



United States Department of Agriculture

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Food Safety and
Inspection Service

Office of the
Administrator
Civil Rights Staff
5601 Sunnyside Ave.,
Building 1,
Room 2260
Mailstop 5261
Beltsville, MD 20705

Montana Legislature Economic Affairs Interim Committee
Legislative Services Division
PO Box 201706
Helena, Montana 59620-1706

Dear Senator Gordon Vance:

Thank you for your inquiry regarding the civil rights component of the "At Least Equal To" reviews conducted on State Meat and Poultry Inspection (MPI) programs by the U.S. Department of Agriculture (USDA), Food Safety and Inspection Service (FSIS). Your question was referred to FSIS' Civil Rights Staff for a response.

As a recipient of federal financial assistance, under Title VI of the Civil Rights Act of 1964, as amended, State MPI programs are prohibited from discriminating against any beneficiary on the basis of race, color, or national origin. Under this authority, federal agencies are required to maintain an effective program for ensuring recipients' compliance with the statute. In addition to Title VI, State MPI programs are also prohibited from discriminating against beneficiaries on the basis of disability, age, and sex, in accordance with Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and Title IX of the Education Amendments of 1972.

Under the purview of these authorities, 7 Code of Federal Regulations (CFR) Part 15.1 Subpart A provides direct guidance regarding programs or activities receiving financial assistance from USDA or any agency thereof. 7 CFR 15.1 grants authority to USDA agencies to conduct reviews of the activities of recipients to determine whether they are complying with the aforementioned statutory law, and it allows agencies to require recipients to submit records that USDA agencies may determine to be necessary to ascertain whether the recipient has complied or is complying with civil rights statute.

USDA Department Regulation (DR) 4330-002 provides further guidance to USDA agencies and states that agencies shall continually monitor recipients to ensure compliance and shall establish procedures and systems as a method for ensuring such compliance. The DR also says that compliance review investigations will be routinely scheduled by the agencies' civil rights offices as part of its regular, systematic program of monitoring and evaluating whether recipients meet their civil right obligations.

FSIS has established specific guidance in Directive 5720.3 regarding the targeted review of State MPI programs. Per the Directive, FSIS has established procedures for reviewing State MPI programs' compliance in various areas, to include civil rights. In order to ensure a systematic approach is used in all components of the review, FSIS utilizes the "at least equal to" method for determining compliance with civil rights laws.

If you have additional questions regarding the civil rights requirements for State MPI programs, please contact me at Angela.Kelly@fsis.usda.gov.

Sincerely,



Angela E. Kelly
Director