mediators.

- During the week of April 7 – 11, a Washington Office EIP ADR Specialist attended and staffed an EIP booth at the New Employee Orientation Expo in Nashville, Tennessee. Over 600 new employees of the FS were in attendance.
- On April 22, the FS EIP, along with the Natural Resources Conservation Service's ADR Program, held its First Annual ADR Awareness Day at the South Building in Washington, D.C. We were pleased to be able to host the event and were proud that several other agencies' ADR Programs also participated.
- During the week of May 19 - 23, the EIP held its National EIP Program Managers Meeting in Albuquerque, New Mexico. All EIP Program Managers attended this meeting. Civil Rights and Employee Relations also had representatives in attendance to educate the group on the latest EEO and Workforce issues. A pilot Conflict Management Training Instrument was introduced to all the EIP Program Managers. The instrument was well received. The training instrument will be used in the Washington Office as well as nationally to help FS employees deal with, and bring resolution to conflict in their work environment.
- In June, the EIP hosted their first National Training Event. This training event took place the week of June 16 – 20, in Atlanta, Georgia, with approximately 35 attendees representing nearly every region of the FS. This was an exciting event as it was an opportunity for our mediators to expand their current knowledge of mediation as well as an opportunity for all attendees to learn a new form of ADR and enhance their skills at an advanced level.
- EIP provided educational briefings to several staffs in the Washington Office. This presented an opportunity for EIP to introduce its new training videos, specifically one entitled, "Everybody Wins: How to Turn Conflict into Collaboration."

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3.3.1 (Continued)

Responds timely to requests for information from EEO Counselors, mediators, investigators, and adjudicators. The FS continues to respond to requests for information from all sources in a timely manner. If issues with investigations cannot be resolved locally, they are brought to the attention of the Washington Office Civil Rights Staff, which works with the Department's Office of Civil Rights to resolve the concerns. During FY 03, it was determined that the responsibility for on-site liaison for the contract investigator will shift from the field Human Resources staff to the field Civil Rights Directors in FY 04. The WO Civil Rights Staff has designated specialists assigned to serve as customer service agents to trouble shoot issues regarding investigations.

Issues raised during the counseling process or ADR are often addressed in collaborative meetings at each Region and Station between the respective Civil Rights Staff, Human Resources and the Early Intervention Program, so that issues can be resolved promptly and corrective action taken. The WO Civil Rights staff and detached counseling centers continue to work collaboratively to respond to internal and external stakeholders' requests for data, documents and information. (Evaluation Criteria 2a, 2c)

An additional initiative undertaken this year by the WO Civil Rights Staff was the preparation of 60 acceptance or dismissal letters for formal complaints. This pilot project with OCR was successful, as work products were prepared timely and approved by OCR for final issuance.

Submits EEO counselor's reports timely. The Washington CR office continues to maintain a productive working relationship with the Department's Office of Civil Rights, and is responsive to requests from that Office. The FS has provided timely counseling reports in response to requests from that Office. As of July 31, 2003, FS records reflect a 90 percent timely report submission rate, compared to the 85 percent year-end rate for FY 02. FY 03 timely reports totaled 103, untimely 11. Those reports which were untimely were generally no more than 2-5 days overdue. Feedback from OCR is that quality of FS counselor reports is among the best of USDA agencies.

3.3.2 The Agency promptly implements preventive and corrective actions resulting from complaint findings.

There have been three findings of discrimination to date in FY 03. All three cases are being reviewed and corrective action will be taken as appropriate. These matters will be continually monitored until each respective matter has been closed. The Department's Office of Civil Rights will be apprised of the corrective actions implemented. (1B)

The FS also developed a process that describes the steps necessary to take any discipline for misconduct or performance that involves an employee(s) in grade GS-14 or above or any misconduct that is nationally significant, irrespective of the grade of the employee(s) involved. A memo dated July 10, 2003, subject: Delegations of Disciplinary Authority, was issued to provide direction on this process. [Attachment 1-4](#) (Evaluation Criteria 1b, 1c)

To prevent recurrences of future findings, the Civil Rights Director meets with leadership teams who have responsibility for ensuring a hostile free work environment. The Civil Rights Director explains the complaint process, provides statistical information on the prevalent issues and bases of complaints in their area of responsibility and discusses measures to prevent complaint filings. (Evaluation Criteria 1a)

3.3.3 The Agency promptly implements terms of Settlement agreements.

As stated in our FY 02 Civil Rights Performance Report, settlement terms are implemented in a timely manner. To date in FY 03, the FS had two noncompliance allegations filed during the fiscal year and 38 settlements fully complied with from October 1, 2002 through July 31, 2003. A designated compliance officer is named in each agreement. The Washington Office Civil Rights and Human Resources staffs work collaboratively with field units in ensuring full compliance with settlements, any ordered corrective actions, in addition to being responsive to requests from the Department's Office of Civil Rights.

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3.3.3 (Continued)

The Forest Service has substantially complied with the provisions of the February 2001 class settlement agreement consisting of all past and current non-supervisory female employees of FS Pacific Southwest Region (R5) who have been or are subjected to a sexually hostile work environment since February 1, 1994. To ensure our commitment to the spirit as well as the intent of the Pacific Southwest (R5) Women's Class Settlement Agreement, the FS developed a detailed Implementation Plan. The Plan outlines the specific resolution terms and related issues; associated action items, assigned responsibility, timelines and measures of success. In July, the Region timely issued its required semi-annual report on its compliance with the settlement agreement. Accomplishments for FY 03 included the hosting of a successful women's conference in October 2002, with plans underway for a second conference to be held in October 2003.

On June 4, 2003, the settlement agreement plaintiffs filed a motion for contempt against USDA for noncompliance of the settlement agreement. On July 18, 2003, a court hearing on the motion for contempt was held. The Judge denied the contempt motion filed by plaintiffs. Yet, the Judge raised concerns with the FS's processing of reprisal claims by those complaining of sexual harassment and with the database to track harassment claims. The Judge extended the settlement agreement oversight originally set to end in January 2005 to January 2006. The Judge ordered the FS to return to court in December 2003 to report on its progress on the reprisal and data base concerns.

The FS is committed to fulfilling its obligations under this class complaint settlement agreement and will focus on compliance with the Judge's recent Order and its overall compliance with the class settlement. Reprisal claims are being identified and ADR is being offered where appropriate. Enhancements are being made to the new data base to address the Judge's concerns. Communication is ongoing between the Region, FS national office, the Department's Office of Civil Rights, Office of General Counsel, and the Justice Department to address and monitor compliance. Biweekly conference calls have been initiated and the Civil Rights Director and her staff have made monthly onsite visits to the Region.

The FS is also focusing on compliance with the provisions of the Pacific Southwest Region Hispanic Settlement Agreement, approved by the Judge in October 2002. The primary goal of this agreement is to focus on increasing Hispanic representation in the region through outreach and monitoring personnel actions. The Region's second monitoring report was issued to the Court Monitor on May 29, 2003.

3.3.4 The Agency analyzes trends in complaints; promptly implementing changes in policies and practices to avoid future complaints and ensure nondiscrimination.

The Civil Rights Staff continues to distribute its monthly Leadership report to key management throughout the organization and to all field Civil Rights Directors. This report includes statistics on both the informal and formal complaint inventory, identifies bases and issues, per capita measures of complaint filings, and multiple filer statistics. Additionally, a new column was added to the report to reflect the number of individual formal complaints subsumed by class complaints. The report reflects both national complaint statistics and statistics broken down by major organizational components. These reports include an analysis of complaints bases and issues reflecting trends in the character of EEO complaints. These trends are subjected to critical analysis for the purpose of understanding office environments and behaviors that result in EEO complaints and actions are taken to address any adverse trends. For example, because of the high number of reprisal complaints, a training course is being developed to specifically address reprisal, and actions to avoid such claims. Lack of understanding about reasonable accommodation requirements was evident in several complaints. In response, an emphasis was placed on reasonable accommodation training this year, which will continue into FY 04. (Evaluation criteria 2b)

Field Civil Rights Directors are provided with periodic complaint reports for their respective organizational component, which provide more detailed, case specific information to assist them in their own analysis of complaint trends.

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3.3.4 (Continued)

A major focus of the WO Civil Rights staff in FY 03 has been the development of a new data base, which thus far appears to be a much-enhanced tool from which to obtain data for the purposes of complaint/trend analysis. Enhancement of the data base will continue into FY 04.

As stated in section 3.3.2 of this report the FS also developed a process that describes the steps necessary to take any discipline for misconduct or performance that involves an employee(s) in grade GS-14 or above or any misconduct that is nationally significant, irrespective of the grade of the employee(s) involved.

The majority of employment discrimination complaints filed in FY 03 were based on reprisal, age, sex (female), and race, with harassment, promotion/non-selection and terms/conditions of employment as the major issues. A summary of both informal and formal complaints follows.

Informal Complaints:

In FY 03 (As of June 30, 2003), 283 informal complaints were filed with the USDA FS.

Informal Complaint Statistics:

40 Resolved due to settlement agreement
95 Resolved due to withdrawal
141 Closed by Notice of Right to File a Formal Complaint
49 percent Resolution Rate (settlement agreements + withdrawals / total informal complaints closed)

Informal Complaint Bases Statistics:

The top five bases upon which complaints were filed:

115 Reprisal
90 Female
83 Age
76 Race
48 Disability (Physical)

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3.3.4 (Continued)

Informal Complaint Issues Statistics:

The top five issues upon which complaints were filed:

- 130 Harassment
- 69 Promotion/non-selection
- 59 Terms/Conditions of Employment
- 34 Duties
- 32 Termination

Formal Complaints:

As of August 1, 2003, there are 607 active formal EEO complaints filed against the USDA FS. In FY 03 (As of August 1, 2003), 99 new formal complaints were filed with the USDA FS. Of those formal complaints that were active at the beginning of FY 03, 113 formal complaints closed during FY 03.

Formal Complaint Statistics:

- 51 Closed by Settlement Agreement
- 7 Closed by Withdrawal
- 9 Closed by Dismissal Decision
- 43 Closed by Decision of No Discrimination
- 3 Closed by Decision of Discrimination
- 52 Percent Resolution Rate (settlements + withdrawals/total closed * 100)

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Goal	Performance Objective	Indicators	Evaluation Criteria
<p>4. Procurement</p> <p>Ensure equal opportunity for minority, women-owned and small and disadvantaged business in all USDA contracting activities.</p>	<p>4.1 Take affirmative steps to increase procurement with minority, women-owned, and small and disadvantaged1 businesses.</p>	<p>4.1.1 The Agency develops and implements effective strategies for improving participation by minority, women-owned, and small and disadvantaged businesses.</p> <p>4.1.2 The Agency:</p> <ul style="list-style-type: none"> • Identifies barriers to participation by minority, women-owned, and small and disadvantaged businesses, • Takes affirmative steps with the authority of the Agency to remove these barriers, and • Takes affirmative steps to increase employment of persons with disabilities by procuring goods and services under the Javits-Wagner-O’Day Act. 	<p>(6a) Improves participation and ensures equal employment in USDA contracting activities opportunities for:</p> <ul style="list-style-type: none"> • Minority • Women-owned • Small and disadvantaged, and • Service disabled veteran businesses; and <p>(6b) Take steps to increase employment of persons with disabilities by procuring services of businesses under Javits-Wagner-O’ Day Act.</p>

OUTCOMES:

4.1.1 The Agency -- develops and implements effective strategies for improving participation by minority, women-owned, and small and disadvantaged businesses.

Our Accomplishments. The FS continues to be a major contributor to USDA accomplishments. For FY 03 to date, the FS has nearly doubled its percentage accomplishments over FY 02 with small disadvantaged businesses (both 8(a) and non-8(a) firms) by accomplishing 18.1 percent of its work with these contractors. This not only nearly doubles our FY 02 accomplishments, but it is 80 percent higher than USDA and FS goals of 10 percent. For 8 (a) contractors specifically, we have achieved 7.2 percent to date, exceeding last year’s accomplishments, and both USDA and FS goals. We have achieved 10.9 percent of our business with women-owned businesses, more than doubling our FY 02 accomplishments, and more than doubling both USDA and FS goals. Finally, business with HUB zones was achieved at a 5.9 percent rate thus far, more than doubling our FY 02 accomplishments and nearly doubling USDA and FS goals of 3 percent. (Evaluation Criteria 6a, 6b)

Our Strategy. These significant successes have been made possible through outreach efforts that ensure participation of minority and economically challenged individuals and companies. Our outreach programs introduce the FS and USDA to small and disadvantaged businesses that can fulfill requirements while also ensuring that we introduce these companies to our Agency, our decentralized procurement organization, and our service, supply and construction requirements. Because we are a decentralized organization with a vast number of local offices, our strategy has been multi-faceted. We encourage local outreach by our many offices, we model national outreach at our Washington Headquarters, we look for large procurements where we can employ underrepresented businesses that have potential for handling such procurements, we utilize the internet broadly throughout the Agency, and we take time and effort to recognize our successful vendors and the employees who have been successful in their outreach efforts. Our accomplishments testify to the success of our efforts. (Evaluation Criteria 6a, 6b)

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4.1.1 (Continued)

Local Outreach. We have had consistent representation and outreach at local congressional business fairs, minority chambers of commerce, and small business administration fairs throughout the country by many of our procurement offices. In addition to distributing materials and making connections with underrepresented businesses, our procurement offices also take time to tell these businesses how to submit offers, encourage their interest in our work, and follow up to ensure that we contact them when making small procurements where competition is more limited and their opportunity for obtaining business with us is increased. Because the FS has many rural offices, working with small businesses is very important. For FY 03, we are awarding nearly 78 percent of our contracts with small businesses, which is nearly double the USDA goal and significantly higher than our goal of 65 percent. Vendors often need knowledge and guidance to efficiently get information. The Small Business Coordinator prepared a two-page handout for potential FS vendors. The handout gives a URL for the status of computer hardware and software purchases, a URL for the procurement forecast, how to register for a vendor outreach session, and other procurement URLs, constructing a message as above. The handout also lists the single best person to contact within the FS for vendors of information technology. We have given the handout to about 300 businesses. (Evaluation Criteria 6a)

National Outreach. Our national office has been an active participant at national events such as setting up a booth annually at the national meeting of the Urban League and in FY 03 we took advantage of regional opportunities in Chicago and in San Juan, Puerto Rico, where we represented USDA with FS procurement employees who were also bi-lingual. These national opportunities are used to provide materials and information and answer questions from minority small businesses. The FS fully supports the USDA monthly outreach sessions and is frequently asked to support or represent USDA at other meetings, which it willingly does. (Evaluation Criteria 6a)

Large Procurements. In FY 03 the FS replaced a single large business (IBM) that had provided nearly all aspects of the Agency computer system with four major contractors, one of which was a small business and another was an Alaskan Native Corporation (Native American minority). Over the life of the contracts, these two companies will be awarded up to 38 percent of the system dollars. To date they have earned a total of about \$15 million. Additionally, at FS encouragement, the other two contractors, Dell and IBM, agreed to investigate employing JWOD businesses as subcontractors. (Evaluation Criteria 6a, 6b)

Internet. The FS uses the Internet to advertise requirements to the general public, including small and disadvantaged business concerns. On an annual basis, a forecast of projected requirements is listed including those, which may be set aside for small and disadvantaged businesses. In addition, a list of FS Small and Disadvantaged Business Utilization specialists (OSDBUs) contacts nationwide is provided for these companies. Specific procurement details and solicitations are posted on National, Regional and Forest websites in addition to being advertised on Federal Business Opportunities (FedBizOps) website. The FS now encourages small businesses, met at Outreach Sessions or who sent info to the Small Business Coordinator via the Internet, to construct a brief e-mail message. In summary, the message is to be brief while describe the problem the vendor solves, give the company statuses (women-owned, etc.), contact information and perhaps a link to web site. Often the Small Business Coordinator helps to construct the message. The small business coordinator then sends those messages, as well as similar messages from Jim House's office, to FS OSDBU coordinators as well as likely interested program managers. About 200 messages have been constructed and sent this year. (Evaluation Criteria 6a)

Recognition. The FS improves participation in small and disadvantaged business contracting through recognition of successful contracts and contractors. The FS asked for nominations of successful contractors and employee personnel in 6 categories who went beyond their normal duties. Twenty-two nominations were submitted. Acquisition Management selected winners in each program. The six FS winners were submitted to USDA. Two also won Departmental Awards. (Evaluation Criteria 6a, 6b)

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4.1.1 (Continued)

USDA Small Business Award Winners

Program	Nominator	Company
Small & Disadvantaged Business JWOD Small Business Contractor of the Year	Region 1	Region 8 Astrid Construction BSW, Inc.

Forest Service Small Business & JWOD Awards

Program	Nominator	Company
Small Business	Region 6	Cisneros Construction
Small & Disadvantaged Business	Region 8	Astrid Construction
Women-Owned Small Business	Region 5/PSW	Mary Li Wong Architects
Special Group Award	Washington Office	IT – 615 Replacement
JWOD Special Achievement	Region 6	Joel Bone, CO Umpqua NF
JWOD Small Business Contractor of the Year	Region 1	BSW, Inc.

4.1.2 The Agency -- -Identifies barriers to participation by minority, women-owned, and small and disadvantaged businesses, increases persons with disability employment.

Service Disabled Veteran Owned Businesses (SDVOB). The FS is not meeting its 3.0 percent goal for Service Disabled Veteran Businesses thus far in FY 03. While FS accomplishments of 0.55 percent to date in this relatively new program exceed those of USDA’s average for its agencies (0.2 percent) and it exceeds that of nearly all other major departments (the 17 largest departments in government had accomplishments ranging from 0.0 percent to 0.7 percent), FS has a strategy to take aggressive action to increase its accomplishments significantly in FY 04. The strategy consists of four principal elements: identification of sources, outreach to veteran organizations, use of small contracts, and identifying means to increase SDVOB participation in fire procurements. (Evaluation Criteria 6a)

Identification of sources. FS will work with the Regions and Stations to utilize existing source lists such as the Small Business Administration’s ProNet and lists that are maintained by Veteran’s organizations such as the American Legion or Disabled American Veterans or Paralyzed Veterans of America as means to identify service disabled veteran owned businesses that provide the types of supplies, services or construction work that the FS requires. The FS will take steps to ensure that its Contracting Officers and Purchasing Agents are aware of these source lists and know how to use them. (Evaluation Criteria 6a)

Outreach to Veteran Organizations. The FS will expect all Regions and Stations to reach out to veteran organizations to put on training to prospective SDVOB contractors regarding how to do business with the FS, where to sign up for emergency equipment rental agreements, and how to submit offers on resource work and construction projects and how to market supplies to the FS and its many offices. (Evaluation Criteria 6a)

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4.1.2 (Continued)

Use of Small Contracts. The FS will ask its offices to periodically offer small contracts that are below the competitive threshold, to SDVOB contractors on a sole-source basis in order to gain familiarity with the firm’s capabilities as well as to help the business gain experience in FS work. The Agency will encourage the Regions and Stations to ensure that SDVOBs are added to bids lists for small projects where a limited number of offers are required in order to increase the likelihood of successful offers by SDVOBs. (Evaluation Criteria 6a)

Increasing SDVOB participation in fire procurements. The Agency is already testing a modification of its new Resource Ordering System (ROSS), which is the backbone of emergency equipment ordering for fires and other incidents, which the FS supports. This test, which is taking place in the Northern Area Coordination Center (Redding, California) of the Pacific Southwest Region (R5), is designed to identify Service Disabled Veteran Owned equipment so that they can be given preference over other local resources during emergencies. In early November, representatives from USDA and the Department of Interior’s respective Offices of Small and Disadvantaged Business Utilization and Procurement and Property Management, as well as FS Acquisition and Fire Management personnel will meet in Redding to review this system and FS fire procurement methods as they relate to Service Disabled Veterans. (Evaluation Criteria 6a)

The Javits-Wagner-O’Day (JWOD) Act Program. The FS is not meeting its 3.0 percent goal for the JWOD program. As with other agencies, FS has had limited success with this program and is taking aggressive steps to change its procurement strategy to reflect the underrepresentation of this program. The Agency is highlighting three specific elements of this strategy: Addition of new products, increased use of existing programs, and recognition of successes. (Evaluation Criteria 6b)

Addition of New Products. The Agency procurement website contains tip sheets for stimulation of new products and use of JWOD services. FS has established JWOD liaisons in all regions and stations. It has also designated JWOD liaisons for most of its major fire caches. These liaisons are working with local JWOD organizations to identify supplies and services that are offered but not currently purchased by the FS. FS expects each liaison to nominate at least one product or service annually for conversion to JWOD status. From these nominations, the Agency will initiate the listing process. For example, in FY 04, FS anticipates listing three-liter camelback water canteens for fire fighters, the production of seedlings, and procurement of bottled water from the Oklahoma League for the Blind or other JWOD sources. (Evaluation Criteria 6b)

Increased Use of Existing Programs. The FS has asked all of its purchase cardholders to establish accounts with Boise Office Supply (formerly Boise Cascade). The FS aggressively supports the Boise Office Products BPA because of the JWOD products it contains. The Director of AQM declared the Boise BPA to be the first source to be considered by all purchase cardholders procuring office supplies. This has already resulted in a spike in FS JWOD procurements in the 3rd quarter from the Boise BPA.

<u>Boise BPA</u>	<u>JWOD Sales</u>
Q1	\$5,800
Q2	\$8,300
<u>Q3</u>	<u>\$44,100</u> (sharp increase)
Total to Date	\$58,200

During FY 03, The Agency has also taken some specific actions to increase use of existing sources. The FS national JWOD Coordinator intervened when Easter Seals, a JWOD entity, represented by a concerned Congressman, was unable to sell a significant quantity of fire fighting headlamps. The Coordinator ensured that FS purchasers knew of the availability of the headlamp. The FS JWOD Coordinator again intervened in response to a widely-circulated letter that suggested employees buy items with the FS or USDA logo from ESRA (Employee Services and Recreation Association), either from the store or on-line. That letter implied that Agency needs for logo items should be met by buying the items at the ESRA store. But ESRA does not handle JWOD items. The FS JWOD coordinator ensured that all FS OSDBU coordinators know that JWOD and UNICOR are the source for USDA or FS logo items. (Evaluation Criteria 6b)

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4.1.3 (Continued)

Recognition. Each year the FS encourages nomination of candidates for JWOD Contractor of the Year and for the FS employee who has done the most to advance the JWOD program. The FS has learned that there is a lingering reluctance by some of its procurement personnel to buy JWOD products. The reluctance is due in part to long held concerns about quality. In addition to working with JWOD contractors to solve quality problems as they occur rather than seeking alternative sources, the Agency is aggressively seeking to recognize JWOD Contractors that have been particularly successful in order to demonstrate the FS program and purchasing personnel the improved quality of the JWOD program. To increase the number of nominations, the FS has sought early nominations from purchasing agents and contracting officers. Early nominators for the Small Business and JWOD Awards received a JWOD pen. The FS used the pens to entice many entries and, more importantly, to impress upon Agency Contracting Officers that JWOD items can be flashy, highly desired, durable items of substance.

The Agency's FY 03 program has made a significant increase. In FY 02 the FS, according to USDA figures, made \$100,000 in JWOD purchases. FY 03 data to date shows \$1,155,600 of FS JWOD purchases, which is a better than 1000 percent increase. (Evaluation Criteria 6b)