

CIVIL RIGHTS LISTENING SESSION

January 22, 1997

United States Department of Agriculture  
South Building, Jefferson Auditorium  
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ORIGINAL

1825 K Street, N.W.  
Suite 1212  
Washington, D.C. 20006



(202) 429-0014  
(202) 429-0015

Panel Members:

Dan Glickman, Agriculture Secretary  
Richard Rominger, Deputy Secretary for  
Agriculture  
Pearlie S. Reed, Leader of Civil Rights Action  
Team and Associate Chief of the Natural  
Resource Conservation Service (NRCS)  
Paul W. Johnson, Moderator, Chief, Natural  
Resources Conservation Service  
Jan E. Shadburn  
Grant Buntrock

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Civil Rights Action Team Members

Mon Yee  
Joyce Willis  
Robert Whiting  
Floyd Wheeler  
Randy Weber  
Sam Thornton  
Jerry Sesco  
Wilbur Peer  
Karen Messmore.  
Leonard Hardy  
Sharon Cooney-Smith  
Robert Cole  
John Bottum  
Gary Barber  
Steve Anaya

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P R O C E E D I N G S

1  
2 MR. JOHNSON: Good morning to you. I am  
3 Paul Johnson, head of the Natural Resources  
4 Conservation Service and Chair of our national USDA  
5 Food and Agriculture Consult, what we fall the FAC  
6 Consult. Welcome to this Civil Rights Employee  
7 Listening Session.

8 Over the past couple weeks, the Secretary,  
9 Deputy Secretary, Civil Rights Action Team, other  
10 USDA officials and hundreds of employees and USDA  
11 recipients have met in forums such as this across  
12 the country in order to share concerns and comments  
13 about the Department's efforts in civil rights and  
14 equal employment.

15 Many of you heard the President's  
16 inauguration address the other day, and in it he  
17 commented that it's time we learned to live  
18 together, learn together, work together, forge new  
19 ties that bind together. This effort today and the  
20 effort over the past couple weeks has been to listen  
21 to people within the Department and those who we  
22 serve in order to be able to do that better.

1           We have several panel members and other  
2 USDA officials here today to listen to your  
3 presentations. To begin with, I'd like to  
4 acknowledge two of my fellow national FAC members,  
5 Grant Buntrock, the Administrator for Farm Services  
6 Agency, and Jan Shadburn, who's the Administrator of  
7 Rural Housing.

8           At this time I'd like to introduce Pearlle  
9 Reed, the leader of the USDA Civil Rights Action  
10 Team, for a few comments and introductions.

11           (Applause.)

12           MR. REED: Thank you very much.

13           Good morning, and welcome to all of you.

14           The first thing we'd like to do is to ask  
15 for self-introductions of all of the members of the  
16 Secretary's Civil Rights Action Team. I'd like to  
17 start with my, to my left, with Mon Yee.

18           MR. YEE: Good morning. My name is Mon  
19 Yee. I'm with Natural Resources Conservation  
20 Service out of Portland, Oregon.

21           MR. REED: Excuse me. Do we have a  
22 microphone? Excuse me, Mon, would you do that

1 again?

2 MR. YEE: Certainly. Good morning. My  
3 name is Mon Yee. I'm with the Natural Resources  
4 Conservation Service in Portland, Oregon.

5 MS. WILLIS: Good morning. I'm Joyce  
6 Willis. I'm with Marketing and Regulatory  
7 Programs.

8 MR. WHITING: Good morning. My name is  
9 Robert Whiting. I'm with the Office of the Chief  
10 Information Officer. I represent that office and  
11 Departmental Administration.

12 MR. WHEELER: Good morning. My name is  
13 Floyd Wheeler. I'm the Director of Human Resources,  
14 Food and Consumer Service.

15 MR. WEBER: Good morning. My name is  
16 Randy Weber. I'm the Associate Administrator, Farm  
17 Service Agency.

18 MR. THORNTON: Samuel Thornton, Office of  
19 the Secretary.

20 MR. SESCO: Good morning. Jerry Sesco  
21 with the Forest Service, and I'm representing the  
22 natural resources and environment mission area on

1 the Task Force.

2 MR. PEER: Good morning. Wilbur Peer,  
3 Associate Administrator, Rural Business Services, in  
4 the rural development mission area, with Jill  
5 Long-Tompson.

6 MS. MESSMORE: Good morning. I'm Karen  
7 Messmore, with the Food Safety and Inspection  
8 Service.

9 MR. HARDY: Good morning. I'm Leonard  
10 Hardy, Deputy Administrator for Operations and  
11 Management mission area, for Mrs. Jill  
12 Long-Thompson.

13 MS. COONEY-SMITH: Good morning. I'm  
14 Sharon Cooney-Smith. I'm with the Farm Service  
15 Agency in St. Louis, Missouri. I'm here  
16 representing USDA locals. I am a member of AFGE  
17 Local 3354. I am also a member of the Coalition of  
18 Minority Employees.

19 MR. COLE: Good morning. I'm Robert Cole,  
20 a former USDA employee.

21 MR. BOTTUM: Good morning. I'm John  
22 Bottum with the Cooperative State Research,

1 Education and Extension Service, representing the  
2 REE mission area.

3 MR. BARBER: Good morning, everyone. My  
4 name's Gary Barber. I'm the Director of Executive  
5 Services, Office the Chief Financial Officer.

6 MR. ANAYA: Good morning. My name is  
7 Steve Anaya, State Director of Rural Development  
8 from New Mexico.

9 (Applause.)

10 MR. REED: Okay. Thank you very much.

11 Now I'd like to turn the program over to  
12 the Deputy Secretary of Agriculture, Richard  
13 Rominger. Please help me welcome Mr. Rominger.

14 (Applause.)

15 MR. ROMINGER: Thank you, Pearlie.

16 It's my honor and pleasure this morning to  
17 introduce the person who has made this happen. The  
18 determination of Agriculture Secretary Dan Glickman  
19 to do something about the concerns that we've heard,  
20 the problems that we've had at USDA with our  
21 customers and concerns and problems that employees  
22 have had, Agriculture Secretary Dan Glickman's

1       determination to make sure this does not continue is  
2       why we're here today.

3               This is, as you know, is a culmination of  
4       hearings that have been held around the country at  
5       which the Secretary and I have been listening to  
6       concerns of customers and employees. So it gives me  
7       great pleasure to introduce to you today Secretary  
8       of Agriculture Dan Glickman.

9               (Applause.)

10              SECRETARY GLICKMAN: Good morning,  
11       everybody.

12              First of all, I want to thank the Deputy  
13       and particularly thank Pearlie Reed and the Civil  
14       Rights Action Team, the folks on the second tier  
15       right here who have spent many hours, days, almost  
16       like the symbol of the postman, through rain, sleet  
17       and snow, they have gone to hearings all over the  
18       country to basically listen to both employees as  
19       well as customers of USDA to try to determine what  
20       the facts are insofar as how this Department treats  
21       its employees and treats its customers in order to  
22       make improvements, and to end what I call and what

1 the President calls, "The divide of race has been  
2 America's constant curse." He said that in his  
3 inauguration address, and it's what we are trying to  
4 eliminate as part of this effort.

5 This is probably the most comprehensive  
6 effort in the history of the Department of  
7 Agriculture to deal with this problem. There have  
8 been many reports made over the years, back since  
9 the 1950s. Some action has been taken in some  
10 areas, but for the most part those reports have been  
11 printed and have gathered dust. What we're trying  
12 to make sure is we sweep the dust away this time.

13 So I would just make a couple of comments,  
14 if I might, before we go ahead and begin the  
15 listening sessions. These are a part of our  
16 commitment to ending the curse that the President  
17 talked about. The other sessions I've attended have  
18 been both disturbing and instructive. I've heard  
19 enough to know that there is a problem, both real  
20 and perceived, that must be addressed.

21 Each listening session has been attended  
22 by hundreds of people, some of whom traveled for

1 days to get there. If people take that much time to  
2 travel that far to air their grievances, there is a  
3 problem.

4 As the President said to the nation Monday  
5 in his inaugural address, "We cannot, we will not  
6 succumb to the dark impulses that lurk in the far  
7 regions of the soul everywhere. We shall overcome  
8 them. And we shall replace them with the generous  
9 spirit of a people who feel at home with one  
10 another."

11 And that's what we're trying to do here,  
12 is to create that spirit where all of our employees  
13 and all of our customers feel at home with one  
14 another.

15 As the deputy has mentioned, I formed an  
16 Action Team to do a thorough civil rights audit of  
17 USDA. These listening sessions are part of that  
18 audit. This team in front of you will give me a  
19 report, including recommendations, within the next  
20 30 days, probably in the earlier part of that 30-day  
21 period, sometime the first or second week in  
22 February. I am also seeking counsel of community

1 leaders and members of Congress, and I have asked  
2 our Inspector General to investigate complaints of  
3 discrimination in farm loans.

4 Today you see before you virtually all of  
5 our subcabinet who are here, as well as Agency  
6 Administrators. I have asked them all to be here  
7 today. And the reason for that is because, as the  
8 chief managers of this institution, they have to  
9 personally understand the turmoil, the grief, and  
10 the experience that people have to give us as part  
11 of us making these recommendations.

12 I do think that most of our employees  
13 treat farmers and fellow employees with dignity and  
14 with respect. There are some who don't. And one of  
15 the things we want to make sure is when those folks  
16 are found they will suffer the consequences.

17 As the President said in his inauguration  
18 address, "Great rewards will come to those who can  
19 live together, learn together, work together, forge  
20 new ties that bind together." I want USDA to reap  
21 some of those rewards.

22 We have a real opportunity to make

1 positive changes in the area of structure of this  
2 Department, as well as civil rights enforcement, and  
3 to ensure that both our employees and our customers  
4 are treated fairly and with dignity. We will not  
5 stop until we end the curse of discrimination in  
6 this country generally, and here at USDA. So I  
7 thank you for coming.

8 I would say to you that for the most of  
9 today we will be listening. And we will do our best  
10 to make sure that if people have individual matters  
11 that need to be referred to with others who are  
12 here, we will do so in the process. But I think you  
13 will be pleased at the end of this experience, where  
14 I think we will not let this report gather dust, but  
15 we will make necessary changes to make sure that  
16 USDA is the leader in human relations in the  
17 government.

18 Thank you very much.

19 (Applause.)

20 MR. JOHNSON: Thank you, Secretary  
21 Glickman.

22 Before we begin the session today, I'd

1 like to lay out a few ground rules. We have quite a  
2 list of people who would like to speak and we want  
3 to make as much time as possible available for  
4 them.

5 We're asking that you hold your comments  
6 to five minutes. And I realize that some of you  
7 have comments that could last much longer than that,  
8 but if you'd be willing to please try to hold your  
9 comments to five minutes that will give the largest  
10 number of people an opportunity to speak. We will  
11 have a timer holding up cards for you and we would  
12 appreciate if you could do that.

13 If you have more to say, we would like you  
14 to go to the lobby afterwards, if you'd wish, and  
15 we'd record -- we'd write down your comments. We  
16 also will be taking written comments, and if you  
17 would be willing to submit your written comments we  
18 will certainly get those into the record. There are  
19 boxes by the door, I believe, on your way out, for  
20 your written comments.

21 We also will, if you have comments that  
22 you'd like to phone in to us, we have a 1-800

1 number, and I believe that that's available for you  
2 on your programs. I hope you have that somewhere.

3 At this time I'd like to begin the  
4 session, and I will call the name of the person to  
5 speak. If you will please state your name -- go to  
6 the microphone, state your name, and if you're with  
7 an organization or a group, please state that as  
8 well. And I will also at the same time list the  
9 next person to speak, so I'll try to warn you to be  
10 ready so that we can move as quickly as possible  
11 through this.

12 We'll begin today with Gina Jones. And  
13 the second person to speak will be Sam Wong. Gina,  
14 are you here? Good, go ahead.

15 MS. JONES: Good morning to Secretary  
16 Glickman, Mr. Pearlie Reed, members of the Civil  
17 Rights Action Team, ladies and gentlemen.

18 Thank you for this opportunity to speak to  
19 you before you today on concerns regarding civil  
20 rights issues and employment with the United States  
21 Department of Agriculture, more specifically, the  
22 Forest Service.

1           My name is Gina Jones and I am a member of  
2           the USDA Coalition of Minority Employees and an  
3           employee at the Francis Marion and Sumter National  
4           Forest in Columbia, South Carolina. I am a  
5           nine-year veteran of the USDA, beginning my service  
6           in Minnesota and then relocating to South Carolina  
7           in 1993.

8           To say the past three years in federal  
9           employment have been difficult would be an  
10          understatement. I have experienced and/or witnessed  
11          a gross misuse of power by some management personnel  
12          in our Agency.

13          I have also seen a total disregard and  
14          disrespect for civil rights legislation as it  
15          relates to employees' rights in the workplace.  
16          Employees have been put under undue pressure on the  
17          job, due to racist and sexist tactics. In some  
18          instances, people's lives have been severely  
19          impaired.

20          Believe it or not, management has used  
21          Forest Service law enforcement to police their own  
22          employees. Clearly, in these cases, the Agency is

1 not acting in the public's best interest, but as a  
2 Gestapo, totally out of control.

3 As I speak to you this morning, I'm aware  
4 that not all our employees are racist or sexist. In  
5 fact, the majority of the employees are fair-minded,  
6 hard working, and dedicated individuals.  
7 Unfortunately, some management level employees have  
8 overtly and covertly practiced styles of operation  
9 that are destroying the self-esteem of many in the  
10 work force and destroying the Agency as a whole.  
11 Added to this, there is a segment of management  
12 which may not be guilty of these offenses but  
13 chooses to ignore them in the effort not to buck the  
14 system.

15 In closing, I have faith that the USDA can  
16 be a strong, fair, and productive Agency, which  
17 meets the needs of the American public. I  
18 respectfully urge that Secretary Glickman act with  
19 all deliberate speed in dealing with managers found  
20 guilty of discriminatory practices.

21 Secondly, I suggest a more racially and  
22 gender-balanced work force, especially in upper

1 level management, one that better reflects diversity  
2 in the American public.

3 Thirdly, I suggest that Secretary Glickman  
4 and staff put forth a concerted effort to resolve  
5 the more than 1,600 outstanding EEO complaints.

6 We can indeed build a bridge to the 21st  
7 century if we only open our hearts and minds to the  
8 best that is in all of us. In the Department of  
9 Agriculture, we can no longer afford to turn our  
10 backs to the problems and the injustices that  
11 surround us. For in the words of Dr. Martin Luther  
12 King, injustice anywhere is a threat to justice  
13 everywhere.

14 Thank you.

15 (Applause.)

16 MR. JOHNSON: Thank you, Gina.

17 Sam Wong is next, followed by Mark Mace.

18 MR. WONG: I'm Sam Wong, former President  
19 of APANA, Asian Pacific American Network in  
20 Agriculture; the author of the study, "Neither Black  
21 Nor White: A New American Dilemma." I have been a  
22 USDA employee for 16 years. And the statement I

1 have to present to this group is very short. The  
2 title is simply, "Act Now."

3 Mr. Glickman, will you please act now?  
4 You have the acumen, the people, the know-how. You  
5 brought great expectation, equal recognition for  
6 all. But in your administration, Asians face a  
7 stone wall. Kept invisible, our gifts are scorned,  
8 colleagues expendable, our hopes stillborn.

9 Mr. Secretary, are you for real? When  
10 have you tried to feel how we feel? What else must  
11 or can we do to get you to walk a few steps in our  
12 shoes? We are no dreamers. Our words are few. We  
13 are the builders. Honor us, as honor is overdue.

14 Mr. Secretary, you surely know there is no  
15 mystery how trust can grow. Do what you say. Our  
16 dues we have paid. Will you be our hero, doing the  
17 possible, or will you be a zero, mouthing the  
18 plausible?

19 We have done our best. Now you face the  
20 test. May you not be found wanting. The whole  
21 nation is watching, Mr. Glickman.

22 (Applause.)

1 MR. JOHNSON: Thank you, Sam.

2 Mark Mace is next, followed by Tom Kalil.  
3 Mark, go ahead.

4 MR. MACE: (Speaking through interpreter)  
5 Good morning. My name is Mark Mace and I work with  
6 FSA. I've worked there for three years.

7 The comments that I have are related to  
8 the fire safety for deaf employees. Many deaf here  
9 should carry their pagers, their beepers, for the  
10 fire alarms. But we're not satisfied and we're not  
11 happy with the pager system, because the pagers  
12 themselves are unfriendly, the codes that are used.

13 They're numeric and we have to memorize  
14 the codes for the fire. And we also have to carry  
15 this little list of codes with us that indicate all  
16 the fire codes on it so that the deaf employees will  
17 know they have to carry this, and it's related to  
18 their pager. Let me tell you that many of the deaf  
19 people do not wear their pagers. It's a little bit  
20 awkward, and women with dresses have no place to put  
21 them.

22 And another thing related to fire safety,

1 deaf people who do not carry their pagers have  
2 what's called a buddy who is supposed to warn them  
3 and alert them that they should evacuate. But the  
4 problem with the buddy system, it's very dangerous  
5 for them, for the buddies, too, because when they  
6 hear the fire alarm the buddy is in the process of  
7 searching for the deaf employee. And when they  
8 can't find them, the buddy themselves is in the  
9 building.

10 My recommendation to whoever is  
11 responsible for this issue is that you should  
12 discuss with us, the deaf employees, to get our  
13 ideas and our feedback of exactly what is best for  
14 us. It would be better for us and the work  
15 environment for all of us, too.

16 Also I know that our building, the South  
17 Building here, will be renovated very soon. And  
18 we're expecting that this building will be required  
19 to follow the ADA, Americans with Disabilities Act  
20 safety recommendations and requirements. But what  
21 we would prefer is that you discuss this with  
22 someone who is responsible for the renovations,

1 discuss it with us exactly where the lighting should  
2 be placed, the warning lights, and discuss with us  
3 the design, where it would be best for us to see the  
4 flashing lights.

5 The reason that I am here, I have heard  
6 that another Agency just built a new building and  
7 several deaf employees work there and they are not  
8 happy. They are not satisfied, because they could  
9 not see the flashing light, they couldn't see  
10 anything.

11 And I don't understand why we have spent  
12 so much money for design and for installation and  
13 then it doesn't work. So I think that it would be a  
14 very good idea for someone who is responsible for  
15 the renovations to discuss with us before they go  
16 ahead.

17 Thank you.

18 (Applause.)

19 MR. JOHNSON: Thank you very much, Mark.  
20 Tom Kalil and followed by Linda Epstein.

21 MR. KALIL: It probably seems unusual to  
22 be looking at a white Caucasian male standing here.

1       However, I am physically disabled with crippling  
2       arthritis that's gradually robbing me of my ability  
3       to walk.

4               I'm over 40, I'm Catholic, I'm married  
5       with children, I'm heterosexual, and I am of Arab  
6       national origin, Lebanese descent. I'm a career  
7       civil servant with roughly 24 years of service. And  
8       those years are all with the Department of  
9       Agriculture.

10              However, following the change of  
11       administration in 1993 I'm going to give you a  
12       specific case directed at me, but I'm doing it to  
13       take you to an issue involving the Dispute  
14       Resolution Board and the system that exists in this  
15       Department, which has a severe problem.

16              At that time I was removed from my  
17       position and replaced with a young woman with no  
18       educational or work experience qualifications. I  
19       was placed in a position for which I was neither  
20       qualified nor trained.

21              I was given production quotas that were  
22       300 percent higher than normally assigned. I was

1 denied necessary training. I was forced to seek  
2 training on evenings and weekends on my own time in  
3 order to become qualified to perform the assigned  
4 work.

5 I was harassed in an effort to force me  
6 out so that my vacated position would be available  
7 for my supervisor's alleged paramour. I was denied  
8 the opportunity to pursue career advancements,  
9 specifically an SES slot that was indiscriminately  
10 taken from where required and given to the  
11 Administrator's female assistant who had absolutely  
12 no qualifications to perform the work assigned to  
13 that SES position.

14 I was then detailed to a position where I  
15 was taught -- where I was tasked with trying to undo  
16 the damage perpetrated by this same individual  
17 during the Department's reorganization. I made the  
18 mistake of voicing my concern regarding these  
19 activities to the Associate Administrator, who sits  
20 on this panel right now.

21 The reprisal was significant and blatant.  
22 I was told that I wasn't a team player and the

1 Associate Administrator said he couldn't work with  
2 anyone who would voice such concerns about their  
3 supervisor.

4 I was removed from my office, forced to  
5 work on a two-foot square table with a laptop  
6 computer, denied access to my office furniture and  
7 equipment. I was slandered and hollered at in front  
8 of other employees.

9 It all culminated when one year ago I was  
10 falsely accused of intentionally damaging government  
11 property, a firing offense. That accusation was  
12 published in scathing terms in an official  
13 memorandum that was issued to the Administrator of  
14 the entire Agency, the Deputy Administrator of Farm  
15 Credit, the Deputy Administrator of Management,  
16 redirected to the Office of Personnel, Information  
17 Technology Services Division, and Management  
18 Services.

19 The letter was intended to be damaging to  
20 my career and the perpetrator, by her own admission,  
21 to intentionally harass me. However, as advised by  
22 the agency's Office of Personnel, the letter was

1 intentionally not filed in my official personnel  
2 file folder. Why? This was done in order to deny  
3 me the opportunity to exercise my right to appeal  
4 its content.

5 This was the most recent of the series of  
6 discriminating actions which began -- the most  
7 recent of which began with the supervisor who was  
8 the person that received the SES position.

9 One minute? Okay. I'm going to jump to  
10 the final event. Since I have one minute, I'm going  
11 to tell you what happened at the board meeting.

12 I did go before the Dispute Resolution  
13 Board. Dispute Resolution Board found that the  
14 actions of this individual were normal business  
15 process. They also found that the actions of this  
16 individual were not only normal business practice  
17 but there was no connection. And I showed -- as  
18 testified there was a connection.

19 I can't get into it now, but I did present  
20 the whole problem to Mr. Franco, who saw that there  
21 was absolutely no clear reason why the board came to  
22 its conclusion saying I had no cause of action.

1 Except it recently came to my attention that the  
2 person whom I was going against, Debbie Matts, is  
3 currently the Administrator's Special Assistant for  
4 EEO and is being considered for a departmental level  
5 EEO position of authority.

6 I bring this to your attention, as I have  
7 to the White House Office of Personnel. I'm told to  
8 stop now, but I was asked to bring this to your  
9 attention by the White House Office of Personnel,  
10 hopefully to stop something that should not happen.

11 (Applause.)

12 MR. JOHNSON: Thank you, Tom.

13 Next speaker will be Linda Epstein,  
14 followed by Arabella Juarez.

15 MS. EPSTEIN: Good morning, Mr.  
16 Secretary.

17 The following paragraph is from the CFR of  
18 life. I'll read it very slowly because we all know  
19 how complicated the CFR is to understand. It is  
20 entitled, "Whose Job Is It?"

21 This is a story about four people named  
22 Everybody, Somebody, Anybody, and Nobody. There was

1 an important job to be done and Everybody was sure  
2 that Somebody would do it. Anybody could do it, but  
3 Nobody did it. Somebody got angry about that  
4 because it was Everybody's job. Everybody thought  
5 Anybody could do it, but Nobody realized that  
6 Everybody wouldn't do it. It ended up that  
7 Everybody blamed Somebody, when Nobody did what  
8 Anybody could have done.

9 Now, everybody in this room knows that  
10 there's important -- that there is a very important  
11 job to be done, and that job is to fix our broken,  
12 outdated civil rights system to reflect the needs of  
13 our diverse employees. We cannot complacently sit  
14 here and wait for somebody to fix it, and it won't  
15 fix itself. We need to be part of the solution.

16 Presently, USDA's civil rights program is  
17 decentralized and hidden. Enforcement services --  
18 the enforcement area services both our internal and  
19 our external program recipients, and also develops  
20 procedures, plans, coordinates, provides assistance  
21 and provides guidance to both. How can they  
22 possibly do a good job for both the internal and

1 external program recipients without one group being  
2 neglected or inadequately serviced?

3 To add to this melange of  
4 responsibilities, enforcement rules are written  
5 unclearly. Recently I had the opportunity to  
6 experience firsthand how rules can be circumvented,  
7 paving the road for subjective interpretation and  
8 noncompliance to EEO.

9 Anybody here can make recommendations on  
10 what we can do to fix the system. We can write  
11 guidelines that are clear and easily understood,  
12 less subject to noncompliance by misinterpretation.  
13 We can submit a time line to track compliance of  
14 each instance of discrimination.

15 We can train the employees and the  
16 managers so they all know the same rules. That  
17 doesn't seem to be the case now. We can audit  
18 programs randomly to keep everybody on their toes.  
19 We can, as a last ditch effort, hold people  
20 accountable for their actions.

21 We are aware of these remedies  
22 intellectually, but nobody has done anything

1 measurable or visible. Somebody got angry. He  
2 wanted the system fixed and felt it was everybody's  
3 responsibility to help.

4           Everybody knows that civil rights is  
5 invisible. It is buried in the Office of Operations  
6 in the back corner of the building. Is this because  
7 civil rights is low priority? Everybody knows that  
8 priority programs are visible and physically located  
9 closer to the top of the chain of command.

10           (Applause.)

11           MS. EPSTEIN: Everybody is aware that we  
12 can all make wonderful rules that won't be followed  
13 unless there is scrutiny. It ended up that  
14 Everybody blamed Somebody when Nobody did anything  
15 that Anybody could have done.

16           Now, anybody in this room can make  
17 recommendations. I consider myself an Anybody, but  
18 I am powerless. I can only recommend, not act.  
19 There is only one person in this auditorium who can  
20 do what nobody else can, move EEO physically to the  
21 highest levels of the Department to reflect USDA's  
22 commitment and support. That person is you, Mr.

1 Secretary.

2 Thank you.

3 (Applause.)

4 MR. JOHNSON: Thank you, Linda. And thank  
5 you for abiding by the rules.

6 SECRETARY GLICKMAN: At least somebody  
7 abided by the rules, right? Okay.

8 MR. JOHNSON: It's hard to fit within five  
9 minutes, I know, and I appreciate what you've all  
10 done thus far.

11 Those of you who are standing in the back,  
12 if you'd care to come forward, there are very  
13 comfortable seats up here. It's up to you.

14 Next we have Arabella Juarez, and she will  
15 be followed by Patricia Jackman.

16 MS. JUAREZ: Hello, good morning, and  
17 thank you for giving us the opportunity to speak  
18 here today.

19 I have been with the Department of  
20 Agriculture for six years. I have seen the forces  
21 of discrimination at work at USDA. I have been  
22 through the EEO process, and know that nothing

1 changes unless the people who engage in  
2 discriminatory behavior are reeducated and forced to  
3 change.

4 (Applause.)

5 MS. JUAREZ: USDA employees who engage in  
6 the tactics of discriminatory behavior should be  
7 held personally liable and accountable for their  
8 actions. Without this, the culture of  
9 discrimination at USDA will always remain the same.  
10 Middle managers who discriminate should be punished  
11 economically.

12 I have a question for Secretary Glickman,  
13 and I hope that you will be able to answer this.  
14 What are you personally going to do to motivate USDA  
15 employees who engage in discriminatory behavior?

16 SECRETARY GLICKMAN: As I said at the  
17 beginning, I'm going to reserve comment on all the  
18 comments here until this team makes its specific  
19 report, but I assume that the essence of your  
20 question will be included in their recommendations.

21 MS. JUAREZ: Okay. Thank you.

22 (Applause.)

1 MR. JOHNSON: Thank you, Arabella.

2 Patricia Jackman. Again, I'd remind you  
3 to state your name again and anything about your  
4 Agency or the organization you represent, if you  
5 will, please.

6 MS. JACKMAN: Good morning. My name is  
7 Patricia Jackman, and I'm President of the  
8 Pathfinders Association of People with Disabilities  
9 and the USDA Forest Service.

10 I thank you very much for this opportunity  
11 to share information and to have organized these  
12 forums for all USDA employees, but I want to make  
13 one statement. USDA needs to walk the talk about  
14 equal access and opportunity from the top down.

15 When the Forest Service heard about these  
16 listening sessions, we were not connected to  
17 E-mail. The written documentation we received, the  
18 signage that was placed, never stated anything about  
19 equal access or accommodations. The Office of Civil  
20 Rights Enforcement distributed to all agencies a  
21 letter which clearly outlined that when meetings  
22 were held at USDA, when the public was invited, when

1 signage was displayed, that any special needs were  
2 to be accommodated.

3 I see signs all over USDA that do not list  
4 TDDs or TTY numbers for employees with hearing  
5 disabilities to contact to get information. And  
6 what comes from the top of the Agency filters -- of  
7 the Department, filters down through our agencies.  
8 And I must report that our field employees in the  
9 Forest Service were quite confused about who to  
10 contact and how to find out more about  
11 accommodations.

12 The status of people with disability in  
13 the Forest Service, as of the new fiscal year there  
14 were 394 targeted employees in one of the biggest  
15 agencies in USDA, which has 30 -- over 30,000  
16 employees. That's 1.28 percent of the work force  
17 representation. The civilian labor force has close  
18 to 7 percent representation by people with  
19 disabilities. This is a very poor showing and we  
20 don't even have a goal for fiscal year '97 to shoot  
21 for.

22 The majority of persons with disabilities

1 are unable to move into positions to maximize their  
2 skills due to lack of understanding of policies  
3 governing the Disability Employment Program.  
4 Officials seem reluctant to provide accommodations.  
5 Many persons with disabilities in this time of  
6 downsizing opted to resign, retire, take the buyout,  
7 due to long-standing frustration with the Agency.

8 EEO Management Directive 712 clearly  
9 states that there are avenues to enable employees  
10 with targeted disabilities to be promoted, to  
11 receive reasonable accommodations, to receive  
12 training and opportunities afforded to others in the  
13 work force.

14 Approximately 70 percent of the persons  
15 with disabilities in the Forest Service are at the  
16 GS-7 or below series. This clearly shows lack of  
17 representation through all levels in the Agency. We  
18 suggest that managers take more -- make more use of  
19 special hiring authorities to hire well-qualified  
20 people with disabilities above the entry level.

21 Temporary employment exposure often leads  
22 to permanent hiring. There seems to be a lack of

1 diversity focus in our hiring of permanent -- of  
2 persons with disabilities in temporary service.  
3 Career ladders are limited to nonexistent.

4 As I said, 70 percent of our Forest  
5 Service employees are GS-7 and below. This has also  
6 been affected by the downsizing. That is the area  
7 where many of the cuts were made, so people with  
8 disabilities were highly impacted.

9 I am extremely excited by USDA's  
10 recruitment initiatives. Unfortunately, the  
11 representation of students with disabilities is very  
12 small to nonexistent when you compare it to our  
13 colleagues in the Hispanic-serving institutions, the  
14 HICU, the HBCUs, UC-Davis, the American Indians  
15 Higher Education Council. What is the -- what is  
16 the reason for this?

17 According to EEO Management Directive 712,  
18 which has been in effect since March of 1983, any  
19 Agency with 3,000 or more permanent employees is to  
20 have a full-time Disability Employment Program  
21 manager. The Forest Service definitely meets that  
22 goal, and it only at the moment has two people

1 sharing this duty in a collateral position.

2 Video materials produced by the Agency and  
3 the Department are not consistently captioned for  
4 the hearing impaired. Key messages come out from  
5 the Forest Service that are not captioned.

6 The Agency has had a dynamic self-analysis  
7 of our work through the Continuous Improvement  
8 Process, yet our chief message went out to all  
9 employees without any captioning. And there has  
10 been no recourse even though that was brought to the  
11 attention.

12 I thank you very much for this opportunity  
13 to share our feelings with you.

14 (Applause.)

15 MR. JOHNSON: Thank you, Patricia.

16 Jeremy Wu is next, followed by Lawrence  
17 Lucas. Jeremy, are you here? Good.

18 MR. WU: Good morning. My name is Jeremy  
19 Wu, and I'm serving as the current President of  
20 APANA.

21 Mr. Secretary, not many of us want to work  
22 for an employer who makes frequent negative news

1 headlines. Employees at USDA certainly prefer to  
2 work at the People's Department instead of the Last  
3 Plantation.

4 (Applause.)

5 MR. WU: We can not built a People's  
6 Department, however, without people.

7 With all due respect, Mr. Secretary, I do  
8 not believe there is one Asian-Pacific American in  
9 your own staff. And in this 90,000 member  
10 Department, I do not believe there is one  
11 Asian-Pacific American career SES. GS-12 is the  
12 highest grade Asian-Pacific American employees can  
13 achieve in the National Finance Center.

14 Mr. Secretary, a long-term strategy known  
15 as REAP has been sent to your office for the last  
16 two months. A memorandum of understanding to  
17 establish a national partnership on this initiative  
18 has been ready for your signature for -- since  
19 September, 1996. With all due respect, we need your  
20 action and we need your decisions.

21 Four years ago, leaders from our community  
22 visited USDA and they asked a question. Why were

1       there no Asian-Pacific American senior executives in  
2       USDA? The answer was there were no qualified  
3       candidates. Today, we're eager to learn about the  
4       responses from you and your subcabinet officers.

5               APANA has also endorsed the concept of a  
6       three-strikes-and-you're-out policy when  
7       discrimination is found in USDA. However, in the  
8       case of Dr. Brij Bhargava, a jury in the U.S.  
9       District Court found FSIS guilty of discrimination  
10      and recommended a historical amount of \$1 million  
11      and a promotion.

12              To this date, we have not seen any action  
13      that you said would be taken as part of your zero  
14      tolerance policy. However, employees of both Asian  
15      and non-Asian descent who attended the trial have  
16      been harassed. They were falsely accused of not  
17      reporting their leave hours.

18              In the name of reorganization, at least  
19      ten of them are being transferred from Washington to  
20      Omaha, Nebraska. On the other hand, those who  
21      testified against Dr. Bhargava, have received  
22      promotions. Despite the court order, Dr. Bhargava

1 is the only one who has not received a promotion.

2 While there is no effort to hold FSIS  
3 managers accountable, there is a sharp contrast in  
4 the non-stop harassment of Ms. Faye Shong in the  
5 Forest Service or in the recent termination of Dr.  
6 Sara Wynn in APHIS. This is the kind of reward and  
7 reprisal system we have in the Last Plantation.

8 Last week I was asked to supply a copy of  
9 a report on civil rights, a focus group that I  
10 chaired about four years ago. Many of the same  
11 issues have remained: Accountability, glass  
12 ceiling, reprisals, complaint management,  
13 pre-selection, nepotism, cronyism.

14 One thing that's clear, USDA serves as a  
15 perfect negative example for the rest of the federal  
16 government. When civil rights is set up as an  
17 extension of management control it will not work.  
18 Problems may be suppressed for some time, but they  
19 will surface, as they have now.

20 And since I have only one minute and I  
21 cannot ask the distinguished gentleman from the  
22 great state of Kansas to yield some time, I'd like

1 to jump to the last few paragraphs in terms of what  
2 I have.

3 Let me go to the part about we cannot rely  
4 on laws. It is clear that the laws will not  
5 necessarily make things happen. We can get a seat  
6 at the table, but the parties could move to the next  
7 door without us knowing about it.

8 President Lincoln did not ask plantation  
9 owners to form a committee, to write reports.

10 (Applause.)

11 MR. WU: He took leadership. He fought a  
12 bloody civil war and through the ruins of the war  
13 arose a stronger America. With all due respect, Mr.  
14 Secretary, that kind of moral leadership is lacking  
15 in USDA today and it is needed in USDA today.

16 (Applause.)

17 MR. WU: And let me just jump to the final  
18 comment. Mr. Secretary, make a personal commitment  
19 to be involved in the civil rights issues. Work  
20 with the people, exert your moral leadership to  
21 condemn the wrongdoing that has happened under your  
22 watch.

1           Take action when you must, no matter how  
2 difficult. Build a solid organization that dares to  
3 take responsibility and be accountable and include  
4 all employees and customers.

5           Mr. Secretary, when you lead, we will  
6 follow. Our time has come to build this People's  
7 Department.

8           Thank you.

9           (Applause.)

10          MR. JOHNSON: Thank you, Jeremy.

11          Lawrence Lucas is next, followed by John  
12 Valencia.

13          MR. LUCAS: I think I'm in the same  
14 position as an EEOC chairman not so long ago,  
15 said -- indicated that he's very careful about who  
16 he follows. I'm not going to talk very long,  
17 because I have pain too long.

18          I think Jeremy Wu has clearly indicated  
19 the problems that you have at this Department. And  
20 if this is not a plantation, but believe me it's run  
21 like one. The only thing I say, the members of the  
22 Coalition of Minority Employees across this country,

1 they are dreamers. They are dreamers. They are  
2 dreamers.

3 But I do have enough respect for law, as  
4 many of the people here in the Department of  
5 Agriculture do not, to believe that a change is  
6 going to come. But that change is going to come,  
7 Mr. Reed, that change is going to come, Mr. Reed,  
8 because of you. Because you will head up and  
9 determine what decisions that come from these people  
10 here, because of the pain and suffering that you all  
11 have heard from the farmers.

12 I have been told that mixing the farmers  
13 with the employees is not the right thing to do.  
14 Discrimination is discrimination, whether it  
15 surfaced its ugly head, whether it surfaced its ugly  
16 head with the denial of the resources to black  
17 farmers or whether it denies the resources and the  
18 pleasures of a hopeful or wonderful working place  
19 for employees. Discrimination and that ugly head  
20 has raised its head in this Department too long, Mr.  
21 Secretary, too long.

22 And they wonder who is the status quo?

1 Who is the status quo? Nobody ever talks about the  
2 people who maintains the status quo, one being OGC,  
3 one being the General Counsel.

4 Here you have a General Counsel that down  
5 in Georgia, in Atlanta, class discrimination against  
6 our legal people who maintain the status quo, the  
7 people in budget, the people in finance, the people  
8 in personnel that keep these policies that tell you,  
9 Mr. Secretary, that you should not render resources  
10 to civil rights, not render resources to settle  
11 these complaints of the farmers.

12 But worst of all, these are the same  
13 people that tell you, Mr. Secretary, that, when you  
14 came on board, they sit here and they run this  
15 Department. Those people are the ones who maintain  
16 the status quo for managers and supervisors to  
17 discriminate all across this land against employees  
18 of this Department.

19 They're the ones, they're the ones who  
20 tell this Department, tell courts, tell individuals  
21 and managers such as you that there is no  
22 discrimination on this plantation. They tell you

1 that, and you want to believe it, because they are  
2 the legal arm, your counsel, the people close to  
3 you. You do not listen, Mr. Secretary, to the  
4 people who are cherish -- who cherish and offered to  
5 help you most.

6 Mr. Secretary, all the words that I have  
7 to say is remember one thing. Walk in the shoes of  
8 Martin Luther King. Walk in the shoes of those  
9 people who were called and suffered the pain of  
10 racism and discrimination in this country, Jews, the  
11 pain that women have that I hear across this  
12 country.

13 I went out to Portland, Oregon. They  
14 treat their dogs better than they treat the  
15 disabled. So we know how they treat people of  
16 color, especially blacks. We have a serious problem  
17 of the demise of the black male. It's not by  
18 accident. It's not by accident.

19 I say to you, Mr. Secretary, we are  
20 dreamers. Coalition of Minority Employees chapters  
21 across this country have talked to this panel. We  
22 are dreamers. And I will say by closing, you can

1 kill the dreamers but you will not kill the dreams.

2 (Applause.)

3 MR. VALENCIA: Good morning, Mr.  
4 Secretary.

5 MR. JOHNSON: John Valencia.

6 MR. VALENCIA: My name is John Valencia.  
7 I'm president of the Hispanic American Cultural  
8 Effort here at USDA, and an employee of the  
9 Departmental Administration, Management Services.

10 We applaud the creation of the Civil  
11 Rights Action Team. We look forward to results and  
12 an action-oriented agenda. This is a new day and we  
13 must institute a new way when it comes to civil  
14 rights at USDA.

15 It is wonderful to have these events where  
16 we are focusing on moving the agenda forward in the  
17 civil rights arena. We applaud the efforts of the  
18 Secretary, the Deputy Secretary, Pearlie Reed, Sam  
19 Thornton and others. We must make progress and we  
20 must take it now.

21 Starting today and for the next four  
22 years, the Glickman and Pearlie Reed years at USDA.

1 must be known as action and results-oriented years  
2 in the civil rights arena at USDA. That's the  
3 legacy that you should concentrate on leaving.

4 We have certainly started giving you tools  
5 to make results happen at USDA. For instance,  
6 Hispanic employees met with the Secretary on May  
7 29th, 1996, to ask for the creation of the USDA  
8 Hispanic Issues Task Force. You, in your prudent  
9 manner, decided to grant us that.

10 Mr. Secretary, Pearlie, Deputy Secretary,  
11 Sam and others, we are hemorrhaging when it comes to  
12 the Hispanics at USDA. The statistics are very low,  
13 at only 3.8 percent of the USDA work force.  
14 President Clinton has mentioned that the federal  
15 work force should mirror the population in the  
16 U.S.. We are nowhere near there, when you consider  
17 Hispanics comprise 10.2 percent of the population.

18 By the year 2020, Hispanics will comprise  
19 16 percent of the population. By the year 2050, the  
20 U.S. Census Bureau conservatively estimates that  
21 Hispanics will comprise 24.2 percent of the  
22 population.

1           Clearly, we must move forward to increase  
2           the number of Hispanics at all grade levels at  
3           USDA. We must devise strategies to move quickly and  
4           move now. At the downsizing pace, we will even lose  
5           more Hispanics and the most underrepresented  
6           minority or one of the most underrepresented  
7           minority groups at USDA will no longer exist.

8           How can we be serving our customers, both  
9           here in Washington, D.C., and throughout this  
10          country? We need representation and we need it  
11          now. We need political appointees appointed to key  
12          positions.

13          And frankly, I would say even with this  
14          CRAT team, the Civil Rights Action Team, if you  
15          looked at that, last week we had a presentation by  
16          Randy at the Hispanic Issues Task Force. I said,  
17          Randy, we don't have any Latinos, we don't have any  
18          Hispanics on that CRAT team. Why don't we?

19          And you, Pearlie, in your infinite wisdom,  
20          said we got to get them, and we got Steve Anaya on  
21          there. And it was only as an afterthought. We  
22          cannot be the afterthought at USDA.

1           We must move forward in the civil rights  
2 arena by focusing with targeted efforts at the  
3 various communities at USDA. It is great and  
4 frankly okay to target efforts at each minority  
5 group, Hispanic, African-Americans, Native  
6 Americans, the disabled, Asian-Americans and women.

7           There has been, what I sense, a need to  
8 aggregate all the efforts. For instance, we should  
9 move ahead with separate training such as Hispanic  
10 training that we had in 1995, the federal woman's  
11 training in 1995, the African and male --  
12 African-American male training, 1995.

13           Under the leadership of David Montoya, the  
14 former Civil Rights Director, we had started to make  
15 progress. The progress has now ceased. His  
16 action-oriented approach to civil rights has ended.

17           We must examine the roles of the entities  
18 involved in civil rights decision-making at USDA.  
19 What is the role of the Office of General Counsel?  
20 What is the role of the Special Counsel to the  
21 Secretary? Have these entities had a chilling  
22 impact on the progress of civil rights?

1           Mr. Secretary, in closing, and I have a  
2 lot more to say as all the other speakers certainly  
3 have, but this is an opportunity. This is the  
4 bridge to the next century. And you are part of  
5 that bridge. Pearlie, you are part of it.

6           We thank you and we look forward to  
7 progress.

8           (Appause.)

9           MR. JOHNSON: Thank you, John.

10           Again, I want to let all of you know that  
11 if you have additional comments, make sure you get  
12 them to people at the back on your way out.

13           Next, Sue Harris-Green, and she will be  
14 followed by Peter Wood. Sue, are you ready?

15           MS. HARRIS-GREEN: Good morning. My name  
16 is Sue Harris-Green and I'm the President of Black  
17 Minority Employee Organization. And we represent  
18 Rural Development and Farm Service Agency. I've  
19 worked within the Department of Agriculture for over  
20 25 years.

21           Mr. Secretary, we recommend that you  
22 randomly select at least five discrimination cases a

1 month and have your staff review and prepare an  
2 executive summary for your review. We recommend  
3 that you provide a personal -- that you are provided  
4 a personal briefing from your staff, and if  
5 necessary from the Civil Rights Director from the  
6 affected mission area. We strongly feel that this  
7 is a method and this method will provide you a  
8 better understanding of the issues, the findings and  
9 resolutions that are being proposed.

10 Mr. Secretary, we also recommend that once  
11 an employee files a discrimination complaint, that  
12 the employee is removed from the hostile environment  
13 until the case is resolved.

14 (Applause.)

15 MS. HARRIS-GREEN: Mr. Secretary, if an  
16 employee organization writes to you regarding a  
17 civil rights issue, we recommend that the response  
18 be prepared for your signature and signed by you.  
19 So often the response is prepared by the Civil  
20 Rights Director as well as signed by the Civil  
21 Rights Director.

22 And, Mr. Secretary, psychologists tell us

1 that a desired reaction, if you -- to get a desired  
2 reaction, you need a reward and a punishment  
3 system. It is my understanding that most cases are  
4 being settled with a finding of no fault.

5 How are you going to change the attitude  
6 and the behavior of managers whose names keep coming  
7 up on the list of employee discrimination  
8 complaints? Repeated action, yet nothing happened  
9 to them. Back in Georgia, where I was born, Mr.  
10 Secretary, rural America, once we saw smoke, my  
11 father always told me that usually there's fire.

12 (Applause.)

13 MS. HARRIS-GREEN: Also, our last comment  
14 is several African Americans have successfully  
15 completed the Senior Executive Service candidacy  
16 program. However, they are not selected for the SES  
17 position. What is the purpose of employees going  
18 through the SES training if they are not going to be  
19 recognized and appointed to these positions? What  
20 are your plans to place more African Americans in  
21 SES positions?

22 Thank you.

1 (Applause.)

2 MR. JOHNSON: Thank you, Sue.

3 Peter Wood is next, followed by Mike  
4 Dunn.

5 MR. WOOD: Good morning. Thank you,  
6 Secretary Glickman, Deputy Secretary Rominger, Mr.  
7 Pearlie Reed, and the Civil Rights Action Team. We  
8 really appreciate the opportunity to speak.

9 I'm Peter Wood, President of USDA GLOBE,  
10 which represents the gay, lesbian, bisexual and  
11 transsexual employees of the Department.

12 We have great hopes that the Civil Rights  
13 Action Team is going to take action. That's part of  
14 its title. We are impressed with them so far.

15 We had an opportunity as representatives  
16 of GLOBE to meet with Pearlie Reed. I was very  
17 impressed with him. It gives me great hope. We  
18 provided some written recommendations to Mr. Reed  
19 for his Action Team to review.

20 Secretary Glickman, you had mentioned some  
21 reports gathering dust, and there was a report put  
22 together back in 1994 on sexual orientation. It was

1 commissioned by then-Secretary Espy. That report  
2 was never recognized that it was even received. So  
3 based on that, we provided some updated  
4 recommendations. We appreciate that opportunity.

5 Yesterday you were quoted in the Post as  
6 saying there is no nationwide pattern or practice of  
7 discrimination, and that you think what we need is  
8 to make sure that the way our system operates is  
9 that it's fair and fair across the board.

10 And I couldn't agree more. And I really  
11 think, as Linda Epstein said, one of the things we  
12 need to do is change the culture. And by doing  
13 that, that's putting civil rights leadership at the  
14 top.

15 This is a listening session, and I hope  
16 you were listening earlier when the gentleman stood  
17 over there and described who he was, by saying he's  
18 Catholic and married with children and that he was  
19 heterosexual. I don't know if you were listening at  
20 that.

21 It wasn't really loud, but when he said he  
22 was a heterosexual, there was laughter in this

1 audience. This audience laughed. I'm not really  
2 sure why. Do you know how that makes me feel?

3 When he said he was a Catholic, there  
4 wasn't real laughter. When he said he was married  
5 with children, there wasn't real laughter. But for  
6 some reason, the people in this audience feel that  
7 when someone says they're not gay, they giggle.

8 Why is that? What does that say to  
9 anybody that's sitting in this audience that may be  
10 gay? Hey, I'm gay and they're giggling.  
11 Something's not right, I better not tell my  
12 co-worker.

13 What's it make you feel like, somebody  
14 that's sitting in here that has a son or daughter  
15 that's gay? I better not tell them that my son or  
16 daughter is gay, because they giggled. I hope  
17 you're listening.

18 One of the things that we recommended is  
19 that there be education, education on sexual  
20 orientation. And I think that's really important  
21 because I think people giggle because they don't  
22 understand. They don't understand that we're really

1 not that different.

2 And I know that there's a lot of -- it's  
3 politically unpopular to do education on sexual  
4 orientation. That's going to be a tough job to  
5 bring that forward. And one of the things is going  
6 to be people are going to say, well, it's against my  
7 beliefs, I don't believe in gays, I think it's a  
8 sin.

9 We're not asking people to change their  
10 beliefs, but only to be tolerant of us. And I think  
11 that's important. We're not asking anyone to change  
12 the way they look at life, only to give us a fair  
13 and even space to work on and not giggle.

14 I just want to say that we appreciate this  
15 opportunity and we really think that it's going to  
16 be some real action. And I think we really need to  
17 make it clear to all USDA employees that  
18 discrimination, for whatever reason, on any basis,  
19 will not be permitted.

20 Thank you for the time.

21 (Applause.)

22 MR. JOHNSON: Thank you, Peter.

1                   Next is Mike Dunn, followed by Don  
2                   Gearing. Go ahead, Mike.

3                   MR. DUNN: Thank you very much, Paul.

4                   Good morning, Secretary Glickman, Deputy  
5                   Secretary Rominger, Chairman Reed, men and women of  
6                   the CRAT management team, members of the FAC  
7                   committee.

8                   I am here today to represent the Hispanic  
9                   issues Task Force. Last June, Mr. Secretary, you  
10                  asked me to chair that Task Force, to give  
11                  visibility to the Task Force as a member of your  
12                  subcabinet, to indicate the dedication that you have  
13                  to look into these particular issues.

14                  We have been very systematically going  
15                  about our business for the last half year, Mr.  
16                  Secretary. What we have found, as mentioned earlier  
17                  by John Valencia, that even though Hispanics are 10  
18                  percent of the nation work force, they're only 6  
19                  percent of the federal work force. And here at the  
20                  Department of Agriculture, they're only 3.8 percent  
21                  of the work force.

22                  As John had indicated, by the year 2020,

1 Hispanics will be 16 percent of the nation, probably  
2 our highest majority -- minority group in the  
3 nation. We cannot continue as we are, ignoring the  
4 underrepresentation of Hispanic employees at the  
5 Department of Agriculture.

6 In the area of services for Hispanic  
7 communities, we find that not only culture but  
8 additional language barriers exist. That keeps our  
9 Department from providing the services and goods  
10 that we have for Hispanic communities.

11 Mr. Secretary, you asked us to look at  
12 three areas: Program delivery and services,  
13 education and research, and employment and career  
14 development. Our Task Force has taken this task  
15 extremely serious.

16 They have put together a plan of action  
17 that we feel will embody and internalize within the  
18 Department of Agriculture a systematic review of  
19 where barriers exist, where discrimination in civil  
20 rights exist for the Hispanic community, and ask us  
21 to attack those barriers, to remove them.

22 Three words, Mr. Secretary:

1 Accountability, accountability, accountability.  
2 Accountability for those of us that are in policy  
3 positions to make sure that this plan is carried  
4 out. Accountability of the mission areas and  
5 agencies to ensure that they take serious their job  
6 and internalize this, make this an ongoing part of  
7 the system, a systematic review. And  
8 accountability, finally, of each and every  
9 supervisor in the Department of Agriculture to  
10 ensure that civil rights violation for Hispanic  
11 community does not exist.

12 And I guess finally, a fourth  
13 accountability, accountability for all of us at the  
14 Department of Agriculture to do better. Because,  
15 Mr. Secretary, we can.

16 Thank you.

17 (Applause.)

18 MR. JOHNSON: Thank, Mike.

19 John Gearing is next, followed by Mae  
20 Massey.

21 SECRETARY GLICKMAN: Paul, if I may just  
22 make one comment. That is, it's interesting that

1 the Task Force asked Mike Dunn, who is basically a  
2 member of the subcabinet, to chair the Task Force.

3 And I don't want to single out anybody  
4 exceptionally positively or negatively in the  
5 subcabinet, that's not appropriate here, except to  
6 say that Mike Dunn, as a manager and as a policy  
7 leader, had the confidence of a group of people that  
8 he could take this issue and provide the leadership,  
9 and the confidence that he could provide the  
10 follow-through necessary, which is something that we  
11 expect of all of our subcabinet and all of our  
12 leadership people here at the department. And he's  
13 an example to us of this.

14 (Applause.)

15 MR. JOHNSON: Don Gearing.

16 MR. GEARING: Mr. Secretary and the Action  
17 Team, my name is Don Gearing, and I've worked at  
18 USDA for almost 30 years now. I'm currently the  
19 chief steward of AFSCME Local 3925, representing FSA  
20 here at headquarters. Also I'm the union contact on  
21 the Service Center Implementation Team.

22 Mr. Secretary, the employees share your

1 dream. To have customers and employees treated  
2 fairly and with dignity is something the Department  
3 has got to continue to work towards.

4 Unfortunately, not everybody in the  
5 Department shares that dream. There is people in  
6 authority in the Department that does not want to  
7 give up what I would call their unfair advantage  
8 that was obtained through the plantation mentality.  
9 And this unfair advantage has created the  
10 unwillingness for authority to exercise enough  
11 authority to change the attitudes of certain  
12 individuals, to tell them this is not acceptable and  
13 will not be tolerated at USDA.

14 I believe part of the problem is that USDA  
15 at the Department level abdicates and gives up their  
16 authority to the Agencies all too quickly. I see  
17 the Department operating what I would consider more  
18 like a coalition than a real line authority at  
19 times.

20 Things that are set forward from goals  
21 that are either in the law, through the  
22 administration, or we see inappropriate deeds from

1 individuals that go unaddressed. And I'd like to  
2 give you a few examples of some things that I can  
3 relate to firsthand.

4 First of all, I can speak from personal  
5 experience. On November the 26th, I was struck in  
6 the back of the hand with a phone from a manager in  
7 FSA. This has caused nerve damage to my back of my  
8 hand and a problem for me.

9 Unfortunately, the police were called in.  
10 It was considered assault and battery, and a very  
11 egregious violence in the workplace incident, and  
12 the Agency's response was no response. There was no  
13 action taken.

14 Secondly, within FSA, we have an EEO staff  
15 that is being mismanaged. This mismanagement has  
16 created hostilities towards those employees to the  
17 point where we have had six employees file  
18 grievances outlining discrimination against them by  
19 managers. And I'll just add that the hostility that  
20 we've seen that was encompassed in these problems is  
21 so egregious that anybody that would know about it  
22 would certainly not want to tolerate it.

1           Also, the cornerstone of this  
2     administration and the reorganization of the  
3     Department, you might say, is in trouble. There is  
4     a faltering of the individual Agencies to living up  
5     to the responsibility for that effort.

6           And unfortunately, what I'm seeing right  
7     now is that there's nobody in charge of the  
8     Department level to make the effort work. The  
9     stovepipe Agencies are incapable of making the  
10    decisions to cross cut to things that are needed.

11          I would recommend to you, sir, to create a  
12    leadership team with you, Secretary Rominger, the  
13    top people in your administration, along with a  
14    liaison to the White House and to Congress, to OMB.  
15    We can't have a pass-back come back that shocks the  
16    world. And with the unions, so that we can move  
17    forward.

18          Because without a service center, we  
19    cannot deliver service to the field. Without the  
20    service to the field, the head dies.

21          I would also like to offer to you the  
22    opportunity that the unions and the employees are

1 willing to roll up their sleeves. Give us a chance,  
2 we'll work with you, we'll develop the  
3 interest-based approaches you need.

4 Thank you.

5 (Applause.)

6 MR. JOHNSON: Thank, Don.

7 Mae, you're next, followed by Carol  
8 fields. Go ahead, Mae.

9 MS. MASSEY: Good morning, Mr. Secretary,  
10 and members of the Task Force. My name is Mae  
11 Massey and I'm President of the Organization of  
12 Professional Employees of the Department of  
13 Agriculture.

14 The members of the Organization of  
15 Professional Employees of U.S. Department of  
16 Agriculture recognize that the goal of your current  
17 Civil Rights Listening Session is to obtain  
18 information on discriminatory concerns. And we look  
19 forward to solutions.

20 OPEDA is a diverse group of more than  
21 5,000 multi-cultural, multi-racial and  
22 multi-generational employees who seek to provide

1 support for the interests of all its members and all  
2 USDA employees. We feel that there is need to make  
3 a public statement with regard to the continued  
4 impact of discrimination against employees and  
5 mismanagement by a system out of control.

6 OPEDA requests a comprehensive analysis of  
7 the serious issues and contributing factors that  
8 necessitate a Listening Session. Focus on  
9 discrimination, racial and otherwise. Our concerns  
10 are stated in summary and followed with questions  
11 for your hearing and hopefully for your positive and  
12 effective response.

13 Concern number one, USDA's ability to  
14 provide efficient customer service. OPEDA members  
15 and other employees continue to work in an  
16 environment of declining human and fiscal  
17 resources. We are typically accepting more tasks,  
18 greater responsibility, and declining resources. In  
19 many instances, limited resources contribute to the  
20 problem.

21 Question: To what extent have the issues  
22 stated in complaints been examined to identify

1 contributing causes of real and perceived public  
2 service problems? What actions are being taken to  
3 utilize information contained in complaints to  
4 establish improvement processes? To what extent  
5 will the Department identify a proactive approach to  
6 assist employees in managing changes?

7 Concern number two, increasing  
8 responsibilities without corresponding  
9 compensation. Career opportunities are decreasing  
10 and very little consideration is being given to the  
11 need to provide adequate compensation to employees  
12 who receive additional work loads. Increasing  
13 responsibilities, while the public we serve demands  
14 the highest level of public service.

15 The working environment is generating  
16 continuing threats to the welfare and health of  
17 employees. Employees are suffering from stress and  
18 changing working conditions. Will the Department  
19 establish a method for providing a healthy workplace  
20 environment?

21 Concern number three, career support and  
22 transition. Downsizing is currently occurring

1 continuously. Employees are transitioning within  
2 USDA and outside of USDA. Many federal Agencies are  
3 demonstrating their support and appreciation to  
4 present and former employees through career  
5 transition services.

6 Our question: What commitment will the  
7 Department make to institutionalize career  
8 transition services throughout the nation for USDA  
9 employees? Will major employment centers be  
10 equipped with career counseling offices?

11 In conclusion, the members of OPEDA stand  
12 ready to help with all solutions.

13 (Applause.)

14 MR. JOHNSON: Thank you, Mae. I have a  
15 feeling most people here could identify with that,  
16 those comments on work load. We're all working  
17 very, very hard.

18 Carol Fields next, followed by James  
19 Vollmer.

20 MS. FIELDS: Good morning. I'm Carol  
21 Fields. I'm the President of the Forum on Blacks in  
22 Agriculture. Mr. Secretary, we're pleased to have

1 the opportunity to inform you and the Civil Rights  
2 Action Team of the concerns and issues impacting  
3 black employees at the Department.

4 The Forum is one of the oldest and  
5 proactive black employee organizations in the  
6 Department of Agriculture. As we work to develop  
7 the issues and concerns confronting black employees  
8 on a daily basis, we realize that we face the same  
9 issues that existed ten years ago.

10 The statistics have changed slightly. The  
11 statistics have changed slightly at the higher  
12 grades. However, when you look closely at those  
13 increases, what we notice, that at the grades GS-14  
14 and 15 levels, we know that 30 to 35 percent are in  
15 the civil rights, equal employment opportunity,  
16 outreach, human resources, and personnel.

17 Most of these individuals have college  
18 degrees in other disciplines such as economics,  
19 business management, agriculture education,  
20 et cetera. The main reasons they're in civil rights  
21 and EEO is because they're given -- they're not  
22 given the same opportunity to advance in their

1 chosen fields.

2 In the program area there are numerous  
3 cases where Agencies have continued to advertise  
4 positions at the higher level instead of at the  
5 entry level in order to exclude black staff members  
6 that qualify for the positions at the entry level.

7 An example would be a black management  
8 assistant, grade GS-8. The Agency elects to  
9 advertise a management analyst position at the GS-12  
10 level, thereby effectively denying the assistant an  
11 opportunity to compete for the professional  
12 position.

13 Black males have been an endangered group,  
14 both internally and externally. In an effort to  
15 affirmatively address the black males' employment  
16 issues, the Department had offered specific training  
17 for African-American males.

18 This program provided a highly -- had  
19 proved to be highly successful, with many of its  
20 graduates advancing in their chosen careers.  
21 However, the program was abruptly discontinued and  
22 left nothing in its place. The message sent to

1 African-American males was clear, business as usual  
2 and you are excluded.

3 I could go on for hours discussing the  
4 many issues and concerns black employees have with  
5 the Department. However, I would take the remaining  
6 time to offer some recommendations that over time  
7 would address and resolve many of these concerns and  
8 issues.

9 First, Mr. Secretary, we have to be -- we  
10 have to have accountability at all levels, starting  
11 in your office, the Under and Assistant Secretaries,  
12 the Administrators, down to the lower level of  
13 supervision.

14 Secondly, the directors of civil rights  
15 and equal employment opportunity at all levels, the  
16 departmental, mission area, Agency levels, must have  
17 extensive knowledge of civil rights and the EEO  
18 laws, regulations and requirements. In addition,  
19 they must be committed to and advocate for civil  
20 rights employment for all employees and work with  
21 all elements of the Department to assure that  
22 mission area and Agencies are complying with

1 affirmative employment plans.

2 Third, the Department mission areas and  
3 Agency officials must act affirmatively to increase  
4 opportunity for all participants, for full  
5 participation of black employees in all areas of  
6 employment.

7 And finally, Mr. Secretary, the easiest of  
8 all, the Department over the past years have been  
9 offering us special observances and ceremonies.  
10 These ceremonies were basically designed to give  
11 diversity training to our managers and supervisors.

12 The most recent ones was the MLK program  
13 that was in this auditorium last week. The  
14 auditorium was packed. If you look at the films  
15 from that particular program, you will note that  
16 there was a conspicuous absence of managers and  
17 supervisors. With strong words from you, I am sure  
18 that managers and supervisors can at least take one  
19 hour out of their time to come and listen and  
20 learn.

21 (Applause.)

22 MS. FIELDS: I would like to thank you for

1 the opportunity today and to inform you that the  
2 Forum on Blacks in Agriculture has been available  
3 and more than willing to assist your panel and your  
4 team to do whatever is necessary to move us.

5 I don't think we're quite ready for the  
6 21st century. We have not -- this Department is  
7 pre-1954. We need to at least move it up to the end  
8 of the 20th century.

9 Thank you.

10 (Applause.)

11 MR. JOHNSON: Thank you, Carol.

12 James Vollmer is next, followed by, and  
13 I'm sorry, somebody's handwriting is worse than  
14 mine, but Kheryn Klubnikin? And I apologize for  
15 that pronunciation, but if you would follow,  
16 please.

17 MR. VOLLMER: Mr. Secretary, my name is  
18 Jim Vollmer. I'm the chief steward of AFSCME Local  
19 3870, representing the rural development mission  
20 area. I'm also a member of the coalition, BEMA and  
21 OPEDA, and I worked for over 25 years in the  
22 Department in many divisions in the rural

1 development mission area.

2 Mr. Secretary, your public New Year's  
3 resolution was to improve our services and ensure  
4 they're delivered equitably and free of  
5 discrimination. We pray you receive the strength  
6 and wisdom to carry out those resolutions.

7 Mr. Secretary, we need to come into  
8 compliance with the Civil Rights Act of '64 and '91,  
9 the Equal Employment Opportunity Act of '92, the  
10 Rehabilitation Act of 1973, the Americans with  
11 Disabilities Act of 1990, the Fair Housing Act, the  
12 Government Performance and Results Act, Section 537  
13 on Housing Act, and Executive Order 12871 on  
14 management/union partnershiping.

15 We offer the following constructive  
16 recommendations, 34 points, action points that -- I  
17 might not get through all of them, but I'll try.

18 On tax and insurance escrowing, we started  
19 that out with a Task Force, 1973, said we could do  
20 that. We're just starting to do that now. So we  
21 need to continue to provide those types of services  
22 to our rural minority borrowers.

1           Our civil rights regulations are 20 years  
2 out of date. Six years in clearance is a joke. We  
3 don't have the commitment that we need to get those  
4 regulations updated.

5           All these acts I just cited about are  
6 substantially not in compliance. We don't have the  
7 regulations out there, the rules again for our field  
8 offices to follow. We're still trying to implement  
9 things going back to 1972.

10           Employee orientation, we haven't done any  
11 in eight years. We need to do that.

12           Timely action on complaints takes  
13 typically one to six years to resolve our  
14 complaints. We're not getting the 180-day standard  
15 called for in the Federal Register. We're missing  
16 that almost always.

17           Union contract, we're over a year over on  
18 substantial things called for in that contract.  
19 Matter of fact, we're overdue on fairness issues,  
20 dealing with performance appraisals, trainings,  
21 awards, career enhancement opportunities. Our  
22 written grievance resolution commitment to publish

1 awards, overdue.

2 Unanswered letters, we've issued letters  
3 of concern to you, Mr. Secretary, over eight months  
4 ago, a series of letters. They have gone  
5 unanswered. And similarly letters to your Office of  
6 Inspector General are unanswered. So we need to do  
7 that.

8 SECRETARY GLICKMAN: Let me ask you just  
9 quickly, you mean no response at all?

10 MR. VOLLMER: No response.

11 SECRETARY GLICKMAN: Not even like the  
12 letter got here?

13 MR. VOLLMER: Nothing, a zero.

14 SECRETARY GLICKMAN: Well, that is  
15 intolerable. We will make sure it stops.

16 MR. VOLLMER: Not only that, we made  
17 attempts, I personally made attempts to contact some  
18 of your members on your staff that you've indicated,  
19 and haven't had contacts on that, either.

20 But anyhow, Rehabilitation Act standards  
21 on program delivery concerns, here's what we got  
22 going or not going.

1           Our rehabilitation standards for existing  
2 projects, ones built prior to Rehabilitation Act and  
3 American with Disabilities Act standards, when they  
4 get rehabilitation, are they to be brought up to the  
5 present standards or not? When you get substantial  
6 rehabilitation, HUD's requiring that -- we've made  
7 an action policy about six months ago to get some  
8 policy direction in that, but we haven't issued that  
9 to the field. Our field offices still don't know  
10 what to do on that.

11           Uniform accessibility standard checklist.  
12 People are supposed to do self-assessments. They  
13 should know handicap accessibility routines. We've  
14 got professional assessments made to give the people  
15 and put out in the people's hands, but our borrowers  
16 who don't have any money are trying to hire experts  
17 to do that job for them and we ought to give them  
18 that information.

19           Compliance reviews, we're not doing that.  
20 Our compliance review routines are very weak.  
21 Borrowers, our borrowers say they're not required to  
22 maintain racial composition data.

1           We require affirmative fair housing  
2 marketing plans and they say, well, we can use any  
3 old kind of census data under the sun. We can  
4 include above moderate income people in that census  
5 data and we can't serve those people by law. So  
6 affirmative fair housing marketing plans need to be  
7 changed different.

8           Tenant selection routines, we need  
9 improvement on appeals and mediations. We're not  
10 getting the word out on appeals to our field office  
11 staff, what our routines are.

12           And as far as employment issues, I'm not  
13 going to get through all of this, but our Dispute  
14 Resolution Boards, giving three days' notice to  
15 employees is not adequate.

16           Our EEO counselors at the counseling level  
17 and contact level are not recognizing designated  
18 representatives. And when you go to Dispute  
19 Resolution Boards and they tell you that designated  
20 representatives cannot talk, cannot provide  
21 information, that is wrong.

22           (Applause.)

1 MR. VOLLMER: Who's responsible for this,  
2 these types of actions? Our directors of civil  
3 rights, human resources is some of our biggest  
4 violators.

5 (Applause.)

6 MR. VOLLMER: Our EEO director in the  
7 mission area just tried to gut the EEO advisory  
8 committees, is overdue on elections for over two  
9 years. That's the kind of leadership we have. And  
10 that leadership badly needs to change.

11 Thank you Mr. Secretary.

12 (Applause.)

13 MR. JOHNSON: Thank you, James.

14 MS. KLUBNIKIN: Good morning. Is this  
15 on? Okay, there we go. One of the first things I'd  
16 like to ask, if anybody else is cold in here? It  
17 seems to be -- everybody seems to be shivering and  
18 freezing.

19 SECRETARY GLICKMAN: I'm rather warm up  
20 here.

21 (Laughter.)

22 MR. JOHNSON: The heat's on, or maybe turn

1 it up a bit.

2 MS. KLUBNIKIN: Well, I can assure you,  
3 it's equally uncomfortable on both sides of the  
4 microphone today.

5 (Applause.)

6 MS. KLUBNIKIN: My name, for the record,  
7 is Kheryn Klubnikin. And you can call me Jane Smith  
8 or whatever is comfortable for you.

9 But I would like to say good morning, Mr.  
10 Secretary. I appreciate this rare opportunity to  
11 openly share my own very difficult and dismaying  
12 situation with you and your staff in hopes that it  
13 is some way instructive.

14 I am very uncomfortable standing up here,  
15 because there is a individual in the room who's  
16 quite well familiar with what has happened. And as  
17 you well understand yourself, the working atmosphere  
18 within the Forest Service here in Washington, D.C.,  
19 and throughout the country, remains an elusive and  
20 rather fugitive subject.

21 Many who are unhappy and harassed are not  
22 here to speak. They are scared, intimidated, if not

1 also skeptical of the outcome for many reasons that  
2 you've heard today.

3           However, I commend you on creating this  
4 forum. I commend you on your yeoman's effort to try  
5 to make something happen. And I do like Kansas. I  
6 prefer prairie to eastern deciduous forest.

7           As a GS-14 woman in the Forest Service,  
8 I'm also the only professional woman on a staff  
9 subject to the supervision of a particularly  
10 difficult individual. It is an adverse situation  
11 that has continued to deteriorate over time.

12           I have worked over the last two years to  
13 get the situation changed, asking for what would  
14 have been a very simple change of supervision;  
15 sought another position within the Agency and was  
16 precluded from doing so because of the surplus list;  
17 filed grievances and EEO complaints to no avail.

18           After particularly punitive and adverse  
19 action was taken against me following these  
20 attempts, I filed the first of an EEO complaint.  
21 During that complaint process, it was my  
22 understanding that I could avoid having to pursue a

1 formal complaint if a mutually agreeable solution  
2 could be designed.

3 I requested that I be allowed to take a  
4 long-term detail, as well as receive reimbursement  
5 for lost wages because of the adverse action.  
6 Reimbursement was denied by the senior manager, but  
7 he did agree that I could leave on a detail. It was  
8 wonderful not to be wanted.

9 Relief from the hostility of this work  
10 environment was and remains my primary objective.  
11 At no time was I told that a settlement agreement  
12 was required in the situation to bind the Agency,  
13 and nor was it mentioned in any of the materials  
14 that I received. I was not told about this by my  
15 EEO counselor.

16 Simultaneously I was actively pursuing a  
17 slot at the Agency for International Development in  
18 which AID would have reimbursed my salary and which  
19 would have been a mutually beneficial arrangement.  
20 In the meanwhile, the AID position could not be  
21 filled due to the budgetary shortfall and the  
22 machinations of Jesse Helms.

1           I was actively encouraged nevertheless by  
2 senior management to continue to find another  
3 opportunity, and that I would be allowed to leave  
4 for up to two years with my salary. I did not  
5 pursue a formal complaint because from the best of  
6 my understanding I thought the agreement was in  
7 place.

8           I was invited to be part of the U.S.  
9 implementation team for the Vice President's  
10 favorite framework treaty on global climate change,  
11 to work with U.S. Country Studies Program under that  
12 convention. Currently the USDA does not have a  
13 representative working daily with that team.

14           It would operate -- it would have complied  
15 with my own desire, my professional goal of doing  
16 international environment work, as well as relieve  
17 me of the extremely hostile work environment. And I  
18 was told and it was consistently underscored that I  
19 could go with salary.

20           I spent March through July of 1996  
21 interviewing with the director of the program and  
22 the rest of the staff to ensure a nexus with my

1 skills, the staff in which I worked, and my  
2 professional goals. I note at the same time this  
3 hostile supervisor actively tried to forbid me from  
4 pursuing this particular activity.

5 The Country Studies staff and I were a  
6 great fit, and a letter was sent requesting my  
7 detail in late July. It was denied because senior  
8 management did not want my salary to go with me and  
9 did not like the appearance of it leaving the  
10 house. Nevertheless, this despite the fact that  
11 several others, primarily male, have been sent out  
12 on long-term details.

13 Little weight was apparently given to the  
14 EEO complaint I had filed and the antediluvian  
15 supervisory situation in which I have been trapped.  
16 As you can imagine, it was a very demoralizing blow  
17 and no one in the Forest Service seemed to care.

18 I will submit this, since time is short,  
19 in writing. But in asking questions I have found  
20 that there are eight women who have suffered similar  
21 situations in the same group in which I am part of  
22 in the Forest Service. Two are lower graded. The

1 rest are all at 14s and 15s.

2 Several of the women are willing to talk  
3 with you. They are still here. The others have  
4 left and are wildly successful in the other things  
5 they've pursued.

6 This included marginal -- I call it The  
7 Treatment. It's included marginalization, degrading  
8 comments, and being treated as if years of  
9 experience count for nothing.

10 I will hand deliver a typed version of my  
11 comments to you later on this afternoon, and I  
12 recommend for you the writings of a particularly  
13 provocative woman at Wellesley who has been thinking  
14 about the dominant culture, the privileges of  
15 dominant culture. And I will also try and get that  
16 monograph for you, because I think you need to seek  
17 advice of people like that, some of the great  
18 thinkers in this country who have been looking at  
19 these very kinds of cultural situations.

20 Thank you.

21 (Applause.)

22 MR. JOHNSON: Thank you, Kheryn.

1           At this time I'll like to take about a  
2 seven-minute stretch, and I'll ask the timekeeper to  
3 keep me on schedule on this as well. So if we could  
4 take seven minutes just to stand up and stretch a  
5 little bit.

6           (A recess was taken.)

7           MR. JOHNSON: Okay. Let's get started  
8 again.

9           Every time we take a break like this, I  
10 think that we need to schedule more times when we  
11 can come together and talk. They're very, very  
12 important as well. But we would like to get going  
13 because we do have a fairly long list still.

14           I would also like to say that we have a  
15 number of people who signed up right towards the end  
16 and we'll do our best to get you in. If some of you  
17 have prepared testimony written and would just as  
18 soon turn it in and give up your place, then feel  
19 free to do so. But I'm going to continue to go down  
20 the list and we'll get just as far as we can by the  
21 noon hour.

22           Our next speaker is Brij Bhargava and then

1 the person after that will be Linda Dallos. Go  
2 ahead.

3 MR. BHARGAVA: Yes, Mr. Secretary, I am  
4 Dr. Brij Bhargava. I work for Food Safety and  
5 Inspection Service. I joined FSIS on October 1st,  
6 1975, and that is where my troubles related to  
7 discrimination began.

8 I worked in the field offices doing actual  
9 inspection of meat and poultry, and meat and poultry  
10 products, until I moved to Washington, D.C., in June  
11 of 1983. Here I came to work for the Residue  
12 Division under our science program.

13 I planned and designed the residue testing  
14 programs for all the species of animals that are  
15 inspected. My plans were known as annual program  
16 plans, referred to as blue book, which every country  
17 in the world still uses.

18 Due to the discriminatory problems and the  
19 treatment I was getting in Residue Division, I was  
20 moved to Microbiology Division in June of 1986,  
21 after I filed a grievance. This division had never  
22 collected a microbiological sample for regular

1 microbiological monitoring and analyses.

2 With my knowledge and know-how, I  
3 developed several projects and implemented them.  
4 Under these projects, we sampled meat and poultry  
5 and their products for Listeria, Salmonella, E.  
6 Coli, and other microorganisms, as well as their  
7 toxins. My contributions are integral part of the  
8 new inspection program.

9 My working environment in the Microbiology  
10 Division was very bad. I was discriminated by my  
11 superiors, as well as both co-workers in the  
12 branch. No one would listen to or help provide any  
13 relief. I was trying for lateral transfers and in  
14 other cases for promotion, but was never  
15 successful.

16 Finally, in 1990, I filed a complaint  
17 following EEO procedures. Since I filed an EEO, my  
18 superiors and my co-workers in the branch really  
19 gave me the business. I was labeled. The FSIS  
20 management refused to interact or talk to me.

21 Subsequently, I had to file EEO complaints  
22 every year, as my immediate supervisor was.

1 retaliating and was downright nasty to me. FSIS  
2 management would not do anything to remedy the  
3 situation, except change my performance ratings and  
4 detail me to other offices.

5 Finally, the trial date for my 1990 EEO  
6 case in the U.S. District Court was set. No one in  
7 FSIS was willing to talk. I was told by the  
8 director, EEO and civil rights staff of FSIS that,  
9 I'm not going to quote but I'm going to say, that my  
10 case had gone so high that it was not Brij Bhargava  
11 versus FSIS, but Brij Bhargava versus the whole U.S.  
12 government. Now they have unlimited resources to  
13 deal with my case. A third comment was made that  
14 this case will give her staff a very good  
15 opportunity to get more experience.

16 Four months have passed since the court  
17 gave the judgment in my favor, and FSIS management  
18 has done nothing to settle. Instead they are still  
19 trying to prove that they have never discriminated  
20 or did anything wrong. Then I have learned that  
21 they have settled one EEO case involving an  
22 Egyptian, giving him a retroactive promotion to

1 GM-14.

2 My question to Mr. Secretary is that when  
3 FSIS told me that the case is Bhargava versus the  
4 U.S. government and how far the government will go  
5 in pursuing this case? Under such circumstances,  
6 how can the management of FSIS be held responsible  
7 for what they have done to me as well as to the  
8 witnesses who spoke the truth? Which happened to be  
9 in my favor.

10 As you know, FSIS is changing. It is  
11 changing the way it has done inspection for the last  
12 90 years. It has recognized -- reorganized itself,  
13 giving more power and authority to the managers and  
14 colleagues who were involved in discrimination in my  
15 case.

16 Just a second. I think -- okay. It  
17 expects lower level employees to change the way they  
18 have been doing business and change their culture.  
19 Hopefully the management will change its culture,  
20 too. Unfortunately, we do not see any changes in  
21 the personnel at the upper level in FSIS, so what  
22 should we expect?

1                   Finally, it is well-known that if one  
2 follows EEO or grievance procedure, he or she gets  
3 labeled. It is the most expensive way to deal with  
4 employee problems. A person's life and career gets  
5 ruined. The lawyers, in my case, benefit the most.  
6 And the Agency's efficiency is eliminated.

7                   Keeping in mind what our President said on  
8 his inauguration day for the racial problems, what  
9 should I expect from you and FSIS to resolve my  
10 problems?

11                   Thank you.

12                   (Applause.)

13                   MR. JOHNSON: Thank you, Mr. Bhargava.

14                   Linda Dallos is next, and followed by  
15 Philip Brent.

16                   MS. DALLOS: (Speaking through  
17 interpreter.) Good morning, Secretary Glickman.  
18 Thank you for allowing me the opportunity to talk  
19 about this issue.

20                   The topic is the sign language  
21 interpreter, the second sign language interpreter.  
22 I would like to give you just a little history about

1 the sign language interpreter here at USDA.

2 Since 1990 somewhere, there were two  
3 interpreters, full-time, in USDA, and at the current  
4 time we only have one full-time interpreter. There  
5 are about 30 deaf employees here in USDA.

6 I would like to talk about current policy  
7 related to the USDA interpreter. We do have one  
8 full-time interpreter, plus we have a contract  
9 interpreter.

10 There are pros and cons about hiring, the  
11 hiring process for hiring a second full-time  
12 interpreter. One, it would be 40 hours a week for  
13 hiring an interpreter and would be used for  
14 emergency basis if we had a backup for the  
15 interpreter being on annual leave or sick leave.

16 They need to be familiar with the deaf  
17 person's language skills, English, ASL. They  
18 receive benefits as an employee and we're  
19 comfortable with having a USDA full-time  
20 interpreter. We're comfortable with that. We  
21 realize it is expensive.

22 Right now, currently we have a three-month

1 contract. They come Tuesdays through Thursdays, the  
2 contract backup interpreter. There is no other  
3 backup interpreter if the USDA staff interpreter is  
4 busy or on leave.

5 And it also takes a while for the contract  
6 interpreter or outside interpreters to understand  
7 the acronyms and the language modes. Perhaps they  
8 don't match with the deaf employee's. There are no  
9 benefits along with the contract interpreter.

10 So we do not feel comfortable with the  
11 three-month contract proposition, because we're  
12 constantly facing new faces and different modes of  
13 communications and also it is expensive. The  
14 contractor tends to be -- a contract tends to be  
15 renewed every three months and for us as the deaf  
16 employees we're constantly having to change, getting  
17 used to new faces and voice skills, language  
18 skills. We have less patience with that.

19 Moving back to the hiring the second  
20 full-time and staff interpreter, perhaps there's not  
21 sufficient funds to support that position, while the  
22 three-month contract, we do have plenty of funding

1 for that to continue.

2 As deaf employees, we here at USDA would  
3 like to propose, and I hope you're listening to this  
4 very clearly, hiring a full-time contract  
5 interpreter, not to exceed two years, and who would  
6 work 32 hours per week. That contract interpreter  
7 would be a backup to the USDA sign language staff  
8 interpreter. Suppose they were on an emergency sick  
9 leave or annual leave.

10 And also we would like to change the  
11 current renewal policy from three months to two  
12 years. The deaf employees would have the  
13 opportunity -- would like to have the opportunity to  
14 vote which agency is used as that contract, rather  
15 than having to follow the bidding process in the  
16 Office of Operations.

17 The other two parts of this proposal that  
18 we have, that we would like to offer to you, the  
19 T.V.s in the buildings need to have closed captions  
20 and the decoder possibility, either installed that  
21 are already installed in the new ones, or the extra  
22 machine attached so that they -- all the machines

1 would currently have the captions. At the current  
2 time there are only three in the whole USDA  
3 buildings here that do have the closed caption  
4 capability, and that's not fair to us.

5 The other issue is the pay phone. All the  
6 pay phones do not have TTY capability. None of them  
7 do. And so please install the TTY with the pay  
8 phone capability.

9 In deaf culture, our motto is deaf people  
10 can do anything, just can't hear. And I do hope  
11 that you are listening to our words loudly and that  
12 you don't just sweep our silence under the rug.

13 Thank you very much.

14 (Applause.)

15 MR. JOHNSON: Thank you, Linda.

16 Philip Brent is next, followed by Marjorie  
17 Medina.

18 MR. BRENT: Good morning, Mr. Secretary,  
19 Mr. Deputy Secretary, and panel. My name is Philip  
20 Brent, and I'm a member of the black and  
21 representing the black professionals at ERS. I work  
22 at the Economic Research Service on New York Avenue,

1 Northwest. My comments reflect the issues and  
2 concerns of black employees at my Agency.

3 Before I continue, I would like to ask  
4 where are the measurable results from the first  
5 civil rights forum?

6 (Applause.)

7 MR. BRENT: People who are experiencing  
8 discrimination continue to live daily with the  
9 disparate treatment, and yet eight months later you  
10 want to listen. When will you solve the major civil  
11 rights problems in the Department?

12 Some progress has been made for white  
13 females at ERS. Unfortunately, ERS has not echoed  
14 these work force achievements among its black  
15 employees. ERS does not have a demonstrative record  
16 of upward mobility for black employees.

17 The facts are there has never been a black  
18 manager in the history of ERS. ERS's professional  
19 staff is currently less than two percent black, down  
20 from three percent 15 years ago. Few black support  
21 staff have obtained grades above GS-8, although  
22 their white counterparts have achieved considerable

1 upward mobility.

2 Let's look at employment issues at ERS.  
3 There is discrimination in hiring, grade  
4 appointments and tenure. More often than not in  
5 ERS, black employees are hired at lower grades than  
6 their white counterparts. This translates for black  
7 employees into considerable lower income, isolation  
8 from peers, resentment, and a lessened sense of  
9 connectiveness with the overall workplace.

10 Professional black employees who have left  
11 ERS were repeatedly dissuaded from seeking  
12 promotions and meaningful projects and not -- were  
13 not taken seriously. And if you look at their exit  
14 interviews, this will bear I believe that out.

15 Also blacks are often hired as temporary  
16 or contract employees and are the first to go when  
17 an Agency is downsized. Recently the Agency had to  
18 let go all temporary employees, 83 percent of whom  
19 were black, although only 20 percent of the ERS work  
20 force at the time was black.

21 Now to the failure to recognize the  
22 achievements of black employees. Many black support

1 staff are qualified for a variety of upper level  
2 managerial and administrative jobs, but none have  
3 been selected for these jobs, which represent for  
4 the support staff the only real potential for upward  
5 mobility in the Agency.

6 Most upper level managerial and  
7 administrative positions in ERS are held by white  
8 females who began their careers as members of the  
9 support staff. ERS should demonstrate that upward  
10 mobility is available to all support staff,  
11 including the overwhelming black majority.

12 Lastly, let's deal with problems with  
13 program issues at ERS, lack of interest in U.S.  
14 black farmer segment of the farm population. ERS  
15 discourages any focus or targeted research on black  
16 farmers in the U.S. Other minority segments of the  
17 farm population have been studied, such as women  
18 farmers, but there is no support of interest in  
19 research that targets black farmers in America.

20 Failure to utilize the resource base at  
21 1890 historically black colleges and universities,  
22 also known as HBCUs. Most professional black ERS

1 employees went to HBCUs. Few white students attend  
2 these schools.

3 Although several traditionally black  
4 colleges have graduate programs in economics,  
5 agricultural economics and agricultural business,  
6 ERS employs few of their graduates and the Agency  
7 pursues only a limited number of cooperative  
8 agreements with these HBCUs. Because the Agency is  
9 strongly associated with the land grant system,  
10 HBCUs should represent to ERS a rich resource for  
11 recruitment and cooperative research to improve the  
12 diversity of the Agency programs.

13 These facts and issues are merely  
14 representative of the treatment of black USDA  
15 employees. We could not possibly summarize in five  
16 minutes the totality of the injustices we face daily  
17 in the workplace.

18 In conclusion, I'd like to emphasize,  
19 reemphasize our black managers issue at ERS. Having  
20 no black managers at ERS means that blacks are shut  
21 out of the decision-making process. The civil  
22 rights problems in our Agency stem from this

1 unacceptable reality.

2 Black employees at ERS want results that  
3 can only be -- that can only occur by changing the  
4 culture of this Agency. Management and leadership  
5 in ERS need to reflect the diversity and honor the  
6 capabilities of the entire ERS staff, many segments  
7 of which have been denied equality for far too  
8 long.

9 Thank you.

10 (Applause.)

11 MR. JOHNSON: Thank you, Philip.

12 Marjorie Medina is next, followed by Arun  
13 Basu.

14 MS. MEDINA: I would like to thank my  
15 colleague from the OPEDA, Dr. Angel Cielo, for  
16 yielding this time for me. I come from  
17 Philadelphia. I'm with the ERS Eastern Regional  
18 Research Center.

19 Mr. Secretary, Pearlie Reed, Civil Rights  
20 Action Team, I appreciate this time for you to take  
21 a few minutes to listen.

22 To reiterate Jeremy Wu's and someone's

1 statements, we Asian Americans are victims of glass  
2 ceiling practices. Asian-American women even suffer  
3 more in what we term as "sticky floor." Anybody  
4 knows about that? We stay in the entry level grade  
5 longer than our male counterparts and our other  
6 probably white female counterparts.

7 And we also suffer from what we also term  
8 as cement ceiling and walls. So we're kind of boxed  
9 in. The statistics of the Asian-American employees  
10 in USDA can show these numbers. And in ERS there is  
11 a large number of women stuck in the GS-11 and the  
12 GS-12 level.

13 Dr. Wu and Dr. Wong had asked this morning  
14 or made the statement why there are no APA or Asian  
15 Americans in SES ranks. The USDA answer is there is  
16 no qualified candidate.

17 The truth is there are about ten to eleven  
18 OPM-certified SES Asian-American employees. There  
19 was only one woman SES certified and she has left  
20 USDA for because of frustrations.

21 Glass ceiling is not just a problem at the  
22 SES level. There is a glass ceiling at the lower

1 level, GS-13, GS-14, and GS-15 levels.

2 Glass ceiling denies access to Asian  
3 Americans and minorities, access to training  
4 programs, access to highly visible committees,  
5 access to opportunities of leadership and  
6 management, executive training programs, and access  
7 to programs that will make them policy makers and  
8 access to programs that will be part of the  
9 decision-making team, and also as program leaders.  
10 Because of these denials, therefore we are denied  
11 promotions to middle management because they cannot  
12 manage, they haven't demonstrated leadership.

13 So, Mr. Secretary, these -- I did not make  
14 this up, I did not make these issues. This is what  
15 is in the Glass Ceiling Commission that has been  
16 reported in 1990 and 1992. These are the  
17 recommendations for management, to lift the glass  
18 ceiling or to break the glass ceiling for minorities  
19 and women.

20 From what I heard and statistics I saw,  
21 women sort of broke the glass ceiling, although  
22 there's still more women needs to break the glass

1 ceiling. We also have problems of harassment. We  
2 have problems of reprisals, when we communicate our  
3 frustrations, our problems with our management.

4 And again communications, communications  
5 is the key to resolve our problem together as a  
6 People's Department. But if we communicate our  
7 problems to our top management, and we get reprisal,  
8 most of us just sit down quietly in our box, in our  
9 cubbyhole, and do our technical job.

10 We already have demonstrated our technical  
11 ability and now we want to be part of the  
12 decision-making and leadership of USDA. Let's share  
13 all the burden as we're all part of this People's  
14 Department.

15 Mr. Secretary, accountability has been  
16 touted here, accountability of supervisors, not just  
17 accountability in economic penalty to supervisors  
18 who are responsible for this, because they are the  
19 leaders, they are the models, the examples to the  
20 other employees.

21 The other thing also is awards.  
22 Supervisors get awards regardless of their civil

1 rights record. So awards, economic accountability,  
2 Mr. Secretary, are one way of dealing with this  
3 problem.

4 Thank you.

5 (Applause.)

6 MR. JOHNSON: Thank you, Marjorie.

7 And Arun is next, followed by Geraldine  
8 Herring.

9 MR. BASU: Secretary Glickman, Deputy  
10 Secretary Rominger, Mr. Chairperson, Mr. Paul  
11 Johnson, and Mr. Pearlle Reed, chairman of the  
12 Action Team, and members of the CRAT team, my name  
13 is Arun Basu.

14 I work for NRCS, and I spent about 28  
15 years in USDA. Of those 28, 20 have been spent in  
16 civil rights. I feel very proud to be in that group  
17 and I think I made some contributions.

18 What I would like to discuss with you or  
19 share with you, that I personally believe that you  
20 have embarked on a very, very important mission.  
21 And you are doing a great job with this initiative  
22 on Civil Rights Action Team. I greatly admire you

1 for what you are doing and I think it's possibly one  
2 of the most powerful forces for good, not only in  
3 the USDA, but in our country.

4 So with that thought, I thought we need to  
5 think in terms of establishing a solid foundation of  
6 civil rights for the USDA. In order to do that I  
7 would address on two small issue, small in the sense  
8 I limit myself within the time limit.

9 Number one, USDA needs to establish a very  
10 clear-cut mission statement for civil rights. To be  
11 effective in this area, Mr. Secretary, you must have  
12 a functional mission statement which is an  
13 expression of your vision and sense of stewardship.

14 It must be brief and reflect the core  
15 values and be short so that every USDA employee can  
16 memorize and internalize it. Otherwise they would  
17 never understand what is discrimination.

18 The other thing I'd like to suggest in  
19 terms of this mission, this objective, I'd like to  
20 suggest one or two recommendations. I'll just read  
21 to you one.

22 I think to enhance participation base of

1 diverse customer groups in USDA programs and treat  
2 customers, employees, with fairness and dignity,  
3 that should be one of the examples of a mission  
4 statement.

5           Number two area, I thought of in terms of  
6 leadership for the civil rights in the Department as  
7 well as the Agencies, we need a strong leadership  
8 commitment and needed funds and resources to carry  
9 out the civil rights responsibilities. Civil rights  
10 leadership at USDA and Agency levels should not be  
11 content to stay where they are, no matter how  
12 successful they seem to be. Changes are needed and  
13 should be made.

14           The paradigm of total quality is  
15 continuous improvement. I believe in that and I  
16 think this can be done.

17           I recommend, in order to accomplish that  
18 mission, you have to select and place highly  
19 qualified, experienced and intelligent and diverse  
20 individuals with proven talents in leadership  
21 positions both as USDA and Agency levels.  
22 Structural realignment in civil rights at the USDA

1 and Agency level must be made to achieve the vision  
2 and sense of stewardship.

3 And you have to establish some strong  
4 standards of criteria to measure accountability.  
5 And that should be number one in our efforts to  
6 advance civil rights in the Department.

7 One other issue which is programmatic.  
8 What I've read in the Richmond Times, Washington  
9 Post, what our African American farmers had to say,  
10 it's nothing new to me. I've heard those folk, I've  
11 been working with those folks for the past 20  
12 years. And they have very rightfully pointed out  
13 some of the difficulties they're experiencing.

14 In that context, I'd like to mention to  
15 you that you'll be surprised to find even today on  
16 many of the USDA Agency policy books, we have  
17 policies that are discriminatory. There are those  
18 policies which adversely impact minority, elderly  
19 and the poor.

20 We need to review those policies. What  
21 are those policies? Does it have any adverse impact  
22 on some of these farmers, some of these groups? If

1 that be the case, we need to make some changes.

2 And finally, a lot has been said about the  
3 glass ceiling for the Asian Americans in the USDA,  
4 and I personally feel I don't want to expound very  
5 much on this so I'd like to suggest one thing.

6 This is January, 1997. You heard what  
7 four years ago some folks had to say about lack of  
8 availability of qualified candidates from the  
9 Asian-American community to enter the SES level. I  
10 think the problem is because selecting officials in  
11 many instances treat Asian Americans as less  
12 qualified because they're neither black nor white.

13 Even today, the local prejudice in USDA  
14 overrides the U.S. OPM standards of certification  
15 for determining who's qualified to enter the SES  
16 ranks. I would like to see that you personally  
17 intervene in this whole area, see what are the  
18 problems. How can these people be unqualified? And  
19 make some decisions in terms of how this could be  
20 taken care of.

21 Thank you.

22 (Applause.)

1 MR. JOHNSON: Thank you, Arun.

2 Next is Geraldine Herring, followed by  
3 Karin Leperi.

4 MS. HERRING: Yes, my name is Geraldine  
5 Herring. I'm a member of the Coalition of Minority  
6 Employees and AFSCME Local 3925. AFSCME Local 3925,  
7 representing the bargaining unit of the Farm Service  
8 Agency headquarters staff, welcomes this opportunity  
9 to make a statement to the Civil Rights Action  
10 Team.

11 Local 3925 will work with the Secretary  
12 Glickman and his team in a spirit of true and  
13 meaningful labor/management partnership, to bring  
14 the Department back to its founding promise. By  
15 true partnership we mean that employees and their  
16 unions should be fully involved in the civil rights  
17 process, from decision-making through implementation  
18 of corrective policies.

19 Last week in The Washington Post,  
20 Secretary Glickman expressed his vision that no  
21 customer or employee of the USDA is judged by the  
22 color of his or her skin, that every USDA customer

1 is treated fairly and efficiently, and that every  
2 USDA employee is treated with dignity and respect.  
3 The Secretary affirmed that we cannot and will not  
4 keep saying that we've always done it this way.

5 We wholeheartedly support the words, Mr.  
6 Secretary, but we've heard them before. We will  
7 applaud the actions that make that commitment a  
8 reality in USDA.

9 What is reality now is an organizational  
10 culture based not on accountability, but on going  
11 along to get along. It is a culture where  
12 leadership ability, interpersonal skills and merit,  
13 take a back seat to cronyism and favoritism in  
14 career advancement.

15 (Applause.)

16 MS. HERRING: Where these isms rule, you  
17 have a culture that permits racial, ethnic and  
18 gender bias to continue and to thrive.

19 Within USDA, the Farm Service Agency has  
20 been called the white boy's club. However, the  
21 members of the club are not necessarily white, and  
22 not necessarily boys.

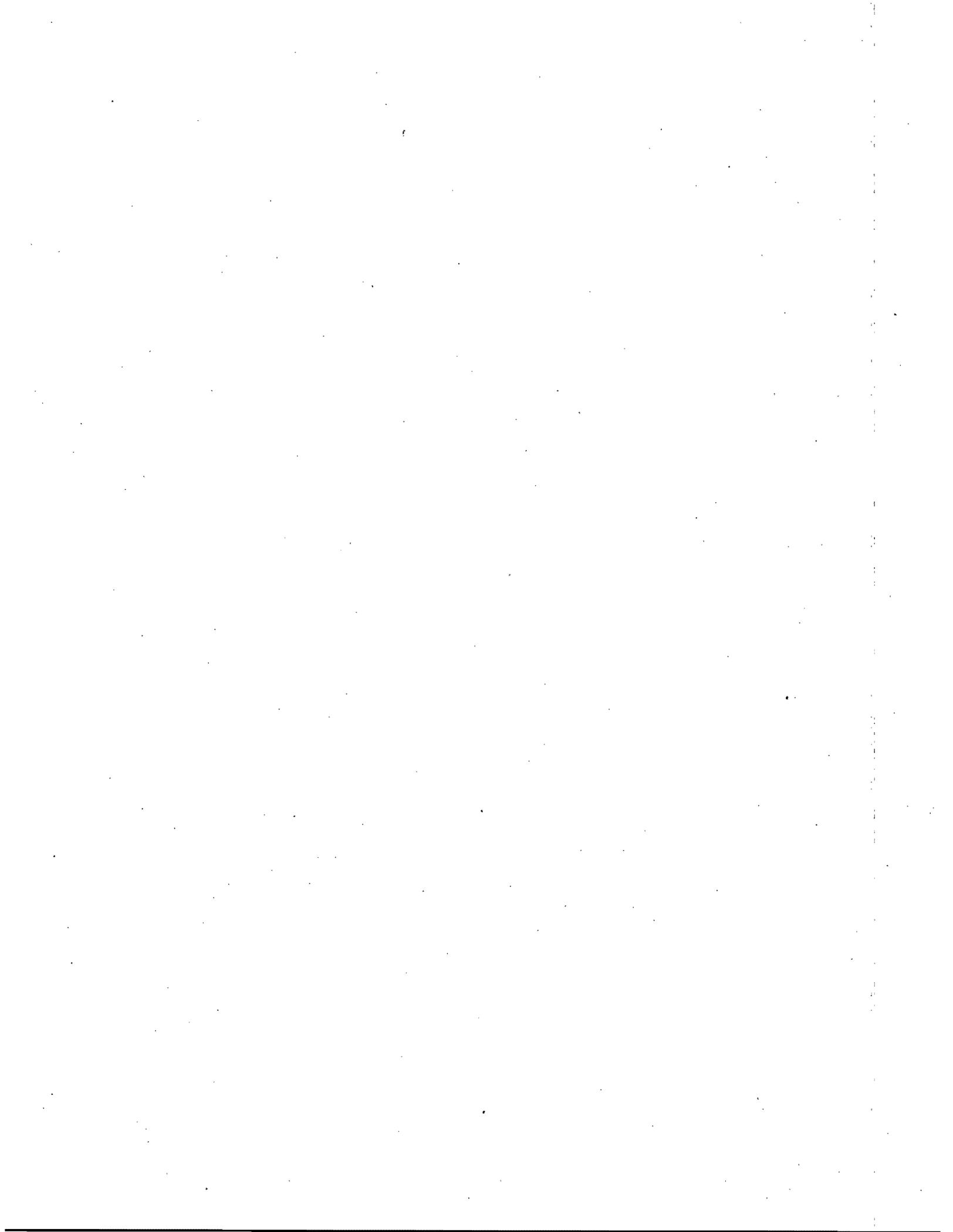
1 (Applause.)

2 MS. HERRING: They share, what they in  
3 fact must buy into in order to advance their  
4 careers, are the nominative behaviors and values of  
5 the dominant white male culture, where get along to  
6 go along is the rule. What this means is that  
7 managers learn early that raising their heads,  
8 asking serious questions, and standing up for the  
9 employees are not career-enhancing moves.

10 When managers are chosen for reasons other  
11 than merit, they are poorly equipped to lead.  
12 Instead of addressing problems, they permit them to  
13 fester.

14 For employees, this means a system where  
15 acts of omission are as harmful as acts of  
16 commission. It is a system that fosters a pervasive  
17 atmosphere of mistrust and cynicism among employees  
18 of all race, genders and ethnic backgrounds.

19 There should be no favoritism in  
20 government employment, yet many ethnic employees say  
21 they believe discriminatory treatment based on race  
22 or gender is deeply rooted in USDA. Even more will



1 tell you that cronyism and favoritism are long-term  
2 and serious problems, no matter what administration  
3 is in the office.

4 For the second year in a row, for example,  
5 FSA has had awards program that makes no public  
6 recognition of award recipients and their  
7 accomplishments. It begs the question, who got what  
8 and why?

9 In the past administrations, we did know.  
10 Favorite managers received awards of 10 or \$20,000  
11 while employees got a handshake.

12 (Applause.)

13 MS. HERRING: One of the most egregious  
14 examples is the problem that exists in FSA's civil  
15 rights small business development staff, the very  
16 staff charged with supporting the principles of fair  
17 and equal treatment of employees and our program  
18 customers.

19 Problems of harassment and disparate  
20 treatment within this organization have received  
21 attention at the highest levels. But they are still  
22 unresolved after months of grievances, studies and

1 talks.

2 The problems are so troubling that an  
3 outside organization or development consultant  
4 recommended placing the staff's management in  
5 receivership. We contend that these problems and  
6 especially the lack of resolution have a direct  
7 bearing on FSA's ability to resolve its other  
8 problems, the discriminatory treatment many  
9 customers say they receive.

10 If this were a meritocracy, there would be  
11 no room for the isms that plague us, cronyism,  
12 favoritism, racism and sexism.

13 (Applause.)

14 MS. HERRING: But when it's not what you  
15 know but who you know and where your willingness to  
16 go along to get along that determines your career  
17 enhancement, the concept of merit suffers.

18 Mr. Secretary, you also wrote to The  
19 Washington Post that people will be held accountable  
20 for their actions, that those who discriminate will  
21 be punished. You said that where we found those not  
22 committed to Dr. King's dream, they have suffered

1 the consequences. Local 3925 is not aware of any  
2 discipline being meted out to managers or any  
3 manager being held accountable for his or her  
4 actions.

5 (Applause.)

6 MS. HERRING: What we find in this culture  
7 of cronyism is that a manager, one of four who pled  
8 guilty last fall to a violation of the Hatch Act, is  
9 not only still in his leadership position, he was  
10 designated Acting Deputy Administrator for farm  
11 programs over the holidays. Another manager who  
12 physically struck an union representative has yet to  
13 be disciplined.

14 Where, Mr. Secretary, is the punishment?  
15 We see only reward for transgressions as long as the  
16 transgressor is one of the good old boys or girls.

17 In his inaugural address the President  
18 spoke of healing, of working to bridge the racial,  
19 ethnic and other divisions that still plague our  
20 cry. Despite the forward steps that we as a nation  
21 have taken, as a microcosm of our large society,  
22 USDA needs strong healing actions as well.

1           It is not for nothing that this Department  
2 has been called the Last Plantation, the servant of  
3 the white planter class. But healing cannot occur  
4 and will only be hindered by a good old boy system  
5 that demeans any kind of creative thing, any kind of  
6 thinking that exhibits vision and sensitivity.

7           So long as these qualities are not valued  
8 and rewarded, so long as the road to advancement is  
9 defined by cronyism and favoritism, there can be no  
10 substantive change. But if we fail to look at the  
11 roots of our ills and address them decisively and  
12 forcibly, USDA legacy will forever be the Last  
13 Plantation and not the People's Department that you  
14 and we want it to be.

15           (Applause.)

16           MR. JOHNSON: Thank you, Geraldine.  
17           Karin, you're next, followed by Nilda  
18 Goodwin.

19           MS. LEPERI: Thank you. Mr. Secretary,  
20 distinguished panel, Civil Rights Action Team and  
21 fellow USDA employees, I am Karin Leperi from the  
22 Animal and Plant Health Inspection Service, APHIS.

1           I'd prefer not to be here today, since I  
2    don't welcome the unpleasant retaliation that will  
3    probably occur as a result of my presence. However,  
4    my conscience dictates that I must be here and so I  
5    am.

6           Thank you for the opportunity to be  
7    listened to. It would be my preference that this  
8    was more than just a Listening Session, since USDA  
9    proves it can do that well. What it hasn't shown is  
10   that its leaders have the ability to act, to act  
11   authoritatively --

12           (Applause.)

13           MS. LEPERI: -- and decisively and punish  
14   civil rights violators when necessary. Until that  
15   happens, we will not see changes in the good old  
16   boys' agriculture network at USDA, a club that  
17   systematically excludes women and minorities from  
18   its leadership ranks.

19           In the days of ancient Greece, when  
20   philosopher kings and wise men ruled, Socrates  
21   conveyed didactic sayings about the issue of form  
22   and substance. In simple language, he concluded

1 that we cannot have form without substance, and that  
2 we cannot have substance without form.

3 And so it is with civil rights. Task  
4 forces, meaningless civil rights statements in our  
5 performance appraisals, and grandstanding ceremonies  
6 such as what we have today, do not demonstrate  
7 substance.

8 (Applause.)

9 MS. LEPERI: They are only form. And they  
10 still do not demonstrate the fact that USDA is  
11 serious in creating a discrimination and  
12 harassment-free environment.

13 Let me give you three examples that  
14 illustrate this point. Several years ago a black  
15 female was told that her career would be jeopardized  
16 if she did not go to bed with her supervisor.  
17 Others before her had either complied or  
18 transferred.

19 She was determined, however, that she  
20 would not be intimidated. She reported the incident  
21 to the Director of Personnel. Unfortunately, this  
22 individual not only condoned the practice, he openly

1       joked about it at an all-male staff meeting.

2                 This was proceeded with a threat by her  
3       supervisor to rape not just her but also her  
4       16-year-old daughter. She started receiving obscene  
5       phone calls at her home.

6                 While the supervisor was eventually  
7       transferred as a result of an ensuing investigation,  
8       the black female was left stigmatized and blamed for  
9       challenging the culture. Several years later, she's  
10      still here trying to pick up the pieces of her  
11      career.

12                The Director of Personnel was subsequently  
13      promoted and now serves in one of your key  
14      policy-making positions for USDA civil rights, Mr.  
15      Secretary. How can anyone take USDA intent  
16      seriously when this type of bias we have is  
17      addressing civil rights? This is a classic case of  
18      form and no substance.

19                My second incident involves a case of a  
20      female Reservist who received active duty orders to  
21      report to the Pentagon for three months. Her  
22      supervisors denied her military leave, even though

1 federal statute dictates that it must be approved.  
2 Supervisors further stated that the needs of the  
3 service, i.e. Agriculture, supersede those of the  
4 military.

5 She was under UCMJ. She reported to duty  
6 and then her supervisors proceeded to report her  
7 AWOL and tried to fire her. All this occurred after  
8 the supervisors were informed by the Department of  
9 Labor, the investigative arm, that USDA was in  
10 violation of federal law.

11 Even though the Reservist appealed the  
12 illegal action up the chain of command in  
13 Agriculture, including you, Mr. Secretary, she was  
14 consistently ignored. Meanwhile, a male Reservist  
15 with the same supervisors received active duty  
16 orders for three years. On the contrary, the same  
17 supervisors openly supported the male Reservist.

18 As punishment for violating federal law  
19 with informed and malicious intent, one supervisor  
20 now has a prestigious assignment in Brussels,  
21 Belgium. Neither of the supervisors have been  
22 reprimanded for their clearly illegal and

1 discriminatory action.

2           And today, the female Reservist is still  
3 waiting to see what will happen to her damaged  
4 career and her trashed reputation at USDA. By the  
5 way, Mr. Secretary, that Reservist happens to be me,  
6 Lieutenant Commander Karin Leperi, USNR.

7           My final example hopefully will serve to  
8 illustrate the degree of intimidation, threats, fear  
9 and retaliation that exists in the current USDA  
10 environment. A senior male manager openly joked  
11 about killing all the bad girls in his Agency by  
12 blowing out their brains. He proceeded to visually  
13 enact the scenario and made special reference to two  
14 female employees.

15           The two female employees have made appeals  
16 to USDA for protection from this individual, to keep  
17 them out of harm's way. One of the female  
18 employees, not sure which way to turn, filed an EEO  
19 complaint documenting the incident.

20           Six weeks later, she received a response  
21 from USDA. It was a form letter stating that she  
22 needed to contact an EEO counselor for informal

1 resolution.

2 The urgency of the matter, the degree of  
3 hostilities and the potential violence involved,  
4 dictate a priority handling of this type of EEO  
5 complaint, at a minimum. Instead, it took USDA six  
6 weeks to respond, and with a form letter at that.

7 This highly suggests that the system's  
8 broken. It's unresponsive, and perhaps not even  
9 intended to work. This again, at least in my mind,  
10 shows a classic form and no substance argument of  
11 the day as a whole.

12 And so my challenge to you, Mr. Secretary,  
13 and the Civil Rights Action Team, is to add  
14 substance where only form currently exists. One way  
15 to get substance is by penalizing those perpetrators  
16 of civil rights violation, rather than by rewarding  
17 and promoting them.

18 Thank you.

19 (Applause.)

20 SECRETARY GLICKMAN: If possible I just  
21 want to make one comment, and that's to address one  
22 of the comments of the previous speaker.

1           If there is any, and I repeat, any  
2     attempts to retaliate against anybody who speaks  
3     here, one, I want to know about it personally,  
4     immediately. And it will result in swift action.

5           (Applause.)

6           SECRETARY GLICKMAN: So I want to make it  
7     clear, because I know we have -- I know we have a  
8     lot of managers here, and this is the height of  
9     freedom of speech. And I'm certainly, as most of  
10    you know, and people up here, are not absolutely  
11    comfortable with everything that's being said.  
12    We're hearing a lot of things we probably need to  
13    hear said.

14           But nobody is going to suffer any  
15    retribution whatsoever for what they say here. And  
16    if they do, they will be dealt with swiftly.

17           (Applause.)

18           MR. JOHNSON: Okay. Nilda Goodwin is  
19    next, followed by Susan Johnson.

20           MS. GOODWIN: Good morning, everybody. My  
21    name is Nilda Goodwin, and I'm a member of the Asian  
22    Pacific American Network in Agriculture, and also

1 employed at the civil rights office here in  
2 Washington, D.C.

3 First of all, thank you most sincerely,  
4 Mr. Secretary, for all your efforts in confronting  
5 and addressing the civil rights issues, both program  
6 discrimination and employment discrimination issues  
7 in the Department.

8 Perhaps there are times when you feel all  
9 alone at the top, because whenever the press  
10 publishes negative articles about alleged or factual  
11 and proven civil rights wrongdoings in the  
12 subagencies of the Department, it is either your  
13 name or your picture that appears on the papers.

14 SECRETARY GLICKMAN: I know that very  
15 well.

16 (Laughter.)

17 MS. GOODWIN: These are evidenced by the  
18 black farmers' discrimination case and the Forest  
19 Service and FSIS employment discrimination cases.  
20 What I am going to say are my thoughts and personal  
21 observations and do not necessarily reflect the  
22 position of the office I serve.

1           Mr. Secretary, specifically I would like  
2 to address two separate issues that relate to the  
3 employment discrimination complaint process.

4           First, if I could quantify the issues of  
5 employment discrimination complaints brought before  
6 me as an EEO counselor or mediator, I can easily  
7 identify the three most common issues raised. And  
8 these are evaluation, including absence of  
9 performance standard and/or subjective rating;  
10 harassment, nonsexual; and working condition.

11           Complaints of this nature perhaps may very  
12 well be minimized if managers should make a stronger  
13 commitment to the total quality management principle  
14 of doing it right and doing it right the first  
15 time.

16           The second issue that I want to bring up  
17 has to do with accountability for the complaint  
18 resolution in the informal complaint process.

19           As EEO counselors, mediators, our job  
20 requires that we should be a neutral party whose  
21 role is to assist in the resolution of the  
22 complaints in the informal process. As EEO

1 counselors, mediators, we take the role of a  
2 messenger, a buffer, a go-between, a shock absorber,  
3 and sometimes a verbal punching bag.

4 Not only do we get hit on both sides,  
5 sometimes being accused by complainants as working  
6 for management, sometimes labeled by managers as  
7 favoring complainants, but also we get abused  
8 verbally by aggressive attorneys and counsels for  
9 the complainants who would rather deal directly with  
10 the Agency higher management officials and ignore  
11 the EEO informal complaint process.

12 Resolution of complaints at the earliest  
13 possible stage is definitely our goal. But there  
14 seems to be a common notion that conflict resolution  
15 rests ultimately with the EEO counselors and  
16 mediators. But, Mr. Secretary, we have no authority  
17 to make decisions. We are not in a position to make  
18 decisions either for the complainants or for the  
19 managers.

20 Given this three-party scenario, Mr.  
21 Secretary, would you please give us your thoughts as  
22 to who should be made accountable for the ultimate

1 resolution of informal complaints, the EEO  
2 counselors, mediator, the complaining or charging  
3 party, or the Agency management officials?

4 Thank you for this opportunity to speak in  
5 this session.

6 (Applause.)

7 MR. JOHNSON: Thank you, Nilda.

8 Susan Johnson next, followed by Anthony  
9 Grimm.

10 MS. JOHNSON: Good morning, Mr.

11 Secretary. My name is Susan Johnson and I work on  
12 the public affairs staff of the Forest Service. In  
13 order to provide context for my remarks, I will  
14 remind you that for the past few months you and I  
15 have been corresponding about the Forest Service  
16 surplus program.

17 Like you, I will invoke Mr. Clinton's  
18 inaugural speech, in which he exhorted Americans to  
19 move beyond our preoccupation with the things which  
20 divide us and to instead focus on that which brings  
21 us together. In that spirit, I am asking you for an  
22 update on your office's report on the Forest Service

1 surplus program.

2           This request is made in the hope that the  
3 report's findings and subsequent recommendations  
4 will enable those of us who had our lives ripped  
5 apart by Forest Service mismanagement to put their  
6 nightmare behind them in the knowledge that our  
7 experience was not for naught, but will instead  
8 serve to ensure that such arrogance and indifference  
9 will never again be tolerated.

10           Thank you.

11           (Applause.)

12           SECRETARY GLICKMAN: Just in answer to the  
13 question, we have a -- we have a new chief of the  
14 Forest Service, he is here, Mike Dombeck. And I  
15 presume that in terms of getting that report out, he  
16 knows the importance of getting it out as quickly as  
17 possible. So I will make sure that he or somebody  
18 else talks to you about this. Go ahead.

19           MS. JOHNSON: It's just been my hope that  
20 the very fact that this situation has been taken out  
21 of the hands of the Forest Service is what will  
22 ensure the fact that it gets addressed.

1 MR. JOHNSON: Thank you, Susan.  
2 Anthony Grimm, followed by Bruce  
3 McFarlane.

4 MR. GRIMM: Good morning, Mr. Secretary  
5 and distinguished guests. My name is Anthony  
6 Grimm. I work for the Center for Nutrition Policy  
7 and Promotion.

8 I just would like to reiterate two items  
9 that all the people who have come up to speak  
10 mentioned to you. And that's about civil rights  
11 accountability.

12 Unless we have accountability for the  
13 managers and the supervisors who are doing these  
14 discriminatory acts, the civil rights will mean  
15 nothing within USDA.

16 (Applause.)

17 MR. GRIMM: We have to hit them in what I  
18 call the three Ps: Power, prestige and the  
19 pocketbook. If you don't affect any one of those,  
20 civil rights are not going to change.

21 (Applause.)

22 MR. GRIMM: Let me give you an example.

1 If you file a formal complaint and after it's  
2 accepted, you have to go through an elaborate  
3 process before a final decision is reached. When  
4 the Agency even agrees that the discrimination has  
5 taken place, they give you a monetary award for your  
6 inconvenience.

7 That still doesn't get to the root of the  
8 problem. It still doesn't get to the manager who  
9 does the discriminatory acts. They are left there  
10 to continue doing that.

11 (Applause.)

12 MR. GRIMM: Second thing I would like to  
13 mention is about the internal hiring procedures of  
14 SES. There is no internal qualification or standard  
15 for having promotion potential or upward mobility  
16 positions throughout the federal government and all  
17 USDA organizations. That is much needed, especially  
18 when you are trying to work your way up through the  
19 ladder.

20 I have been with USDA for twelve years and  
21 I've had to transfer to six different divisions in  
22 order to get my next grade. That is unreal. That

1 shouldn't happen that way.

2 I have seen some people that have come  
3 from the outside for vacancy announcement, and keep  
4 in mind the people that are there are filling in for  
5 these vacancy announcements also for these  
6 positions. They come in, bringing in the new  
7 people, and the ones that are there that have been  
8 doing the work for years are asked to train this  
9 individual to do that job.

10 (Applause.)

11 MR. GRIMM: If I have the ability and the  
12 qualifications to train an individual to do the job,  
13 I have the qualifications to do the job myself.

14 (Applause.)

15 MR. GRIMM: Lastly, I would just like to  
16 say thank you for this opportunity to speak. The  
17 people here, all the people here, I hope you listen  
18 to them, because what they're telling you is the  
19 truth. Thank you.

20 (Applause.)

21 MR. JOHNSON: Thank you, Anthony.

22 Bruce next, followed by Kim Quigley.

1           MR. McFARLANE: Good morning, Mr.  
2 Secretary, distinguished members here. My name is  
3 Bruce McFarlane. I've been with AMF for over 20  
4 years, and today I'm speaking on behalf of the  
5 Association for Persons with Disabilities in  
6 Agriculture.

7           On behalf of APDA members here in D.C. and  
8 our Kansas City chapter, we thank you for this  
9 opportunity to communicate our concerns to you. As  
10 a group of dedicated employee, we are committed to  
11 working with you and your staff to improve and  
12 enhance employment and career advancement  
13 opportunities for people with disabilities.

14           However, it is a shame that so many USDA  
15 managers and supervisors are not willing to hire or  
16 promote persons with disabilities. I have with me a  
17 copy of USDA fiscal year 1996 Work Force Diversity  
18 Tracking Report. This is the first time we've seen  
19 this report and we were shocked. But the more we  
20 look into the numbers, Mr. Secretary, this is an  
21 embarrassment, this is an injustice.

22           Mr. Secretary, as you know, disability

1 knows no boundaries, and discriminates against no  
2 one. The 1995 U.S. Census Bureau reports that  
3 approximately 49 million Americans have a reported  
4 disability.

5 By the age of 65, over 85 percent of all  
6 Americans and certainly all families will be  
7 affected by a disability. 49 million is now  
8 approximately 20 percent of the population. People  
9 with disabilities is the largest minority group in  
10 the nation.

11 I have a question, Mr. Secretary. Which  
12 member of this team up here has a targeted  
13 disability?

14 (Applause.)

15 MR. McFARLANE: Mr. Secretary, in your  
16 article in The Washington Post last week we  
17 talked -- you talked about investigating  
18 inconsistencies in program delivery as well as  
19 complaints of discrimination in the farm program.  
20 We applaud your actions in these areas, but we think  
21 you need to look at the actions of your own staff  
22 before you work on program delivery. If you truly

1 want to make effective and long-term changes, you  
2 need to start from the top down.

3           You said in the article that you've read  
4 reports and you've seen the numbers. That's great.  
5 Well, let's look at these numbers. 405 SES GS-16  
6 and 18 and equivalents; targeted disabilities, we've  
7 got two. And I'm almost proud of that, because the  
8 Asian Pacifics don't have any. Blacks only have  
9 40. So where are the rest of them?

10           The USDA has reduced the work force by 1.6  
11 percent. Targeted disabilities have been reduced by  
12 1.6 percent in the last year. We're asked to make  
13 sacrifices. But in 1996 there was 4,972 changes in  
14 the USDA work force; targeted disabilities got 50 of  
15 those.

16           Also the USDA continued to fall short in  
17 support of a work force recruitment program for  
18 college students with disabilities, which is an  
19 excellent source for future employees. What makes  
20 this program so good is the Department of Defense  
21 screens all the applicants, pays for all the  
22 reasonable accommodations, and the only cost to the

1 hiring Agency is their salary.

2 In 1996, there was 151 federal-wide  
3 hires. The USDA hired three. So what's the  
4 problem?

5 You've been hearing a lot of people  
6 talking here today about career advancement  
7 opportunity. I'm not sure we've got the solution,  
8 but I think we understand how they're getting away  
9 with it in the civil service program. This is an  
10 actual case. It's been reported to APDA.

11 A managerial position became available and  
12 numerous candidates met the general qualifications,  
13 but the final selection was apparently between two  
14 people, a white male and a person with a  
15 disability. Now each position usually accounts --  
16 announcement usually lists four or five critical  
17 elements that each applicant must respond to.

18 Apparently the person with the disability  
19 had worked in this Agency for over ten years and had  
20 excellent qualifications for four of the five  
21 selection criteria. The white male began working in  
22 the USDA only a few years ago and had an excellent

1 qualification in that fifth criteria. Guess who got  
2 the job? That's the problem.

3 The point is, is that as long as the  
4 selecting officials can determine which of the  
5 selection criteria is most important after  
6 conducting the interviews, they can word their  
7 selection justification to fit the person that they  
8 want. And we've got a suggested solution to that,  
9 but in the absence of time here I'm going to skip  
10 over that.

11 Last week I attended an inauguration  
12 breakfast sponsored by Solidarity 2000, an  
13 organization dedicated to the enhancement and  
14 enforcement of Americans with Disabilities Act. One  
15 of the speakers made the following statement, to  
16 which I'd like to paraphrase.

17 To understand us, you have to live with  
18 the barriers we have to live with. To understand  
19 us, you have to live with the stereotypes we have to  
20 live with. Barriers and stereotypes perpetuated not  
21 by us but by managers and supervisors who don't  
22 understand us or don't want to understand us.

1           Mr. Secretary, when you get your managers  
2 and supervisors to end the stereotypes and eliminate  
3 the barriers and see only people with ability, then  
4 and only then will you understand us.

5           Thank you.

6           (Applause.)

7           MR. JOHNSON: Thank you, Bruce.

8           Kim next, followed by Dr. Chang. Go  
9 ahead, Kim.

10           MS. QUIGLEY: My name is Kimberly Quigley,  
11 and I'd like to speak to the Secretary and Michael  
12 Dombeck specifically. And I'd like to talk about  
13 the fact that the Forest Service and harassment and  
14 violence in the workplace.

15           On July the 18th, 1996, the Forest Service  
16 released a letter that stated, and I'll quote this  
17 phrase, we in the Forest Service have experienced  
18 subtle and not so subtle indications of unacceptable  
19 behavior in the workplace. Our policy is that  
20 violence and threatening behavior in our workplace  
21 will not be tolerated. Reports of such incidence  
22 will be taken seriously and dealt with swiftly and

1 appropriately.

2 Well, Mr. Secretary, in November of 1995 I  
3 had a supervisor chase me through the building and  
4 harass me and belittle me. And it took another  
5 employee to stand between us to make her let me  
6 leave the building.

7 And it is now 1997. That employee is  
8 still in her position and I have been removed from  
9 the staff. I have been under investigation and I  
10 have, while on maternity leave, been denied the  
11 opportunity to borrow leave. So my children could  
12 not eat because they were mad at me.

13 I want to know where is my justice?

14 (Applause.)

15 MR. JOHNSON: Thank you, Kim.

16 MS. BARNES: Hi, my name is Shelby Barnes,  
17 and I'm also a member, an employee of the Forest  
18 Service. I'd like to address Mr. Secretary and the  
19 members of the board and Mr. Michael Dombeck.

20 On the flip side of what Kimberly was just  
21 talking about, I am the employee who stood in  
22 between Kimberly and her supervisor after her

1 supervisor chased her.

2 Reprisal is real, Mr. Secretary, and I  
3 appreciate you saying today that it will not be  
4 tolerated, but that really needs to be stressed. It  
5 needs to be enforced.

6 1995, November 1, I did witness that  
7 incident. It was very traumatic for me. Afterwards  
8 I suffered a miscarriage.

9 And shortly after that the members who  
10 were invited to the Ecological Stewardship Workshop  
11 to work on it, I was a part of that. However, when  
12 we got back, I was excluded from an award ceremony  
13 where all of the white people on my staff received  
14 cash awards. Me and the other black person on our  
15 staff didn't get anything.

16 I was told that I didn't do anything  
17 outside my job description. I'm a computer  
18 specialist for my job, and I did computer graphs, I  
19 created databases, and I even went out there and  
20 pitched in on debugging and helping set up some  
21 computers.

22 Well, when I asked what did the other

1 people do that was so much out of their job  
2 description, they told me that they did requisition.

3 So they're talking about a GS-9 who's a staff  
4 assistant who the duties are the same thing as a  
5 staff secretary, they did requisitions. And she got  
6 \$5,000.

7 A white GS-6 got \$1,500. She's an  
8 operations assistant, which is equivalent to a  
9 secretary. She got \$1,500. But I didn't do  
10 anything outside my job description? Something's  
11 wrong here.

12 The one who got the \$5,000 is the one who  
13 chased Kimberly. And nothing has been done about  
14 that.

15 I, too, have been put under investigation  
16 for the tutorial program that has been adopted by  
17 USDA. I have been denied the chance to continue my  
18 tutoring with them until the investigation was  
19 over. The investigation is over now, but I still  
20 cannot assume there.

21 I was put on AWOL November the 26th  
22 because I got sick at work and left two hours before

1 my regular leaving time, but I indicated this on my  
2 time sheet. My supervisor was not in the office, so  
3 I told a co-worker that I was sick. I was crying at  
4 my desk, and I left, and I went home. And I was put  
5 on AWOL when I got back.

6 Now you tell me how many white people get  
7 put on AWOL when they leave because they're sick and  
8 they tell a co-worker.

9 (Applause.)

10 MS. BARNES: Please do something about  
11 this. I really think something should be done.

12 (Applause.)

13 SECRETARY GLICKMAN: I just ask Mr.  
14 Dombeck, if you would follow up with her after we're  
15 over.

16 MR. JOHNSON: Dr. Chang next.

17 And unfortunately we still have about 15  
18 people that have signed up, and perhaps more of you  
19 that would like to speak. If we can keep our  
20 comments as short as we can and still say what we  
21 really need to say.

22 And I don't mean to say that you should

1 not say what you need to say, but if we could make  
2 them as short as possible, we'll go probably until  
3 at least quarter past, to try to get in as much as  
4 we can.

5 UNIDENTIFIED SPEAKER: If it's Dr. Charlie  
6 Chang, he's a scheduled speaker for the afternoon  
7 session.

8 MR. JOHNSON: Oh, he is? Well, we're  
9 moving right along then.

10 (Laughter.)

11 MR. JOHNSON: Robert Smith, followed by  
12 Martin Bomar.

13 MR. SMITH: Good morning, Mr. Secretary.

14 This is interesting for me, it's  
15 intimidating to me.

16 My name is Robert Smith. I'm president of  
17 the Virginia Association of FSA Committee Employees,  
18 which is an affiliate of NASCOE, which is national  
19 organization. More importantly, I'm the county  
20 executive director in Prince George County in  
21 Virginia.

22 This is the first time I've been to

1 Washington, and it is a different world. I can't  
2 wait to get back home, believe me.

3 (Laughter.)

4 MR. SMITH: Coming here, thinking about  
5 talking with the Secretary, Administrators, people  
6 with titles, is intimidating sometimes to people out  
7 in the field in county offices. So I sat down and  
8 prepared a speech. And I said, no, I can't do  
9 that. I got to speak just from my heart.

10 The employees, the FSA employees in  
11 Virginia, the morale is down to almost nothing. And  
12 it's for two reasons, recent reorganization and  
13 budget cuts in our Agency. We've lost some terrific  
14 people, unfortunately.

15 But recently more importantly is the  
16 recent discrimination charges that have been filed  
17 against our Agency in Virginia and also against the  
18 Department of Agriculture. It's very distressing to  
19 us to pick up the Richmond newspaper every morning  
20 and see an article about it, where the Department or  
21 our Agency hasn't responded in any way.

22 If discrimination happened, and I

1 understand it has been admitted that it has  
2 happened, I agree with your statements earlier, Mr.  
3 Secretary, the people that did this must be dealt  
4 with swiftly. Discrimination cannot and should not  
5 be tolerated, and that's the bottom line.

6 It shouldn't be tolerated in the county  
7 office and it shouldn't be tolerated in Washington.  
8 But the problem is, we feel like we've been left out  
9 to dry or to hang to dry. The Department hasn't  
10 backed us up, it seems like.

11 You got to remember that with the signing  
12 of the 1996 Farm Bill, the ag credit portion of  
13 Farmers Home Administration was merged with Farm  
14 Service Agency. And my understanding is a lot of  
15 these discrimination complaints came about when it  
16 was still with Farmers Home Administration. But  
17 according to the newspaper, it's Farm Service  
18 Agency. I think the general public needs to be  
19 aware of what's happening.

20 One of my big jobs in the county office is  
21 an outreach program, that is to explain to the  
22 public my job, the Farm Service Agency, and what we

1 do for the local farmers in our community. I do  
2 this through radio programs at local stations,  
3 through local newspapers, and by having county-wide  
4 meetings.

5 I'm wondering why the Department doesn't  
6 do that. Y'all have access to the best media  
7 around. And it just seems to me that the Department  
8 ought to defend their employees to an extent where  
9 the public needs to know.

10 Right now the public only knows one side  
11 of the story. It doesn't know that we used to be  
12 different Agencies. It doesn't know that we were  
13 merged. And it just -- it astounds me that "no  
14 comment" is the comment from Washington, considering  
15 this thing.

16 And people that have discriminated should  
17 be dealt with. Again, it should not be tolerated.

18 I want to thank you for letting me come  
19 today. It's, like I said, it's been a very  
20 interesting experience. Today I'm on your turf. I  
21 would like for you to come down to my turf and see  
22 how we treat our clients.

1           To me, working with the American farmer is  
2 the best job anybody could have. And when people  
3 sit down at lunch today and sit down at dinner  
4 tonight, you ought to thank the American farmer,  
5 because right now he is providing the cheapest and  
6 the safest food in this whole world.

7           Thank you.

8           (Applause.)

9           MR. JOHNSON: Thank you, Robert. And if  
10 you don't mind my adding, doing a good job at taking  
11 care of the land while he's doing it.

12           So Martin Bomar next, followed by Judy  
13 Kissinger.

14           MR. BOMAR: Thank you, Mr. Secretary. I  
15 certainly appreciate your time today.

16           I am Martin Bomar from the Charlotte  
17 County Farm Service Agency office in Charlotte  
18 County, Virginia. We from the field oftentimes  
19 don't get to experience the Washington ways, but  
20 this is truly an eye-opening experience for us.

21           Mr. Secretary, what other federal Agency,  
22 or any governmental Agency at any level for that

1 matter, other than the Farm Service Agency, has  
2 demonstrated the ability to administer programs of  
3 the magnitude of ours, while having changed names at  
4 least five times in 60 years, through seven  
5 different presidents and 31 congressional sessions?

6 Now I ask how this Agency has been able to  
7 maintain such a successful delivery of the many  
8 programs with the infinite number of changes and  
9 alterations to those programs at a cost that has,  
10 with very few if any exceptions, been at or under  
11 budget.

12 The answer is very simply, and is the  
13 cornerstone of the current administration's stated  
14 goal for government, decisions made at the local  
15 level with local oversight. Program delivery at the  
16 local level and civil rights requirements go hand in  
17 hand. The answer to this is the farmer-elected  
18 County Committee system and the employees who work  
19 for those committees.

20 If nothing else, this record of longevity  
21 and sustained success in both program delivery and  
22 budget-balancing efforts should be proof enough that

1 this Agency and the decision-making of the County  
2 Committees has done an exemplary job of assisting  
3 this nation in maintaining a stable, high quality,  
4 inexpensive food supply, by constantly helping  
5 farmers, ranchers and private forest land owners  
6 find ways to sustain the natural forest resources  
7 they own and control.

8           However, there is an ever-intensifying  
9 effort to eliminate the County Committee system.  
10 Some claim it to be archaic, some say it too costly,  
11 some say it's too political, some say it's not  
12 political enough.

13           Many are willing to stand up and speak  
14 against the farmer-elected committee system, but I  
15 stand here in support of the County Committee  
16 system.

17           Farmers, ranchers and FSA employees, as  
18 much as any other taxpayer in this nation, would  
19 like to see a balanced federal budget. But if FSA  
20 is abolished with the County Committee system, will  
21 the money saved in the reduced tax expenditure be  
22 enough to offset the increase in the cost of food

1 and natural fibers?

2           Would the tax savings ever reach the  
3 taxpayer? Is there another method by which  
4 governmental programs can be delivered or  
5 information and statistical data be gathered as  
6 economically as the Farm Service Agency? I  
7 personally believe the answer to these questions is  
8 no.

9           However, we are educating the public and  
10 the 105th Congress as to why the Farm Service  
11 Agency, under the leadership of the farmer-elected  
12 County Committee system, has been such an  
13 unprecedented success for the past 50 years and with  
14 a commendable civil rights reputation.

15           NASCOE and all county office employees  
16 have expressed concern about the inequities in work  
17 load analysis and the number of county office  
18 positions lost this past year. There are serious  
19 questions about county offices being credited with  
20 the work that is done and the ability to continue  
21 that work within our offices in a timely, accurate  
22 manner.

1           These losses have been devastating to our  
2 level of efficiency and it hurts deeply to have to  
3 tell co-workers that they no longer have a job  
4 simply because of lack of money.

5           While these are very real, very serious  
6 issues, others must be addressed. One urgent issue  
7 is that to determine what our future holds for us.  
8 This is sometimes the most difficult part of the  
9 entire process, because it requires patience,  
10 patience with FSA, patience with the Department, and  
11 patience with the administration to develop their  
12 ideas into stated goals and objectives.

13           Historically, NASCOE has not been involved  
14 with these issues at this stage. We have usually  
15 been involved after the goals and objectives have  
16 been established and then work with management to  
17 implement the objectives and achieve these goals.

18           NASCOE has never, nor do we now, have any  
19 reason to believe FSA management has anything but  
20 the Agency's and agriculture's best interest at  
21 heart. We are the only administrative Agency within  
22 the Department that deals with production

1 agriculture at the local levels.

2 Our sister Agencies do a great job in  
3 their related specialty areas. However, they are  
4 not always readily available to the public because  
5 of their technical duties that they must attend to.

6 In addition, if the administration is  
7 truly concerned about providing services fairly and  
8 equally to the American farmer, then they must  
9 recognize the Farm Service Agency, as we are the  
10 only agency that is always open to service and  
11 provide for the public's needs.

12 FSA can and should be considered to  
13 perform all administrative duties and functions for  
14 USDA, as it has been shown that under the County  
15 Committee system we can perform such duties more  
16 efficiently and cheaper than any other form of  
17 government.

18 Finally, I must revisit the issue at hand  
19 and that's service and fair service to our  
20 clientele. Under the County Committee system we are  
21 addressing fairly what the administration addressed  
22 in their campaign speeches, and that is putting

1 decision-making authority at the grass roots level.

2           However, in our staffing and budget levels  
3 are depleted -- if our budget levels are depleted  
4 much more, service will be jeopardized. Although we  
5 are in favor of balancing the budget, we must ask at  
6 what cost to service are you willing to give up?  
7 There must be a common median between where service  
8 becomes more important than the cost of slashing  
9 budget cutters' desire to balance the budget.

10           Thank you.

11           (Applause.)

12           SECRETARY GLICKMAN: I appreciate the last  
13 two speakers and I hope that they will attend the  
14 afternoon session, but I just want to make one  
15 comment.

16           I served in Congress 18 years, and now I  
17 can tell you that where policy -- decisions related  
18 to policy and dollars are done through the elected  
19 members of Congress. They're the ones deciding the  
20 budgets. They're the ones that made the  
21 revolutionary change in the farm program last year.

22           So I would -- I appreciate your speech,

1 but I think you also ought to talk to your local  
2 Congressman as well.

3 MR. BOMAR: We are.

4 MR. JOHNSON: Mr. Secretary, we really  
5 thought when you came in from Congress we wouldn't  
6 have any problems with budgets anymore. But we're  
7 not quite there yet.

8 (Laughter.)

9 MR. JOHNSON: Judy, are you here?

10 (No response.)

11 MR. JOHNSON: How about Tommy Thomas?

12 Go ahead, Tommy. That will be followed by  
13 Cynthia Davis.

14 MR. THOMAS: Good morning, Mr. Secretary,  
15 and members of the panel. My name is Tommy Thomas.  
16 I'm representing the USDA chapter of Blacks in  
17 Government.

18 Mr. Secretary, we are concerned about  
19 movement of blacks toward the glass ceiling and  
20 those on the sticky floor. I think we heard that  
21 earlier. Most black USDA employees are at the GS-7  
22 and below level.

1           We have a recommendation: Career  
2           enhancement. During the 1970s, the Department of  
3           Agriculture had an aggressive upward mobility  
4           effort. Each Agency was required to have a definite  
5           number of upward mobility positions. These  
6           positions were open across Agency lines. The  
7           Department supported the educational development of  
8           all employees.

9           Question: Will you, Mr. Secretary, issue  
10          a policy supporting upward mobility, supporting the  
11          establishment of career enhancement positions and a  
12          percentage goal for total number of available  
13          positions each year?

14          Thank you.

15          (Applause.)

16          MR. JOHNSON: Thank you, Tommy.

17          Cynthia.

18          MS. DAVIS: Good morning. My name is  
19          Cynthia Davis and I'm an employee relations  
20          specialist with the Natural Resources Conservation  
21          Service.

22          And in that position I reviewed many

1 discrimination complaints and I've also looked at  
2 many settlement agreements. As I understand it, the  
3 discrimination complaint process system under Title  
4 VII was designed to review, analyze and hopefully  
5 resolve legitimate, and I stress legitimate,  
6 allegations of discrimination.

7 The system as it operates within USDA  
8 appears to be a system that has evolved into giving  
9 out money in exchange for withdrawing a complaint.  
10 Reviewing, analyzing and resolving legitimate  
11 complaints appears to have been lost behind the  
12 trust to settle all complaints, no matter what.

13 My particular Agency has a large number of  
14 complaints, some because there are legitimate  
15 discrimination issues out there, but others are  
16 merely due to an individual wanting some quick  
17 cash.

18 The perception is file an EEO complaint,  
19 they'll give you money if you drop it. No wonder we  
20 have so many complaints being filed. Most of us  
21 could use some quick cash.

22 USDA is better than the lottery, better

1 than Publisher's Clearinghouse, better than Reader's  
2 Digest. You don't even have to spend money. All  
3 you do is file a complaint and you're guaranteed a  
4 winner.

5 It is my understanding that complaints --  
6 it's my understanding that the push to settle  
7 complaints comes from the Department level. If  
8 numbers are all we're concerned about, then settling  
9 for dollars is okay. But I'm a taxpayer, too, and I  
10 hate to see government funds wasted.

11 At least we can say that our settlement  
12 rate is high, right? But doesn't that cut deep into  
13 the integrity of the complaint process?

14 What happens to legitimate issues of  
15 discrimination? They're sometimes settled, too, but  
16 the two issues are lost in this process of  
17 settling.

18 I've seen cases where settlements of money  
19 are offered and the issue does not warrant a  
20 monetary settlement. If there is truly a  
21 discrimination issue or even if it's not proven  
22 discrimination but settlement is still a viable

1 option, it is mere common sense that the offer of  
2 settlement must be in sync with the raised issues.

3 I recognize that sometimes settlements are  
4 offered in order to get a case withdrawn so that the  
5 time and money necessary to pursue the case does not  
6 have to be expended. However, these situations  
7 should not be an everyday occurrence.

8 If we have legitimate concerns about  
9 management practices, whether they fall under the,  
10 quote, unquote, discrimination umbrella or not, deal  
11 with them. Correct the problem.

12 Giving out money only adds to the  
13 problem. It results in complaints continuing to be  
14 filed by employees who want to take advantage of the  
15 system and lower morale by employees with legitimate  
16 concerns.

17 I've known employees trying to use the  
18 complaint processing system even when they don't  
19 have a legitimate discrimination issue. They should  
20 file a grievance, however they said I can't get  
21 money if I file a grievance.

22 The system will work if administered

1 properly. USDA needs to stop looking at numbers of  
2 complaints only and review cases on merit also to  
3 determine if settlement is an appropriate option.  
4 Otherwise, cases should be processed through EEOC.

5 I said all that to say, can the Civil  
6 Rights Action Team ensure that Agencies are given  
7 the support to handle cases as they deem  
8 appropriate? Specifically, not forcing Agencies to  
9 settle. If systemic discrimination exists it will  
10 prevail and the Department will find out.

11 I challenge those in positions  
12 establishing policy in this area to let the system  
13 work instead of letting us -- instead of us, having  
14 us work the system.

15 Thank you.

16 (Applause.)

17 MR. JOHNSON: I hate to say this, but we  
18 have another session starting at one o'clock, and  
19 unfortunately we still have about ten left to  
20 speak. I would ask that you please try to get your  
21 remarks turned in or speak to somebody who can  
22 record them for you. I hate to do this.

1           If it were the end of the day, we would  
2 probably go into the night. But again, thank you  
3 very much for coming today and giving these  
4 comments.

5           And I'd like to turn it over to the  
6 Secretary at this time.

7           SECRETARY GLICKMAN: Just thank you to  
8 those of you who came and to indicate that the  
9 purpose of this effort is to listen, to analyze, to  
10 report, and then our function is to act. And we  
11 promise you we will do that.

12           Thank you.

13           (Applause.)

14           (Morning session concluded at 12:13 o'clock p.m.)

15           - - -

16           (Afternoon session began at 1:08 o'clock p.m.)

17           MR. JOHNSON: Good afternoon. I'm Paul  
18 Johnson, chief of the Natural Resources Conservation  
19 Service here in the Department of Agriculture, and  
20 chair of our national USDA Food and Agriculture  
21 Council. I want to welcome you all this afternoon  
22 to the D.C. Civil Rights Listening Session.

1           Over the past couple weeks the Secretary,  
2           the Deputy Secretary, Civil Rights Action Team,  
3           other USDA officials and hundreds of USDA employees  
4           and recipients have met in forums such as this  
5           across the country in order to share their concerns  
6           and comments about the Department's civil rights and  
7           equal employment opportunity programs.

8           President Clinton, in his address on  
9           Monday, talked about our civil rights issues and  
10          mentioned that we have a rich texture in this  
11          country of racial, religious and political  
12          diversity. And he said it will be a Godsend in the  
13          21st century.

14          The Secretary has made it very clear that  
15          we must prepare for the 21st century. And these  
16          forums and what we're hearing across the country,  
17          digesting and restructuring the Department of  
18          Agriculture in response to them, is the subject of  
19          this afternoon's forum.

20          We have several panel members with us this  
21          afternoon, and I would like to acknowledge two of my  
22          fellow Food and Agriculture Council members, Grant

1 Buntrock, the Administrator for the Farm Services  
2 Agency, and Jan Shadburn, who is Administrator of  
3 our Rural Housing within the Department of  
4 Agriculture.

5 At this time I'd like to introduce to you  
6 Pearlie Reed, the leader of the USDA Civil Rights  
7 Action Team, for a few comments and introductions.

8 MR. REED: Thank you very much, Paul.

9 Good afternoon. First we'd like to have  
10 self-introduction of the rest of the Secretary's  
11 Civil Rights Action Team, and we'll start to my left  
12 with Mon Yee.

13 MR. YEE: Good afternoon. My name is Mon  
14 Yee and I'm with the Natural Resources Conservation  
15 Service out of Portland, Oregon.

16 MS. WILLIS: Joyce Willis and I'm with  
17 Marketing and Regulatory Programs.

18 MR. WHITING: Good afternoon. My name is  
19 Robert Whiting. I am with the Office of the Chief  
20 Information Officer, and I represent Departmental  
21 Administration and OCR.

22 MR. WHEELER: Good afternoon. My name is

1 Floyd Wheeler. I'm with the Food and Consumer  
2 Service and I'm representing Food, Nutrition and  
3 Consumer Service.

4 MR. WEBER: Good afternoon. My name is  
5 Randy Weber. I represent the farm and Foreign  
6 Agriculture Service's mission area. I work for  
7 FSA.

8 MR. THORNTON: I'm Samuel Thornton, Office  
9 of the Secretary.

10 MR. SESCO: Good afternoon. I'm Jerry  
11 Sesco with the Forest Service and I'm representing  
12 the natural resources and environment mission area  
13 on the task force.

14 MR. PEER: Good afternoon. Wilbur Peer,  
15 Associate Administrator, Rural Business Services, in  
16 the rural development mission area, with Ms. Jill  
17 Long-Thompson.

18 MS. MESSMORE: Hi. My name is Karen  
19 Messmore, and I'm with the Food Safety and  
20 Inspection Service.

21 MR. HARDY: Good afternoon. I'm Leonard  
22 Hardy, Deputy Administrator for Operations and

1 Management, representing the mission area of Mrs.  
2 Jill Long-Thompson, rural development. Thank you.

3 MS. COONEY-SMITH: Good afternoon, I'm  
4 Sharon Cooney-Smith, with the Farm Service Agency,  
5 from St. Louis, Missouri. I'm representing USDA  
6 unions. I'm a member of the American Federation of  
7 Government Employees Local 3354.

8 MR. COLE: Good afternoon. Good  
9 afternoon. I'll Robert Cole, former USDA employee  
10 in Washington and in Arkansas.

11 MR. BOTTUM: Good afternoon. I'm John  
12 Bottum with the Cooperative State Research,  
13 Education and Extension Service, representing the  
14 research, education and economics mission area.

15 MR. BARBER: Good afternoon, everyone. My  
16 name's Gary Barber. I'm the Director of Executive  
17 Services for the Office of the Chief Financial  
18 Officer.

19 MR. ANAYA: Good afternoon. My name is  
20 Steve Anaya, State Director of Rural Development  
21 from New Mexico.

22 MR. REED: There's one other introduction

1 I'd like to make, and that's Cathy Gugulis. Cathy  
2 is the chief of staff to support this operation.

3 Now I'd like to ask you to help me welcome  
4 the Deputy Secretary of Agriculture, Richard  
5 Rominger.

6 (Applause.)

7 MR. ROMINGER: Thank you, Pearlie.

8 This is a culmination of the listening  
9 sessions that have been taking place around the  
10 country for the last two weeks, at which the  
11 Secretary and I have been listening to our customers  
12 and our employees.

13 And it's my honor and privilege now to  
14 introduce to you the person who has made this  
15 happen, the person whose concerns resulted in the  
16 appointment of this civil rights action task force,  
17 and all of the listening sessions. And we will be  
18 continuing that today.

19 But it's my pleasure to introduce to you  
20 our Secretary of Agriculture, Dan Glickman.

21 (Applause.)

22 SECRETARY GLICKMAN: Good afternoon,

1 everybody.

2 Remember, there was an old song years ago,  
3 for those of you who are old as I am, and there are  
4 a few in this audience who are, it went like this:  
5 It seems we stood and talked like this before. We  
6 looked at each other in the same way that, but I  
7 can't remember where or when.

8 Well, I think that's probably a pretty  
9 good opening for this. We have -- we and our  
10 government generally but in this Department have  
11 stood and talked like this before. And some of it  
12 has been productive and some of it has gathered  
13 dust.

14 And obviously the solutions haven't been  
15 reached in many areas to deal with what the  
16 president said in his inaugural address on Monday,  
17 when he said, "The divide of race has been America's  
18 constant curse."

19 And so we're talking about it again today,  
20 in the hopes that we do something about it. These  
21 listening sessions are part of our commitment to end  
22 that curse at this Department and in the government

1 in general.

2           These listening sessions have been held  
3 all over the country under the leadership of Pearlie  
4 Reed and this distinguished task force in front of  
5 you, whose job it is to listen to the concerns and  
6 the complaints, and then to do constructive things,  
7 to make constructive suggestions whereby we can  
8 remedy the problems and make this Department the  
9 kind of place that we can be proud of.

10           Previous to this meeting we heard from  
11 employees, and they said there are two ways one can  
12 describe the Department of Agriculture. The one way  
13 which Abraham Lincoln had in mind was the People's  
14 Department. The other way, which a lot of folks  
15 characterize us over the last several decades, is  
16 the Last Plantation.

17           Under my watch, I want this to be the  
18 People's Department again. That's the purpose of  
19 these hearings. As I've said many times, most of  
20 our employees, most of our staff, treat people with  
21 dignity and respect. Some don't.

22           Our job is to figure out how do we make

1     sure that those who don't, don't have that  
2     opportunity again. And also to look at our policies  
3     and procedures and other methods of operation to  
4     make sure that we can in fact be proud of the work  
5     that we do for America's farmers and ranchers, for  
6     people who depend on forestry issues, for people who  
7     depend on rural development and the whole slew of  
8     programs that we do in this particular place.

9             As the president said in his address, "We  
10     cannot, we will not succumb to the dark impulses  
11     that lurk in the far regions of the soul  
12     everywhere. We shall overcome them and we shall  
13     replace them with the generous spirit of people who  
14     feel at home with one another."

15             He also said, "Great rewards will come to  
16     those who can live together, learn together, work  
17     together, and forge ties that bind together."

18             That's the function of what we're trying  
19     to do here, is to take the effort that these people  
20     will produce in terms of a work product that will  
21     then come to us and that we will implement and act  
22     upon in order to make fundamental structural changes

1 and improve those areas that we have been deficient  
2 upon. I want USDA to reap some of the rewards that  
3 the president talked about in his speech.

4 We have a real opportunity to make  
5 positive changes in the area of civil rights  
6 enforcement at USDA and to ensure that our employees  
7 and customers are treated fairly and treated with  
8 dignity. And we will not stop until that happens.

9 I would just close with a little story.  
10 Some of you may know that I was in the U.S. Congress  
11 for 18 years. And I recall when I was running for  
12 Congress and I was introduced by somebody who  
13 obviously didn't feel very kindly about government.

14 And they said, well, you heard about the  
15 three biggest lies, haven't you? Lie number one is  
16 the check's in the mail. Lie number two is I'll  
17 love you as much in the morning as I do tonight.  
18 And lie number three was I'm from the federal  
19 government and I'm here to help you.

20 (Laughter.)

21 SECRETARY GLICKMAN: Well, we're going to  
22 make sure that is not a lie. We're from the United

1 States Department of Agriculture and we're here to  
2 help everyone with equality, with fairness and  
3 dignity, whether it's our employees or whether it's  
4 our customers.

5 Thank you all very much.

6 (Applause.)

7 MR. JOHNSON: Thank you, Secretary  
8 Glickman.

9 I'd like to lay out a few of the ground  
10 rules for this afternoon, so that we can be fair to  
11 everybody. I have a list of almost 35, I think it's  
12 35 people who would like to speak. And we'll do  
13 everything we can to hear all of you. We will work  
14 through the list and be here until you've had a  
15 chance to speak.

16 We've asked that you hold your comments to  
17 five minutes, and we have a timer down here with a  
18 card or two that he will hand or hold up when it's  
19 time. This morning we went through the same process  
20 and I think it worked very well.

21 So I would urge you to try your best to  
22 stay within your time limit. I know many of you

1 have enough to talk about so you could talk all  
2 afternoon. We recognize that.

3 If you have written comments or if you  
4 want to continue to get your comments heard and on  
5 record, you can -- we will have boxes in the back  
6 where you can put written comments. And if you'd  
7 like to speak to somebody, then people in the back  
8 would be able to take down your comments to make  
9 sure that you're heard.

10 Also we had a program that, if you didn't  
11 pick it up, it's on the back table, and that program  
12 has on it a 1-800 number if you wish to call in your  
13 comments. It has a fax number, an E-mail, and so  
14 please take advantage of that if you have more than  
15 you were able to say today.

16 This is a Listening Session, and as I sat  
17 through the morning session there were many things  
18 that I wanted to engage the speaker in. We're going  
19 to do our best not to do that, although the  
20 Secretary has the prerogative all the way through.  
21 But we want to listen and we want to take your  
22 comments.