

UNITED STATES DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON, D. C. 20250

May 16, 1997

SECRETARY'S MEMORANDUM 1010-4

RESTRUCTURING OF DEPARTMENTAL ADMINISTRATION

1 **INTRODUCTION**

Departmental Administration (DA) and its staff functions — including civil rights, human resources management, procurement and property management, and operations — were reorganized early last year, and the major restructuring of administrative functions accomplished at that time was announced and effected by Secretary's Memorandum 1020-47, dated February 8, 1996. The purposes of that effort were principally to separate policy functions from operational activities in all areas of USDA's administrative management, and to establish a separate staff for the delivery of management services to the Office of the Secretary, Departmental Administration, and the staff offices reporting to the Secretary.

Principally as a result of the analysis of administrative functions contained in the recent report of the Civil Rights Action Team (CRAT), and based in part on the recommendations made by that report, I have determined that the changes adopted only last year do not provide a structure which adequately assures the effective delivery of services in all areas of administrative management. I have also determined, consistent with the CRAT report, that the Assistant Secretary for Administration will have full authority for the performance and oversight of all civil rights functions within the Department, and that such authority will include the authority to delegate civil rights functions to the heads of USDA agencies and offices as the Assistant Secretary deems appropriate, and to rate the heads of such organizations on their performance of civil rights functions. Consequently, I have determined that further substantial changes are required, as described below.

DISTRIBUTION: All Employees

OPI: OGC

2 ACTIONS ORDERED

- a The Assistant Secretary for Administration is hereby delegated full authority for the performance and oversight of all civil rights functions within USDA. That authority will include specifically full authority (1) to continue to serve as the Department's Director of Equal Employment Opportunity, and in that role to make final determinations as to whether or not discrimination has occurred in the conduct of USDA's employment activities; (2) to make final determinations as to whether or not discrimination has occurred in conducted or assisted programs; (3) to make determinations with respect to settlement of all such cases in which discrimination is determined to have occurred; (4) to make final determinations on discrimination complaints in programs subject to the Equal Credit Opportunity Act (ECOA), award compensatory damages in cases arising under ECOA, and obligate USDA agency funds in order to satisfy such awards; (5) to delegate to the Director, Office of Civil Rights, authority to make final determinations as to whether or not discrimination has occurred in USDA employment or program activities, and to adjudicate and resolve such cases; (6) to delegate the performance of civil rights functions, including the conduct of preliminary investigations of program discrimination complaints, to the heads of USDA agencies and offices to the extent the Assistant Secretary determines appropriate; and (7) to rate the heads of such agencies and offices on their performance of civil rights functions.
- b The following organizations are hereby established within DA:
- (1) Office of Civil Rights. The Office of Civil Rights will be headed by a Director who will report to the Assistant Secretary for Administration. The Director will supervise the performance of all civil rights functions assigned to the Assistant Secretary, including the development of principles, policies, and objectives supporting civil rights, and representing USDA in government-wide initiatives pertaining to civil rights. In addition, the Director will have full responsibility for investigation, adjudication, and resolution of complaints of discrimination arising out of USDA employment activities or in the context of conducted or assisted programs, including complaints made by USDA

employees, applicants for employment, and USDA program participants and customers, i.e., the performance of such civil rights investigation and adjudication functions formerly performed by the Office of Operations. The Director will likewise have full responsibility for determining whether discrimination has occurred in programs subject to ECOA, awarding compensatory damages in cases arising thereunder, and obligating USDA agency funds to satisfy such awards. The Director provides overall leadership, oversight, coordination and direction for the Department's programs of civil rights, including program delivery compliance, and evaluates USDA agency programs and activities for civil rights concerns. The Director will proactively promote civil rights at USDA, provide guidance and oversight to USDA agencies, and conduct compliance reviews and audits to ensure enforcement of all applicable civil rights laws, rules, and regulations.

- (2) Office of Human Resources Management. The Office of Human Resources Management will be headed by a Director who will report to the Assistant Secretary for Administration. The Director will supervise the performance of all human resources management functions assigned to the Assistant Secretary. The Director represents the Department in government-wide initiatives pertaining to human resources management, and formulates and issues Department policy, standards, rules and regulations. The Director develops and administers guidelines, principles, and objectives supporting human resources management, safety and health management, and labor management partnership activities, and serves as the Designated Agency Ethics Official for USDA. The Director provides oversight and performs compliance reviews of USDA agency human resources management activities. In addition, the Director will have direct responsibility for the delivery of services related to human resources management to the Office of the Secretary, Departmental Administration, and the staff offices reporting to the Secretary; i.e., the performance of those functions related to human resources management formerly

performed by the Departmental Administration Management Services (DAMS) staff and the Office of Operations.

- (3) Office of Procurement and Property Management. The Office of Procurement and Property Management will be headed by a Director who will report to the Assistant Secretary for Administration, and will supervise all procurement and property management policy activities assigned to the Assistant Secretary. The Director represents the Department in government-wide initiatives pertaining to procurement and property management; promulgates Departmental policies, standards, techniques and procedures, including developing and administering the principles and objectives supporting procurement and property management; asset management, internal environment (e.g., recycling, purchase of environmentally preferable products) and energy conservation; and is responsible for disaster management and coordination of emergency programs. The Director serves as the USDA Senior Procurement Executive and the Department's Debarment and Suspension Officer, and provides oversight and performs compliance reviews of Departmental procurement and property management activities. Within the Office, the Chief, Procurement Policy Division, will henceforth serve as the Department's Advocate for Competition pursuant to the Office of Federal Procurement Policy Act.

c. The reporting assignments and functional responsibilities of the following officials are hereby modified as follows:

- (1) Director, Office of Operations. The Office of Operations continues to be headed by a Director who reports to the Assistant Secretary for Administration. The Director has full responsibility for providing services related to procurement functions and operations; facilities management and operations, including the USDA Washington, D.C. complex, the Landover Service Center, the Washington Area Service Center, and mail

management; USDA Washington, D.C. health units; and the accessibility resources center.

- (2) Director, Office of Small and Disadvantaged Business Utilization. The Director, Office of Small and Disadvantaged Business Utilization will henceforth report to the Assistant Secretary for Administration. The Director will continue to perform all functions assigned under sections 8 and 15 of the Small Business Act, will thereunder administer the Department's small and disadvantaged business activities, and will perform Department-wide liaison and coordination functions related to such activities.

d The following organizations, previously authorized within Departmental Administration, are hereby abolished:

- (1) Policy Analysis and Coordination Center.
- (2) Departmental Administration Management Services Staff.

e The following position, previously authorized within Departmental Administration, is hereby abolished:

- (1) Director, Departmental Administration Management Services.

3 INCIDENTAL TRANSFERS

The Assistant Secretary for Administration and the Director, Office of Budget and Program Analysis, are authorized to approve such transfers of funds, personnel, employment authority, space, records, property, and incidentals as may be necessary to implement the provisions of this Memorandum.

4 **EXISTING DIRECTIVES**

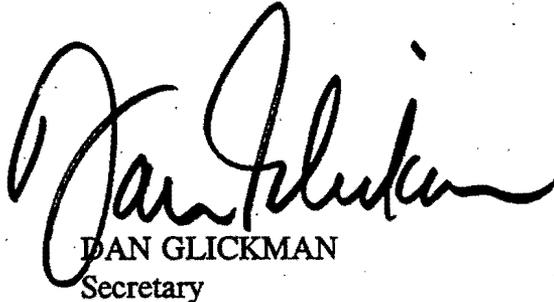
Prior delegations of authority, administrative regulations, and other directives not inconsistent with the provisions of this Memorandum shall remain in full force and effect.

5 **EFFECTIVE DATE**

The provisions of this Memorandum are effective immediately.

6 **TERMINATION**

This Memorandum shall remain in effect for one year or until such earlier time as published delegations of authority have been revised to incorporate its provisions.



DAN GLICKMAN
Secretary

UNITED STATES DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON, D. C. 20250

April 30, 1998

SECRETARY'S MEMORANDUM 1010-4

RESTRUCTURING OF DEPARTMENTAL ADMINISTRATION

Paragraph 6 of Secretary's Memorandum 1010-4, Restructuring of Departmental Administration, dated May 16, 1997, is hereby amended to read as follows:

6 TERMINATION

This memorandum shall remain in effect for two years or until such earlier time as published delegations of authority have been revised to incorporate its provisions.

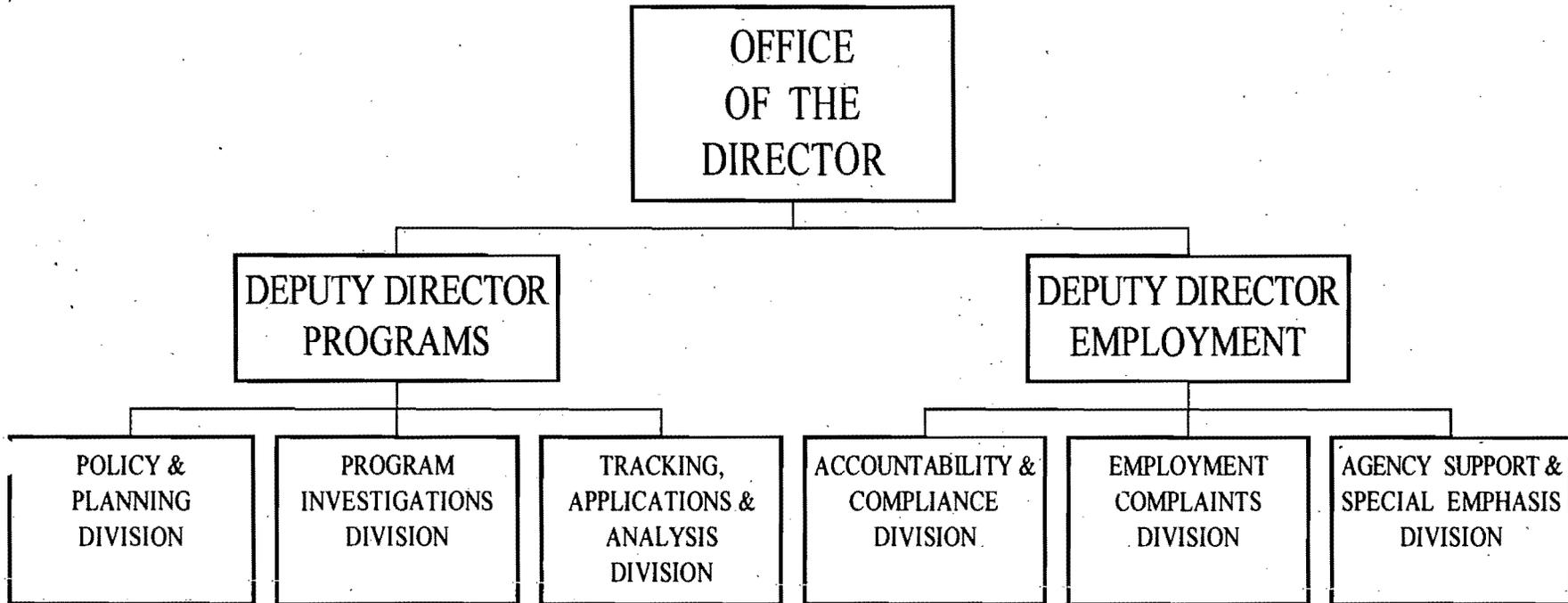

DAN GLICKMAN
Secretary

DISTRIBUTION: All Employees

OPI: OGC

UNITED STATES DEPARTMENT OF AGRICULTURE
OFFICE OF CIVIL RIGHTS

Recommended: Rosalind D. Gray
Director, Office of Civil Rights
Approved: Debra Pittman Evans
Acting Deputy Assistant Secretary for Administration
Date: 10/22/98



The mission of the Office of Civil Rights is to provide overall leadership and direction to the Department of Agriculture civil rights program to facilitate the fair and equitable treatment of USDA customers and employees while ensuring the delivery and enforcement of civil rights programs and activities.

NEW CHART

**U.S. Department of Agriculture
Assistant Secretary for Administration**

Recommended: Reba Pittman Evans
Acting Assistant Secretary for Administration

Approved: [Signature]
Deputy Secretary

Date: 10-9-98

