

**For:** State and County Offices

**Including Nondiscrimination Statements on FSA Documents**

**Approved by:** Acting Administrator



**1 Overview**

**A Background**

DR 4300-003, Equal Opportunity Public Notification Policy, established the nondiscrimination statement to be used “on all materials produced by USDA and its agencies for public information, public education, or public distribution”. On December 13, 2012, the Assistant Secretary for Civil Rights issued a memorandum revising the USDA nondiscrimination statement. The memorandum further provided that the revised nondiscrimination statement included as an attachment should be used until DR 4300-003 is revised.

FSA issued additional guidance in Notice AO-1563, clarifying that FSA offices do **not** have to include the text about filing an employment complaint or the Supplement Nutrition Assistance Program in the nondiscrimination statement used for program materials.

**B Purpose**

This notice:

- provides specific guidance for placing the approved statements on FSA public documents of various uses and lengths
- clarifies how and when to apply the text supplied in Notice AO-1563.

<b>Disposal Date</b>	<b>Distribution</b>
January 1, 2014	State Offices; State Offices relay to County Offices

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### 1 Overview (Continued)

#### C Contact

If there are questions about this notice, State Offices shall contact one of the following:

- Kent Politsch, OEA, PAS, by either of the following:
  - e-mail to **kent.politsch@wdc.usda.gov**
  - telephone at 202-720-7163
- Jonathan Howard, OCR, by either of the following:
  - e-mail to **jonathan.howard@wdc.usda.gov**
  - telephone at 202-401-7166.

### 2 Nondiscrimination Statement Usage

#### A Letters, Memoranda, and Correspondence

Letters, memoranda, and responsive correspondence require this minimal statement at the bottom of the letterhead page:

“USDA is an equal opportunity provider and employer.”

#### B News Releases and Advisories

The following statement, approved by the Office of Communications for consistency, must be included with all news releases and advisories issued by USDA and its agencies:

“USDA is an equal opportunity provider and employer. To file a complaint of discrimination, write: USDA, Office of the Assistant Secretary for Civil Rights, Office of Adjudication, 1400 Independence Ave., SW, Washington, DC 20250-9410 or call (866) 632-9992 (Toll-free Customer Service), (800) 877-8339 (Local or Federal relay), (866) 377-8642 (Relay voice users).”

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### 2 Nondiscrimination Statement Usage (Continued)

#### C Fact Sheets, Brochures, Flyers, Etc.

Fact Sheets, publicly distributed Question & Answer sheets, brochures, flyers, and all other publications should include the following:

“The U.S. Department of Agriculture (USDA) prohibits discrimination against its customers, employees, and applicants for employment on the bases of race, color, national origin, age, disability, sex, gender identity, religion, reprisal, and where applicable, political beliefs, marital status, familial or parental status, sexual orientation, or all or part of an individual’s income is derived from any public assistance program, or protected genetic information in employment or in any program or activity conducted or funded by the Department. (Not all prohibited bases will apply to all programs and/or employment activities.) Persons with disabilities, who wish to file a program complaint, write to the address below or if you require alternative means of communication for program information (e.g., Braille, large print, audiotape, etc.) please contact USDA’s TARGET Center at (202) 720-2600 (voice and TDD). Individuals who are deaf, hard of hearing, or have speech disabilities and wish to file either an EEO or program complaint, please contact USDA through the Federal Relay Service at (800) 877-8339 or (800) 845-6136 (in Spanish).

If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html), or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter by mail to U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at [program.intake@usda.gov](mailto:program.intake@usda.gov).

USDA is an equal opportunity provider and employer.”

When the full statement cannot be included in a legible font size to accommodate ordinary printing practices, the shorter, modified nondiscrimination statements from subparagraphs A or B may be used.

#### D FLP Issues

FLP staff shall continue to follow the guidance in 1-FLP, subparagraph 41 C about combined ECOA and nondiscrimination statement to be used in adverse decision letters.

**Note:** An amendment to 1-FLP is forthcoming.

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### 2 Nondiscrimination Statement Usage (Continued)

#### E Forms and Graphics

Most FSA forms, and many FLP handbook exhibits, are available:

- on the FFAS Employee Forms/Publications Online Website at **<http://intranet.fsa.usda.gov/dam/ffasforms/forms.html>**
- on the eForms website at **<http://forms.sc.egov.usda.gov/eForms/welcomeAction.do?Home>**
- from the USDA, FSA, Kansas City Warehouse.

Existing forms and handbook exhibits will be modified to include the revised nondiscrimination statement; however, given the significant number of forms and exhibits, this will occur over a period of time. State and County Offices, and members of the public, should continue using the existing forms in the interim period.

#### F Future Guidance

Additional guidance will be provided, as appropriate, when DR 4300-003 is revised.