

**Congress of the United States**  
**Washington, DC 20515**

March 6, 2020

Devon Westhill  
Deputy Assistant Secretary  
Office of the Assistant Secretary for Civil Rights  
U.S. Department of Agriculture  
1400 Independence Avenue, SW  
Washington, DC 20250

Dear Deputy Assistant Secretary Westhill,

We write in regard to your recent appointment as Deputy Assistant Secretary at the U.S. Department of Agriculture (USDA) Office of the Assistant Secretary for Civil Rights (OASCR). We urge you and all senior leadership within OASCR to make it your top priority to improve USDA civil rights enforcement and protect the rights of USDA workers and program applicants to the full extent and letter of law.

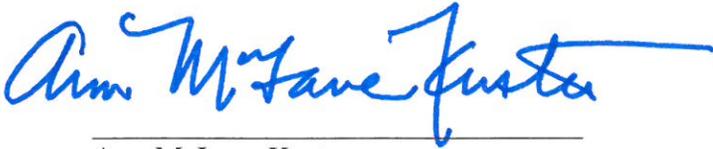
OASCR leadership must have experience managing an active multi-agency EEOC complaint system. According to information provided by USDA to the House Agriculture Committee last year, of the more than 300 civil rights complaints filed by USDA employees in fiscal year 2019 across 10 agencies, OASCR determined wrongdoing in only 2 cases. The lack of findings of wrongdoing could lead to employees filing fewer complaints in the future, for fear their cases will not be taken seriously. While USDA's data was not further delineated to provide clarity of the specific nature of the complaints, it is indicative of OASCR's continued failure to address possible civil rights violations across the Department. This includes cases related to sexual harassment and assault.

Recent revelations within the U.S. Forest Service (USFS) underscore the need for strong civil rights leadership. A March 2018 report issued by the USDA Office of Inspector General indicated widespread mistrust amongst the USFS workforce concerning the legitimacy of the reporting process. Several whistleblowers bravely stepped forward to illuminate how fears of retribution discouraged reporting of harassment and abuse across the agency. This is unacceptable and undermines the over 39,000 employees tasked with carrying out its mission to manage nearly one-tenth of the land across the United States. While we are encouraged by USDA's ongoing work to investigate and address this broad culture of harassment and retaliation, make no mistake: Congress will continue to hold you and OASCR accountable to restore trust among USFS employees.

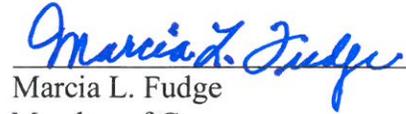
Lastly, USDA has a long history of inequitable treatment against socially disadvantaged and minority farmers and ranchers, resulting in the loss of land, delays or rejection in farm credit loans, and a lack of access to technical assistance for farm programs. Although USDA has done well to settle longstanding discrimination lawsuits, the OASCR leadership must have experience working with diverse stakeholders and communities to ensure fair treatment for farmers of color. Working towards the goal of continuous improvement and inclusivity must be a top priority.

It is of the utmost importance that you demonstrate a strong commitment to protecting the civil rights of all USDA employees and program applicants. That is the job you were sent there to do. Our job is to hold you accountable and ensure you protect the rights of those you were appointed to serve. We are counting on you to get this right!

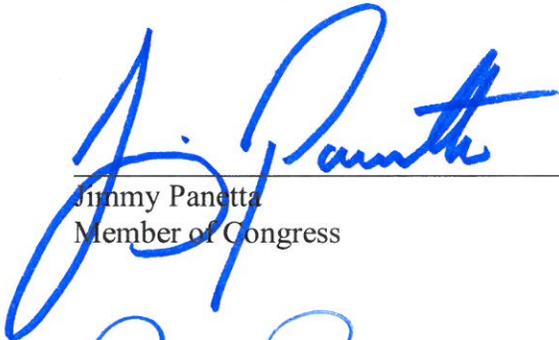
Sincerely,



Ann McLane Kuster  
Member of Congress



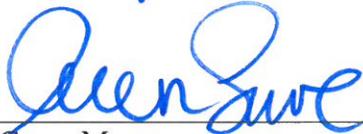
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Member of Congress



Jimmy Panetta  
Member of Congress



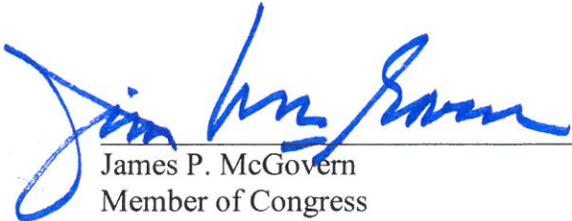
David Scott  
Member of Congress



Gwen Moore  
Member of Congress



Jahana Hayes  
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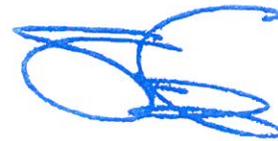
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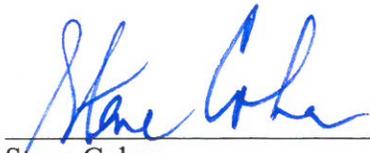
Sean Patrick Maloney  
Member of Congress



Ann Kirkpatrick  
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Member of Congress



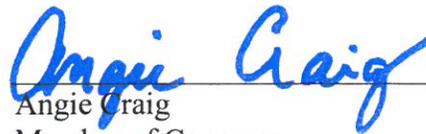
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Chellie Pingree  
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