

DOCUMENT RESUME

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Affirmative Action Programs of Three Component Organizations of the Department of Justice: The U.S. Marshals Service, the Immigration and Naturalization Service, the Drug Enforcement Administration. April 12, 1978. 12 pp.

Testimony before the House Committee on the Judiciary: Civil and Constitutional Rights Subcommittee; by H. L. Krieger, Director, Federal Personnel and Compensation Div.

Contact: Federal Personnel and Compensation Div.

Organization Concerned: Department of Justice; United States Marshals Service; Immigration and Naturalization Service; Drug Enforcement Administration.

Congressional Relevance: House Committee on the Judiciary: Civil and Constitutional Rights Subcommittee.

A study of affirmative action programs of the Department of Justice and its component organizations focused on policies and practices such as recruitment, selection, promotion, training, assignment of personnel, management, and the complaint process. A study performed by a Justice Task Force at the Marshals Service concluded that the Equal Employment Opportunity (EEO) program required a complete evaluation and overhaul. GAO has not yet reviewed a progress report prepared in response to the study. The programs of the Immigration and Naturalization Service (INS) and the Drug Enforcement Administration (DEA) require improvements in the areas of program evaluation and follow-up, personnel resources, affirmative action plans, recruitment of women and minorities, training and promotions, and complaint systems. Although there has been an increase in female and minority employment during the period of the review, the percentage of women employed at grades GS-7 and above was below the national average. Minority employment at the higher grades was below the national average at DEA but close to the national average at INS. Proposed reform of EEO includes Reorganization Plan No. 1 of 1978 which would give the EEO Commission oversight responsibility. This would speed resolution of some of the problems found in the programs at the Department of Justice and other agencies. (HTW)

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STATEMENT OF HYMAN L. KRIEGER
DIRECTOR, FEDERAL PERSONNEL AND COMPENSATION DIVISION
U.S. GENERAL ACCOUNTING OFFICE
BEFORE THE SUBCOMMITTEE ON
CIVIL AND CONSTITUTIONAL RIGHTS
HOUSE COMMITTEE ON THE JUDICIARY
ON
AFFIRMATIVE ACTION PROGRAMS
OF THREE COMPONENT ORGANIZATIONS OF
THE DEPARTMENT OF JUSTICE:
--THE U.S. MARSHALS SERVICE
--THE IMMIGRATION AND NATURALIZATION SERVICE
--THE DRUG ENFORCEMENT ADMINISTRATION

MR. CHAIRMAN AND MEMBERS OF THE SUBCOMMITTEE:

I APPRECIATE YOUR INVITATION TO APPEAR HERE TODAY TO DISCUSS OUR REPORTS, PREPARED AT YOUR REQUEST, ON THE EQUAL EMPLOYMENT OPPORTUNITY (EEO) PROGRAMS OF THE U.S. MARSHALS SERVICE, THE IMMIGRATION AND NATURALIZATION SERVICE, AND THE DRUG ENFORCEMENT ADMINISTRATION.

MR. CHAIRMAN, YOU REQUESTED US TO STUDY AND EVALUATE THE OPERATION OF THE AFFIRMATIVE ACTION PROGRAM OF THE DEPARTMENT OF JUSTICE AND OF EACH OF ITS COMPONENT ORGANIZATIONS. YOU ASKED US TO FOCUS ON THE ENTIRE RANGE OF POLICIES AND PRACTICES IMPACTING ON THE STRUCTURE AND IMPLEMENTATION OF THE AFFIRMATIVE ACTION PROGRAM, INCLUDING RECRUITMENT, SELECTION, PROMOTION, TRAINING, ASSIGNMENT OF PERSONNEL, MANAGEMENT, AND THE COMPLAINT PROCESS.

FROM THIS SUBCOMMITTEE REQUEST, WE WILL ISSUE REPORTS ADDRESSING THE EEO AFFIRMATIVE ACTION PROGRAM AT EACH OF THE DEPARTMENT OF JUSTICE'S BUREAUS--AT THE THREE BUREAUS WE WILL BE DISCUSSING TODAY, AS WELL AS AT THE LAW ENFORCEMENT ASSISTANCE ADMINISTRATION; THE FEDERAL PRISON SYSTEM; THE FEDERAL BUREAU OF INVESTIGATION; AND THE OFFICES, BOARDS, AND DIVISIONS. FOLLOWING THESE REPORTS, WE PLAN TO ISSUE AN OVERALL REPORT, CAPSULIZING THE EEO AFFIRMATIVE ACTION PROGRAM JUSTICE-WIDE.

OUR REVIEW INCLUDED AN EXAMINATION OF THE EEO AFFIRMATIVE ACTION PROGRAMS FOR THE PERIOD JULY 1974 THROUGH MARCH 1977. STATISTICAL DATA PROVIDED BY JUSTICE COVERED THE PERIOD JULY 1, 1974, TO DECEMBER 31, 1976, AND WORK FORCE STATISTICS WERE OBTAINED FROM A CIVIL SERVICE COMMISSION PUBLICATION AND REPRESENT THE FEDERAL WORK FORCE AT NOVEMBER 1976.

AS A PART OF OUR REVIEW, WE PROVIDED A QUESTIONNAIRE TO A RANDOM SAMPLE OF JUSTICE EMPLOYEES TO OBTAIN INFORMATION ON THE ATTITUDES, PRACTICES, AND EXPERIENCES CONCERNING EEO. THE QUESTIONNAIRES ARE BEING ANALYZED TO SHOW RESULTS FOR EACH BUREAU, AND JUSTICE-WIDE. THE RESULTS WILL BE PRESENTED IN OUR CONSOLIDATED REPORT, TO BE ISSUED LATER THIS YEAR.

TODAY WE ARE HERE TO DISCUSS REPORTS WE HAVE ISSUED CONCERNING THE AFFIRMATIVE ACTION PROGRAMS IN THREE OF THE BUREAUS--THE U.S. MARSHALS SERVICE; THE IMMIGRATION AND NATURALIZATION SERVICE, OR INS; AND THE DRUG ENFORCEMENT ADMINISTRATION, OR DEA.

ALTHOUGH WE MADE COMPREHENSIVE REVIEWS OF INS' AND DEA'S PROGRAMS, WE DID NOT DO SO FOR THE MARSHALS SERVICE, SINCE A JUSTICE TASK FORCE HAD JUST STUDIED IN DEPTH THE OPERATIONS OF THE MARSHALS OFFICE IN THE DISTRICT OF COLUMBIA. THE MAJOR EEO PROBLEM IDENTIFIED IN THAT STUDY WAS THAT THE MAR-

SHALS SERVICE NEEDS A COMPLETE REEVALUATION AND OVERHAUL OF ITS EEO PROGRAM. IN A LETTER TO THE ATTORNEY GENERAL DATED MARCH 6, 1978, WE RECOMMENDED THAT HE HAVE THE EEO AFFIRMATIVE ACTION PROGRAMS EVALUATED THROUGHOUT THE MARSHALS SERVICE.

THE FINAL RECOMMENDATION OF THE REPORT RESULTING FROM JUSTICE'S TASK-FORCE STUDY CALLED FOR THE MARSHAL OF THE DISTRICT OF COLUMBIA AND THE DIRECTOR OF THE MARSHALS SERVICE, AT THE END OF 1977, TO PREPARE A REPORT ON THE PROGRESS BEING MADE IN RESOLVING THE ISSUES IDENTIFIED AND CORRECTING THE DEFICIENCIES NOTED. WE UNDERSTAND THAT THE REQUESTED REPORT HAS BEEN DRAFTED, BUT WE HAVE NOT HAD AN OPPORTUNITY TO REVIEW AND EVALUATE IT. NOR HAS THE DEPARTMENT INDICATED THAT IT INTENDS TO EXTEND ITS INTERNAL EVALUATIONS OF THE MARSHALS SERVICE NATIONWIDE. THE SUBCOMMITTEE MAY WANT TO EXPLORE THESE MATTERS WITH THE DEPARTMENT AND SERVICE.

IN OUR REVIEWS OF INS AND DEA, WE WANTED TO KNOW WHAT PROGRESS HAD BEEN MADE IN INCREASING THE REPRESENTATION AND IMPROVING THE DISTRIBUTION OF WOMEN AND MINORITIES IN THE BUREAUS' WORK FORCE. WE ALSO WANTED TO IDENTIFY PROGRAM PROBLEMS REQUIRING CORRECTIVE ACTION.

THE PROBLEMS WE FOUND WERE COMPARABLE TO THE GOVERNMENT-WIDE PROBLEMS WE HAVE NOTED IN STUDIES OF OTHER FEDERAL EEO PROGRAMS. THE BUREAUS' PROGRAMS REQUIRE IMPROVEMENTS IN THE AREAS OF:

- PROGRAM EVALUATION AND FOLLOW-UP,
- PERSONNEL RESOURCES,
- AFFIRMATIVE ACTION PLANS,
- RECRUITMENT OF WOMEN AND MINORITIES, AND
- TRAINING AND PROMOTIONS.

ADDITIONALLY, BOTH BUREAUS' COMPLAINT SYSTEMS ARE IN NEED OF IMPROVEMENT.

OUR REPORTS CONTAIN A NUMBER OF RECOMMENDATIONS TO HELP ACHIEVE A STRONGER EEO PROGRAM. LET ME ELABORATE ON THESE MATTERS.

DURING THE PERIOD OF OUR REVIEW, BOTH FEMALE AND MINORITY REPRESENTATION INCREASED IN THE BUREAUS' WORK FORCE. WHILE THIS INCREASE APPEARS FAVORABLE, AN ANALYSIS SHOWS AN ADVERSE IMPACT ON FEMALES. FOR EXAMPLE, ALTHOUGH 30 PERCENT OF DEA'S WORK FORCE WAS FEMALE (COMPARED TO 42 PERCENT IN THE ENTIRE FEDERAL WORK FORCE), 3 PERCENT OF THE INVESTIGATORS IN THE BUREAU WERE WOMEN, AND THERE WERE NO FEMALE ATTORNEYS. (GOVERNMENT-WIDE, WOMEN REPRESENTED 11.9 PERCENT OF ALL ATTORNEYS.)

THEN TOO, WOMEN REMAINED CONCENTRATED IN GRADES GS-6 AND BELOW. IN INS 11.6 PERCENT OF THE FEMALE EMPLOYEES WERE IN GRADES GS-7 AND ABOVE, AND IN DEA 12.7 PERCENT WERE IN THESE GRADES. THESE BUREAUS COMPARE UNFAVORABLY TO THE ENTIRE FEDERAL WORK FORCE, WHERE 26 PERCENT OF THE WOMEN EMPLOYED WERE IN GRADES GS-7 AND ABOVE.

WHILE 39.6 PERCENT OF THE MINORITIES IN THE FEDERAL WORK FORCE WERE IN GRADES GS-7 AND ABOVE, 15 PERCENT OF DEA'S MINORITY EMPLOYEES WERE IN THESE GRADES. INS' MINORITY EMPLOYEES, HOWEVER, COMPARED FAVORABLY TO THE FEDERAL WORK FORCE REPRESENTATION IN THESE GRADES--39.1 PERCENT OF THEIR MINORITY EMPLOYEES WERE IN GRADES GS-7 AND ABOVE.

TO CORRECT THESE DISPARITIES IN THE WORK FORCE REPRESENTATION, AND TO EFFECTIVELY MANAGE THEIR AFFIRMATIVE ACTION PROGRAMS, THE BUREAUS NEED TO PERIODICALLY EVALUATE THEIR EEO PROGRAMS. IT IS IMPORTANT FOR MANAGEMENT TO KNOW THE RESULTS THEIR PROGRAMS ARE ACHIEVING, THE SIGNIFICANT PROBLEMS IN THEIR AFFIRMATIVE ACTION PROGRAMS, AND TO DEVISE METHODS OF SOLVING THE PROBLEMS. FOR EXAMPLE, THE BUREAUS' FEMALE AND MINORITY REPRESENTATION WAS INCREASING, YET FEMALES IN BOTH BUREAUS, AND MINORITIES IN DEA, WERE CONCENTRATED IN GRADES GS-6 AND BELOW. AN ANALYSIS OF THE SITUATION COULD PINPOINT THE REASONS FOR THIS PROBLEM, AND APPROPRIATE ACTION COULD BE TAKEN TO CORRECT THE DISPARITY.

AN EVALUATION OF TRAINING WOULD PINPOINT WHETHER MINORITIES AND WOMEN WERE RECEIVING THEIR FAIR SHARE OF TRAINING, WHETHER ALL EEO COUNSELORS AND INVESTIGATORS WERE BEING TRAINED IN EEO MATTERS, AND WHETHER SUPERVISORS AND MANAGERS WERE RECEIVING EEO ORIENTATION OR TRAINING. AN EVALUATION OF PROMOTIONS IN THE BUREAUS WOULD SHOW WHETHER WOMEN AND MINORITIES ARE BEING PROMOTED WITH THE SAME FREQUENCY AS OTHERS. AN

EVALUATION OF DISCRIMINATION COMPLAINTS WOULD INDICATE TRENDS OR THE BASES AND CAUSES OF THE COMPLAINTS, WHAT REGIONS THEY ARE COMING FROM, REASONS FOR DELAYS IN PROCESSING THEM, AND POSSIBLY SHOW ANY AREA OF SYSTEMIC DISCRIMINATION. EVALUATION METHODS SUCH AS PERIODIC SURVEYS OF EMPLOYEES' ATTITUDES TOWARD EEO WOULD BE HELPFUL.

WITHIN AN ORGANIZATION, TOP MANAGEMENT'S COMMITMENT TO EEO IS USUALLY EVIDENCED IN A LARGE MEASURE BY ITS APPLICATION OF PERSONNEL RESOURCES TO EEO PROGRAMS. WITHIN JUSTICE, BUREAU HEADS ARE RESPONSIBLE FOR PROVIDING SUFFICIENT EEO PERSONNEL RESOURCES TO MEET THE OBJECTIVES OF THE PROGRAMS. IN OUR OPINION, SUFFICIENT PERSONNEL RESOURCES HAD NOT BEEN ASSIGNED TO THE BUREAUS' AFFIRMATIVE ACTION PROGRAMS. FOR INSTANCE, AT MARCH 1977, THERE WERE 5 EEO COORDINATORS IN DEA'S 13 REGIONAL OFFICES. THESE REGIONAL COORDINATORS SERVE AS PRINCIPAL ADVISORS TO REGIONAL DIRECTORS IN DEVELOPING AND IMPLEMENTING THE EEO PROGRAM IN EACH REGION; THEY HELP DEVELOP AND IMPLEMENT REGIONAL AFFIRMATIVE ACTION PLANS; AND THEY COORDINATE RECRUITING EFFORTS WITHIN THEIR GEOGRAPHIC AREA. AS A RESULT OF NOT HAVING SUFFICIENT COORDINATORS, SOME INDIVIDUAL COORDINATORS WERE RESPONSIBLE FOR HANDLING ALL OF THESE DUTIES IN MORE THAN ONE REGION.

BACKLOGS OF DISCRIMINATION COMPLAINTS IN THE BUREAUS WERE A FURTHER INDICATION THAT SUFFICIENT PERSONNEL RESOURCES WERE NOT BEING PROVIDED. AS OF FEBRUARY 5, 1977, APPROXIMATELY 70 PERCENT OF THE 83 FORMAL EEO COMPLAINTS IN PROCESS IN INS HAD

EXCEEDED THE 180-DAY REQUIREMENT, YET THE EEO OFFICER HAD NO SUPPORT STAFF, OTHER THAN A SECRETARY. AT DEA, 5 OF THE 10 CLOSED CASES WE RECEIVED HAD BEEN 180 DAYS IN PROCESS.

OBVIOUSLY, NO PROGRAM CAN ACHIEVE GOOD RESULTS WITHOUT SUFFICIENT PERSONNEL. WE BELIEVE THE BUREAUS SHOULD DETERMINE THE PERSONNEL RESOURCES NEEDED FOR PROPER OPERATION OF THEIR AFFIRMATIVE ACTION PROGRAMS, AND MAKE THESE RESOURCES AVAILABLE WITHIN THE CONSTRAINTS OF OTHER PROGRAM PRIORITIES.

A KEY ELEMENT IN ANY EEO PROGRAM IS DEVELOPING AND IMPLEMENTING NATIONAL AND REGIONAL AFFIRMATIVE ACTION PLANS. CSC HAS SUGGESTED THAT SUCH PLANS INCLUDE A REPORT OF THE ACCOMPLISHMENT OF THE PREVIOUS YEAR'S PLAN, AND A REPORT OF OBJECTIVES AND SPECIFIC ACTIONS TO BE TAKEN DURING THE PERIOD COVERED BY THE PLAN. THESE PROPOSED ACTIONS, OR "ACTION ITEMS," ARE NECESSARY TO DEVELOP A STRONG EEO PROGRAM, AND TO CORRECT DEFICIENCIES IN AN EXISTING PROGRAM. FROM ONE YEAR TO THE NEXT, HOWEVER, THE BUREAUS' PLANS CONTAINED ACTION ITEMS WHICH HAD NOT BEEN ACCOMPLISHED, AND NO EXPLANATION WAS GIVEN FOR THE FAILURE TO ACT ON THE ITEMS. SOME ACTION ITEMS THAT HAD BEEN CARRIED FROM ONE YEAR TO THE NEXT WITHOUT BEING ACCOMPLISHED WERE EVENTUALLY DROPPED FROM THE PLAN, WITHOUT EVER HAVING BEEN ACTED UPON. THE BUREAUS SHOULD PERIODICALLY CHECK THEIR AFFIRMATIVE ACTION PLANS, AND INSURE THAT ACTION ITEMS HAVE BEEN ACCOMPLISHED, OR DETERMINE THE REASON FOR THEIR NOT HAVING BEEN ACTED UPON. SUCH EVALUATIONS ARE A MEASURE OF AN AGENCY'S COMMITMENT TO EEO.

A LACK OF COMMITMENT TO A FULL EEO PROGRAM WAS ALSO INDICATED IN THE AREA OF RECRUITING AND HIRING GOALS FOR MINORITIES AND FEMALES. NEITHER BUREAU HAD ESTABLISHED RECRUITING GOALS FOR WOMEN AND MINORITIES. FURTHER, ALTHOUGH DEA WAS USING HIRING GOALS, INS WAS NOT. TO ACHIEVE HIRING GOALS, IT IS FIRST NECESSARY TO RECRUIT FROM A UNIVERSE SUFFICIENT TO IDENTIFY ENOUGH MINORITIES AND WOMEN WHO CAN COMPETE AND BE CONSIDERED FOR SELECTION. ALTHOUGH CSC HAS NOT REQUIRED AGENCIES TO ESTABLISH RECRUITING GOALS, IT HAS ENCOURAGED THE USE OF HIRING GOALS. THE BUREAUS COULD INSURE THAT INFORMATION ABOUT THE WORK AND AVAILABLE JOBS BE GIVEN TO MINORITIES AND FEMALES BY DISSEMINATING INFORMATION AND LITERATURE TO MINORITY AND FEMALE GROUPS, AS WELL AS TO COLLEGES.

THE BUREAUS' COMPLAINTS SYSTEMS ALSO NEEDED IMPROVEMENT. EMPLOYEES OR APPLICANTS FOR FEDERAL EMPLOYMENT WHO BELIEVE THEY HAVE BEEN DISCRIMINATED AGAINST ON THE BASIS OF RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN, OR AGE, AND WHO WISH TO RESOLVE THE MATTER, ARE REQUIRED TO DISCUSS THE PROBLEM WITH AN EEO COUNSELOR. THIS COUNSELING IS DONE ON AN INFORMAL BASIS. IF THE COUNSELOR CANNOT RESOLVE THE MATTER INFORMALLY, A FORMAL COMPLAINT MAY BE FILED WITH THE AGENCY. DURING THIS FORMAL STAGE, AGENCIES MUST INVESTIGATE THE COMPLAINT AND ATTEMPT RESOLUTION. FEDERAL AGENCIES MUST BE PROMPT, FAIR, AND IMPARTIAL IN THEIR DISPOSITION OF EEO DISCRIMINATION COMPLAINTS. A COMPLAINANT MAY FILE A CIVIL ACTION

AFTER 180 CALENDAR DAYS FROM THE DATE OF FILING A COMPLAINT WITH HIS AGENCY--IF THE AGENCY HAS NOT MADE A DECISION ON THE COMPLAINT. IN RESPONSE TO THIS PROVISION OF THE ACT, CSC HAS EMPHASIZED TO AGENCIES THE IMPORTANCE OF NOT EXCEEDING 180 CALENDAR DAYS IN PROCESSING COMPLAINTS. THE BUREAUS HAD GENERALLY NOT MET THE TIME REQUIREMENT IN THE COMPLAINTS WE REVIEWED. FURTHERMORE, THEY HAD MADE NO ANALYSES TO DETERMINE WHERE THE DELAYS WERE OCCURRING. OUR REVIEW OF THE 14 FORMAL COMPLAINTS PENDING IN DEA AS OF DECEMBER 31, 1976, SHOWED THAT 10 OF THE CASES HAD BEEN IN PROCESS MORE THAN 180 DAYS, AND THAT 6 OF THE 10 WERE OVER 20 MONTHS OLD. PERHAPS MORE EMPHASIS SHOULD BE PLACED ON ACQUIRING SUFFICIENT EEO STAFF, EEO COUNSELORS, AND INVESTIGATORS TO PROCESS COMPLAINTS IN A TIMELY MANNER. FURTHER, THE BUREAUS SHOULD REVIEW THEIR COMPLAINT SYSTEM TO DETERMINE WHETHER EVERY EFFORT IS BEING MADE TO AVOID UNNECESSARY DELAYS.

EEO COMPLAINANTS, COUNSELORS, THEIR REPRESENTATIVES AND WITNESSES SHOULD BE FREE FROM REPRISAL OR INTERFERENCES DURING THE PROCESSING OF COMPLAINTS. WE CANNOT SAY THAT SUCH REPRISALS HAVE OCCURRED, BUT EEO PERSONNEL AND OTHER EMPLOYEES WE INTERVIEWED INDICATED SOME COUNSELORS AND COMPLAINANTS HAD AT LEAST A PERCEIVED FEAR OF REPRISALS. RESPONSES TO OUR AGENCY-WIDE QUESTIONNAIRE INDICATED THAT OVER 40 PERCENT OF INS' EMPLOYEES WHO FELT THEY HAD BEEN DISCRIMINATED AGAINST WOULD NOT HAVE FILED A COMPLAINT, FOR FEAR OF REPRISAL. SINCE FEAR OF REPRISAL CAN

GREATLY AFFECT THE QUALITY OF COUNSELING AND THE FAIRNESS AND IMPARTIALITY NEEDED IN HANDLING EEO COMPLAINTS, THE BUREAUS SHOULD DETERMINE THE EXTENT OF THE FEAR AMONG COUNSELORS AND COMPLAINANTS. IF A PROBLEM IS FOUND TO EXIST, CORRECTIVE ACTION SHOULD BE TAKEN PROMPTLY.

THE PROBLEMS I HAVE OUTLINED HAVE BEEN DISCUSSED BY US WITH EEO AND PERSONNEL OFFICIALS OF THE BUREAUS. THE SUBCOMMITTEE MAY WISH TO PURSUE THESE MATTERS IN MORE DETAIL WITH THE BUREAUS.

IN A BROADER CONTEXT, EEO FOR FEDERAL EMPLOYEES IS UNDERGOING REFORM AS PART OF THE PRESIDENT'S PROPOSAL TO CENTRALIZE ENFORCEMENT OF EEO LAWS AND REGULATIONS AND TO CONSOLIDATE THE VARIOUS GOVERNMENTAL UNITS NOW HAVING MAJOR EEO RESPONSIBILITIES. UNDER THIS PROPOSAL--REORGANIZATION PLAN NO. 1 OF 1978--THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION WOULD HAVE OVERSIGHT RESPONSIBILITY. STATUTES AND EXECUTIVE ORDERS ACCUMULATING OVER THE PAST 40 YEARS HAVE GIVEN EQUAL EMPLOYMENT RESPONSIBILITY TO 18 SEPARATE AGENCIES. IN HIS REORGANIZATION MESSAGE, THE PRESIDENT OBSERVED THAT THIS POLICY HAS CREATED WASTEFUL DUPLICATION AND BEWILDERING INCONSISTENCY THAT IS BURDENSOME AND CONFUSING TO EMPLOYEES AND TO OTHERS.

IN TESTIMONY BEFORE THE SENATE COMMITTEE ON GOVERNMENTAL AFFAIRS ON MARCH NINTH OF THIS YEAR, THE COMPTROLLER GENERAL STATED THAT WE BELIEVE THE REORGANIZATION PLAN, IN GENERAL, IS A STEP TOWARD DEVELOPING A FEDERAL EQUAL EMPLOYMENT PROGRAM WHICH SHOULD RESULT IN MORE UNIFORM PRACTICES AND ELIMINATE DUPLICATION AND INCONSISTENCY.

WE BELIEVE REORGANIZATION PLAN NO. 1 WILL SPEED RESOLUTION OF THE FOLLOWING PROBLEMS (NOTED IN OUR WORK AT JUSTICE AND ITS BUREAUS, AS WELL AS AT OTHER AGENCIES) CONCERNING THE PURPOSES, THE DIRECTION, AND THE PACE OF THE FEDERAL EMPLOYEES' EQUAL EMPLOYMENT OPPORTUNITY PROGRAM:

--DISAGREEMENT ON WHAT "EQUAL EMPLOYMENT OPPORTUNITY" MEANS;

--PROGRAM GOALS AND OBJECTIVES NOT CLEARLY STATED;

--UNCLEAR CRITERIA FOR SETTING APPROPRIATE EMPLOYMENT GOALS AND FOR EVALUATING ACCOMPLISHMENTS AND SUCCESSES;

--DISAGREEMENT ON WHO THE BENEFICIARIES OF THE PROGRAM ARE INTENDED TO BE;

--DISAGREEMENT ON WHETHER GOALS CAN BE REALISTICALLY MET WITHIN THE CONSTRAINTS OF CURRENT MERIT SYSTEM REGULATIONS AND PROCEDURES;

--THE GOAL-SETTING PROCESS FOR HIRING OFTEN NOT CAREFULLY CARRIED OUT;

--STATISTICAL DATA AND OTHER INFORMATION NEEDED TO SET REALISTIC GOALS AND TO EVALUATE PROGRAM PROGRESS AND PROBLEMS OFTEN UNAVAILABLE OR INADEQUATE;

--EEO PROGRAMS AND AFFIRMATIVE ACTION PLANS' NOT BEING EFFECTIVELY IMPLEMENTED AND EVALUATED;

--FORMAL DETERMINATIONS OF ORGANIZATION ARRANGEMENTS AND OF RESOURCES NEEDED NOT BEING MADE.

THIS COMPLETES MY PREPARED TESTIMONY. MY COLLEAGUES
AND I WILL BE PLEASED TO RESPOND TO ANY QUESTIONS THE SUB-
COMMITTEE MAY HAVE.