

Congress of the United States
House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5074

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<http://oversight.house.gov>

November 21, 2016

The Honorable Thomas J. Vilsack
Secretary
U.S. Department of Agriculture
1400 Independence Avenue, SW
Washington, DC 20250

Dear Secretary Vilsack,

The Committee is examining the handling of Equal Employment Opportunity (EEO) complaints by the Office of the Assistant Secretary for Civil Rights (OASCR) within the U.S. Department of Agriculture (USDA).

This investigation is unique because on May 18, 2015, the Office of Special Counsel (OSC) sent a letter to President Obama reporting that “almost 50 percent of civil rights complaints filed against high level USDA officials were not acted on within the legally required time frame.” The letter also stated that “OASCR has been seriously mismanaged, thereby compromising the civil rights of USDA employees.” The letter concluded by stating that although USDA has implemented corrective actions, they “appear to only partially resolve the identified wrongdoing.” OSC recommended that USDA “consider reviewing cases to determine whether harm resulted from delays and how affected individuals could be made whole.”¹

In order to assist the Committee with its ongoing review, we request the following documents and information:

1. The number of formal EEO complaints filed between November 2009 and 2015 against senior managers at USDA, who are GS-15, Senior Executive Service, or political appointees, that according to OSC, “were not acted on within the legally required time frame,” as well as the number of such complaints filed against senior managers within OASCR;
2. A list identifying each such complaint with a description of the allegations that compromise the basis for each complaint, the current status of each complaint, the

¹ Letter from Special Counsel Carolyn N. Lerner, Office of Special Counsel, to President Barack Obama (May 18, 2015) (online at <https://osc.gov/PublicFiles/FY2015/15-24%20DI-14-2556,%20DI-14-4627,%20and%20DI-15-0001/15-24%20DI-14-2556,%20DI-14-4627,%20and%20DI-15-0001%20Letter%20to%20the%20President.pdf>).

total number of days each was or remains pending, whether a final decision was made by USDA, another agency, or the EEOC on each complaint, and the resolution that was reached in each case, if any; and

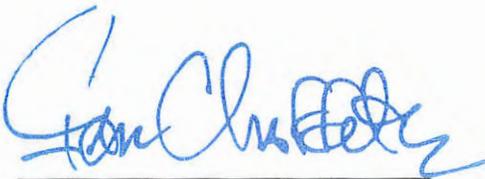
3. All internal or external reports from any entity (including by USDA at OSC's request) assessing USDA's handling of EEO complaints filed between November 2009 and 2015.

After reviewing these materials, the Committee may be required to seek production of additional documents such as full case files of one or more of these complaints. The Committee on Oversight and Government Reform is the principal investigative committee in the House of Representatives. Pursuant to House Rule X, the Committee has authority to investigate "any matter" at "any time."

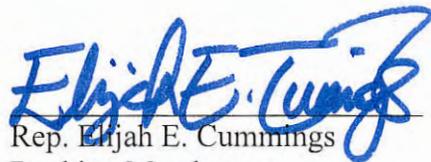
Please provide the documents and information requested herein as soon as possible, but by no later than November 30, 2016. When producing documents to the Committee, please deliver production sets to the Majority staff in room 2157 of the Rayburn House Office Building and the Minority staff in room 2471 of the Rayburn House Office Building. The Committee prefers, if possible, to receive all documents in electronic format. An attachment to this letter provides additional information about responding to the Committee's request.

Please contact Melissa Beaumont of the majority staff at (202) 225-5074 or Sean Perryman of minority staff at (202) 225-5051 with any questions about this request. Thank you for your attention to this matter.

Sincerely,



Rep. Jason E. Chaffetz
Chairman



Rep. Elijah E. Cummings
Ranking Member

Enclosure