



**USDA's Civil Rights Reform:
CRAT, CRIT and Implementing Change
Part 2: Making Change Happen**

Secretary of Agriculture Dan Glickman had made a public pledge that USDA would implement the 92 recommendations of the Civil Rights Action Team report within six months. There was much for an implementation team to do: rewrite regulations and procedures; change lending policies; set up arbitration and mediation panels; settle a backlog of thousands of complaints. But the overriding goal was permanence: to institutionalize change such that it could not be undone or ignored once the intensive effort was over. "This report," Glickman had said, "will not gather dust." Turning those fighting words into meaningful action became the all-consuming task of Glickman's administration, the effort by which he felt his term at USDA would be judged.

Pleased with his leadership on the CRAT report, Glickman had asked Pearlie Reed to direct the implementation of the CRAT recommendations. He appointed Reed acting Assistant Secretary for Administration, in charge of the Civil Rights Implementation Team, or CRIT. Reed in turn kept on Gugulis, whom he characterizes as a "tough, no-nonsense person with the ability to force getting things done," as acting associate assistant secretary.

Glickman made it clear from the start of the CRIT process that teams were not to rethink the recommendations. Rather, they were to devise practical ways to get the recommendations into regulations, into procedures, into the fabric of the organization and the way it does business. Above all, agencies were not to decide how to implement the recommendations, which affected them—implementation plans were up to the CRIT teams. Says Gugulis:

This was a conscious decision. If we had just said, 'OK, here are the recommendations, go do it,' they would not have met the intent of the CRAT.

But for CRIT to operate smoothly, a thoughtful project design was key. Making recommendations, Gugulis knew, is one thing; creating changes in behavior and procedure across 29 agencies and 110,000 people is another, especially when those changes will undo years of established habits and routines. So Gugulis was deliberate about the structure of the CRIT committees and the process they would follow to get the CRAT report implemented.

CRAT spawns CRIT

Designing the process. The core CRIT team was a group of about 30 staff members who reported directly to Gugulis. Many of them had worked on CRAT, either as staff or as team members. The CRIT members were then further divided into four sub-teams, along the lines of the topic groupings in the CRAT recommendations, plus a project management team.¹ The CRIT team immediately ran into a management hurdle—a small matter but one that provided forewarning of what lay ahead. USDA was highly decentralized, with the result that each agency had its own management and procedural systems. As Gugulis pulled together the 30-person CRIT team, she discovered that she had inherited 30 different ways of doing the same task.

We asked the Personnel [Department] to come in and do an operations manual just for my team of 30, because I had 30 people doing everything differently.

The “action teams.” One of the key assignments for the 30 CRIT members was to act as liaison to 33 cross-agency “action teams,” organized by grouping together the 92 CRAT recommendations into 33 subject areas. Altogether, some 300 people were pulled from agencies to work on the action teams. Individuals were chosen for their skills, but also for their influence within their home agencies. Reed and Gugulis aimed to create a nucleus of institutional support for the pending changes. Remarks Gugulis: “What each of the under-secretaries was asked to do is to supply a representative from their area to be on the team.”

Team members’ skills varied according to the task at hand. Some were attorneys, some were personnel managers, some had worked at the agency under scrutiny for years in a wide range of positions and understood the culture and the procedures at that agency. A few were volunteers; most were drafted—but all had to want to take part. They came in nearly equal numbers from headquarters and the field.

Each action team had an executive sponsor (Reed sponsored fully half the teams, the rest were under-secretaries), a facilitator who took no substantive stance but who moved the process along, a team leader (when possible the person who would eventually have responsibility for the

¹ The sub-teams and their workload allocations were: CRIT organizational structure sub-team (15 recommendations); CRIT program delivery sub-team (29 recommendations); CRIT workforce diversity and management sub-team (24 recommendations); CRIT outreach sub-team (24 recommendations).

function under discussion within their division), and a CRIT liaison. Sometimes the roles overlapped. A few team leaders, for example, were over-scheduled and failed to attend meetings, so the CRIT liaison took over as leader. Teams ranged in size from three or four people to a dozen.

Seven-step solutions. Early on, team members were trained in a seven-step problem-solving process which Gugulis and her management experts had devised for arriving at workable implementation plans for the 92 CRAT recommendations. Instead of instinctively jumping to a solution, team members were told to examine the *status quo* and imagine the desired state of affairs, articulating the objective in a one-sentence “goal statement.” The team was then to list the barriers to achieving that goal and identify the key barriers it would work on. Having analyzed the problem, the team would then generate the solution by imagining what would resolve the key barriers, and select a key solution from among the available options. The resulting implementation plan set precise dates by which specific actions would take place.

This kind of approach, says CRIT process consultant Denise Decker, works well because “it keeps people from jumping to the solution.”

We all have the tendency to say we know what the problems are, let's just solve them and get out of here. Frequently [then] people are solving symptomatic problems. You don't want that to happen when you're looking for lasting change, when you're looking for outcomes that can be institutionalized.

Each team was expected to produce a weekly report tracking its progress in implementing the recommendations under its charge. The status report was put into graph form by a CRIT member who was a data systems manager. He produced updates for the entire team at its weekly meeting. Those reports were also circulated to the sub-cabinet, so that agency heads could be fully informed of CRIT activities. Says Gugulis about the action teams:

We gave them a charge. We gave them a very disciplined problem-solving process to use in approaching it ... We had project plans, dates, time lines, milestones. When they fell behind, we called in the team leader and talked about what needed to be done to get it back on track. It was a very structured, organized approach and it was across the whole department.

From the start, the CRIT structure was designed to disappear within a year. As team members completed their tasks, they would return to their home agencies and their old jobs.² Once

² A few, however, found their career interests profoundly changed by the CRIT experience and were able to move into new jobs created by the CRIT process.

the action teams had formulated guidelines for implementing the CRAT recommendations, responsibility for the actual implementation would be turned back to the agencies. Agency progress would be monitored, however, by the office of the assistant secretary of administration (Reed). Says Gugulis:

The [CRIT] system will disappear and what we hope to leave behind is a new organizational structure with new policies and procedures for how to institutionalize this over the long term.

Before that could happen, however, the action teams had a lot of work to do, one step at a time. An urgent issue awaited the attention of Team 8.

The one unequivocal action Glickman had taken to meet the demands of African-American farmers seemed stalled dead in its tracks. Glickman thought he had dealt with the foreclosure issue when he imposed a moratorium back in December. Why then did farmers bombard his office with the same complaint of unfair USDA foreclosures during January's "listening sessions," all through February and the release of the CRAT report, and into March 1997? It was the black farmers who had first brought the issue of USDA discrimination into the limelight. It was their complaints the public and the media were waiting to see resolved.

Management by press release

On December 18, 1996, Glickman had followed USDA procedure and issued a notice to employees with the Farm Service Agency (FSA), which makes loans to farmers, that "no foreclosure sales are to proceed until compliance with this notice."³ Simultaneously, he had put out a press release to the same effect, and newspapers nationwide carried stories on the decision. Yet by March 10, when CRIT officially started work, "we were hearing complaints from farmers that nothing had changed," says Gugulis. When CRAT officials asked FSA what was going on, the agency responded that it *had* halted foreclosures and could not understand what was causing the problem.

A CRIT team was hastily assembled to implement CRAT Recommendation #21: "Require that all pending foreclosures or actions leading to foreclosure be halted until all appeals of any formal civil rights complaints have been completed."⁴ The team included a number of key individuals—the director of the USDA Office of Civil Rights, Gugulis, and top officials from FSA. The CRIT team learned that the FSA foreclosure process included some 18 discrete steps. FSA officials had obeyed Glickman's order literally, i.e. sales were halted. But they continued to take the

³ USDA Notice FC-94, December 18, 1996.

⁴ Civil Rights Action Team (CRAT), "Civil Rights at the United States Department of Agriculture," USDA, February 1997. p. 66.

first 15 or 16 steps toward foreclosure as usual—with all the attendant distress and financial hardship to the farmer concerned. The “very last step,” recounts Gugulis, “is when the sheriff comes and takes your possessions. So they were still stopping the sale, [but] that’s all they were stopping.” She elaborates:

I call it management by press release. The secretary put out an announcement, told the world, and nothing happened in the bureaucracy. They just kept on trucking because they didn’t have a notice telling them to do something different ... That’s how hard it is to get the bureaucracy to change.

Once the misunderstanding was identified, FSA at Glickman’s behest issued a second directive on April 18, 1997, spelling out that “no accelerations or subsequent actions on foreclosures are to proceed until compliance with this notice is achieved.”⁵ Foreclosures on farms with complaints of discrimination pending were stopped. At the time, there were some 4,500 pending foreclosures. During the next months, the team was able to review 2,768 of them and, by September 11, had halted further action on 115 cases pending investigation for discrimination by the USDA Office of Civil Rights.

While the foreclosure team was moving ahead full steam, the other 31 teams also required organization, direction and monitoring.

Even “easy” changes aren’t

From the start, the teams found that most changes—even the relatively easy ones—were going to take longer than the CRAT report called for. A number of the 92 recommendations called for “immediate action,” often by executive order of the Secretary. While these were relatively straightforward, even they could not be accomplished overnight. For example, the first three CRAT recommendations were subsumed under the heading: delegate to the assistant secretary for administration (ASA) full civil rights authority. A couple of the suggestions in the “action plan” for those three goals were marked for “immediate” action. Yet because the internal clearance process for changing USDA regulations proved more time-consuming than anticipated, Glickman was able only on May 16 to formally delegate full civil rights authority to acting ASA Reed.

Recommendation 3, which called for the ASA to rate agency heads on their civil rights programs, was given a 30-day implementation schedule. But it was October 1 before performance standards for agency heads were in place and months after that before the agency directors would actually be held to those standards. Likewise, the secretary in February articulated his policy of “zero tolerance” for reprisals against those who lodged complaints. Recommendation #5 called for

⁵ USDA Notice FC-114, April 18, 1997.

the ASA to issue the policy formally and design an investigation process for complaints “immediately.” Yet a policy for disciplining managers found guilty of reprisal was incorporated into departmental regulations only on July 31.

It proved easier to meet the deadlines on a number of recommendations which did *not* call for immediate action. The action team charged with helping Glickman within 60 days appoint a diverse commission to develop a national policy on small farms, for example, finished its work on time.⁶ In another instance, a team was able to put in place procedures which allowed the secretary and his agency heads to greatly expand the department’s outreach efforts towards potential or under-served customers.⁷ Team 20, which started work on these recommendations in late April with deadlines of 30 to 60 days, had wrapped them up by June 4.

Other recommendations defied expectations in the other direction, looking at first glance intractable but handled by the responsible team with dispatch.

The Farm Service Agency

Team No. 7, for example, dealt with three of the most daunting recommendations.⁸ They proposed a significant reorganization of the Farm Service Agency (FSA), the agency held responsible for minority farmers’ complaints and most sharply criticized by the CRAT report. One might have expected the team’s deliberations to be contentious and lengthy. Yet the team, which started its work in late April, was all done by June 18. The team as a whole convened only twice, although for several days each time.

The FSA was created in October 1995 by recombining the farmers’ loan arm of the Farmers’ Home Administration (FmHA); the Agricultural Stabilization and Conservation Service (ASCS)—which used farmer-elected county committees to determine farmer eligibility for federal benefits; and the Federal Crop Insurance Corp. (FCIC)—which managed federally subsidized crop insurance. Most of the complaints by USDA farmer customers were lodged against former FmHA loan officers.

The CRAT report charged that the committee structure inherited from the ASCS contributed to the perpetuation of an FSA “old boys network” and encouraged discrimination. Ironically, that structure was a legacy of the Franklin D. Roosevelt Administration and his efforts to promote grassroots control of local affairs. Under the committee system, farmers in a county elected a 3-5 member county committee to oversee FSA programs locally. The county committee then hired the county executive director, whose salary was paid by USDA. The director hired

⁶ Recommendation #36 was handled by Team 19, which began work on April 30 and wrapped up by July 16.

⁷ Recommendations #37–41.

⁸ Recommendations 16, 17 and 18.

county committee staff, also paid by USDA but supervised locally. At the state level, the ranking congressman from the same party as the current presidential Administration nominated the state FSA director, who was therefore beholden to the congressman rather than to the secretary of agriculture. This arrangement led to an unusual situation, with a federal agency that had only 5,900 direct employees, but through the county committees and staffs paid the salaries of an additional 10,000 county employees.⁹

As one of the CRIT team members explains it:

Any time you have local control without a strong federal oversight role – and the department did not ever have that – then local politics holds sway and that can mean not necessarily everybody's rights are protected. People in the loop get the gravy and that's what has happened.

On the other hand, a senior FSA official argued that the problems attributed to FSA were hardly unique to it. He argues:

There's an awful lot of concern within the FSA community that the CRAT report was too heavy on the agency ... That's not suggesting that there weren't problems within the agency ... Certainly not enough attention was being paid by management over the years to civil rights matters. But that was a whole department inattention rather than necessarily a particular agency.

Team 7 was charged with drafting legislation to reform this system. The legislation (which would be submitted to Congress) was to give USDA the authority to make personnel selections and ensure accountability down to the local level. It would convert all county positions to federal ones; change the process for selecting FSA committee members; and remove county committees from farm loan decisions. Finally, CRAT proposed a complete investigation of county staff and committees for "nepotism, conflict of interest, and/or discrimination in program delivery."

Team 7's deliberations provided a glimpse of the kinds of debates raging within many of the action teams. The team leader, who was not an FSA employee, says the first day of the team's first three-day meeting was heated. Most of the team members had an FSA affiliation of some kind and the tendency was to dismiss the CRAT report charges as relating exclusively to the old FmHA, which was now defunct. They considered that the problem, therefore, no longer existed. He explains:

⁹ Jerry Hagstrom, "Gathering storm," *Government Executive*. January 1998. pp. 44–48.

You had a team [whose] members thought they were being singled out as bad when, in fact, it was someone else's fault and the problem had been taken care of and there weren't other problems.

By the end of the first afternoon, however, he says the team realized that "just maybe, there was something USDA needed to deal with." The chief concern was that, however reforms were implemented, the USDA county employees be fairly treated. By the end of three days, the team had come together and agreed on draft legislative language.

At a second meeting, held the end of May for a day and a half, the group made only editing changes to the language of the legislative package they had agreed to in April. The key elements of that package were adopted by Rep. Eva Clayton (D-NC) when she introduced HR 2185 to Congress on July 17, 1997. Clayton's bill, which Glickman endorsed, called for the conversion of some 10,400 permanent and 2,800 temporary county committee employees to federal positions. It also provided for expanding county committees to include under-represented groups and to make loan processing a federal function. The team felt its work was done. Passing the bill became Congress' responsibility.

Other reforms concerning the FSA did not, however, proceed as smoothly. Given that complaints by black farmers had ignited the entire CRAT process, eliminating the backlog of customer complaints against USDA took on paramount importance. The CRAT report called for the resolution of all outstanding program complaints within 120 days.¹⁰ This proved impossible to achieve.

The Office of Civil Rights

The CRAT report had targeted for early reform the Office of Civil Rights (CR). CRAT proposed to unify within a reconstituted CR the currently fragmented responsibility for enforcing departmental policies against discrimination. The central Office of Civil Rights—along with its counterpart offices in many of the individual agencies—had long been charged with investigating complaints of discrimination against the department and, in conjunction with the Office of General Counsel, deciding whether and what compensation USDA was obliged to make. CR also handled employees' Equal Employment Opportunity (EEO) complaints. CRAT recommended expanding CR's responsibility for settling complaints, overruling if necessary individual agency directors. This caused dissent. Says Reed:

In the past—and that's the reason for a lot of the problems we have here at USDA—if the bureaucracy decided not to

¹⁰ Recommendation 22.

do something, they would just put the [complainant],
whether it's an employee or a customer, into orbit.

CRAT also called for speedy resolution of existing complaints by both customers and employees. While CRIT action teams addressed both, public attention fixed on the program complaints.

Program complaints. Not only the CRAT report, but an investigation by the USDA Inspector General revealed chaos in the processing of complaints lodged against USDA agencies, particularly FSA. In a report to Secretary Glickman on Feb. 27, 1997, the Inspector General wrote:

The program discrimination complaint process at FSA lacks integrity, direction, and accountability... The staff ... processes discrimination complaints without a reliable tracking system to determine the status of the complaints and, apparently, without deadlines to resolve the complaints. The resulting climate of disorder has brought the complaint system within FSA to a near standstill.¹¹

While a number of the CRAT recommendations addressed the issue of resolving program complaints promptly and fairly, an entire action team (No. 9) was devoted to the implementation of Recommendation 22, which said:

Act on all existing program discrimination complaints within the next 120 days. Resolve those that can be resolved and bring all others to the point of adjudication within those 120 days.

The team leader was Lloyd Wright, an agronomist from the Natural Resource Conservation Service with another degree in human resources management. Wright had been tapped to head the Office of Civil Rights, envisioned by CRAT as the command center of the civil rights reform effort. As he read through reports on individual farmer complaints, Wright grew increasingly puzzled that a lot of obvious questions had never been asked. "It was at that point," recalls Wright, "I discovered the reason they had not been asked is that the cases had not been investigated."

No investigators. The CR investigative unit, he learned, had been dismantled in 1983. Although the individual responsible for eliminating the unit was fired for doing so, no one subsequently rebuilt it. There were no investigators to look into complaints. Instead, the

¹¹ Farm Loan Program—Civil Rights Complaint System, Evaluation Report No. 50801-2-Hq(1), Inspector General Roger C. Viadero to the Secretary of Agriculture, February 27, 1997.

department in the 1980s had instituted a new system channeling complaints back to the agencies complained against.¹² This resulted in a “fox guarding the hen house” situation. Recalls Wright:

I discovered that [there were no investigators] in June. I discovered it by accident. I’m not sure I’d have been over here had I known that [the office] was as dysfunctional as it turned out to be.

Wright’s first job, it became clear, was to rebuild CR. While there were some capable staff at CR, the office had developed a reputation—partially deserved—as a repository for troublesome employees who had themselves filed complaints. Wright had to identify the skills the office required, interview candidates, then hire and train them in USDA program procedures. It all took time, much more time than the CRAT report had envisaged. Wright was able to start hiring investigators only in October 1997. He eventually built the unit back up to 14 permanent investigators and 14 on one-year contracts.

Office of General Counsel. Wright also had to repair CR relations with the Office of General Counsel (OGC). The CRAT report had found a pattern of OGC opposition to any settlements in favor of farmers. Farmers, it said, perceived that “OGC has prevented USDA from providing compensation to farmers who have been discriminated against; that OGC lacks diversity among its senior staff; and that the agency lacks sensitivity to—and is even hostile towards—civil rights.”¹³ OGC replied that it offered neutral, legally accurate opinions. At issue was the role of OGC. Notes one official, the question appeared to be philosophical:

Is their role defending the department against all comers?
Or is their role making sure the department is fair to all participants? I think there's a basic philosophical issue at heart there [influencing] the way the OGC has traditionally operated.

Critics, however, charged that OGC had stepped over the line between advice and decision-making and was dictating policy. Says one CRIT member:

You want your General Counsel to tell you what the options are, what the pros and cons are, what the strengths and weaknesses are of the case, but not to try and dictate the outcome of the case.

During the early days of CRIT, OGC took urgent steps to implement the CRAT recommendations on its own and obtained Glickman's sign-off on its proposed plan. The CRAT

¹² Complaints coming in against an agency would go to the Office of Executive Services, which would refer it back to the agency being complained about.

¹³ CRAT Report, p. 8.

reform plan, however, called for CRIT action teams to design all the implementation plans. After he became aware of the discrepancy, Glickman rescinded his earlier agreement, leaving OGC resentful at its wasted time and effort. Nor were its early relations with Wright's office pleasant. During the summer, a private exchange of accusations between Wright and the General Counsel made its way into the newspapers, embarrassing the department.

With time, however, the two divisions were able to reconcile their operations. CRAT called for OGC to create a civil rights unit to serve as a nucleus of civil rights expertise within the office. In early 1998, the office hired a lawyer to head that unit. He assumed responsibility for OGC's opinions on discrimination complaint settlements.

Cases multiply. Meanwhile, CR established several special teams to follow through on the CRAT directive to resolve the cases. Yet as soon as they resolved one, two or more seemed to take its place. Not only were new cases pouring into the department as expectations rose among farmers that their complaints would receive serious attention. The action team also found that the scope of unresolved complaints went well beyond their imaginings. Complaint files had first to be located. Recalls Gugulis:

Nobody knew where they were. Nobody knew who was in charge of dealing with those ... Employees were sitting around with boxes of files, they weren't even filed correctly. They had television sets sitting on them, plates sitting on them and [the employees] were watching TV.

In some cases, managers did not know discrimination complaints had been filed against them. Various agencies handled complaints differently. In some cases, complaints went to the agency civil rights office, in others to the personnel office. A common strategy was to hand off the issue to some other office, then claim to have no further jurisdiction over its resolution. Or a complaint may have been referred to the department which, lacking investigators, wasn't looking into it.

Meanwhile, the delay in processing complaints despite the promises Glickman had made when he released the CRAT report, fanned public and farmer impatience. In August 1997, minority farmers with outstanding complaints against the department filed a class action suit seeking compensation. In the press, news articles highlighted the fact that by September, USDA had settled only 115 of the more than 800 formal program complaints pending in January 1997. There were five major settlements costing the government a total of more than \$2 million.¹⁴

The team looking into employment complaints found it could make speedier progress in resolving those.

¹⁴ Four of those were to farmers discriminated against in loan proceedings; one was for discrimination in a disaster benefits program.

Employment complaints. At the time of the CRAT report, there was a backlog of 1,504 employee discrimination complaints. Some were not, strictly speaking, complaints that would fall under the Equal Employment Opportunity (EEO) law. But because there were few avenues of appeal for employees who felt mistreated, most complaints were put into the EEO category. Elaborates a CRIT member:

People all go into the EEO system because they feel that that's the place where they'll get relief. But the irony is that that system is bogged down and it's slow. [But] there hasn't been an alternative route for people to go.

The CRAT report had called the system for handling EEO complaints "truly dysfunctional."¹⁵ Employees with a grievance had first to contact an EEO counselor who encouraged informal resolution of the matter. Failing this, formal complaints were filed with one of the USDA civil rights offices, either in one of the agencies or centrally. An investigation preceded any decision. With complaints coming in faster than the civil rights offices could process them, settlement could take one to three years, or longer. Even when managers were found guilty, there was often no punishment.

The CRIT action team assigned to work on this issue was instructed not only to settle existing complaints, but to devise an alternative method for resolving them. So the team designed a conflict management policy which would try to resolve conflict at its earliest stages. It developed guidelines for a new Center for Conflict Prevention and Resolution—temporarily located administratively within the Office of Civil Rights.

At the same time that this center sought funding and staff, the CRIT team worked steadily on resolving outstanding complaints. Employees were given the choice of using alternative dispute resolution methods or, with the agreement of the employee *and* his/her agency, to opt for binding arbitration. By September 3, the team had closed 354 cases and referred another 200 or so to the Federal Mediation and Conciliation Service.¹⁶ Another 674 cases had been identified as possible candidates for mediation.

The rest continued their way through the EEO process. To ensure that these did not become bogged down again, however, new regulations held heads of agencies responsible for the timely resolution of EEO complaints in their areas. Moreover, settlements could no longer be "no fault"—meaning that managers found culpable nonetheless continued in their old jobs (and old ways) with impunity. Where discrimination was identified, managers should pay a price.

¹⁵ CRAT Report, p. 40.

¹⁶ The FMCS is an independent government agency which promotes the development of sound and stable labor-management relations. It offers a variety of dispute resolution options for the public and private sectors.

Assigning responsibility. This issue of holding individuals accountable for their actions was one that Glickman and the CRIT team considered pivotal to the credibility of the entire reform undertaking. Yet there was doubt, even among the most committed of the CRIT team, whether USDA could ever bring itself to discipline managers in a meaningful way over civil rights. No issue had aroused as much internal resistance to the CRIT process as the notion that agency heads, deputy heads and assistant secretaries would be held personally responsible for each agency's record on civil rights.

The CRIT team charged with writing accountability into the system, into the performance standards for individual agency heads, had a demanding and critical task.

Designing accountability

The CRAT report's second recommendation called for the secretary to give the ASA the authority to rate agency heads individually on their adherence to the civil rights implementation plans the CRIT teams prepared for each agency. Previously, all performance appraisal authority had rested with the agency heads or the under-secretaries. The hope was that, if agency chiefs knew they would be rated on their civil rights record, they would require corresponding responsibility from their employees. It was to be a "trickle down" of accountability.

The new performance standards drew their measurement criteria from the CRIT implementation plans. In other words, the performance appraisal form required broadly that an agency head "incorporate the Civil Rights Action Team Implementation Plan into the agency or staff office strategic plan and annual operation plan." The specifics of what was required were spelled out in the customized CRIT implementation plans delivered to each agency. As Gugulis explains it:

Anything that needed to be fully implemented by the agencies went into a civil rights implementation plan that becomes a part of their performance standards ... which means if you don't perform it, you can be dismissed. So it's got a lot more teeth in it, meat in it, specifics in it, than it ever had before ... The cycle of putting plans in place, monitoring performance, evaluating it and reporting it is a discipline that has been lacking from the system.

CRAT had, for example, required that the Forest Service immediately cease using its law enforcement officers to investigate Forest Service employees. The CRIT implementation plan for that recommendation included a precise date (October 2, 1997) by which the Service should forward copies of its modified regulations on internal investigations to the ASA. Other examples of the kinds of issues addressed in the Forest Service plan were: "immediately comply with USDA

program discrimination complaint procedures"; or, "by September 30, 1998, provide training to all employees." When it came time for the ASA to judge the chief of the Forest Service on his civil rights record, he would rate in detail to what degree all of these requirements had been met.

The performance standards went into effect October 1, 1997, the beginning of USDA's fiscal year. The first quarter was allocated for agency heads to digest the contents of the implementation plans and the fact that they would be held accountable for following them. Reed issued the first of what he called his "report cards" on agency heads at the end of December 1997. In some agencies, he reported to Glickman, there had been heartening progress. Others, however, had failed even to turn in the required updates on implementing the CRAT recommendations. No personnel dismissals were announced. For some, that undoubtedly came as a relief. Others, more skeptical of long-lasting management commitment to the CRIT reforms, felt that until individual managers experienced the sharp edge of the accountability standards, the rank and file would refuse to believe that USDA leaders were serious about lasting change.

But well before the performance standards went into effect, Reed says he became aware that he and the CRIT effort—particularly its promise of holding top officials accountable—were provoking significant institutional resistance and hostility.

Resisting accountability

Within a month of the CRAT report's public release, says Reed, he realized he was losing support at levels just below the secretary's office. Remembers Reed:

After about a month, I started to detect a regression ... I believe the bureaucracy read that four- to six-week period as "Now that we've released the report, it's business as usual."

Nor was it only employees at the top who found the CRIT process disturbing. One team leader says he found resistance to a number of the recommendations even among his own staff. He recalls "the resistance, the fear. [They thought,] 'This might affect my job. It might change some of the things I do.'"

I have to say honestly there were some employees that just didn't believe in it and didn't want to do any work to see it succeed ... A lot of our employees are comfortable with the *status quo*. What we were doing was asking them to take that *status quo*, turn it upside down, shake it around and reshape it. Some folks really resisted.

It was at junctures like this that Glickman's support proved indispensable. Reed says he discussed what he saw happening with the secretary, whom he praises for holding "steadfast with respect to providing us with the resources and the support that's needed to get things done." Glickman issued a directive at a critical juncture, continues Reed, and "now the whole system is taking it seriously. But as they're taking it seriously, they're finding everything that they can to weaken what goes into the performance standards, so that they aren't expected to do as much as we think that they should."

But Reed points out that the agencies had many chances in the past to take voluntarily the steps which were being imposed on them under the CRAT-CRIT reforms.

Because they haven't done what needs to be done, the secretary has given myself and the director of civil rights the authority to [rate the agency heads]. I think that's a ... shock to the system.

Lloyd Wright, as director of the Civil Rights Office, had been given responsibility for making sure that accountability was enforced more widely throughout USDA. CR was in charge of tracking complaints and holding those found guilty responsible. Wright was pleased that such a function finally existed at the department. At the same time, he was uncomfortable with the notion that keeping employees accountable would be perceived institutionally as an exclusively CR function. Says Wright:

It cannot be the responsibility of the Office of Civil Rights to make sure that the employees in the department follow the Civil Rights Act. That is every manager's responsibility. When you leave that to this office, it's not going to happen ... Just to build a unit to hound complaints, you know, is to bring in bigger trucks to fight fires without doing fire prevention.

Moreover, Wright wishes he had seen more evidence that the department will impose consequences for receiving a failing rating on the civil rights portion of a performance appraisal. He emphasizes: "You have to be willing to fire people." So far, says Wright, he is disappointed.

There are just a few bad apples, in key positions, that are mistreating customers and some employees. And there are too many people who tolerate it and look the other way. Those at the top don't hold any of them accountable. Until we can change that, the image here in the department will not change ... I don't know if I see any real commitment to holding people accountable.

To a degree, the department was hampered by privacy laws which prohibited making public reasons for dismissal. It was difficult to advertise a cautionary example when the tale could not be told. But Wright says formal notification was not important. Three people have been dismissed since the CRIT process began and, in at least one case with which he is familiar, "95 percent of the people in the agency where this person was removed know about it."

Another CRIT member agrees with Wright that dismissals would constitute proof of the department's seriousness. He comments:

When you've got problems you get rid of people. The department hasn't been able to do that or hasn't had the will to do that. Until you add those types of actions, the word doesn't really sink in that you want things to be done a little differently.

A different member of CRIT agrees that while the jury is still out on this issue, "if we could sit down at the end of next year and we've held people accountable, and it actually affects the ratings some people get, then I tell you, it will trickle down to the person in the field in Mississippi."

But if firings were the litmus test of accountability, other evaluation measures would also contribute to the final judgment of whether CRAT-CRIT had achieved its aim.

Enduring or ephemeral?

That CRAT and its follow-on, CRIT, took an enormous personal toll on those involved in it was undeniable. In November 1997, Wright unexpectedly announced his retirement from the job as director of the Office of Civil Rights.¹⁷ Says Wright:

I've decided to carve out the meaningful things that I think I can get done and get them done and move on, before it consumes me.

As Acting Assistant Secretary for Administration, Pearlie Reed had put in 12- to 16-hour days for over a year. On March 1, 1998, Glickman appointed Reed chief of the Natural Resources Conservation Service. Gugulis, who had always intended to return to NRCS when CRIT had handed over implementation plans to the agencies, moved back in early March. Even Glickman concedes that he had not anticipated the personal commitment that CRAT-CRIT demanded. Declares the secretary:

¹⁷ At the request of Secretary Glickman, Wright agreed to stay on until a suitable successor could be found for his position.

If I would have had it to do over again, I would have had some kind of a civil rights czar or somebody managing this effort [who] would have insulated me a little bit more. Because what happened is I became, I think, too personally engaged in micro-managing decisions. Now this is a very explosive, significant issue and I needed to be very personally engaged. But I think we needed somebody who was monitoring it as my representative ... I was engaged in a lot of battles that I'm sure most people in my position don't get engaged in.

But as a group, the CRIT leaders felt the reforms would hold, with or without the presence of the original reformers. "I don't think I'm indispensable at all," asserts Reed.

We are, as a matter of policy, incorporating these things in our directive system, which means that they are the policy of the department, not the policy of Dan Glickman and not the policy of Pearlie Read ... In order for anybody to change those policies, there has to be a concentrated effort, almost a public effort, to go back through the system and change our manuals, change the secretary's memoranda, to do something different.

Gugulis adds that CRIT, while it has accomplished what it set out to do, never pretended to be more than a beginning.

We're just touching the surface right now, I think. What we said we would do with the CRIT is we would operationalize and institutionalize the recommendations. What we meant is look at the process and the procedures, write new policy directions, issue those, train people, make sure they understand what they're supposed to do, measure it, report it and correct it.

But individual leaders, she concedes, remain vital to the final success of the reform effort.

To the degree that we could get it into the normal organizational system, it becomes I think a little less important that people who had the original idea, or original leadership role, are still there. But having said that, I think the leadership issue is a critically important one.

Glickman in 1998 had two years remaining in his term of office. Both CRAT-CRIT participants and many within USDA who remained outside the reform effort appreciated the secretary's role in setting the process in motion. Says CR's Wright:

I think the secretary's done an excellent job. He could have sidestepped issues like all the other secretaries ... Now you're not going to be successful at everything. [But] I think from a leadership standpoint, he's done the things that needed to be done. He's supported getting enough money to run the [investigations] unit. He's supported the accountability part of it.

Lawrence Lucas, president of the USDA Coalition of Minority Employees, likewise gives Glickman high marks, but with a caveat. Lucas remarks:

Dan Glickman has done more to expedite this cause for fairness and equality than any secretary in the Department of Agriculture. But it didn't happen because he wanted to do it. He did it because he was made to do it by the press, the media, the White House and two advocacy organizations [Black Farmers Association and the Coalition].

For his part, Glickman is satisfied with the changes that CRIT—invoking his authority—was able to imprint on USDA. Towards the end, he thought the effort even began to enjoy some grassroots support. He notes:

It was top down. But, in order to get actually done, there's got to be some bottom up as well. And we are in the process of trying to do that now. I'd say a lot of the changes we've actually implemented have gotten agency administrators and sub-cabinet people engaged. They were not very much engaged in the beginning of this process. They were frankly rather out of the loop, and there was some resistance there.

Glickman is pleased that, since CRIT took off, "when you walk the halls here, employees will come up and tell you that the attitudes are much different here, they're much more positive." Out at the county committees around the country, he adds, "some of them are irritated with this process, but I think they all believe that there has been a profound change in both attitudes and training."

The secretary hopes USDA's experience with CRAT-CRIT might prove of some use to other organizations undertaking similar change. Glickman reflects:

This is a microcosm of society. The problems we've been going through are equivalent to the race problems of the country as a whole. We're facing the problems that any large institution, whether it's a major corporation or a university, is facing. Problems of race are endemic in society.

Nor does Glickman delude himself that the job is done.

I walked into an area that's much more profound in its set of problems and complexity of problems, the cultural dysfunction that exists between blacks and whites here in the department, [than I expected]. We had to work through sociological things as well as political things. And we're not out of the woods yet. Now I think we've made significant strides, but we still have a lot of continued work to do.

On March 2, 1998, USDA held a formal ceremony to mark the end of CRIT and the transfer of responsibility to the individual agencies for implementing the CRAT recommendations. Drawing on a theme from the Olympics, the department dubbed the symbolic ceremony "Go for the Gold." A satellite broadcast to all USDA offices detailed what CRIT had undertaken, what it had accomplished and what remained to be done. Secretary Glickman, Reed and Gugulis spoke. They cited the Olympic slogan: "Be the most you can be" to convey that, in order for the wholesale reform envisioned in CRAT to succeed, every USDA employee would have to take responsibility for his or her own actions in the area of civil rights.