



# **United States Department of Agriculture**

Food, Conservation, and Energy Act of 2008

Section 14010

Report of Civil Rights Complaints, Resolutions, and Actions

Fiscal Year 2010

Office of the Secretary  
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# Executive Summary

## Annual Reporting Requirements

Section 14010 of the Food, Conservation, and Energy Act of 2008 (2008 Farm Bill), mandates the U.S. Department of Agriculture (USDA) to prepare an annual report on each of its agency's civil rights complaints, resolutions, and actions. In accordance with that section, this report provides the following information:

- the number of civil rights complaints filed that relate to the agency, including whether a complaint is a program complaint or an employment complaint;
- the length of time the agency took to process each civil rights complaint;
- the number of proceedings brought against the agency, including the number of complaints described in Section 14010 (1) that were resolved with a finding of discrimination; and
- the number and type of personnel actions taken by the agency following resolution of civil rights complaints.

In addition, Section 14010 requires that a copy of this report be submitted to the Committee on Agriculture of the House of Representatives, the Committee on Agriculture, Nutrition, and Forestry of the Senate, and made available to the public by posting it on the USDA website.

The USDA agencies included in the report are: Agricultural Marketing Service (AMS); Agricultural Research Service (ARS); Animal and Plant Health Inspection Service (APHIS); Economic Research Service (ERS); Farm Service Agency (FSA); Food Nutrition and Consumer Service (FNCS), including the Food and Nutrition Service (FNS); Food Safety and Inspection Service (FSIS); Foreign Agricultural Service (FAS); Forest Service (FS); Grain Inspection, Packers and Stockyards Administration (GIPSA); National Agricultural Statistical Service (NASS); National Appeals Division (NAD); National Institute of Food and Agriculture (NIFA), formerly Cooperative State Research, Education and Extension Service (CSREES); Natural Resources Conservation Service (NRCS); Office of the Chief Financial Officer (OCFO); Office of Inspector General (OIG); Rural Development (RD); Risk Management Agency (RMA); and Departmental Management (DM).<sup>1</sup>

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<sup>1</sup> Complaints initiated or filed against the DM and USDA staff offices were processed by an independent contractor. The DM and staff office complaints are identified in this report by the CRSD (Civil Rights Services Division) acronym. During the October 1, 2009 reorganization, the CRSD was abolished and in February 2010 a contractor was hired to handle these complaints.

# Summary of the Report

## USDA EEO Data

During Fiscal Year (FY) 2010, USDA had a total of 1,412 complaints in the equal employment opportunity (EEO) complaint inventory.<sup>2</sup> At the beginning of FY 2010, USDA had an open inventory of 939<sup>3</sup> EEO complaints. (See Table 1-1) During the fiscal year, the USDA received an additional 473 EEO complaints. (See Table 1-1) USDA closed a total of 571 EEO complaints during FY 2010, including 29 complaints resolved with a finding of discrimination. (See Tables 1-2 and 1-3) At the end of the fiscal year, USDA had an inventory of 841 open EEO complaints. (See Table 1-2)

By the end of FY 2010, the average length of time that the complaints were in the EEO process was 804 days. (See Table 1-1) This constitutes a slight decrease of approximately six percent from the 851-day average processing in FY 2009. The average processing time includes 114 complaints that were subsumed in a class complaint and held in abeyance pending the disposition of the class actions. The Equal Employment Opportunity Commission (EEOC) does not allow opt-outs; thus, these complaints must remain in the system. Additionally, the average processing time includes 361 complaints that were at the EEOC for a hearing.<sup>4</sup> Removal of these complaints reduces the average processing time to 553 days. This constitutes a decrease of approximately 16 percent from FY 2009, a 659-day average processing time calculated after excluding those cases. For complaints closed during FY 2010, time in the process was calculated based on the time between the formal filing date (regardless of the fiscal year) and the date of closure. For complaints that remained on open status by the end of FY 2010, time in the process was calculated based on the time between the formal filing date (regardless of the fiscal year) and the end of FY 2010 (September 30, 2010).

The total number of personnel actions taken by USDA agencies following resolution of EEO complaints was 622.<sup>5</sup> The types of personnel actions taken included monetary, as well as, non-monetary. (See Table 1-4.) The number of final decisions finding discrimination rose from 16 in FY 2009 to 29 in FY 2010, an 81 percent increase. There were 13 disciplinary actions taken against USDA employees who were found to have committed prohibited acts of discrimination. (See Table 1-5.)

A summary of EEO complaint data for each USDA agency is provided in Part I of this report. The attachments provide information on the processing of complaints.

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<sup>2</sup> The total complaint inventory in FY 2009 was 1,738. Factors that account for a 19 percent inventory reduction to 1,412 consist of the large number of closures in FY 2009 (760); fewer complaints filed in FY 2010 (473 vs. 528 filed in FY 2009); and ongoing data reconciliation efforts further decreasing the inventory by 39 cases.

<sup>3</sup> Data reconciliation efforts inherent to database quality control/updates yield a net change of 39 cases less than the 978-case ending inventory in FY 2009.

<sup>4</sup> There are 28 complaints in class and hearing status.

<sup>5</sup> This includes findings of discrimination, as well as, complaints voluntarily resolved by settlement agreement.

## USDA Program Data

Unlike EEO complaints, most of the program discrimination complaints filed are against recipients of USDA financial assistance, primarily State and local agencies and multi-family housing authorities. Examples are complaints concerning FNS' programs, such as the Supplemental Nutrition Assistance Program (SNAP), in which the application and applicant eligibility are determined by the State or local government entities. The States issue SNAP benefits through local State or county offices to eligible households. Other examples are complaints filed against RD programs in which non-government entities receive rural housing funds, such as multi-family housing programs, which are administered or managed by non-USDA employees.

During FY 2010, USDA had a total of 2,100 complaints in the program complaint inventory. At the beginning of FY 2010, USDA had an open inventory of 1,045 program complaints.<sup>6</sup> (See Table 2-1) During the fiscal year, USDA received an additional 1,055 complaints. (See Table 2-1.) USDA closed a total of 1,212 program complaints during FY 2010. At the end of FY 2010, USDA had an ending inventory of 888 open complaints, which represents a 16 percent reduction from FY 2009 ending inventory (1,053).<sup>7</sup> (See Table 2-2)

By the end of FY 2010, the average length of time the complaints were in the program complaints process was 420 days.<sup>8</sup> (See Table 2-1) The removal of program complaints held in abeyance due to possible congressional legislation reduces the average processing time to 389 days. The data shows an increase in the processing time of program complaints from FY 2009 to 2010. This is due to the USDA's emphasis on the Equal Credit Opportunity Act (ECOA) cases, which have a two-year statute of limitation. As a result of focusing on the ECOA cases, the processing of non-ECOA has increased. To increase efficiency, the USDA recently added more resources towards the processing of program complaints.

For complaints closed during FY 2010, time in the process was calculated based on the time between the formal filing date (regardless of the fiscal year) and the date of closure. For complaints that remained in open status at the end of FY 2010, time in the process was calculated based on the time between the formal filing date (regardless of fiscal year) and the end of FY 2010 (September 30, 2010).

There were three (3) program discrimination complaints resolved with a finding of discrimination during FY 2010. Additionally, RD entered into four (4) conciliation agreements. There were no personnel actions taken by USDA agencies following resolution of program complaints.

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<sup>6</sup> Data reconciliation efforts inherent to database quality control/updates yield a net change of 8 cases less than the 1,053-case ending inventory in FY 2009.

<sup>7</sup> This decline is due to an increase of 12 percent in the number of closures in FY 2010 (133 more than the 1,079 closed in FY 2009); fewer complaints filed in FY 2010 (1,055 vs. 1,326 in FY 2009); and ongoing data reconciliation efforts decreasing the beginning inventory by 8 cases.

<sup>8</sup> Processing time does not include the time it took to process the cases that were identified as or related to class complaints.

A summary of FY 2010 program complaint data for each USDA agency is provided in Part II of this report. The data includes both federally-assisted and federally-conducted allegations of program discrimination. Federally-assisted program complaints of discrimination concern programs and activities in which Federal financial assistance is provided through a recipient, a third party such as a State, or instrumentality of a State. Federally-conducted program complaints of discrimination concern the day-to-day operations of an agency's programs or activities. These programs or activities result in or contribute to the availability of, or delivery of services, benefits, or resources to customers. The FSA's direct farm loan program is an example of a conducted program in which loans are directly funded by FSA and administrated directly through local FSA offices. Although farmers and ranchers filed complaints in FY 2010, the majority of USDA program complaints filed involved federally-assisted programs.

Exhibit 2 provides information on the processing of each complaint.

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**Part 1: EEO Complaint Data by  
USDA Agency FY 2010**

## Part 1: EEO Complaint Data by USDA Agency

This section provides summary data for EEO complaints in FY 2010 for each USDA agency. References are made to the exhibits section of this report regarding detailed EEO complaint data for each USDA agency.

Agency	Beginning Complaint Inventory	Complaints Filed	Total Complaint Inventory During FY 2010	Complaint Average Time (Days) In The Process	Exhibit 1-1 Page(s)
AMS	29	12	41	1,074	1 – 2
APHIS	76	45	121	481	2 – 7
ARS	37	25	62	492	7 – 9
CRSD	32	11	43	782	9 – 11
ERS	12	3	15	790	11
FAS	17	3	20	1,545	11 – 12
FNCS	11	11	22	356	12 – 13
FS	219	122	341	1,063	13 – 26
FSA	104	50	154	1,090	26 – 32
FSIS	126	71	197	558	32 – 40
GIPSA	14	9	23	908	40 – 41
NAD	0	1	1	195	41
NASS	3	1	4	564	41
NIFA	0	0	0	0	N/A
NRCS	59	27	86	576	41 – 44
OCFO	45	25	70	532	44 – 47
OIG	11	8	19	399	47 – 48
RD	135	46	181	828	48 – 55
RMA	9	3	12	668	55
Total USDA	939	473	1,412	804	1 – 55

Table 1-1 above shows EEO complaint inventory during FY 2010 by Agency. In 2010, AMS had a beginning complaint inventory of 29, 12 complaints filed, a total complaint inventory of 41, and an average complaint processing time of 1,074 days (further reference information can be found in Exhibit 1-1 on pages 1 through 2). APHIS had a beginning complaint inventory of 76, 45 complaints filed, a total complaint inventory of 121, and an average complaint processing time of 481 days (further reference information can be found in Exhibit 1-1 on pages 2 through 7). ARS had a beginning complaint inventory of 37, 25 complaints filed, a total complaint inventory of 62, and an average complaint processing time of 492 days (further reference information can be found in Exhibit 1-1 on pages 7 through 9). CRSD had a beginning complaint inventory of 32, 11 complaints filed, a total complaint inventory of 43, and an average complaint processing time of 782 days (further reference information can be found in Exhibit 1-1 on pages 9 through 11). ERS had a beginning complaint inventory of 12, 3 complaints filed, a



total complaint inventory of 15, and an average complaint processing time of 790 days (further reference information can be found in Exhibit 1-1 on page 11). FAS had a beginning complaint inventory of 17, 3 complaints filed, a total complaint inventory of 20, and an average complaint processing time of 1,545 days (further reference information can be found in Exhibit 1-1 on pages 11 through 12). FNCS had a beginning complaint inventory of 11, 11 complaints filed, a total complaint inventory of 22, and an average complaint processing time of 356 days (further reference information can be found in Exhibit 1-1 on pages 12 through 13). FS had a beginning complaint inventory of 219, 122 complaints filed, a total complaint inventory of 341, and an average complaint processing time of 1,063 days (further reference information can be found in Exhibit 1-1 on pages 13 through 26). FSA had a beginning complaint inventory of 104, 50 complaints filed, a total complaint inventory of 154, and an average complaint processing time of 1,090 days (further reference information can be found in Exhibit 1-1 on pages 26 through 32). FSIS had a beginning complaint inventory of 126, 71 complaints filed, a total complaint inventory of 197, and an average complaint processing time of 558 days (further reference information can be found in Exhibit 1-1 on pages 32 through 40). GIPSA had a beginning complaint inventory of 14, 9 complaints filed, a total complaint inventory of 23, and an average complaint processing time of 908 days (further reference information can be found in Exhibit 1-1 on pages 40 through 41). NAD had a beginning complaint inventory of 0, 1 complaint filed, a total complaint inventory of 1, and an average complaint processing time of 195 days (further reference information can be found in Exhibit 1-1 on page 41). NASS had a beginning complaint inventory of 3, 1 complaint filed, a total complaint inventory of 4, and an average complaint processing time of 564 days (further reference information can be found in Exhibit 1-1 on page 41). NIFA had a beginning complaint inventory of 0, 0 complaints filed, a total complaint inventory of 0, and an average complaint processing time of 0 days (further reference information can be found in Exhibit 1-1 on page N/A). NRCS had a beginning complaint inventory of 59, 27 complaints filed, a total complaint inventory of 86, and an average complaint processing time of 576 days (further reference information can be found in Exhibit 1-1 on pages 41 through 44). OCFO had a beginning complaint inventory of 45, 25 complaints filed, a total complaint inventory of 70, and an average complaint processing time of 532 days (further reference information can be found in Exhibit 1-1 on pages 44 through 47). OIG had a beginning complaint inventory of 11, 8 complaints filed, a total complaint inventory of 19, and an average complaint process time of 399 days (further reference information can be found in Exhibit 1-1 on pages 47 through 48). RD had a beginning complaint inventory of 135, 46 complaints filed, a total complaint inventory of 181, and an average complaint processing time of 828 days (further reference information can be found in Exhibit 1-1 on pages 48 through 55). RMA had a beginning complaint inventory of 9, 3 complaints filed, a total complaint inventory of 12, and a average complaint processing time of 668 days (further reference information can be found in Exhibit 1-1 on page 55). In FY 2010, USDA had a beginning complaint inventory of 939, 473 complaints filed, a total complaint inventory of 1,412, and an average complaint processing time of 804 days (further reference information can be found in Exhibit 1-1 on pages 1 through 55).

Table 1-2 Number of EEO Complaints Closed in FY 2010				
Agency	Total Complaint Inventory	Total Number of Complaints Closed	Ending Complaint Inventory	Exhibit 1-1 Page(s)
AMS	41	16	25	1 – 2
APHIS	121	63	58	2 – 7
ARS	62	23	39	7 – 9
CRSD	43	15	28	9 – 11
ERS	15	0	15	11
FAS	20	13	7	11 – 12
FNCS	22	8	14	12 – 13
FS	341	129	212	13 – 26
FSA	154	44	110	26 – 32
FSIS	197	84	113	32 – 40
GIPSA	23	10	13	40 – 41
NAD	1	0	1	41
NASS	4	3	1	41
NIFA	0	0	0	N/A
NRCS	86	45	41	41 – 44
OCFO	70	34	36	44 – 47
OIG	19	6	13	47 – 48
RD	181	72	109	48 – 55
RMA	12	6	6	55
Total USDA	1412	571	841	1 – 55

Table 1-2 above shows EEO complaints closed in FY 2010 by Agency. In 2010, AMS had a total complaint inventory of 41, 16 complaints closed, and an ending complaint inventory of 25 (further reference information can be found in Exhibit 1-1 on pages 1 through 2). APHIS had a total complaint inventory of 121, 63 complaints closed, and an ending complaint inventory of 58 (further reference information can be found in Exhibit 1-1 on pages 2 through 7). ARS had a total complaint inventory of 62, 23 complaints closed, and an ending complaint inventory of 39 (further reference information can be found in Exhibit 1-1 on pages 7 through 9). CRSD had a total complaint inventory of 43, 15 complaints closed, and an ending complaint inventory of 28 (further reference information can be found in Exhibit 1-1 on pages 9 through 11). ERS had a total complaint inventory of 15, 0 complaints closed, and an ending complaint inventory of 15 (further reference information can be found in Exhibit 1-1 on page 11). FAS had a total complaint inventory of 20, 13 complaints closed, and an ending complaint inventory of 7 (further

reference information can be found in Exhibit 1-1 on pages 11 through 12). FNCS had a total complaint inventory of 22, 8 complaints closed, and an ending complaint inventory of 14 (further reference information can be found in Exhibit 1-1 on pages 12 through 13). FS had a total complaint inventory of 341, 129 complaints closed, and an ending complaint inventory of 212 (further reference information can be found in Exhibit 1-1 on pages 13 through 26). FSA had a total complaint inventory of 154, 44 complaints closed, and an ending complaint inventory of 110 (further reference information can be found in Exhibit 1-1 on pages 26 through 32). FSIS had a total complaint inventory of 197, 84 complaints closed, and an ending complaint inventory of 113 (further reference information can be found in Exhibit 1-1 on pages 32 through 40). GPSIA had a total complaint inventory of 23, 10 complaints closed, and an ending complaint inventory of 13 (further reference information can be found in Exhibit 1-1 on pages 40 through 41). NAD had a total complaint inventory of 1, 0 complaints closed, and an ending complaint inventory of 1 (further reference information can be found in Exhibit 1-1 on page 41). NASS had a total complaint inventory of 4, 3 complaints closed, and an ending complaint inventory of 1 (further reference information can be found in Exhibit 1-1 on page 41). NIFA had a total complaint inventory of 0, 0 complaints closed, and an ending complaint inventory of 0 (further reference information can be found in Exhibit 1-1 on page N/A). NRCS had a total complaint inventory of 86, 45 complaints closed, and an ending complaint inventory of 41 (further reference information can be found in Exhibit 1-1 on pages 41 through 44). OCFO had a total complaint inventory of 70, 34 complaints closed, and an ending complaint inventory of 36 (further reference information can be found in Exhibit 1-1 on pages 44 through 47). OIG had a total complaint inventory of 19, 6 complaints closed, and an ending complaint inventory of 13 (further reference information can be found in Exhibit 1-1 on pages 47 through 48). RD had a total complaint inventory of 181, 72 complaints closed, and an ending complaint inventory of 109 (further reference information can be found in Exhibit 1-1 on pages 48 through 55). RMA had a total complaint inventory of 12, 6 complaints closed, and an ending complaint inventory of 6 (further reference information can be found in Exhibit 1-1 on page 55). In FY 2010, USDA had a total complaint inventory of 1,412, 517 complaints closed, and an ending complaint inventory of 841 (further reference information can be found in Exhibit 1-1 on pages 1 through 55).

<b>Agency</b>	<b>Findings of Discrimination</b>
AMS	1
APHIS	0
ARS	1
CRSD	0
ERS	0
FAS	0
FNCS	0
FS	13

Agency	Findings of Discrimination
FSA	4
FSIS	2
GIPSA	0
NAD	0
NASS	0
NIFA	0
NRCS	1
OCFO	1
OIG	0
RD	6
RMA	0
Total USDA	29

Table 1-3 above shows the number of EEO complaints resolved with finding of discrimination by Agency. In FY 2010, AMS had 1 EEO complaint resolved with a finding of discrimination. APHIS had 0 EEO complaints resolved with a finding of discrimination. ARS had 1 EEO complaint resolved with a finding of discrimination. CRSD had 0 EEO complaints resolved with a finding of discrimination. ERS had 0 EEO complaints resolved with a finding of discrimination. FAS had 0 EEO complaints resolved with a finding of discrimination. FNCS had 0 EEO complaints resolved with a finding of discrimination. FS had 13 EEO complaints resolved with a finding of discrimination. FSA had 4 EEO complaints resolved with a finding of discrimination. FSIS had 2 EEO complaints resolved with a finding of discrimination. GIPSA had 0 EEO complaints resolved with a finding of discrimination. NAD had 0 EEO complaints resolved with a finding of discrimination. NASS had 0 EEO complaints resolved with a finding of discrimination. NIFA had 0 EEO complaints resolved with a finding of discrimination. NRCS had 1 EEO complaint resolved with a finding of discrimination. OCFO had 1 EEO complaint resolved with a finding of discrimination. OIG had 0 EEO complaints resolved with a finding of discrimination. RD had 6 EEO complaints resolved with a finding of discrimination. RMA had 0 EEO complaints resolved with a finding of discrimination. In FY 2010 USDA had total of 29 EEO complaints resolved with a finding of discrimination.

Agency	Number of Personnel Actions
AMS	17
APHIS	66

Agency	Number of Personnel Actions
ARS	29
CRSD	29
ERS	0
FAS	9
FNCS	7
FS	184
FSA	37
FSIS	95
GIPSA	3
NAD	0
NASS	7
NIFA	0
NRCS	39
OCFO	31
OIG	8
RD	50
RMA	11
Total USDA	622

Table 1-4 above shows the number of personnel actions following resolution of EEO complaints by Agency. In 2010, AMS had 17 personnel actions. APHIS had 66 personnel actions. ARS had 29 personnel actions. CRSD had 29 personnel actions. ERS had 0 personnel actions. FAS had 9 personnel actions. FNCS had 7 personnel actions. FS had 184 personnel actions. FSA had 37 personnel actions. FSIS had 95 personnel actions. GIPSA had 3 personnel actions. NAD had 0 personnel actions. NASS had 7 personnel actions. NIFA had 0 personnel actions. NRCS had 39 personnel actions. OCFO had 31 personnel actions. OIG had 8 personnel actions. RD had 50 personnel actions. RMA had 11 personnel actions. In FY 2010, USDA had a total of 622 personnel actions following resolution of EEO complaints.

As noted in the referenced exhibits section, a total of 622 personnel actions are reported. However, the number of complaints resolved with personnel actions was 245 cases.

Detailed information regarding number and types of personnel actions taken following the resolution of each complaint is provided in Exhibit 1-2.

Disciplinary Action	Discrimination Type
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	Retaliation	Harassment	Prohibited Personnel Practice	Other	Total
Removal		3		2	5
15 Day or More Suspension		1			1
14 Day or Less Suspension		4			4
Reduction-in-Grade					
Reduction-in-Pay					
Letter of Reprimand		3			3
Total		11		2	13

\*Three (3) of the 29 findings of discrimination resulted in closure without any administrative action because they were of nominal value or counseling was provided. The remaining cases are under review for appropriate action.

Table 1-5 above shows the type of disciplinary actions taken as a result of EEO complaint findings of discrimination. In FY2010, for cases where retaliation was alleged: there were 0 instances where a removal was implemented, there were 0 instances where a 15 day or more suspension was implemented, there were 0 instances where a 14 day or less suspension disciplinary action was implemented, there were 0 instances where a Reduction-in-Grade was implemented, there were 0 instances where a Reduction-in-Pay was implemented, there were 0 instances where a Letter of Reprimand was implemented, which resulted in 0 disciplinary actions overall. Cases where harassment was alleged: there were 3 instances where a removal was implemented, there was 1 instance where a 15 day or more suspension was implemented, there were 4 instances where a 14 day or less suspension disciplinary action was implemented, there were 0 instances where a Reduction-in-Grade was implemented, there were 0 instances where a Reduction-in-Pay was implemented, there were 3 instances where a Letter of Reprimand was implemented, which resulted in 11 disciplinary actions overall. Cases where a prohibited personal practice was alleged: there were 0 instances where a removal was implemented, there were 0 instances where a 15 day or more suspension was implemented, there were 0 instances where a 14 day or less suspension disciplinary action was implemented, there were 0 instances where a Reduction-in-Grade was implemented, there were 0 instances where a Reduction-in-Pay was implemented, there were 0 instances where a Letter of Reprimand was implemented, which resulted in 0 disciplinary actions overall. Cases where a disciplinary action defined as other was alleged: there were 2 instances where a removal was implemented, there were 0 instances where a 15 day or more suspension was implemented, there were 0 instances where a 14 day or less suspension disciplinary action was implemented, there were 0 instances where a Reduction-in-Grade was implemented, there were 0 instances where a Reduction-in-Pay was implemented, there were 0 instances where a Letter of Reprimand was implemented, which resulted in 2 disciplinary actions overall. In FY 2010, in cases where USDA found discrimination and took disciplinary action there were a total of: 5 instances where a removal was implemented, 1 instance where a 15 day or more suspension was implemented, 4 instances where a 14 day or less suspension disciplinary action was implemented, 0 instances where a Reduction-in-Grade was

implemented, 0 instances where a Reduction-in-Pay was implemented, and 3 instances where a Letter of Reprimand was implemented, which resulted in a grand total of 13 disciplinary actions.

## **Part 2: Program Discrimination Complaint Data By USDA Agency FY 2010**



## Part 2: Program Discrimination Complaint Data by USDA Agency

This section provides summary data for program complaints in FY 2010 for each USDA agency. References are made to the exhibits section of this report regarding detailed program complaint data for each USDA agency.

Agency	Beginning Complaint Inventory	Complaints Filed	Total Complaint Inventory During FY 2010	Complaint Average Time (Days) In The Process	Exhibit 2 Page(s)
APHIS	3*	4	7	447	1
ARS	0*	0	0	0	N/A
FAS	0	2	2	86	1
FNS	289*	636	925	148	1 – 18
FS	22	13	35	560	18
FSA	161*	92	253	532	18 – 23
FSIS	1	2	3	157	23
GIPSA	3*	1	4	152	23
NIFA	3*	1	4	790	23
NRCS	12	7	19	693	23
OTHER GOVERNMENT AGENCY	25	9	34	231	23 – 25
RD	520*	287	807	666	25 – 40
RMA	5*	1	6	787	40
USDA-WIDE	1*	0	1	2,612	40
Total USDA	1,045	1,055	2,100	420	1 – 40

\*This number is different from the FY 2009 Farm Bill Report ending inventory due to reconciliation efforts.

Table 2-1 above shows the Program Complaints Inventory during FY 2010 by Agency. APHIS had a beginning complaint inventory of 3. During FY 2010, 4 complaints were filed, for a total complaint inventory of 7, and an average complaint processing time of 447 days (further reference information can be found in Exhibit 2 on page 1). ARS had a beginning complaint inventory of 0. During FY 2010, 0 complaints were filed, for a total complaint inventory of 0, and an average complaint processing time of 0 days (further reference information is N/A). FAS had a beginning complaint inventory of 0. During FY 2010, 2 complaints were filed, for a total

complaint inventory of 2, and an average complaint processing time of 86 days (further reference information can be found in Exhibit 2 on page 1). FNS had a beginning complaint inventory of 289. During FY 2010, 636 complaints were filed, for a total complaint inventory of 925, and an average complaint processing time of 148 days (further reference information can be found in Exhibit 2 on pages 1 through 18). FS had a beginning complaint inventory of 22. During FY 2010, 13 complaints were filed, for a total complaint inventory of 35, and an average complaint processing time of 560 days (further reference information can be found in Exhibit 2 on page 18). FSA had a beginning complaint inventory of 161. During FY 2010, 92 complaints were filed, for a total complaint inventory of 253, and an average complaint processing time of 532 days (further reference information can be found in Exhibit 2 on pages 18 through 23). FSIS had a beginning complaint inventory of 1. During FY 2010, 2 complaints were filed, for a total complaint inventory of 3, and an average complaint processing time of 157 days (further reference information can be found in Exhibit 2 on page 23). GIPSA had a beginning complaint inventory of 3. During FY 2010, 1 complaint was filed, for a total complaint inventory of 4, and an average complaint processing time of 152 days (further reference information can be found in Exhibit 2 on page 23). NIFA had a beginning complaint inventory of 3. During FY 2010, 1 complaint was filed, for a total complaint inventory of 4, and an average complaint processing time of 790 days (further reference information can be found in Exhibit 2 on page 23). NRCS had a beginning complaint inventory of 12. During FY 2010, 7 complaints were filed, for a total complaint inventory of 19, and an average complaint processing time of 693 days (further reference information can be found in Exhibit 2 on page 23). OTHER GOVERNMENT AGENCY had a beginning complaint inventory of 25. During FY 2010, 9 complaints were filed, for a total complaint inventory of 34, and an average complaint processing time of 231 days (further reference information can be found in Exhibit 2 on pages 23 through 25). RD had a beginning complaint inventory of 520. During FY 2010, 287 complaints were filed, for a total complaint inventory of 807, and an average complaint processing time of 666 days (further reference information can be found in Exhibit 2 on pages 25 through 40). RMA had a beginning complaint inventory of 5. During FY 2010, 1 complaint was filed, for a total complaint inventory of 6, and an average complaint processing time of 787 days (further reference information can be found in Exhibit 2 on page 40). USDA-WIDE had a beginning complaint inventory of 1. During FY 2010, 0 complaints were filed, for a total complaint inventory of 1, and an average complaint processing time of 2,612 days (further reference information can be found in Exhibit 2 on page 40). During FY 2010, all of USDA had a beginning complaint inventory of 1,045. 1,055 complaints were filed, for a total complaint inventory of 2,100, and an average complaint processing time of 420 days (further reference information can be found in Exhibit 2 on pages 1 through 40).

Table 2-2 Number of Program Complaints Closed in FY 2010

Agency	Total Complaint Inventory During FY 2010	Total Number of Complaints Closed	Ending Complaint Inventory	Exhibit 2 Page(s)
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Table 2-2 Number of Program Complaints Closed in FY 2010

Agency	Total Complaint Inventory During FY 2010	Total Number of Complaints Closed	Ending Complaint Inventory	Exhibit 2 Page(s)
APHIS	7	2	5	1
ARS	0	0	0	N/A
FAS	2	1	1	1
FNS	925	817	108	1 – 18
FS	35	13	22	18
FSA	253	89	164	18 – 23
FSIS	3	1	2	23
GIPSA	4	3	1	23
NIFA	4	2	2	23
NRCS	19	2	17	23
OTHER GOVERNMENT AGENCY	34	34	0	23 – 25
RD	807	247	560	25 – 40
RMA	6	1	5	40
USDA-WIDE	1	0	1	40
Total USDA	2,100	1,212	888	1 – 40

Table 2-2 above shows the Number of Program Complaints Closed in FY 2010 by Agency. APHIS had a total complaint inventory of 7. During FY 2010, 2 complaints were closed, resulting in an ending complaint inventory of 5 (further reference information can be found in Exhibit 2-2 on page 1). ARS had a total complaint inventory of 0. During FY 2010, 0 complaints were closed, resulting in an ending complaint inventory of 0 (further reference information is N/A). FAS had a total complaint inventory of 2. During FY 2010, 1 complaint was closed, resulting in an ending complaint inventory of 1 (further reference information can be found in Exhibit 2-2 on page 1). FNS had a total complaint inventory of 925. During FY 2010, 817 complaints were closed, resulting in an ending complaint inventory of 108 (further reference information can be found in Exhibit 2-2 on pages 1 through 18). FS had a total complaint inventory of 35. During FY 2010, 13 complaints were closed, resulting in an ending complaint inventory of 22 (further reference information can be found in Exhibit 2-2 on page 18). FSA had a total complaint inventory of 253. During FY 2010, 89 complaints were closed, resulting in an ending complaint inventory of 164 (further reference information can be found in Exhibit 2-2 on pages 18 through 23). FSIS had a total complaint inventory of 3. During FY 2010, 1 complaint was closed, resulting in an ending complaint inventory of 2 (further reference information can be found in Exhibit 2-2 on page 23). GIPSA had a total complaint inventory of 4. During FY 2010,

3 complaints were closed, resulting in an ending complaint inventory of 1 (further reference information can be found in Exhibit 2-2 on page 23). NIFA had a total complaint inventory of 4. During FY 2010, 2 complaints were closed, resulting in an ending complaint inventory of 2 (further reference information can be found in Exhibit 2-2 on page 23). NRCS had a total complaint inventory of 19. During FY 2010, 2 complaints were closed, resulting in an ending complaint inventory of 17 (further reference information can be found in Exhibit 2-2 on page 23). OTHER GOVERNMENT AGENCY had a total complaint inventory of 34. During FY 2010, 34 complaints closed, resulting in an ending complaint inventory of 0 (further reference information can be found in Exhibit 2-2 on page 23 through 25). RD had a total complaint inventory of 807. During FY 2010, 247 complaints were closed, resulting in an ending complaint inventory of 560 (further reference information can be found in Exhibit 2-2 on pages 25 through 40). RMA had a total complaint inventory of 6. During FY 2010, 1 complaint was closed, resulting in an ending complaint inventory of 5 (further reference information can be found in Exhibit 2-2 on page 40). USDA-WIDE had a total complaint inventory of 1. During FY 2010, 0 complaints were closed, resulting in an ending complaint inventory of 1 (further reference information can be found in Exhibit 2-2 on page 40). During FY 2010, all of USDA had a total complaint inventory of 2,100. 1,212 complaints were closed, resulting in an ending complaint inventory of 888 (further reference information can be found in Exhibit 2-2 on pages 1 through 40).

# **EXHIBITS**

**Exhibit 1-1: USDA EEO Complaint Inventory During FY 2010**

**Exhibit 1-2: Number and Type of Personnel Actions Taken Following Resolution of EEO Complaints**

**Exhibit 2: USDA Program Complaint Inventory During FY 2010**

**The exhibits, listed above, to this report are not available on our Website. We are in the process of putting the exhibits in a format that will be accessible to all. You may obtain a copy of the exhibits by contacting the Office of the Assistant Secretary for Civil Rights, Information Research Service, on (202) 401-0005 or (800) 795-3272 (toll free) or by sending an email request to email to CR-INFO@ascr.usda.gov**