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CIVIL RIGHTS SERVICES AND DIVERSITY INITIATIVES IN THE COAST GUARD

(111–21)

HEARING

BEFORE THE

SUBCOMMITTEE ON
COAST GUARD AND MARITIME TRANSPORTATION

OF THE

COMMITTEE ON
TRANSPORTATION AND
INFRASTRUCTURE
HOUSE OF REPRESENTATIVES

ONE HUNDRED TENTH CONGRESS

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U.S. House of Representatives
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March 31, 2009

SUMMARY OF SUBJECT MATTER

TO: Members of the Subcommittee on Coast Guard and Maritime Transportation

FROM: Subcommittee on Coast Guard and Maritime Transportation Staff

SUBJECT: Hearing on "Civil Rights Services and Diversity Initiatives in the Coast Guard"

PURPOSE OF THE HEARING

On Wednesday, April 1, 2009, at 2:00 p.m., in Room 2167 of the Rayburn House Office Building, the Subcommittee on Coast Guard and Maritime Transportation will convene to receive testimony regarding civil rights services and diversity initiatives within the Coast Guard. The hearing will also consider the findings of a review of the Coast Guard's Office of Civil Rights (OCR) entitled "United States Coast Guard Office of Civil Rights: Program Review," conducted at the request of the Office's Director by Booz | Allen | Hamilton and released to the public in February, 2009 (the "Booz | Allen | Hamilton report").

Overview of the Office of Civil Rights

The OCR, located at Coast Guard headquarters, provides civil rights services to the officers, members, and employees of the Coast Guard and is tasked with helping to ensure the Coast Guard's compliance with equal employment opportunity regulations and related federal laws, policies, and guidelines.

According to the OCR, its mission is "[t]o foster and maintain the model workplace in support of mission execution."

The OCR consists of the following divisions:

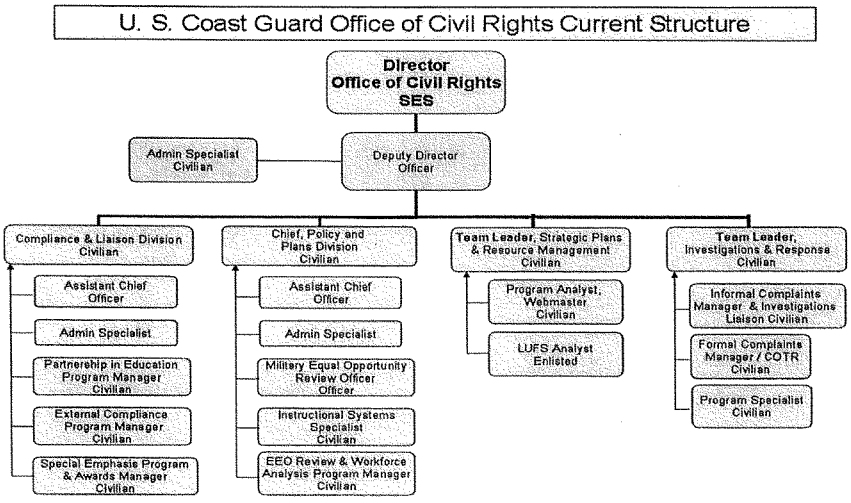
- Compliance and Liaison Division, which implements the Coast Guard's Affirmative Action and related programs established to analyze the service's workforce and support the recruitment of a diverse pool of job applicants;

- Policy and Plans Division, which implements Equal Opportunity reviews and manages compliance with civil rights legislation and Equal Employment Opportunity (EEO) laws and related procedures to ensure equal participation in the workforce;

- Investigations and Response Team, which manages the processes through which both informal and formal EEO complaints are handled and implements the Coast Guard's Alternative Dispute Resolution process; and,

- Strategic Plans and Resource Management Team, which oversees the OCR's budget and administration functions, maintains the OCR webpage, and compiles OCR-related data.

An overview of the OCR's current organization is provided in the chart below.



Source: U.S. Coast Guard

The OCR is led by a civilian Director and a military Deputy Director. The Director reports directly to the Commandant of the Coast Guard, in keeping with 29 C.F.R.§1614.102(b)(4), which requires that the Director of EEO functions in an agency report directly to the head of the agency.

The current OCR Director was hired in April 2006.[1] The Booz | Allen | Hamilton report indicates that the former Director of OCR retired in September 2004; for the next 19 months after that date, the OCR lacked a Director and was managed by the Deputy Director (a military officer).[2] In addition, OCR employs 17 full-time civilian and five military Civil Rights Service Providers.

The Coast Guard maintains two programs to ensure equal opportunity and access among its personnel. Civilian employees of the Coast Guard are covered by the federal EEO program under the provisions of 29 C.F.R. 1614. Importantly, members of the Armed Forces, including the Coast Guard, are not covered by Title VII of the Civil Rights Act of 1964, and thus are not covered by the EEO program that covers civilian employees of federal agencies. However, the Department of Defense and the Department of Homeland Security (DHS) each maintain systems to ensure that members of the Armed Forces are not subjected to discriminatory practices. The officers and enlisted members of the Coast Guard are served by the Coast Guard's Equal Opportunity (EO) program; they can also bring complaints under the Uniform Code of Military Justice.

Within each field command, the Commanding Officer "is considered the senior EO officer for the particular command."[3] Personnel who provide civil rights services are hired locally by individual commands, and report to the leadership of those commands. The Booz | Allen | Hamilton report indicates that the Coast Guard employs 29 personnel in field commands as full-time civil rights service providers, of whom a "significant portion" are members of the Coast Guard.[4]

There are also a number of individuals who have the provision of civil rights services as a collateral duty. According to the Coast Guard, a collateral duty civil rights officer is required to be assigned to each field unit with 50 or more personnel (whether military or civilian personnel or a combination thereof). The Coast Guard reports that there are more than 400 collateral duty civil rights officers.

Affirmative Program of Equal Employment Opportunity

Federal law requires that all employment decisions (including hiring decisions and promotion decisions) "be free of discrimination on the basis of race, color, religion, sex, national origin, reprisal or disability."[5] Agencies are required by law to take specific and proactive steps to ensure that they meet this standard; the Equal Employment Opportunity Commission (EEOC) published Management Directive 715 to clarify agencies' specific responsibilities. Among other requirements, federal agencies are required "to take proactive steps to ensure equal employment opportunity for all their employees and applicants for employment."[6] As part of this requirement, "[a]gencies must regularly evaluate their employment practices to identify barriers to equality of opportunity for all

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[1] *United States Coast Guard Office of Civil Rights: Program Review*, Booz | Allen | Hamilton, February 5, 2009, page 2-1.
[2] Ibid.
[3] Ibid., page 2-2.
[4] Ibid., page 2-1.
[5] Equal Employment Opportunity Commission, Management Directive 715, Introduction.
[6] Management Directive 715, Part A, Section 717 of Title VII: Proactive Prevention of Unlawful Discrimination.

individuals" and when barriers are identified, they must "take measures to eliminate them."[7] The regular evaluation required of agencies includes a requirement that each agency complete an annual self-assessment to identify barriers, develop strategies for eliminating barriers, and monitor progress toward the elimination of previously identified barriers.

Barriers are described in Management Directive 715 as any policies, practices, or other agency actions that "impede free and open competition in the workplace" and prevent individuals of any racial or national origin, or those with a disability, or of either sex "from realizing their full potential."[8]

The annual self-assessment reports developed by agencies, known as MD-715 reports, are submitted to the EEOC. The EEOC reviews them for content and approves or disapproves specific remediation plans to eliminate barriers. The EEOC also conducts periodic on-site assessments of agencies' EEO programs.

Complaint Process

If an individual believes that he or she may have been the victim of discriminatory actions in employment decisions, that individual may file a complaint with his/her employing agency.

The Coast Guard's military and civilian workforces begin the EO or EEO complaint processes by contacting a civil rights service provider (at this stage, their notification can be viewed as a "pre-complaint"). Under the EO process for military members, the command in which the issue giving rise to the notification has occurred has 15 days to try to resolve the issue; if that process is not successful, a counseling process begins which should be concluded within 30 days unless the person making the notification agrees to an extension of the counseling process. Under the EEO program for civilian employees, the 30-day counseling process begins immediately upon an individual's submission of a pre-complaint to a civil rights service provider. During the counseling process, an EO or EEO counselor will advise the aggrieved party of the procedures in the EO or EEO process and seek to achieve resolution of the issue that provoked the notification. Agencies are also required to offer alternative dispute resolution processes, which the individual making the notification of a possible EEO or EO violation can elect to utilize.

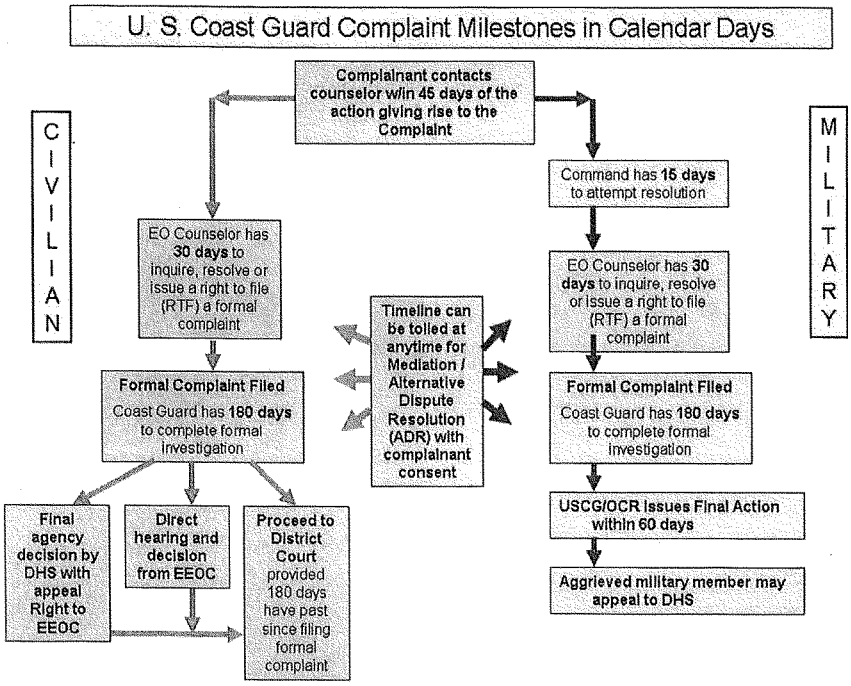
If counseling does not bring resolution to the matter, the aggrieved party can file a formal complaint; complaints must be filed within 15 days after the counseling process ends. In the Coast Guard, complaints brought under both the EEO and EO processes are sent to their Atlantic or Pacific Area Equal Opportunity Manager or the Headquarter Area Manager as appropriate for review and assessment. The Area Equal Opportunity Manager will prepare supporting documentation and must ensure that the file is complete; that Manager will also recommend to the OCR whether to accept. Importantly, complaints can be rejected only on procedural grounds – such as lack of timeliness or failure to specify a relevant claim of discrimination. OCR will then assign a contract investigator to the matter; the investigator will speak with both the complainant and the individual against whom the complaint has been lodged and collect all information pertinent to the case.

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[7] Ibid.
[8] Ibid.

The Coast Guard has 180 days under both the EEO and EO processes to complete an investigation from the time the complaint is filed (the EEO timeline is governed by 29 C.F.R. 1614.106(e)(2)). At the end of the 180-day period, a complainant under the EEO process can: elect to have the agency review the case file and render a Final Agency Decision (FAD), which will be rendered by DHS; request a hearing from an Administrative Judge with the EEOC; or take the matter to the appropriate District Court. A complainant under the EO process can elect only for a FAD; an EO complainant does not have the option of requesting a hearing before an EEOC Administrative Judge or taking the matter to a District Court. Both civilian employees and members of the Coast Guard can also elect to withdraw their complaints without seeking a final resolution. The Coast Guard reports that the average duration of time between the filing of a complaint under both the EEO and the EO processes until the closure of the complaint is 18 months.

The stages of the EEO and EO complaint management processes are outlined in the chart below.



Source: U.S. Coast Guard

According to data provided by the Coast Guard, in fiscal year 2008, a total of 111 pre-complaints were initiated through the EEO and EO processes. Of these, 8 pre-complaints – all filed by civilians – were resolved by counseling either within the specified 30-day period or during extension periods agreed to by the aggrieved parties.

From among the 111 pre-complaints initiated through the Coast Guard's EEO or EO processes, 75 formal complaints were filed. Thirty complaints were based on a single base factor (such as discrimination on the basis of race, sex, color, age, or disability). Twenty-three complaints were based on two bases (such as race and sex, rage and age, or age and disability). Fourteen complaints were based on three bases, 6 complaints were based on four bases, and two complaints were based on five bases. Of these 75 complaints, 50 were filed by civilian employees of the Coast Guard and 25 were filed by members of the Coast Guard (tracking data does not show how many of those filing complaints were officers and how many were enlisted personnel).

In fiscal year 2008, five cases – each of which originated in a previous year – were concluded with findings that discrimination had occurred.

The Booz | Allen | Hamilton report compares complaint filings in the Coast Guard with complaint filings in select other DHS component agencies, as shown below.

Department of Homeland Security Component Complaint Filings[9]

DHS Component	FY 2006 Workforce	FY 2006 Formal Complaints	FY 2007 Workforce	FY 2007 Formal Complaints
Transportation Security Administration	56,279	297	57,853	345
Coast Guard	46,484	60*	48,473	58*
Customs Service	43,545	263	47,606	267
Federal Emergency Management Agency	27,590	108	16,859	150

*Includes military and civilian complaints.

Source: U.S. Coast Guard

Findings of the Booz | Allen | Hamilton Program Review Report

[9] *United States Coast Guard Office of Civil Rights: Program Review*, Booz | Allen | Hamilton, February 5, 2009, page 4-17.

In April 2008, the Director of the OCR asked DHS to commission and supervise an independent examination of the OCR and of the civil rights services provided throughout the Coast Guard. The Director asked for the assessment to "determine the extent to which the structure, policies, procedures, and personnel of the Office of Civil Rights are meeting Coast Guard's equal opportunity missions, and whether it performs in accordance with the Equal Employment Opportunity Commission (EEOC) regulations set forth at 29 C.F.R. 1614; EEOC's MD110 and MD 715; the Coast Guard Equal Opportunity Manual, COMDTINST M5350.4.B (EOM), and the Uniform Code of Military Justice (10 U.S.C. Chapter 47)."[10] The Director also asked that the independent examination study such things as the office climate in the OCR, the management of the confidential information, and the effectiveness of office personnel.

In her request for this independent review, the Director also noted that the OCR and many of its personnel had been the subject of numerous accusations lodged in web logs (blogs), which she noted "report employee dissatisfaction that has allegedly arisen in the recent past."[11]

The Booz | Allen | Hamilton team focused in large part on identifying "organizational challenges that may affect the productivity of the civil rights program" and recommending "areas for organizational change that would enable OCR to increase its overall efficiency and effectiveness."[12] The report presents a number of findings that indicate significant challenges in some aspects of the administration of the Coast Guard's civil rights services. Central findings from the Booz | Allen | Hamilton report are summarized below.

- **OCR Staff Issues:** The Booz | Allen | Hamilton report describes a number of climate issues in the OCR office, which it states are "lingering signs of the past behaviors passed on through the organizational culture and inherited by the current management team."[13] The report indicates that the previous Director of OCR (who had a more than 20-year career in that position) led an office that was "formal, conservative, and somewhat autocratic."[14] The interviews conducted by the Booz | Allen | Hamilton team revealed that staff reported "the office climate began to deteriorate in summer 2003 and continued to decline" until the then-Director's retirement in 2004.[15] After that, the OCR lacked stable leadership for a 19-month period during which it was managed by a succession of military officers.[16] The Booz | Allen | Hamilton team reported that they found that in that period, senior staff "'unofficially ran the office,'" good discipline was not maintained, and there was a "lack of general well-being throughout the office."[17] Importantly, the team emphasizes that "former employees readily stepped forward to attest that a climate of tension, distrust, and divisiveness predates the current director."[18] Nonetheless, interview feedback suggests that the promulgation of blog reports – many negative – "have had an adverse impact on morale

[10] Memo of T.A. Dickerson, Director of OCR, to Carmen H. Walker, Deputy Director, Equal Employment Opportunity Programs, DHS, 25 April 2008.
[11] Ibid.
[12] Booz | Allen | Hamilton report at page 1-2.
[13] Ibid., 5-3.
[14] Ibid., page 5-2.
[15] Ibid.
[16] Ibid.
[17] Ibid., pages 5-2 and 5-3.
[18] Ibid., page 5-3.

in the office in that OCR and its programs are frequently the subject of unsubstantiated criticism."[19]

- **Disconnect Between OCR and Field Civil Rights Staff:** The Booz | Allen | Hamilton report describes a "disconnection" between OCR personnel and civil rights staff in Coast Guard Areas and Districts, which it found to be "a function of the overall USCG (United States Coast Guard) civil rights organizational framework through which the Field Civil Rights Service Providers report directly to their respective commands rather than to OCR."[20] Interactions appeared focused around training and development events and "structured teleconference calls."[21] The team found that this structure "lacks the organizational accountability achievable from a cohesive, centralized reporting structure" and "has resulted in inconsistent policy application and lack of uniformity."[22]

- **Management of Confidential Information is Inadequate:** In 2007, DHS issued a memorandum instructing its constituent agencies to promulgate instructions on the handling of personally identifiable information (PII). The Coast Guard established a "Cross Functional CG Privacy Team" to assess the handling of personnel-related data in both paper and computerized data formats. The CG privacy Team "completed the DHS Self Assessment for Personnel-Related Data and ensured that all employees with access to personnel-related data have taken the mandated private and security awareness training."[23] Booz | Allen | Hamilton found that these measures are apparently not ensuring the proper handling of personnel-related data, and reported that "much of the handling of documents varies as a function of command practices and is not conducted in a prescribed and standardized manner"; "files containing PII were observed unattended and unlocked at Field locations, although it was noted that there is limited storage space for complaint files."[24] The team concluded that "the lack of a comprehensive strategy that prescribes uniform and secure management of sensitive data exposes employees and the agency to increased risk with respect to disclosing personnel-related and complaint-related information."[25] In reviewing blog sites, the team found that "improper disclosures of information regarding complaint activity has occurred" and that "inconsistent privacy and records management programs are used and based on local practices and policies."[26] The team indicates that OCR has worked to "curtail" the release of PII, including initiating a complaint with Coast Guard Investigative Services,[27] and recommended that the adoption of Standard Operating Procedures, which would better ensure the appropriate handling of PII and related materials.

  In addition to the system-wide problems with the management of PII found by the team, the team also found that EEO Counselors who are unfamiliar with the handling of complaints "have inappropriately released PII to Responsible Management Officials during

[19] Ibid.
[20] Ibid., page 2-5.
[21] Ibid.
[22] Ibid., page 2-7.
[23] Ibid., page 3-1.
[24] Ibid., page 3-1.
[25] Ibid.
[26] Ibid., page 3-2.
[27] Ibid.

the complaint process in violation of the Privacy Act of 1974."[28] The team also found that the database in which complaint files are stored may be accessible to people who are not authorized to access the information.[29] Finally, the team found that the Equal Opportunity Manual itself may outline procedures that violate certain privacy protections afforded by the Privacy Act of 1974 to those who file complaints.[30]

- **Barrier Analysis Inadequate:** The Booz | Allen | Hamilton team found that "there is very little workforce analysis ongoing in the field or examination of barriers that may inhibit equal employment opportunity in the workplace."[31] The team found that the agency's MD-715 Report contains Executive Summaries, "which are robust and provide comprehensive information on affirmative employment activities," but that "there is little indication of ongoing strategic analysis by the Policy and Plans Division to support the findings and next steps delineated in the MD-715 Report."[32] The report does note the success of the Coast Guard's Equal Opportunity and Civil Rights Individual Awards programs in recognizing individuals and units for their accomplishments as well as of the National Partnership in Education Program. However, the team found that the OCR's Compliance and Liaison Division, tasked with leading Affirmative Action programs and supporting the recruitment of a diverse workforce, had no "reporting activities" or "processes" by which the Division measures the impact of Special Emphasis programs on the achievement of diversity goals and that there was little guidance available in the Equal Opportunity Manual to the personnel who are responsible for implementing Special Emphasis programs as a collateral duty.[33]

- **Equal Opportunity Reviews Lack Metrics to Define Success:** The Booz | Allen | Hamilton report raised questions about the efficacy of the current Equal Opportunity review process, including the fact that the Equal Opportunity Manual "lacks specificity regarding the purpose, format, and structure of EO Reviews" and the fact that the EO Review process "lacks metrics to define success."[34] Further, when the process identifies problems within a command, root cause analyses are not performed to identify the cause of the problems; as a result, commands tend to "narrow problems to discrete areas for improvement."[35] OCR has set a goal of 22 EO Review site visits, but the Booz | Allen | Hamilton could not find "a business case for the annual target goal of 22 EO Reviews", and noted that many agencies have forgone on-site reviews in favor of other mechanisms for gathering data on the extent to which equal opportunities are assured.[36]

- **EEOC Counselors Untrained:** The team found that "in some instances USCG personnel are not receiving training as required by the EEOC."[37] In particular, the team found that not all individuals serving as EEOC Counselors are "documented as having satisfied the

[28] Ibid.
[29] Ibid.
[30] Ibid., page 3-3.
[31] Ibid., page 4-2.
[32] Ibid., page 4-7.
[33] Ibid., page 4-3.
[34] Ibid., page 4-11.
[35] Ibid., page 4-12.
[36] Ibid., page 4-10.
[37] Ibid., page 4-13

legislatively mandated 32-hour training requirement for new federal EEO Counselors or, the required 8 hours of continuing EEO Counselor training;" in some instances, "delinquencies as great as 5 years" were noted.[38] Further, the report found that those who have EEO as a collateral duty "often do not possess the requisite experience to serve as effective EEO Counselors and that the skillset required is not being attained through the EEO Counselor training and/or periodic counseling assignments."[39] The Coast Guard has indicated that OCR is not always advised whenever a new person is placed in a civil rights services provider assignment; further, OCR is not always apprised when a person is assigned the provision of civil rights services as his/her collateral duty and the Coast Guard reports that the assignment of this collateral duty can change rapidly (even within less than a year). The OCR does organize periodic training conferences for both full-time and collateral duty civil rights service providers.

- **Handling of EEO Complaints Inconsistent:** The team found that unlike other agencies within DHS, the EEO complaint processing function in DHS is very decentralized. The team found that Coast Guard "Areas and Districts have developed their own sub-processes that induce wide variation" in complaint management.[40] As a result, the team found instances in Civil Rights Service Providers were "attempting to independently resolve complaints on their own, thereby circumventing the EEOC requirements;" in other instances, Counselors "encouraged prospective complainants to file grievances and not participate in the EEO counseling process."[41] The team noted that such variations in the processing of complaints "puts the organization at-large at risk because there is no way to fully ensure that the complaint resolution methods and techniques employed are in compliance with 29.C.F.R. 1614."[42] The team also noted that while formal complaints are received by OCR, informal complaints are "tracked locally and are not consistently reported to OCR."[43] The Booz | Allen | Hamilton team emphatically stated that "the command structure does not routinely possess the requisite civil rights subject matter expertise to provide input and guidance" into the handling of complaints; and "at various times, commands have delegated authority for complaints to persons not authorized to make decisions or possessing the requisite subject matter expertise to make such decisions."[44]

- **Civil Rights Related Training Issues:** The Booz | Allen | Hamilton report indicates that the Coast Guard has no formal training in place to educate personnel, including individuals in leadership positions, on EEO-related policies and procedures.[45] The service does require its personnel to undergo regular training on Human Relations Awareness and Sexual Harassment Prevention; however, some personnel do not receive these training programs, particularly the Human Relations Awareness training, at the required times, the courses were not found to be "standardized," and after their initial review by the Defense Equal

[38] Ibid.
[39] Ibid., page 4-14.
[40] Ibid., page 4-17.
[41] Ibid.
[42] Ibid.
[43] Ibid., page 4-16.
[44] Ibid., page 4-17.
[45] Ibid., page 4-13.

Opportunity Management Institute, "there is no indication that these materials are reviewed thereafter for content accuracy and training best practices."[46]

- **OCR Staff Lack Understanding of the "Vision, Business Goals, and Key Success Indicators" of OCR:** The Booz | Allen | Hamilton report indicates that staff members in the OCR did not "understand the vision, business goals and key success indicators of OCR."[47] Additionally, work products developed by staff for presentation to the OCR Director were reported as often containing "typographical and grammatical errors and substantive inconsistencies" and "required substantial changes before finalization."[48] Additionally, the Booz | Allen | Hamilton team found that:

  - Business practices at the OCR have never been formally defined and the office lacks Standard Operating Procedures.[49] As a result, Field staff interviewed by the team "indicated that they perform their duties on the basis of informal understandings, their own interpretation of 29.C.F.R. 1614, and their understanding of the associated functional requirements."[50]

  - Some senior staff interviewed noted "a lack of teamwork among the senior staff and the Director" of OCR and that staff meetings could at times lead to interpersonal "conflict and disagreements" that could even involve the "disclosure and discussion of protected information."[51]

  - Even weekly staff meetings within OCR appear to be instances when climate issues can come to the foreground. Thus, the team commented on "the propensity of some participants to initiate conflict and disagreements and, as well, insist on disclosure and discussion of protected information."[52]

- **Assignment of Military Personnel to the OCR:** Regarding the military personnel assigned to the OCR[53], the Booz | Allen | Hamilton report found that they "are assigned to critical functions within the office and often enter with minimal, if any, previous EEO/civil rights experience" and then "leave their post just as they are becoming oriented to the position."[54] Thus, the team stated that "[a]lthough the military personnel add tangible value during their tours with OCR, the institutional knowledge that is lost when they leave bi-annually is significant and affects the organization." Additionally, the team found that some of the military officers assigned to OCR "perform duties that are significantly below their skillsets," which "can have an adverse impact on their careers" and has led some to seek work opportunities outside of their assignments to better position themselves for promotion.[55]

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[46] Ibid.
[47] Ibid., page 2-3.
[48] Ibid., page 4-9.
[49] Ibid., page 2-6.
[50] Ibid.
[51] Ibid., page 2-5.
[52] Ibid.
[53] Ibid.
[54] Ibid., page 2-1.
[55] Ibid., page 6-2.

- **Some Blog Reports "False and Inaccurate":** The report indicates that while it could not examine every blog accusation, it found some to be "false and inaccurate," including claims that "17 individuals have left the USCG civil rights organization as the direct result of dissatisfaction with the Director of OCR" and claims that "the Director has not visited commands."[56]

The Booz | Allen | Hamilton team made numerous recommendations for improving civil rights service provision within the Coast Guard. Importantly, the team emphasized that the "implementation of recommendations will need to be openly endorsed at the highest level of the Coast Guard organization to ensure the cooperation of, and participation by, key stakeholders."[57] The team's crosscutting recommendations include the following:

- Assess the skills of civil rights service providers and prepare a comprehensive skills development program to ensure that providers are prepared to meet all requirements;
- Assess training needs throughout the Coast Guard and prepare suitable training materials to respond to identified gaps;
- Assess the workload of the OCR and utilize the results to improve the functioning and management of civil rights services;
- Revise the service's Equal Opportunity Manual to better guide civil rights service provision in the Coast Guard;
- Develop standard operating procedures for civil rights services and for each division within OCR; and
- Strengthen the strategic planning processes within the OCR to ensure that each division is fully supporting the Office's missions=.[58]

The Booz | Allen | Hamilton team also recommended: organizational changes within OCR, such as the hiring of a Senior Advisor to the Director; institution of a records management program to ensure the effective handling of sensitive personnel information; the EO review process be completely re-designed; and EEO counselors have all required training. Importantly, the team also recommended that the Coast Guard "[r]ecruit and hire full-time experienced EEO Counselors and Civil Rights Service Providers and discontinue the use of collateral duty staff" and hire contractors where needed to handle workload volumes.[59]

In a memorandum provided on the Coast Guard's website with the Booz | Allen | Hamilton report, the Commandant of the Coast Guard, Admiral Thad Allen, wrote that he has asked the Director of the OCR to brief the Coast Guard's Leadership Council on the recommendations contained in the Booz | Allen | Hamilton report, particularly those that "need the support of other senior leaders to implement longer-term Service-wide

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[56] Ibid., page 2-3.
[57] Ibid., page 7-1.
[58] Ibid., pages 7-1 and 7-2.
[59] Ibid., page 7-10

solutions."[60] The Commandant also wrote that he has tasked the Leadership Council to "evaluate broad issues of organizational structure, Human Resource practices and needs related to our Equal Employment Opportunity program, diversity, and climate, as well as address skills assessments and training, workload analysis, upkeep of policy directives, and promulgation of Standard Operating Procedures."[61]

2001 Review of the Coast Guard's Civil Rights Programs

The Coast Guard commissioned a review of its civil rights program in 2001. This review, prepared for the Commandant, Civil Rights Directorate, was conducted by KPMG Consulting and issued on September 21, 2001. The report states that it was conducted at the request of the Commandant through the Civil Rights Directorate (then known as G-H) and constituted a "Top-to-Bottom Review of the Coast Guard's Civil Rights/Equal Opportunity and Equal Employment Opportunity (CR/EO and EEO) Programs."[62] This study included a review of the Air Force's Military Equality Opportunity and civilian Equal Employment Opportunity programs for the purposes of enabling comparisons to be drawn between these programs and the Coast Guard's programs. Many of the issues that are identified in the Booz | Allen | Hamilton report are echoed in this earlier KPMG report.

Among its general findings, the KPMG team reported that interviews with "command leadership, service providers, and focus groups" revealed that that there was an "inconsistency" between the way CR/EO and EEO programs were described in the program manual and how they were "actually implemented," and this gap "created a perception that the program is not necessarily a priority among senior leadership."[63]

In its assessment of the human relations awareness and sexual harassment training programs, the KPMG team found that training materials for these two programs was "rarely updated" and that the quality of training programs depended largely on the abilities of the individual conducting the training.[64] Poor attendance at these training sessions by "senior leadership" was reported and this was found by the KPMG team to have left among the focus groups it interviewed "the impression that the training and the program is not a priority."[65] The KPMG team also noted that "gaps in compliance exist in nearly every facet of the Human Relations Awareness and Sexual Harassment Prevention training."[66]

Regarding the Coast Guard's implementation of the complaint management process, the KPMG team found that Coast Guard personnel were very familiar with how to access the complaint process and that "Civil Rights service providers were widely known at field installations visited."[67] Further, the team found that the "Command also was well aware of the initial access points to the

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[60] *Memorandum Regarding Program Review – Office of Civil Rights*, Commandant Thad Allen, February 19, 2009.
[61] Ibid.
[62] *United States Coast Guard: Top to Bottom Review of Civil Rights/Equal Opportunity and Equal Employment Opportunity Programs*, KPMG Consulting, Contract GS 23F-9796H, Task DTCG23-01-A-HHA313, 21 September, 2001, page 1.1.
[63] Ibid., page 4.1.1.5.
[64] Ibid.
[65] Ibid., page 4.1.1.6.
[66] Ibid., page 4.1.1.8.
[67] Ibid., page 4.1.2.5.

complaint process" and "expressed a willingness to take questions and concerns to the CRO."[68] However, the KPMG team reported that the complaint process was apparently being used to settle personnel matters that did not necessarily involve acts of discrimination. Thus, the KPMG team reported it "heard of numerous cases where initial mishandling of a personnel concern led to the filing of a complaint due to perceived non-responsiveness by the supervisor" – a problem that "was particularly pointed out by civilians in relation to military supervision of civilian staff."[69] Expanding on this point, the KPMG team wrote, "Service providers and commanding officers alike indicated that, particularly on the civilian side, many cases they receive are either administrative issues or personality conflicts between the aggrieved and the accuser."[70]

The KPMG report indicates that once complaints were filed, they were not handled in a timely and efficient manner. Complaints could take a year or more to reach final resolution; the KPMG team found that the average military complaint reached resolution after 320 days while the average civilian complaint was resolved in 410 days.[71]

Regarding military personnel who provide civil rights services as a collateral duty, the KPMG team found that there "is great variation in the quality of collateral duty EEOC Counselor service performance."[72] In some instances, the team found that individuals with "personal agendas" were seeking out collateral duty positions and were even conducting their own "informal investigations" and reporting their findings with complaint documents.[73] The KPMG team further reported that "a substantial amount of evidence gathered throughout our several weeks in the field and at Headquarters indicated that service providers do not consistently maintain impartiality" and "were not remaining neutral in their handling of various complaints", and that eventually, "a number of EEO Counselors and other Civil Rights service providers" began filing their own complaints.[74] The KPMG report also indicated that at that time, the number of complaints resolved at the informal or counseling stage was declining. Thus, the KPMG team reported that "the number of complaints resolved informally has decreased for both civilian and military personnel in absolute terms and as a percentage of total complaints filed."[75]

The KPMG report raises a number of questions about EEO and affirmative action programs. At the time the KPMG report was prepared, the Coast Guard was implementing what was known as the Coast Guard Affirmative Action Plan (CGAAP). The goals of the plan were to be tailored and "routinely revised" to respond to the findings of the annual "assessment of the status of women and minorities in the Coast Guard."[76] The headquarters G-H unit was "primarily responsible for development, implementation, and revision of the CGAAP," but the KPMG team found that the CGAAP development and revision process was also not working at an optimal level.[77]

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[68] Ibid., page 4.1.2.5.
[69] Ibid., page 4.1.2.6.
[70] Ibid.
[71] Ibid., page 4.1.2.7.
[72] Ibid.
[73] Ibid., page 4.1.2.8
[74] Ibid., page 4.1.2.10.
[75] Ibid., page 4.1.2.8.
[76] Ibid., page 4.1.3.2.
[77] Ibid., page 4.1.3.3.

Thus, the KPMG team wrote that the G-H unit "does not appear to be disseminating sufficient information about how to implement the CGAAP" and while it "does provide the field units with . . . workforce imbalance data," it "does not specify how to interpret the information and establish initiatives to resolve the issues."[78] Further, the KPMG team reported that numerous delays were observed in data collection and dissemination practices and that "As monitoring and reporting are at the core of the program's priorities," such delays "disable any effort to modify Coast Guard procedures in support of CGAAP goals."[79] This was found to be "particularly true regarding personnel and recruiting procedures."[80]

The KPMG team also found that the Coast Guard's Affirmative Employment Plan was "not fully implemented."[81] The KPMG team found that reports on affirmative action "are completed and disseminated, but report interpretation and action is left up to the individual unit commands, who may or may have the required time and knowledge to legally apply the affirmative action program as a factor in hiring and promoting."[82]

Regarding EO reviews, the KPMG team found that prior to its study, the G-H unit had not regularly conducted EO reviews. The team further found that the "[r]esults of the program proved difficult to measure in light of the lengthy cessation of its operation" and that there were "no measures or metrics . . . by which to evaluate local command's program performance."[83]

1998 Review of Coast Guard Civil Rights Services

The Coast Guard commissioned another review of its civil rights program in 1998. That review was conducted by PriceWaterhouseCoopers (PwC); it was prepared for the Commandant, Civil Rights Directorate, and issued on May 10, 1999.[84]

During the development of the report, members of PwC interviewed 25 personnel within the Coast Guard's Civil Rights headquarters unit, Human Resources unit at headquarters, Personnel Command, Recruiting Command and the Department of Transportation Civil Rights Office (at that time, the Coast Guard was still part of the Department of Transportation).

During the initial meeting between the Coast Guard's Senior Project Management Team and PwC, the parties discussed the current state and PwC included in its report notes on what was discussed. The PwC team reported that people in the field perceived Civil Rights to be a Headquarters' program; field officers reported that because of their extensive workload, they did not focus on civil rights issues. It was also discovered that "[u]nit commanders will try to solve discrimination complaints informally to avoid an administrative burden."[85] The parties discussed the

[78] Ibid., page 4.1.3.4.
[79] Ibid.
[80] Ibid.
[81] Ibid., page 4.1.3.6.
[82] Ibid., page 4.1.3.6-4.1.3.7.
[83] Ibid., page 4.1.5.3.
[84] *United States Coast Guard: Top to Bottom Review of Civil Rights Program,* PriceWaterhouseCoopers, Contract GSA-23F-9758H, Task DTCG23-98-F-HHA187, May 10, 1999.
[85] Ibid., Minutes of Meeting held on September 2, 1998.

extended amount of time it appeared to take to get complaints resolved.[86] Also, there was no standardized provision of diversity training for field collateral duty civil rights personnel.[87]

Echoing more recent reports, the 1999 report concluded that "the current civil rights program is relatively ineffective at preventing civil rights complaints and the current program office at headquarters is inefficient in discharging their responsibilities."[88] The report recommended that "the Coast Guard should focus attention on increasing diversity and preventing civil rights issues from arising; the civil rights program office should be integrated into the human resources function."[89]

EEOC Feedback to the Coast Guard

In May 2008, the EEOC provided information to the Coast Guard on trends it observed in its MD-715 reports from fiscal years 2004 to 2006 as well as through review of other relevant materials. The EEOC's letter indicates that many of the challenges identified in assessments of the Coast Guard's civil rights programs by independent third-parties have been identified by the Coast Guard itself and reported to the EEOC in past years.

In its feedback letter, the EEOC wrote that in fiscal years 2004 and 2005, the Coast Guard "reported that agency personnel policies, procedures, and practices were not examined regularly to determine whether there are hidden impediments to equality of opportunity."[90] The Coast Guard had, however, initiated a process intended to identify barriers and formulate corrective plans by September 2007. To that end, the service reviewed personnel actions and grievances and prepared statistical summaries of complaints and other data; however, the Coast Guard reported that "the information obtained was inconclusive," but that data collection and analysis will continue.[91]

The EEOC also noted that in its fiscal year 2004 report, the Coast Guard "indicated that EEO officials did not have the knowledge, skills, and abilities to carry out the full duties and responsibilities of their positions."[92] In fiscal year 2005, however, the service reported that all Counselors had received their initial or refresher training as required.

The EEOC reported that the Coast Guard had not submitted complete MD-715 reports for 2004, 2005, or 2006 – albeit progress was being made in providing all required reporting data. The EEOC commented that "the importance of collecting and analyzing this data cannot be overstated" and noted that of particular concern was the absence of applicant data, without which "there can be no meaningful review of the effectiveness of the agency's recruitment efforts."[93]

The EEOC noted that some of the Coast Guard's recruitment practices for positions in the civilian workforce created "unintended barriers" to diversity, including lack of career ladder positions, the filling of positions with civilians from other federal agencies and with retired Coast

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[86] Ibid.
[87] Ibid.
[88] Ibid., Executive Summary.
[89] Ibid.
[90] Equal Employment Opportunity Commission feedback letter to the Coast Guard, May 2008, page 3.
[91] Ibid., page 3-4.
[92] Ibid., page 4.
[93] Ibid., page 6-7.

Guard members.[94] In fiscal year 2005, the Coast Guard reported plans to remedy these barriers but did not provide information on whether it met its target goals.[95] The Coast Guard reported in each of fiscal years 2005 and 2006 a "decline in participation of women in its permanent workforce."[96]

Regarding the complaint process, the EEOC wrote that there was a significant increase in the number of pre-complaints counseled in a timely manner between fiscal years 2004 and 2006.[97] However, the number of complaint investigations completed in a timely manner declined from 100 percent of cases in fiscal year 2004 to just 67 percent of cases in fiscal year 2006.[98] Further, in fiscal years 2005 and 2006, the Coast Guard "reported that there was insufficient staff to conduct adequate analysis of civilian workforce data," and it reported in each of fiscal years 2004, 2005, and 2006 that it "has not implemented an adequate data collection and analysis system and had not tracked recruitment efforts."[99] However, the EEOC notes that the Coast Guard reported "[i]t began a plan to replace part-time EEO officials with full-time staff in accordance with the Civil Rights Top-to-Bottom Review implementation plan by September 30, 2010," and that new full-time equivalents were being added.[100]

Critically, the EEOC wrote that "[i]n all reporting years, the Coast Guard has reported that its EEO Director does not have funding sufficient to implement action plans and conduct a thorough barrier analysis of the workforce, but that it has ongoing plans to advocate for increased funding for the civil rights program, now targeted for fulfillment by September 2008."[101]

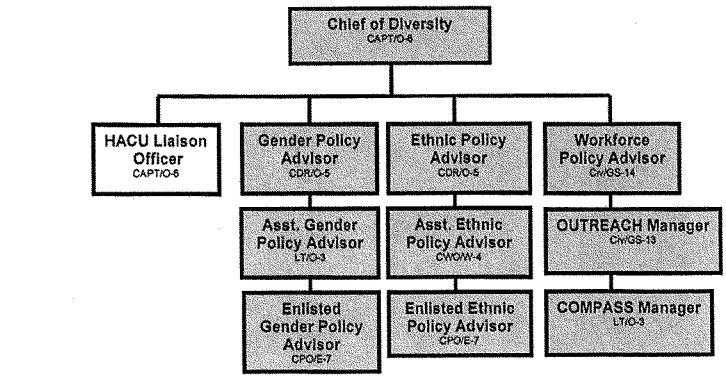
Coast Guard's Diversity Office

The Coast Guard maintains a Diversity Office under the command of the Assistant Commandant for Human Resources. The structure of the office is shown below.

[94] Ibid., page 7.
[95] Ibid.
[96] Ibid.
[97] Ibid., page 12.
[98] Ibid., page 13.
[99] Ibid.
[100] Ibid.
[101] Ibid., page 4.

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Coast Guard Diversity Staff



Source: U.S. Coast Guard

The staff of the Coast Guard Diversity Office includes three full time advisors and assistants who work for the Chief of Diversity.

The policy advisors assigned to the Office:

- Coordinate diversity awareness and diversity management training for leadership development programs within the Coast Guard;
- Counsel and support employees on leadership practices and diversity management;
- Evaluate diversity issues within the Coast Guard; and
- Offer career guidance, counseling and mediation if needed to employees on diversity issues.

To promote retention and advancement, the diversity staff ensures Coast Guard members and employees are aware of the Commandant's Diversity Policy. They liaise and partner with affinity groups such as the National Naval Officers Association, Sea Services Women's Leadership Symposium, Association of Naval Services Officers, etc., and encourage Coast Guard participation in affinity group events. The staff participates in various career fairs and actively recruits military members, civilians and for the Coast Guard Academy. The Diversity Strategy Group (DSG) and Diversity Advisory Council (DAC) are managed by the staff of the Diversity Office.

Coast Guard's Leadership and Diversity Action Plan

On July 25, 2008, the Commandant of the Coast Guard, Admiral Thad Allen, set forth the Coast Guard's leadership and diversity initiatives at the annual National Naval Officers Association (NNOA) in Portsmouth, Virginia. In August, the Commandant issued a message to all Coast Guard personnel that provided an update on action taken to implement the initiatives. Additionally, a 20-point action plan has been developed by the Coast Guard's Diversity Advisory Council, Diversity Strategic Group, and the Diversity Staff, in conjunction with the Director of Civil Rights.

The Commandant's message to all Coast Guard personnel announced the following:

- Every CG Flag officer and Senior Executive Service (SES) will attend at least one affinity group national-level conference annually (e.g. National Naval Officers Association, Coast Guard Women's Leadership Association, Blacks in Government, Association of Naval Service Officers, etc). Commanding Officers with the rank of Lieutenant Commander and above will also attend at least one of these conferences during their command tour. The Commandant also strongly encouraged Commanding Officers to send their officers, enlisted and civilians to affinity group conferences.

- Every Flag Officer and SES has committed to partnering with a Minority Serving Institution, Hispanic Serving Institution, or Tribal Council Institution to raise the Coast Guard's visibility with these schools by developing and maintaining an ongoing relationship. The Flag Officers and SES staff members and the active duty alumni of these schools will be paired for outreach to the schools. Rear Admiral Tom Ostebo, the Assistant Commandant for Engineering and Logistics, adopted North Carolina A&T University.

- The Commandant directed a total force recruiting approach to be undertaken through which all members of the Coast Guard, including active duty, enlisted, civilian, and Auxiliarists will be recruiters to ensure all markets are clearly recognized and the best possible applicants are identified.

- The College Student Pre-Commissioning Initiative program is being modified to target institutions with more diverse student populations.

- The Commandant initiated a prototype extracurricular program at the Maritime Industries Academy in Baltimore, MD, which is a high school with a significant minority population. The outreach effort include increasing student awareness of Coast Guard missions, supporting the excellence in education, and improving the diversity of applicants interested in the full spectrum of Coast Guard opportunities.

PREVIOUS COMMITTEE ACTION

The Subcommittee on Coast Guard and Maritime Transportation held a hearing on "Diversity in the Coast Guard, including Recruitment, Promotion, and Retention of Minority Personnel" during the 110th Congress.

WITNESSES

Ms. Terri Dickerson
Director, Office of Civil Rights
United States Coast Guard

Rear Admiral Jody Breckenridge
Assistant Commandant for Human Resources
United States Coast Guard

HEARING ON CIVIL RIGHTS SERVICES AND DIVERSITY INITIATIVES IN THE COAST GUARD

Wednesday, April 1, 2009

HOUSE OF REPRESENTATIVES,
COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
SUBCOMMITTEE ON COAST GUARD AND MARITIME TRANSPORTATION,
Washington, DC.

The Subcommittee met, pursuant to call, at 2:45 p.m., in Room 2167, Rayburn House Office Building, the Honorable Elijah E. Cummings [Chairman of the Subcommittee] presiding.

Mr. CUMMINGS. This hearing is called to order.

We convene today to consider the State of the Coast Guard's provision of civil rights services to its military and civilian workforce and to applicants for employment. We will also examine the initiatives being undertaken by the Service to support expanded diversity among both its military and civilian personnel. As part of that examination, we will assess what the Service has done to benchmark its diversity-related initiatives following a hearing we held on this subject last year.

In April 2008, the Director of the Coast Guard's Office of Civil Rights asked the Department of Homeland Security to commission and supervise an independent assessment of the office and of civil rights programs within the Coast Guard. The proximate motivation for this request was the posting of derogatory blog entries on the web. However, as the Subcommittee has come to learn, there have long existed challenges far more central to the provision of effective civil rights services within the Coast Guard than those discussed within the blog comments.

In February, 2009, Booz Allen Hamilton, the firm ultimately commissioned to undertake the study of the Coast Guard Office of Civil Rights, issued its report to the Coast Guard which subsequently released it to the public.

I note that the Subcommittee invited Booz Allen Hamilton to testify today and also invited its representatives to meet privately with staff. They declined both offers citing duty of confidentiality to their client and, rather perplexingly, their internal policy against lobbying. Despite Booz Allen Hamilton's total unresponsiveness to the Subcommittee's inquiries about a report it prepared on a Federal agency and for which it received compensation from United States taxpayers' funds, the firm's report speaks for itself.

Among other findings, the Booz Allen Hamilton team's review identified at the Coast Guard a civil rights program that does not fully protect confidential personal information, that does not conduct thorough analyses of barriers to equal opportunity in employment or develop specific plans to break these barriers down, and that has a number of inadequately trained service providers who cannot ensure implementation of a complaints management process that is in full compliance with regulatory requirements.

While these findings are obviously deeply troubling on their own, as the Subcommittee has learned in the extensive review of the Coast Guard's civil rights programs, they are certainly not new. Previous reviews of the Coast Guard's civil rights programs and even the self-assessments the Coast Guard submits annually to the Equal Employment Opportunity Commission repeatedly identify many of the same problems noted in the Booz Allen Hamilton report.

For example, a 2001 review conducted by KPMG found that:

One, complaints were not handled in an efficient manner,

Two, individuals who provided civil rights services as a collateral duty showed great variation in quality,

Three, affirmative action related reports were disseminated but report interpretation and action is left up to individual unit commands who may or may not have the required time and knowledge to legally apply the affirmative action program as a factor in hiring, and,

Four, equal opportunity reviews were being conducted, but there were no measures or metrics by which to evaluate local command's program performance.

A review conducted by PriceWaterhouseCoopers more than a decade ago concluded that the Coast Guard's "current civil rights program is relatively ineffective at preventing civil rights complaints and the current program office at headquarters is inefficient in discharging their responsibilities."

In May 2008, the Equal Employment Opportunity Commission sent a feedback letter to the Coast Guard identifying the trends it observed in the Coast Guard's annual self-reports from fiscal years 2004 through 2006. Again, the comments sound very familiar. EEOC stated in its 2004 report, the Coast Guard admitted that the "EEO officials did not have the knowledge, skills and abilities to carry out the full duties and responsibilities of their positions."

In fiscal years 2005 and 2006, the Service "reported that there was insufficient staff to conduct adequate analysis of civilian workforce data."

And in 2004, 2005, and 2006, the Service noted it "has not implemented an adequate data collection and analysis system and had not tracked recruitment efforts."

The EEOC found that the Coast Guard's recruitment practices for positions in the civilian workforce created unintended barriers to diversity.

Having read all of this, what was perhaps most disappointing to me was not just the devastating nature of these individual findings but the fact that the problems they describe have apparently persisted for nearly a decade. Put simply, the picture that emerges from the reports available to us shows that despite knowing that

its equal opportunity programs did not ensure full compliance with the U.S. law and regulations, the Coast Guard has taken little to no action to ensure full compliance.

Further, there have apparently been no consequences for these failures except perhaps the individual consequences that Coast Guard personnel may have borne, some of whom may have been denied the opportunity to effectively challenge what they may have felt was discriminatory treatment.

Discrimination is an evil that destroys the dignity of fellow human beings and robs them of the opportunity to achieve what their abilities would otherwise enable them to achieve. In the 21st Century, any agency that tolerates any failure in the implementation of effective equal employment opportunity processes or in the effective management of complaints is an agency that is willing to tolerate the possibility that discrimination may exist in its midst. We can do better.

While I applaud the decision of the Director of the Office of Civil Rights to ask for an independent assessment of the Coast Guard civil rights practices, it is also obvious that further study is not needed, that we have studied this too much. We have basically studied it almost to death.

Back in 2001, the KPMG team that assessed the Coast Guard's civil rights program reported that the wide gaps between how the Service's equal employment opportunity program was described in manuals and how the program was actually implemented "created a perception that the program is not necessarily a priority among senior leadership." It is long past time that these gaps be closed.

Importantly, as the Booz Allen Hamilton report makes clear, successful implementation of the reforms needed to correct the gaps that their team found "will need to be openly endorsed at the highest level of the Coast Guard organization to ensure the cooperation of and participation by key stakeholders." I would say that they need to be endorsed by the head of Homeland Security and the President of the United States of America.

I know that the Coast Guard is undertaking a variety of initiatives to expand diversity, and I commend the written testimony of Admiral Breckenridge which details these efforts. I also commend the individual efforts of the Coast Guard personnel to support the Service's diversity goals. I note that Admiral Allen himself recently visited Morgan State University in my district and gave a very inspiring address to students at that historically black university.

What I didn't find in Admiral Breckenridge's testimony, however, was a statement that the MD-715 process will now be used as intended to identify all barriers to equal access and to inform the development of the plans that will eliminate these barriers or that a similar process will be implemented on the military slide. While I appreciate discussion of an upward glide slope, progress cannot be measured until specific goals are in place, and to think that goals would need to be defined as "specific representational objectives" is simply to think too narrowly. We are better than that.

I also commend Director Dickerson's testimony and her decision to request the Booz Allen Hamilton review. I emphasize that I understand, as the Booz Allen Hamilton report indicates and the evi-

dence clearly shows, that many of the problems with the Coast Guard's civil rights program have long predated her appointment.

That said, it is now our watch. This is our watch, and the failures and the deficiencies that exist with the Coast Guard's civil rights programs simply cannot continue. For the Coast Guard to truly be semper paratus, always ready, it must take all necessary steps to ensure that it is not handicapped by discrimination in its ranks or the divisions that discrimination produces.

As I said when I addressed the Coast Guard Academy following the discovery of nooses there, diversity and our mutual respect for each other are our greatest strengths as a Nation. They must necessarily be the greatest strengths of those who defend this Nation, but they can be so only when an agency makes the achievement of diversity and the provision of effective civil rights services a top priority rather than what appears to be a second thought.

With that, I recognize our distinguished Ranking Member, Congressman LoBiondo.

Mr. LOBIONDO. Thank you very much, Mr. Chairman, for holding this important hearing today.

The men and women of the Coast Guard come from all regions of the Country, all races and all walks of life. The Coast Guard serves all of the American people, and the Service must continue to take actions to be fully representative of the American public at large.

The Coast Guard has the responsibility to recruit the most capable individuals to enter the enlisted and officer corps and to retain those individuals and their skill sets. The Service also has the responsibility to create a workplace environment which supports mission success for all of its members and employees.

I am concerned by the findings of the recent review in the Office of Civil Rights which outline a failure to maintain such an environment. The report includes several recommendations on measures to be taken to address these issues. I am interested to hear how the Coast Guard intends to move forward with the suggested courses of action.

I appreciate the Coast Guard's early efforts to address these issues, and this Subcommittee stands ready to work with the Service to provide resources necessary to further tackle this important issue.

I want to thank the Coast Guard for speaking to these issues this afternoon, and I look forward to their testimony.

Mr. CUMMINGS. Thank you very much.

I ask unanimous consent that Congressman Bennie Thompson, Chairman of the Committee on Homeland Security, who shares the Subcommittee's deep concerns about the Coast Guard's civil rights services and diversity initiatives, may submit a statement for inclusion in the hearing record, and, without objection, it is so ordered.

It is my understanding that Mr. Kagen does not have an opening statement. Thank you.

We are very pleased to welcome Ms. Terri Dickerson who is the Director of the Office of Civil Rights with the United States Coast Guard.

Welcome.

Ms. DICKERSON. Thank you.

Mr. CUMMINGS. And Rear Admiral Jody Breckenridge who is the Assistant Commandant for Human Resources with the United States Coast Guard.

We will hear from you, Ms. Dickerson, first, and then we will go to the Rear Admiral.

TESTIMONY OF TERRI DICKERSON, DIRECTOR, OFFICE OF CIVIL RIGHTS, UNITED STATES COAST GUARD AND REAR ADMIRAL JODY A. BRECKENRIDGE, ASSISTANT COMMANDANT FOR HUMAN RESOURCES, UNITED STATES COAST GUARD

Ms. DICKERSON. Thank you. Good afternoon, Mr. Chairman and distinguished Members of the Committee.

I am Terri Dickerson, Director of the Coast Guard's Office of Civil Rights.

I request that my written testimony be entered into the record.

Mr. CUMMINGS. Without objection, so ordered.

Ms. DICKERSON. Thank you, sir.

Mr. Chairman, I ask that you bear four things in mind today:

First, that as Director, I recognized my duty to identify and resolve problems in Coast Guard's EEO program. That duty led me to quantify my concerns, develop strategies and seek validation of them by a third party,

Second, that I understand that resolving identified concerns is critical to a positive EEO climate and a complaint process with integrity,

Third, that I have a plan to address each recommendation from the review I commissioned, and I am executing it, and,

Finally, I can assure you that the Commandant of the Coast Guard is personally committed to ensuring I have the resources, personnel and senior leadership support to carry out the changes needed.

My commitment to civil rights is borne of my own personal experience. In September of 1962, my sisters and I were among a few students who integrated the New Orleans Catholic school system despite evil threats, slurs and an environment of racial bias.

In 26 years in public, private and non-profit arenas and in government Senior Executive Service since 2000, I have been personally committed to advancing equal opportunity.

When hired in 2006, I sought improvement opportunities and began to establish new practices and protocols to benefit our mission. My headquarters staff consists of 22 full-time military and civilian positions.

We made progress. For example, I terminated the practice of liberally providing EEO complaint information to a wide range of requesters. While unpopular, the decision safeguards statements made by aggrieved parties and witnesses from reprisal by management officials, and the officials themselves are less vulnerable.

I set measurable goals at every opportunity and established the metrics by which to evaluate progress towards civil rights outcomes.

I determined that recommendations made in previous reviews conducted before I arrived had not been fully implemented, specifically personnel with EEO titles not actually connected to our office.

This decentralized structure hindered certifying the training and performance of the EEO personnel, consistency and timely reporting.

Consistent with the Coast Guard's ongoing modernization efforts, I established a plan to centralize the EEO's structure and I provided new guidance.

Results followed. Last year, we shaved more than a month off the average formal complaint processing timeline, and I will note that the Coast Guard's integrated military and civilian complaint processing structure has been examined by other services as a model and that the Air Force has already moved to a similar process.

We launched a monthly newsletter. We improved our EEO self-evaluation process and cleared backlogged reports.

While I endeavor to improve the program, the Office of Civil Rights and I as the Director became the subject of numerous inaccurate allegations on the web. Against the backdrop of a need for change and misperceptions, I sought a third party perspective assisted by the Department of Homeland Security.

As you will recall, Mr. Chairman, I notified you of my intent a year ago this month. And, consistent with the Coast Guard's goals of transparency, I kept the workforce informed of my actions and posted the review in its entirety when published.

The Booz Allen review validated the concerns I detected and offered me some new data points. I have put a team in place to prioritize and respond to the recommendations. Of the 53 in the report, we have completed 10. Another eight will be fully executed immediately upon reorganization, and the rest are on track for completion by the end of the year.

I have proposed a restructuring to the Commandant and senior leadership, and I have received direction to move forward on a centrally run national program delivered from strategic points throughout Coast Guard. This will foster consistency, better oversight, faster and more reliable service.

Initial resources and six civilian positions have been redirected to our program. Pending validation through a staff analysis, I will pursue additional ones.

To recap, the review validated my concerns and plan of action now in full execution, and I have the support of the Coast Guard's leadership to carry it through.

Thank you for this opportunity to testify today, and I will be happy to take your questions.

Mr. CUMMINGS. Thank you very much.

Ms. DICKERSON. Yes, sir.

Mr. CUMMINGS. Admiral Breckenridge.

Admiral BRECKENRIDGE. Thank you very much, Mr. Chairman.

Good afternoon, Mr. Chairman and distinguished Members of the Committee.

I am Rear Admiral Jody Breckenridge, the Assistant Commandant for Human Resources for the U.S. Coast Guard. It is a pleasure to appear before you today to discuss the Coast Guard's progress on diversity.

Mr. Chairman, I request my written testimony be entered into the record.

Mr. CUMMINGS. Without objection, so ordered.

Admiral BRECKENRIDGE. Thank you, sir.

Mr. Chairman, the Coast Guard recognizes diversity as an organizational imperative. Our watch is committed to continue building and sustaining a strong and diverse workforce that recognizes and values the potential and contributions of all employees.

Today, I would like to provide you with an update on our progress in the short six months since I last testified in September.

Before I offer Coast Guard actions, I would like to thank you, Mr. Chairman, for your leadership and support in getting Coast Guard Academy information posted on Congressional web sites.

Ms. Carla Grantham was recently hired into a new position designed to raise visibility with Congressional offices and constituencies on opportunities within the Coast Guard. Ms. Grantham is ready to follow up on your actions, Mr. Chairman, to assist any office in posting Coast Guard Academy information. This expanded outreach will allow more Americans to learn of and consider the Coast Guard.

Mr. Chairman, in September, you stated it was an imperative that the Coast Guard form a plan designed to implement specific diversity goals. We are aggressively working on an updated leadership and diversity management strategy to be completed this fiscal year.

While we work this new strategic document, we continue taking aggressive steps on the action plan I described in September, a plan derived from our current strategy and the Commandant's diversity statement with input from our diversity advisory council and affinity groups. Within our plan, we have addressed actionable steps across leadership and accountability, outreach and recruiting, development and retention that create a sustainable foundation.

To set the tone from the top, we produced a Commandant's diversity video. We have recently finished an outreach calendar and are evaluating software to help us track and measure our outreach efforts. Executives are more engaged in our outreach initiatives to historically black colleges and universities, Hispanic Association of Colleges and Universities and tribal colleges and universities.

In partnership with the National Naval Officers Association, we established an ambassadors program for greater presence on minority-serving institution campuses. Both executives and field commanders will be active participants in affinity group conferences later this year, and we are exploring new partnerships such as Advancing Minority Interests in Engineering, known as AMIE, LATINA Style and the Society of Mexican American Engineers and Scientists.

We remain focused on recruiting minorities and women for our enlisted workforce. Here, we have a sustainable methodology that is producing results with minorities comprising over one-third of our annual recruits for each of the last five years while at the same time increasing quality across all the standards looked at by all five services.

This year, we are ahead of last year for both minority and women recruits. Recruiting efforts for our college student precommissioning program were refocused on minority-serving in-

stitutions this year. While the selection board for this year has not yet met, we have a more robust applicant pool.

The Academy continues to be successful in attracting women. We project that our trend of 25 to 30 percent women to continue for the Class of 2013.

We have not yet found that same success with minorities. However, we have this year experienced an increase in our minority applicant pool, and we see potential in exploring applicants who start but do not continue in the application process.

The Academy continues efforts to increase both visibility and access through increasing under-represented minorities in our Academy introduction mission program, providing programs for educators from under-represented school systems and starting on the Class of 2014 now, executing a supplemental cadet search targeting approximately 30,000 additional underrepresented minorities.

For our civilian workforce, we adjusted hiring practices based on benchmarking Federal agencies successful in hiring Hispanics and partnered with maritime industry stakeholders for new recruiting venues.

Mr. Chairman, we recognize the challenges we have and are taking actions to reinforce the building blocks we have in place and to establish those to build a strong foundation for sustainable programs. We have a plan, and we are executing that plan.

Thank you for the opportunity to testify today. I welcome your questions.

Mr. CUMMINGS. I want to thank both of you for your testimony.

I just want to start with you, Rear Admiral. While there are many specific questions I have about the reports I have read, I want to focus right now on some of the overarching issues pertaining to the equal employment and the civil rights issues and the civil rights services.

In its fiscal year 2008 MD-715 self-assessment, the Coast Guard cited a number of essential element deficiencies, and I note that the term essential element deficiency refers to a lack of those features that the Equal Employment Opportunity Commission has said a model Equal Employment Opportunity program should have. Is that right? Are you familiar with the concept?

Admiral BRECKENRIDGE. I am, sir.

Mr. CUMMINGS. Very well. Among the deficiencies cited were the following: The EEO Director does not have the authority and funding to ensure implementation of agency EEO action plans to improve EEO program efficiency and/or eliminate identified barriers to the realization of equality of opportunity. Would you comment on that, please?

Where are we there?

First of all, this was a self-assessment. So, I mean give me some comments on where we are on there.

I guess what I am trying to do, so that you understand, is that I am trying to figure out what has been done, say, since September, since some of these reports were done. I want to figure out what kind of progress we have made, if any, because it is my philosophy that another group of Congressmen will be here maybe 10 years from now, sitting in these same seats, and if we are not careful nothing will have happened.

So, rather than waste my time and waste the Congress' time, we need to try to figure out what is happening. And, if we are on a merry go round going nowhere fast, we need to figure out how to get off this merry go round so that we can achieve something. So give me your comments on that.

Admiral BRECKENRIDGE. Mr. Chairman, we certainly don't want that outcome that 10 years from now we would still be on the merry go round and nothing would have changed.

With respect to the action plan, Mr. Chairman——

Mr. CUMMINGS. I want you to comment on that particular one because I have a whole list of things I am going to ask you.

The EEO Director does not have the authority and funding the implementation of agency EEO action plans to improve EEO program efficiency or eliminate identified barriers to the realization of equality of opportunity. That is deadly. I am just curious as to where we are on that.

Admiral BRECKENRIDGE. Mr. Chairman, I would defer to Ms. Dickerson who is the head of the program to comment on whether she believes she has the authority and resources to carry out her responsibilities.

Mr. CUMMINGS. All right. Okay, Ms. Dickerson.

Ms. DICKERSON. Thank you, sir. I believe the letter is based on 2004 through 2006 self-assessment. At that time, Coast Guard was at 86 percent compliance with its self-assessment under the Management Directive 715.

In the ensuring years, in 2007, that grew to 96 percent compliance, and then we raised our own goal with regard to complaint processing and set a standard for ourselves. Because of that, in 2008, we lost 2 percentage points. It was still a 94 percent compliance rate.

One of the things getting to the heart of your question, which I understand very well, sir, is after Admiral Allen saw the results of this year's MD-715 report he asked Admiral Breckenridge and me. Up until now at the staff level, there had been a cross-functional team representing a number of different divisions working on the actions arising from the MD-715.

Now Admiral Breckenridge and I together have distilled a number of initiatives that are immediately actionable and that we can bring to the workforce, to commanding officers and get their participation. One of them, sir, is the Defense Equal Opportunity Climate Surveys and making sure that across the board we are complying with that mandate that everyone assess their climate and act on and take follow-on actions arising from climate surveys.

The other ones that we have distilled have to do with leadership at the commanding officer level in terms of recruitment and setting that climate that really affords opportunity for every member of the workforce.

Mr. CUMMINGS. Let me ask you about the second issue. You may have similar comments with regard to this. It said: Sufficient personnel resources have not been allocated to the EEO program to ensure that the Agency's self-assessments and self-analyses prescribed by the EEO MD-715 are conducted annually and to maintain an effective complaint processing system.

Is that what you were just talking about?

Ms. DICKERSON. In part, sir, and more directly to that point we now have directed more resources to that particular function.

Mr. CUMMINGS. Since when?

Ms. DICKERSON. This occurred recently. In this fiscal year, we have been redirecting resources to the civil rights program.

Mr. CUMMINGS. So you had made previous requests, and you hadn't gotten them. Is that correct or you got part of them or what?

Ms. DICKERSON. Oh, yes, we got them. We hadn't had an overall increase, but to the extent that I went to request resources I was given them.

Now that we are reorganizing into a more centralized organization, what is clear is that we will need more people in the field, and so we will need more personnel resources. But for now, they don't within my office. We have received. I have requested and received the resources that we need to carry out the action items that are in the MD-715 report.

Mr. CUMMINGS. You mentioned, Ms. Dickerson, something about the 53 recommendations, that you were able to achieve 10.

Ms. DICKERSON. Yes, sir.

Mr. CUMMINGS. And you have eight that it sounds like you are about to resolve if I remember. I am not trying to put words in your mouth.

Ms. DICKERSON. Yes, sir.

Mr. CUMMINGS. Talk about those. Can you give us an idea what some of the 10 are that you have resolved and the 8 that are about to be resolved and the most glaring of those that are yet to be resolved?

Ms. DICKERSON. Yes, sir. The ones that are about to be resolved will take place. They had to do with structural challenges, for example, people who don't report to the Civil Rights Office.

We didn't have visibility on things that were happening locally and complaints that were arising in the field. We weren't able to provide services or to get data calls answered. I believe, as you may have noted or you certainly saw in the report, there were inconsistent practices in the field because the EEO people reported to local commands, and so they tended to have practices and protocols that somewhat reflected the local command.

So, instant with reorganization, we will be able to get everyone on the same page, and it will greatly assist us in communicating down to the field level and the local levels in terms of policies, practices and also to assure the training and performance evaluation of everyone in the EEO chain.

Mr. CUMMINGS. Now you also talked about, and then I am going to have Mr. LoBiondo, yield to him.

You talked about six employees that you got. Tell me about that. What is that and what will these people doing, these six, and have they been hired?

Are they on board? When are they going to be on board or whatever?

Ms. DICKERSON. Yes, sir. I just received the——

Mr. CUMMINGS. What is just?

Ms. DICKERSON. Within the last three weeks, within the last couple of weeks, I received the information that research had been done Coast Guard-wide to identify six civilian positions, and they

would be redirected to the civil rights function—two in my office and four would be available for the field.

Mr. CUMMINGS. That is a total of six, is that right?

Ms. DICKERSON. Yes, sir.

Mr. CUMMINGS. Okay. But you had requested that before, had you not? Had you requested personnel before?

Ms. DICKERSON. Yes, sir.

Mr. CUMMINGS. What do you think brought about this action in the last two weeks?

Ms. DICKERSON. I believe that right after. From what I am told, sir, and as you indicated, it predated me, but what I am told is after the 2001 top to bottom review there was a plan.

Mr. CUMMINGS. What year was that?

Ms. DICKERSON. In 2001.

Mr. CUMMINGS. I just want to make sure we got the year straight.

Ms. DICKERSON. Yes.

Mr. CUMMINGS. So, go ahead. There was a plan back in 2001. Go ahead.

Ms. DICKERSON. Yes, sir, to add more full-time personnel to the field. Initially, there was personnel added. Then at some point, that plan to resource, to add those resources to the civil rights function wasn't carried out.

I am not certain, sir, exactly why that was the case, but that plan was never fully executed. It began and was not ended.

Mr. CUMMINGS. Well, let me, just so that I will be clear. At what point did you come to the point where you knew you needed the six people? I guess that is what I am trying to get to.

Ms. DICKERSON. Yes, sir.

Mr. CUMMINGS. At what point was that?

In other words, we have a 2001 plan. Some folk were added. I don't know the dates when they were added. I don't know the date when the folk were withdrawn. All I am asking you is at what point, to your knowledge, did the request for these additional people start?

Ms. DICKERSON. I continued the requests. I became aware of them certainly when I became Director, and I continued the requests.

Mr. CUMMINGS. Which was in?

Ms. DICKERSON. In 2006, sir.

Mr. CUMMINGS. Right. Okay.

Ms. DICKERSON. Yes, sir.

Mr. CUMMINGS. Were they requested prior to your getting here?

Ms. DICKERSON. Yes, sir.

Mr. CUMMINGS. You said you continued them?

Ms. DICKERSON. Yes, sir.

Mr. CUMMINGS. Okay. So we know that it has been at least two, three, four years possibly.

Ms. DICKERSON. Yes, sir.

Mr. CUMMINGS. If not longer.

Ms. DICKERSON. Yes, sir.

Mr. CUMMINGS. All right, Mr. LoBiondo.

Mr. LOBIONDO. Thank you, Mr. Chairman.

I think for Ms. Dickerson, the report indicates that members of the Office of Civil Rights staff did not understand the vision, business goals and key success indicators of the office. Can you tell us what the Coast Guard defines as the vision, business goals and success indicators of the Office of Civil Rights?

Ms. DICKERSON. Yes, sir. Equal Employment Opportunity Commission, its mission is to eradicate discrimination and certainly in the private sector but in the Federal Government. Since EEOC can't be everywhere, Federal offices have their own EEO programs. So the mission of our office would be consistent with that, eliminating employment discrimination for the workforce and for job applicants.

Mr. LOBIONDO. You are saying that the Coast Guard Office of Civil Rights is basically taking from the EEOC what the report claimed was the vision, business goals and key success indicators, that the Coast Guard didn't have that?

I mean I am a little bit confused. So the Coast Guard didn't have their own policy, that the report indicated that members of the Office of Civil Rights staff of the Coast Guard did not understand. So they didn't understand the EEOC requirements or the Coast Guard had its own requirements that they did not understand?

Ms. DICKERSON. That particular finding, sir, what I get from that is that to the extent that we were beginning to associate our work with metrics, I found when I got there that there was an inability to quantify how many of a particular activity we had carried out or the office had carried out or how much of a service but not necessarily what the impact of that service was. That was alluded to in the report.

In other words, when we conducted, for example, site visits, there was data to indicate how many visits we might have conducted but not necessarily what the outcome of that was and then to stand back from a year of conducting site visits to indicate what that was telling us in a comprehensive sense and whether or not those efforts were successful in reaching EEO and civil rights outcomes in terms of a place where there is equality for all employees and applicants.

Mr. LOBIONDO. I am a little bit fuzzy, and I am not trying to give you a hard time. As we look at this, and I don't know, Mr. Chairman, maybe you—I think what I am trying to understand here is as we get to particulars, if we don't have the broad outline and when the report indicated that members of the Coast Guard Office of Civil Rights did not understand the vision, maybe I am just not getting what you are saying of how this was interpreted because my next question was going to be how does the Coast Guard Office of Civil Rights communicate that vision and those goals to the office employees?

How do you take what that is supposed to be so that people understand and then can implement it?

Ms. DICKERSON. Yes, sir. Our mission, goals and vision are communicated in all of our publications. It would be certainly part of our web site. Then as we undertake activities, we verify and validate that against that mission to make sure that we are pursuing activities that are connected to it.

Our individual vision and mission has to do with making sure that the workforce is at all times ready. So if we bring equality to the Coast Guard workforce, then our force, it will be ready for mission execution.

Mr. LOBIONDO. I understand that part. I am just trying to get in my head how you communicate through your office to the people who need to understand this. Do you feel that just the web site, I mean do they have any requirement to look at this?

If it is not individually communicated, I am wondering how you can be sure that everyone who needs to understand what the vision is gets what the vision is.

Ms. DICKERSON. Yes, sir. One thing I have recently begun is all hands meetings weekly where we take a topic and discuss exactly its application to our mission and vision, whether it is our publications or how we promote our services. We spend an hour a week now as an office really to articulate that and to secure alignment with our services and our goals and make sure that that expression is throughout all of our materials and in how we carry ourselves.

I think part of what the report was getting at, sir, though, was in the field, that to the extent we attempted to articulate the vision and mission of people in the field, there wasn't very much opportunity to align ourselves.

The local field civil rights service providers report to local commanders, and they had their own mission, vision, et cetera. And so, to the extent that I was ever able to go to the field and get input from them about what we were doing at headquarters, it just was not a strong line or a strong avenue that enabled that to occur.

Mr. LOBIONDO. If I might, just another minute or so. So what I am understanding, I think, of what you are saying is that up until sometime recently or until now the vision is left to interpretation in the field?

Ms. DICKERSON. No, sir. In my office of our 22 personnel, we do have a vision and a mission for civil rights.

Mr. LOBIONDO. Okay.

Admiral BRECKENRIDGE. Sir, if I might offer a comment from an individual who was out in the field, as a former district commander, I think what Ms. Dickerson is describing, in fairness, is somewhat accurate. I think our field commanders and, as one, I clearly understood discriminatory practices and the vehicles to correct that.

I think it is the total program, and Mr. Chairman raised several of the issues of what does the 715 plan really represent and how do you utilize that as a tool. So it looks at the EEO reviews that are done to analyze climate at units. How do you use all of that information as a total systems approach to the issue that I think that is the issue.

It is not what EEO represents but rather that I think Mr. Chairman in his comments made a comment about some of our definitions being narrow. I would say that perhaps our understanding, our implementation in this arena was somewhat narrow.

Ms. Dickerson had measurements there that will allow us to open the program up. We are going to put things in place utilizing the 715 plan to understand the full breadth of tools and responsibilities that we have and make sure that we carry them out.

Mr. LOBIONDO. Mr. Chairman, just if I could, in explanation to you, I am thinking if we are specifically talking about the report that was issued, and my only goal here was to try to get a feeling for at the broadest level how the Coast Guard understands and interprets this. So, thank you.

Mr. CUMMINGS. Before we get to the Chairman of the Full Committee, let me just piggyback on something that the Ranking Member talked about. Let me make sure I understand here. There is something called collateral personnel. Is that right?

Ms. DICKERSON. Yes, sir.

Mr. CUMMINGS. In the area of the Office of Civil Rights, tell me how they operate? Who are they? Who are these folks?

Ms. DICKERSON. Yes, sir. We have collateral duty civil rights officers as one.

Mr. CUMMINGS. What do they do?

Ms. DICKERSON. They are people who there is a requirement that every command that has more than 50, every unit with more than 50 employees would have one of these individuals. Their purpose is to be an intake point for people when they believe that a discriminatory act has occurred.

So, for example, they would either direct that person to an EEO counselor or they would direct that person to the military command. That would be the complete function of that particular collateral duty civil rights officer.

But, in addition, we have do have civilian and a few military collateral duty civil rights counselors. Their mission is to counsel complaints, well, matters once they have been identified. There is a mandatory counseling period of 30 days that EEOC requires, and so the collateral duty civil rights counselors would be the ones who would offer that service.

Mr. CUMMINGS. Is it a probability that if someone had a complaint, that they would come in contact with one of these collateral duty folks?

Ms. DICKERSON. Yes, high probability.

Mr. CUMMINGS. Is it a high probability?

Ms. DICKERSON. Yes.

Mr. CUMMINGS. When the Booz Allen report talks about staff members of the Office of Civil Rights, are they talking about those folks too? Do you know?

Ms. DICKERSON. The staff members in my office are not collateral duty. They are all full-time. The collateral duty personnel are in the field.

Mr. CUMMINGS. So, in other words, what I am asking you is that when the report says that staff members in the Office of Civil Rights did not understand the vision, business goals and key success indicators of OCR, you are just talking about those 22 people? You are not talking about these collateral duty folks?

Ms. DICKERSON. That is how I took it, yes, sir.

Mr. CUMMINGS. Okay. So, when the report says that the people in your office, are all of them basically in the same office?

Ms. DICKERSON. Yes, sir.

Mr. CUMMINGS. That they do not understand the vision, business goals and key success indicators, basically, what you are saying is you just agree with that? Is that what you are saying?

I am going to the report. I am sure you have read it.

Ms. DICKERSON. Of course.

Mr. CUMMINGS. It says the Booz Allen Hamilton report indicates that staff members in the OCR, and I just want to clarify what the Ranking Member is talking about, so I will be clear. I want to be clear too. That they did not understand the vision, business goals and key success indicators of OCR, is that accurate?

Do you think that is accurate?

Ms. DICKERSON. To some degree, yes.

Mr. CUMMINGS. And why is that? Why do you think that would be?

In other words, you were the head of the office. Is that right?

Ms. DICKERSON. Yes, sir.

Mr. CUMMINGS. It was your duty to create a vision and working with others to create the vision and make sure everybody was working from the same page. Is that right?

Ms. DICKERSON. Yes, sir.

Mr. CUMMINGS. Then why would that be a problem?

Ms. DICKERSON. I utilized opportunities to communicate it. I believe that there were legacy constructs and legacy concepts about things, how things had been done previously.

Mr. CUMMINGS. So, in other words, you are saying there were some personnel.

Let me make sure I understand what you are saying. You are saying there were some personnel that had been there for years?

Ms. DICKERSON. Yes, sir.

Mr. CUMMINGS. Hello?

Ms. DICKERSON. Yes.

Mr. CUMMINGS. Okay. And so, you don't necessarily feel that everybody was on board?

Ms. DICKERSON. Yes.

Mr. CUMMINGS. All right.

I yield to the Chairman of the Full Committee, Mr. Oberstar.

Mr. OBERSTAR. Well, thank you very much, Mr. Cummings and Mr. LoBiondo for being here and for your ever vigilant participation in Coast Guard matters.

Chairman Cummings, you have really taken charge of the Coast Guard Subcommittee Chairmanship, and you have taken, how should I say it, an ownership interest in this subject matter. I am very proud of your having done that.

This hearing did not just come parachuting out of the sky, and we woke up one morning and said we ought to do this. This is an issue that we have been concerned with for quite some time on the Subcommittee.

But it is not just the Coast Guard. It is diversity in the building and construction trades. It is diversity among the contractors for our surface transportation or transit programs.

We have a provision in the Federal Aid Highway Program, which I supported, I can't quite say that I initiated it, but I was Chief of Staff on the Committee when it was initiated and had a hand in writing that legislation, to have a 10 percent set-aside for minority business enterprises. We maintained that language even when it was under assault some years ago, and we moved to strengthen it.

We included in the stimulus initiative funding in the surface transportation, principally the highway program, $20 million for recruitment, training and retention of minority workers in the building trades—carpenters, plumbers, pipefitters, steamfitters, all the rest of those, the operating engineers—and funding for minority transportation enterprises to have access to some $20 million for surety bonds, for performance bonds, for construction bonds in a program comparable to that which the State of Maryland has established for many years and which was brought to our attention by Mr. Cummings

Chairman Cummings said, well, we are having a lot of problems with small enterprises. They have reported to our Committee that they just can't get the bonding they need to perform properly. So we provided that money under his inspiration.

We had a meeting yesterday with the building and construction trades, which I chaired, with the presidents of all the unions, six of them. We never had them gathered in one place before with members of the Tri-Caucus, as we call it: the African American and Black Caucus, the Hispanic Caucus and the Asian/Pacific Islander Caucus.

I pointed out that in the building trades that only 4 percent of the trades people are African Americans, 24 percent Hispanic, 8 percent women, and in other trades it is a smaller percentage of women than African Americans.

So we have a problem here. We have a problem. You have a problem. Building trades have a problem.

You are not recruiting. You are not retaining. You are not outreaching.

We want this program, we expect this $27 billion to benefit all Americans. So, now tell us what you are going to do and how you are going to correct that problem.

Well, the presidents of the trades said it is actually in the union side of the business, much higher.

How much higher?

Well, they didn't have that number.

Trade by trade by trade, tell me what it is.

Well, just off the top of their heads, a few of them, well, we are in the range of 20 percent.

That is not good enough. That is not good enough.

We have Congressman Rush from Chicago who says, I walk down the street in my district and people come up and say: You have all this construction money going out the door. I can't get a job.

Why can't you get a job?

Because I can't get into the union hall.

What do you mean you can't get into the union hall?

We had all the brothers sitting here, all the national presidents of the various trades: You are going to have a program. You are going to start recruiting. You are going to outreach. You are going to recruit. You are going to do this, and you are going to start today. That was yesterday.

So that is the origin and the genesis of the hearing here. The Coast Guard needs to be more inclusive.

When we won back the majority, the Committee took a closer look at these issues, and we found this problem as I talked about in the building and construction trades. We found them in the management side of our highway and transit program. Now we are finding it in the maritime trades, the Coast Guard.

You have to raise your game a little, more than little. That in a class of 300 you would have 9 African Americans is appalling.

We are long past Brown v. Board of Education. We are a long ways from that.

I have asked for numbers. In the 2008 enrollment class for the Coast Guard: 177 White, 7 African American, 9 Hispanic, 13 Asian/Pacific Islander.

Over many, many years I have gone to the Coast Guard headquarters for meetings, and the mess served and the Secretary of Transportation is served by largely Filipinos recruited from the Coast Guard. You have quite a few of those in the enlisted rank, but you don't have very many in the officer rank.

For the Class of 2009: 178 White, 9 African American, 14 Hispanic, 2 Native American or Alaskan, 5 Asian/Pacific Islander.

In 2010: 174 White, 8 African American, 10 Hispanic, 2 Alaskan/Native American, zero Asian/Pacific Islander.

And for 2011: 192 White, 8 African American, 11 Hispanic, 3 Native American/Alaskan, 1 Asian/Pacific Islander.

Now the U.S. Military Academy is doing a little bit better. I am not going to recite their numbers.

This is about the Coast Guard. I want to know what this great organization that goes back to the foundations of our Nation, the first Congress in a new republic in 1789. The first Committee of the first Congress was the Subcommittee on Rivers and Harbors of which this Committee is a descendant. In fact, I started my service in Congress on the staff of the Subcommittee on Rivers and Harbors as Clerk.

But the first act of the first Congress in 1789 was to establish and maintain a lighthouse at Hampton Roads. The second act of the first Congress was to establish and maintain a lighthouse at Cape Henry in the entrance to the Chesapeake Bay. And the third act of the first Congress by the Committee on Rivers and Harbors was to establish the Revenue Cutter Service to exact duties on inbound cargoes and pay the debts of the Revolutionary War. That became the Coast Guard.

You go back to the origins of our Nation and span all of this history of the new Nation, the Great Republic, but you haven't caught up. What are you going to do to catch up and get ahead?

Admiral BRECKENRIDGE. Thank you, Mr. Chairman.

I wish I had a silver bullet to say we had the answer, and I had it fixed today. I honestly can't tell you that.

What I can tell you is that we are being successful with women and, in fact, the most successful of the service academies, and we want to make sure that we don't backtrack on any of that.

As we look at minorities, I think our numbers do show that we have not been successful, and we don't dispute that.

I think we are seeing that the outreach efforts that we have, that we are seeing slightly larger pools coming in. And, quite frankly, looking at those pools of how many actually start into the process

and complete the application process, I think there is a huge gap in those numbers that we should be exploring.

I believe it is 165 started into the process, African Americans, of which 36 completed the process, of which we have accepted into the upcoming class of 2013. If I look at Hispanics, it was somewhere on the order of 255 of which 111 completed the process. So I think that as we look at those pools there are additional prospects in there that we need to very actively go after.

Some who started in, who indicated interest, we have looked at some of them. Have we fully looked across the potential? We have not.

I think as we also look at the trends that are going on in colleges and the increasing trend of individuals leaving high school to go to two-year colleges. We have a high number of a requirement for science, technology, engineering and mathematic degrees coming out of our academy, but those in most colleges are five-year degrees. So, individuals who start in a two-year school potentially are looking to go on to a four-year school, and I think that there are partnerships that we can form there.

We have gone to affinity groups, professional groups to help us take a look at what we are doing.

We have done a scholars program as a one-year feeder. We have really focused that effort in where we are marketing.

We have done extensive outreach. This year, we will be bringing in more educators from underrepresented school systems, so that we raise the visibility of the opportunities that we have.

Then also, as we look at Congress, we know that there are many applicants who come from the other academies. We would like the visibility of the opportunities that exist at the Coast Guard so they would consider it. And we also think that there is some potential that there are individuals in those pools who would be interested in the Coast Guard Academy.

So we are looking across all of those venues.

I wish I could say overnight, sir. It took us a long time to get where we are, Mr. Chairman, with women. As we look at our enlisted force again, the last five years, over a third, sometimes 40 percent are minorities. Yet, as we look at the growth of our workforce, we have only increased 6 percent with each of those annual changes.

So we are open to suggestions, and we certainly want to afford every American the opportunity to consider the Coast Guard Academy.

Mr. OBERSTAR. Well, that is a good attitude and a good spirit, and I appreciate your frankness and admission that things aren't up where they should be and you will work to change that.

I have noticed—and perhaps my colleagues—that in the applications for the service academies the numbers have fallen off dramatically, especially over the last eight years with the Iraq War and the revulsion against our presence in Iraq. I used to have 200 applicants for 5 positions, one at each of the academies including Merchant Marine/Coast Guard, and that is down to about 9 or 10.

I have had academy information day at the largest city in my district, Duluth, which is about the size of subdivision of Baltimore, but it is an 85,000 population, and we had 15 people from the acad-

emies, wonderful presentations, marvelous. We had nine people, nine students. We had more presenters than students.

Now the Coast Guard is in a different position than the service academies. It is not seen so much as a military institution as the preeminent safety service organization. I call the Weather Channel the Coast Guard Channel because they constantly have these dramatic rescue efforts of the Coast Guard in so many of our weather-related tragedies, weather-initiated tragedies.

I would take that footage from the Weather Channel and go to high schools around the Country and show kids: Look, this is what you can do. You would be saving lives. You may be putting yourself at some risk but not gunfire, but saving lives and saving property and even saving pets, which the Coast Guard has done.

I have said for years we get more value out of that blue uniform than we do out of any other investment we make in the government, but we want you to spread that message. Now if the building trades are going to do an outreach program, then surely the Coast Guard can do that.

My oldest daughter was at Marquette University, and Marquette asked her to recruit, to take a semester off and travel the East Coast and go to all the high schools and make a pitch for Marquette. That was a pretty big deal for Marquette. She is very attractive, very smart, bright red hair, very personable. She could talk the pants off anybody and do it in French as well as English, and she did a great job for them.

But are you doing that? Is the Coast Guard? Are you targeting maritime communities? Are you going into the inner cities, going into places like inner city Chicago and Los Angeles and elsewhere in America?

And not just the coasts because in the inland cities there are young people who dream of a career in the maritime.

Admiral BRECKENRIDGE. Yes, Mr. Chairman. In fact, my husband is from Nebraska, and he joined the Coast Guard at one point.

Mr. OBERSTAR. There you go.

Admiral BRECKENRIDGE. So, absolutely, yes, sir. We do have an outreach program, Mr. Chairman, that goes across each one of our workforces.

As we look at our enlisted workforce, where we focus that effort along with the other services, we actually utilize a demographic database that looks at high schools, that looks at the scores on a test that they take, that looks at skill sets and then also factors in a propensity to serve. That started several years ago and became the baseline for the program that we use today.

We have also taken success stories in the Coast Guard from our recruiting command, filming individuals within the Coast Guard. It is not only on all of our web sites, but we dropped it on ITunes, and it is also out on YouTube so that any young person who is going out and searching across ITunes, which is a very common feature for them today, can come across the Coast Guard.

We have affiliations with a number of organizations. The National Naval Officers Association, which is helping us to reach out to colleges, those are individuals in the sea services and reach out to colleges. With them, we have established an ambassadors program.

The Academy has an extensive outreach program. They have a partner program that brings in the Coast Guard auxiliary or volunteers as well as parents and alumni and those on active duty and within our reserve force and use them as force multipliers as well as focusing their efforts.

Mr. OBERSTAR. That is good, and I think that is a very commendable initiative. There is more I think that members of the Tri-Caucus could offer, following up on our meeting yesterday, as I said, with the building trades.

Do you do a follow-up?

I am just looking at the number of completed applications, the offered appointments and sworn in the Coast Guard Class of 2009. Well, there are 55 African Americans who completed applications, 5 who were sworn in. Have you talked to them? Do you follow up with those who didn't and find out why they didn't?

Admiral BRECKENRIDGE. To say that we have 100 percent certain to everyone of those individuals, we do not, sir.

Mr. OBERSTAR. You do some?

Admiral BRECKENRIDGE. Yes, sir.

Mr. OBERSTAR. Can you do more? Do you learn something from those follow-ups?

Admiral BRECKENRIDGE. Mr. Chairman, we have to do more there. I mean those are individuals who started in. We do find that as they start into the process, some of them pursue other academic institutions. There are those who do come to the Coast Guard are also competitive to other academic institutions where they may also earn scholarships.

Mr. OBERSTAR. Well, that is true, and we see that in the other services academies. If you are good enough to get into the Coast Guard or West Point or the Naval Academy, the Air Force Academy, you probably can get a scholarship to another university, maybe an Ivy League or one of those, and I have seen that drop off myself in my district.

The other thing is retention. I talk about retention in the building trades. Here are from lieutenant commander to commander, 67 African American, but by the time you get to the commander level there is only 17. Why is that?

What are you doing? Why are they dropping out? Why are they leaving? Why are they not being promoted?

Admiral BRECKENRIDGE. Actually, sir, the flow across our grades of African Americans, and I would say minorities in general, minority retention rate is actually higher for our officers than it is for the office corps in general.

Mr. OBERSTAR. Well, this is as of August, 2008, and you start off with at the ensign level, 29, lieutenant junior grade, 54, lieutenant, 129. Then you get to the lieutenant commanders, down to 67 and then it is down to 17. By the time you get to admiral, it is zero.

Admiral BRECKENRIDGE. Yes, sir. I think there are a number of variables that play into that. We have an up or out system. In each grade, there is a smaller percentage of individuals that remain. For instance, there is 6 percent, roughly 6 percent by law that are in the grade of captain, 12 percent that are in the grade of commander as a service structure. So it is a pyramid structure.

As you look at each grade, you look at those coming up, and not everyone is going to be successful going up through the system, number one.

Number two, I think—well, not I think. Clearly, there are individuals who choose to leave the organization. Some of that comes from the fact that across our Service we do have a number of individuals in our officer corps who come from the enlisted ranks. We do have upwardly mobile opportunities. And, they become retirement eligible more junior in their careers.

So we need to look at how we are attracting across all opportunities for all individuals and look at how we are pulling. What are the accession sources through which we are pulling people into the officer corps to make sure as they move through the grades we are using venues that will create populations that do make it through all the way, so we have a robust pool at the upper end of our organizational structure.

Mr. OBERSTAR. We are not asking to establish a quota or proposing a quota system, but when it drops off from 67 to 17 to 4 and a White or not Hispanic or Latino goes from 1,100 to 772 to 353 at the captain rank—we could put this chart up on the board as well, but I will just cite those numbers—that is about half, and you have a 75 percent drop-off for African American, something is happening.

Something is not working to encourage them to stay on. Is there a glass ceiling that they reach at a certain point?

Admiral BRECKENRIDGE. I think several things I will offer, Mr. Chairman. First of all, we do look at promotion board results. We do not have the statistics in front of the board with respect to gender or minority status.

After the board is finished we do a scrub on what the results of the board are. In the case of minorities and women in particular, we take a hard look at what happened in those boards, particularly where we see anomalies.

We do the same thing when we look at occupational specialty. If there are individuals in a particular career field, that over several years we seem to have a different percentage selected than other career fields, we go in to do a hot wash to understand what the root causes are and if there are barriers or if there are things happening in our organization.

With respect to African Americans and other minorities, we have had two of those that I can remember in recent history. In each one of those hot washes that we looked at, we could not identify any trend and the system appeared to be upheld. When I say that, we did find specific things in the record for a number of the individuals that explained the nonselection within our process.

Having said that, I will tell you, Mr. Chairman, that I do think at the mid-grade level, and I describe that as our E5s, E6s and our 03s and particularly going to 04, that is a very critical time. That is when they are making a decision of whether they are going to become a careerist within our organization. I think that there are some vulnerabilities there, that we need to ensure that we are doing more to guide individuals through that portion of their career.

So, right now, part of our action plan that we have is that we are extending individual development plans to those grades, and I have 38 units that are currently participating in a pilot project for how we would roll that out across the organization in a way that is sustainable at units.

The intent of this is to create the one on one counseling and helping individuals do goal planning and have commands involved in that goal planning to make sure that it is achievable.

Mr. OBERSTAR. All right. Well, that is good.

Take a look at that chart up there. You will see what we are talking about.

Do you have a goal over a period of time for flag officers? We asked Navy for what they are doing. The Chief of Naval Operations established a 30-year goal of having 38 percent flag officers be minority. The Coast Guard, have you discussed having a goal?

Admiral BRECKENRIDGE. We do not have a specific representational goal within our flag corps.

Mr. OBERSTAR. I want you to discuss that with the Admiral and with the Commandant and talk about this. I think it is important to have that. Start that conversation.

I won't set a goal for you, but I would just say if you did as well as our Committee we wouldn't behaving this conversation. We have six Subcommittees. Four are chaired by African Americans.

Admiral BRECKENRIDGE. I understand, Mr. Chairman. I would offer that——

Mr. OBERSTAR. You are going to start working on it is what you are going to say.

Admiral BRECKENRIDGE. I think we already have started working on it.

Mr. OBERSTAR. Okay.

Admiral BRECKENRIDGE. Over the last five years, there have been 36 flags selected of which 3 have been minorities and 2 additional women. So, right now, of our 41 flag officers, we have 6 women and 3 minorities that are represented which is very different than just 2003 when I joined the flag corps.

And, our SES corps which is our civilian component of our executive corps, over the last few years, we have a total of 14 of which we currently have 13 filled. We have had a turnover of 11 of those positions. Seven of them have been filled external to the organization, four of which have been filled by women, two of which are minority, and we have had one minority male hired. So I think we are making definition.

The other thing I think is important, sir, that as leaders in the organization it is what we demonstrate by our behavior. If you look at the Commandant's front office and those individuals that work directly for him in those development opportunities at the 05, 06 and the aide level which is 04 for him, 03 or 02 for most of the rest of us, they are all women or minorities.

For my own staff, when I looked at going back to the field this summer, I had three selections to make. Two of them are minorities.

As we look at our 02, 03 aides today, 26 positions, over half of them are minorities and women.

So I think senior leadership has taken this on as an initiative and is looking at opportunities to look at that bright talent and to make sure that we do recognize that we pull it up and provide full opportunity.

Lastly, I think the thing that we are not doing today that may be a barrier for us is as we look at our workforce we have very bright, talented individuals. If I look at the enlisteds that qualify for many occupational specialties and our officer corps, every occupational specialty is open to every single individual in our officer corps.

But we see collections, smaller collections and concentrations, and those patterns really haven't changed over time. Our growth recently in the enlisted corps has been in ratings where we do not see minorities and women migrating to.

So I think we need to look at ensuring that young individuals who are joining our organization fully recognize the opportunities, that they are counseled on specifically what they qualify for, what opportunities are there, and then we ensure that they make a very well-informed decision because most of them qualify on the enlisted side for a multitude of ratings.

Mr. OBERSTAR. You have shown a range of sensitivity and of interest and of willingness to do things. You also need a deeper cultural understanding, and this is the beginning of the conversation.

And by cultural understanding, I mean in my Congressional district there are six of the eight bands of the Minnesota Chippewa Tribe. The Anishinaabe People are very reticent people. They don't speak much in their own circles. When they do, they have something significant to say. But they are also reticent in the non-Indian community, even more so.

It makes all the difference having an Ojibwe, Chippewa, Anishinaabe female doctor on the reservation. The young women come and are treated, and they open up, and they talk because they have someone who understand them, whom they feel comfortable with. They are also accustomed not to speaking up, not to saying, not to stepping forth.

And I think you find that also in the African American community, that because for so long they have had the doors closed, that they are uncertain about speaking to open them.

You need to open that door. Thank you.

Thank you, Mr. Chairman.

Mr. CUMMINGS. Thank you very much, Mr. Chairman.

Ms. Richardson.

Ms. RICHARDSON. Thank you, Mr. Chairman.

I am going to make a point building upon what our Chairman has just shared with us over a few minutes, and then I have one question for Ms. Dickerson.

Rear Admiral, I would recommend that you consider talking to some police organizations, some fire organizations who have had similar difficulties in increasing their numbers and have spent much time developing strategies and plans. For example, in the fire department, you know they have pre-class trainings to help people to come up to speed prior to them applying to become a firefighter, and it has increased significantly the turnout.

I would say to you that as an African American female, it is public record and by fact that the greatest beneficiaries of the Civil Rights Movement were not African Americans. They were white women who benefitted most greatly from civil rights.

So it is not unusual for me to hear to hear today you say, oh, we are doing much better with women. Well, that doesn't change the fact, though, that we have other objectives that we must achieve as well.

And so, like I can tell you from the police side of it, things like background checks, credit checks, things like that that maybe young people haven't heard as much about in different communities, of the importance of those items that impacts the later on positions that they will have are crucial and need to be understood in working with all communities.

Finally, I would also say to you I represent a community where we may only have two pools out of 655,000 people, two pools for children in underserved communities. So kids who know about the Army, as our Chairman said, kids who know about the Air Force and planes and Marines. But if kids have never been on boat themselves or a ship themselves, it is kind of difficult to make that connection of why they are going to consider the Coast Guard and what skills they need to do.

You talked about our alumni. Well, I hate to tell you, but a lot of kids in my district don't have parents or relatives who are alumni of the Coast Guard. So you really have to look at it from a completely different perspective.

I would be more than happy to come and support in that effort, and I am sure that other members of the Tri-Caucus would be more than willing to come and volunteer and assist. But I would recommend that you work with some police agencies, fire agencies who have had similar situations and who have had to look at other creative ways to recruit, so that we can get at some of these numbers.

But understand not all kids are around water. Not all kids are seeing water. Not all kids are going on ships, and not all kids are understanding even physical attributes, things that they need to excel in, in order to succeed. So that would be my first comment.

Admiral BRECKENRIDGE. Thank you very much. I think they are some great ideas. I, personally, have talked to police departments, and in fact had a very close association with police departments in California while I was stationed there.

Ms. RICHARDSON. Which ones were those?

Admiral BRECKENRIDGE. Up in the Bay Area.

Ms. RICHARDSON. Where?

Admiral BRECKENRIDGE. Alameda, San Francisco and San Jose in particular.

Ms. RICHARDSON. Okay. With all due respect, I recommend you look at the diversity of those communities, and you will find that the plans are different, and it gets at the core of what we are talking about.

Admiral BRECKENRIDGE. I welcome that feedback, and I will be happy to go back and look at that. I would be very happy to talk to you and get some additional ideas. I said we are open to ideas.

If I implied that you have to be around water to understand it, I do very much understand your point that it is difficult for some, the way we advertise and what we are all about, to maybe make the connection and that you need a different approach there. What we have done in advertising and the way we put the word out, if it isn't connecting, we certainly would appreciate that feedback on some other things that we can do.

When I talked about alumni, I did not mean to imply that alumni only go to their own children. We use them in the communities they are in to reach into the school systems and through civic groups and other associations. Having said that, with the feedback, it is likely that they may not be going to the right places.

Ms. RICHARDSON. Right. It is also with alumni, that you relate to who you know. So they might be going, but if the kids that they are going to don't relate to them or don't know them or haven't interacted with them at all, the likelihood of the connection is not as high.

To give you an example, my brother-in-law went to Annapolis, an African American, and when he went, there was still the stigma in the 1970s that African Americans don't swim as well.

There are issues, and all we can do is to work to address them and to improve where we are, and I am more than happy to support you in that effort. I would like to help.

Admiral BRECKENRIDGE. Thank you very much.

Ms. RICHARDSON. And my time has expired. So Ms. Dickerson, you got off easy.

Thank you.

Mr. CUMMINGS. Thank you.

Admiral, I was listening to your testimony and your answer to the Chairman's question, and I just have a few things I want to ask you about. How long have you been in the position you are in?

Admiral BRECKENRIDGE. Since last June.

Mr. CUMMINGS. Since last June. You read the report, right, this Booz Allen report?

Admiral BRECKENRIDGE. I have, Mr. Chairman.

Mr. CUMMINGS. You have?

Admiral BRECKENRIDGE. I have, sir.

Mr. CUMMINGS. Is there anything in the report you disagree with? Anything? The findings?

Admiral BRECKENRIDGE. I can't say. There are portions of it, Mr. Chairman, that I can't say that I agree or disagree with it because I have not been in Ms. Dickerson's position with responsibility to run the program.

From looking at our Service and looking at the structure that we have and some of the feedback that we got, I do agree with those pieces, Mr. Chairman. I think Ms. Dickerson has an action plan now to address those issues, and there is commitment at the senior end to see through on that action plan, Mr. Chairman.

Mr. CUMMINGS. Now she mentioned the authority for six positions, and I want to make sure we are clear. When we say authority, does that mean those positions are a done deal? Does that mean that they are going to be live people in the positions or does that mean that we have this wonderful umbrella that says authority, but there may not be anything behind it?

See, I guess what I am getting to is I want to make sure. My frustration comes with the fact that this has been 10 years, and a lot can happen in 10 years or not happen. The things that don't happen, particularly in this area, is literally taking opportunities away from a lot of people.

So the question becomes I want to know exactly what has changed. I hear there is this thing about six people. I know that a request had been made before for additional personnel, and it has not happened. I know that it was just two weeks ago, according to Ms. Dickerson, that these six people were suddenly approved or authorized.

I know that we had a hearing today. As I have said many times in these hearings, I conduct my hearings a little different than a lot of Chairmen because I want results. My life is too short. No, really. I would rather be studying something or writing something or whatever, writing in my office than go through this if we are not going to have results.

I am trying to get the rubber to meet the road, but I want to make sure there is a road when the rubber is supposed to meet it.

So the question becomes do we have six new people, or don't we, who are going to get a paycheck and get all the benefits that come with employees? And are these full-time people? Are they part-time people? When did they begin? When will they begin?

Let me finish. What are their titles, because I want to know about them? I want to see them at some point and say, hey, welcome, and I don't want to be talking to a non-existing authority.

So the question, is do we have the personnel? I can't hear you.

Ms. DICKERSON. Yes, sir, we do.

Mr. CUMMINGS. We have them.

Ms. DICKERSON. Yes. I sought the same clarification that you are referencing, and I am assured that I can begin recruiting for those personnel. I have already spoken with people in the field in terms of deciding the best positioning of the ones who will be geographically located in the field area, and the two in my office I have already begun the effort of starting to program those positions.

Mr. CUMMINGS. When do you expect them to be hired?

Ms. DICKERSON. Soon.

Mr. CUMMINGS. You tell me, Ms. Dickerson.

Ms. DICKERSON. Yes, sir. I would say by May, hopefully, is what I hope.

Mr. CUMMINGS. Give me a date.

Ms. DICKERSON. May 31st.

Mr. CUMMINGS. May 31st. I tell you what, I will give you a bonus two weeks. June 15th, we are calling you back in here. I would like to meet those personnel.

Ms. DICKERSON. Yes, sir.

Mr. CUMMINGS. I would like to meet them. So you said May 31st?

Ms. DICKERSON. Yes, sir.

Mr. CUMMINGS. You have until June 15th. All right?

Ms. DICKERSON. Yes, sir.

Mr. CUMMINGS. Let me just go on. The reason why I am so emphatic about that is you get tired. You get tired of people making commitments, and then people assume, and I am not talking about you all. I am just talking about what I have seen in 14 years.

They will say, okay, we don't have to worry about Cummings. He will have a hearing two years from now. Damage done. What the hell.

That is what happens here in this Congress over and over and over and over again, and that is why we are going to have this June 15th hearing or thereabout. We won't make it any earlier than June 15th, but it will be right around that date, assuming we can fit into our schedule. But there will be a hearing.

What else do we have? The military academy, the Academy, the Coast Guard Academy.

Are you in charge, Rear Admiral, of the Chief of Diversity? Does that person come under you.

Admiral BRECKENRIDGE. Yes, Mr. Chairman.

Mr. CUMMINGS. I notice you have an Hispanic Association of Colleges and Universities liaison person, is that right?

Admiral BRECKENRIDGE. That is correct, Mr. Chairman.

Mr. CUMMINGS. How long has that person been in place?

Admiral BRECKENRIDGE. The individual that is there right now, I believe.

Mr. CUMMINGS. No, no, no. The position itself.

Admiral BRECKENRIDGE. I will have to get back to you, Mr. Chairman. I don't recollect the exact year we started it. We have had two people there.

Mr. CUMMINGS. Two?

Admiral BRECKENRIDGE. Yes, sir, over two tours. But exactly the length of those two tours, I will get back to you, Mr. Chairman.

Mr. CUMMINGS. How many Hispanic colleges and universities are there, do you know?

Admiral BRECKENRIDGE. I don't remember off the top of my head. I remember half of them are two-year serving institutions.

Mr. CUMMINGS. Do you know how many historically black colleges and universities there are?

Admiral BRECKENRIDGE. I did. I can't pull that off the top of my head at this moment, Mr. Chairman.

Mr. CUMMINGS. There is well over 100. Well, over 100.

I was just wondering as I listen to your testimony. I was wondering if you all had explored possibly have a liaison with those colleges and universities.

I must plead and give you this fact. I am a graduate of an historically African American college. My daughter is a graduate, and we have a 14 year old who is going to be a graduate. She doesn't know it yet, but she will be.

[Laughter.]

Mr. CUMMINGS. And I am on the board of an historically black college. So I am just wondering, and I know what we go through trying to help these students get to where they have to go.

As I said a little bit earlier, and I know you were aware of this, the Admiral, to his credit, kindly took up a phenomenal amount of time just within the last month to speak at Morgan State University in Baltimore. They tell me that he did an outstanding job. So I am just trying to figure out how we can possibly help this effort by having a liaison.

Don't get me wrong. I think it is very important, very important to have the Hispanic American college and universities liaison. You

know how some folks do. They will cut out one thing and substitute with another. I don't want that.

What I am trying to figure out is can we look into that possibility?

Admiral BRECKENRIDGE. We can certainly look into that, sir. I am just trying to think across. HACU became a venue that we could reach many colleges through one central point rather than having to have representatives at every single college which is why we agreed to put the liaison there.

Mr. Chairman, we have been working with Morgan State and a number of other historically black colleges on two venues, specifically on our CSPI program, because in talking to the Dean of Engineering at Morgan State he told me his single biggest challenge was while he has tremendously talented individuals who come in, they struggle to find money to be able to finish their education. Well, the CSPI program helps with that because it pays for two years of education.

We have also done the same outreach with North Carolina A&T.

We have a broader outreach than that to historically black colleges and universities. Mr. Curt Odom has been working at Morris College and has four individuals from that college who are interested in coming into the Coast Guard. So we are trying to use our executive corps to outreach.

The other thing that I am trying to leverage on this next cycle is looking at our internship programs and providing internships both for our blue collar work and for our other civilian positions, so that we look at both of those venues and look at full opportunities when we go out there.

Mr. CUMMINGS. I am glad you said that. The internships are very important, but let me just tell you this. I think the CSPI program is also very important.

At Morgan State University, the school I sit on the board of, we have to let go so many students not because they are not brilliant, because they don't have the money. Our research has shown if they drop out, there is a 60 to 70 percent chance they will never come back. I mean these are talented kids.

So if there is some kind of way we can get the word out even more so about the CSPI, and I am not saying that everybody will be anxious to be part of the Coast Guard, but the fact is they have a choice between getting their college education and having to go through this process and having that education significantly paid for, I guess. Is that right?

Admiral BRECKENRIDGE. That is correct. They enlist in the Coast Guard. So they get paid allowances while they are going to school. They get two years of school paid for while they are earning a salary.

Mr. CUMMINGS. What I am saying is that they have a choice between that and not completing college at all. I think some of them will say, you know what, I am going to go through the CSPI program and complete my college education and pay my duty to my Country, and then hopefully they won't die with their dreams and aspirations in the casket, locked up.

Admiral BRECKENRIDGE. Yes, Mr. Chairman. On our internships, we have looked at talking to the dean. We have looked at two in-

ternships for the School of Engineering. We know that Morgan State is a high producer of engineers, and so we are interested in working with them.

Mr. CUMMINGS. I am hoping that you will do that with all. We have a number of schools, historically black colleges and universities that need the same kind of attention. That is one of the reasons why I asked you about the liaison position because there are so many, and they are so often unknown, unseen, unnoticed, unappreciated, unapplauded and unsung.

Admiral BRECKENRIDGE. Several comments, Mr. Chairman: First, through the CSPI program, we are looking at our graduates in the National Naval Officers Association. We have looked across all of those colleges and looked at where we have graduates and we can use them, and that is that ambassador program that I was talking about.

When we look at the executive outreach that we talked about, first of all, we want the executives to have something to take to the table—not to show up, and that is good, and we can talk about it. But we do believe we have to have something to take to the table to talk to the provosts or the deans.

In with that, we also want at least two junior officers, a midgrade and a junior officer for linkage into the student population in addition to the recruiters who process the paperwork but for relevancy to that student population.

That also sets up a mentoring relationship. Ultimately, I will move on, Mr. Chairman. The schools that I choose, there will be someone who comes behind me who will also go into that school, but we will replace those officers. So if I take an 04 and an 02, as that 04 becomes more senior, the 02 becomes more senior. We will bring more in. So we have a chain that becomes unbroken.

I think part of our challenge has been that we had created relationships, including with Morgan State in the past, which we did not sustain. We must have sustainable relationships to have credibility to go into these communities and talk about the opportunities they have and for people to take us seriously.

Mr. CUMMINGS. I just have two more questions, and then I am finished. Ms. Dickerson, you wrote in your testimony that a decision to seek the outside review of the Coast Guard civil rights programs in 2008 was "neither an offensive nor a defensive undertaking." Do you remember writing that?

Ms. DICKERSON. Yes, sir.

Mr. CUMMINGS. "The decision was deliberate. I had taken steps, and while they were bearing fruit I thought the Coast Guard could gain from outside perspective." Do you remember that?

Ms. DICKERSON. Yes, sir.

Mr. CUMMINGS. Can you explain what you meant by that?

Ms. DICKERSON. Yes, sir.

Mr. CUMMINGS. You go ahead, and then I will have a follow-up. Go ahead.

Ms. DICKERSON. In part, as I know I have stated to you before, I came to Coast Guard from the U.S. Commission on Civil Rights, and there are other people I have had opportunity to bring into the organization who have come in from other agencies as well.

I think, well, sometimes what appeared to be occurring was there is very much a construct for civil rights as it is in Coast Guard, and that seemed to be a very entrenched process. I was new to the military, and I wanted to validate some of what I knew had worked in civilian agencies in Coast Guard, but I also wanted to be very much aware of that I was in a different element as well.

And so, I thought I would really benefit from a third party perspective on that in order to kind of validate the direction I was taking and to steer the organization and the civil rights function in a way that I thought would bring really a lot of integrity and that the workforce could access it better and have a lot more trust in the process.

So it was a validating exercise in that I gave the Booz Allen team everything, every piece of data that I had collected. I opened my records to them and gave them my plan of action, my strategic plan, and asked them: Please tell me what you see here. What am I missing? Are there additional data points? Is this a good, informed direction to be going?

I am in a new military environment. I want to be sure I am not trying to graft something into an environment that may not work because, foremost, we are certainly there for national security. I don't want to circumvent the commanding officers' authority and things of that nature.

Just, I had a vision, and I believe it can work, and it will work with Coast Guard. I am sure it will bring more integrity to the process.

So it wasn't a defensive move in terms of trying to prevent anything, and it wasn't something where I was trying to push. I just really wanted to get a third party perspective and benefit from other data points from someone who was external, from an entity external to Coast Guard.

Mr. CUMMINGS. But the self-assessments were reporting the same kind of things that you had almost assumed, right?

Ms. DICKERSON. The self-assessments look at workforce numbers, and I wanted specifically to look at the EEO process itself in terms of people entering the complaint process and how that could have more integrity.

Mr. CUMMINGS. All right. You mentioned some 53 things, and you said you had done 10.

Ms. DICKERSON. Yes, sir.

Mr. CUMMINGS. Eight were, I guess, about to be done.

Ms. DICKERSON. Yes, sir.

Mr. CUMMINGS. That leaves quite a few, right?

Ms. DICKERSON. Yes, sir, absolutely.

Mr. CUMMINGS. So you have 10 and 8, 18 from 53.

Ms. DICKERSON. Yes.

Mr. CUMMINGS. That is quite a few.

Ms. DICKERSON. Yes, sir.

Mr. CUMMINGS. So what is going to happen? What is going to happen with the other ones?

I mean that is nice, but what happens with all these other things?

Ms. DICKERSON. I have an action team right now that is prioritizing them, and all of them are now underway. For example,

there was a recommendation that we issue standard operating procedures. We have standard operating procedures for our complaints process but not for our other activities.

Mr. CUMMINGS. All right. Let me cut you short. This is what I would like for you to do, you and the Rear Admiral.

Ms. DICKERSON. Yes, sir.

Mr. CUMMINGS. Since we are going to have our hearing around or about June 15th, I would like for you all within the next few days to let me know what you expect to have achieved out of that 53 by that time so that we can hold you to it. All right?

Ms. DICKERSON. Yes, sir.

[Information follows:]

CG-00H Functional Review Recommendations

# of Recmds.	Recommendations	CG Plan of Action	Estimated Completion Date	Status
1	EO Review - Design & implement metrics to measure process efficiency and for valuing benefits of EO Review process. Develop and implement a mechanism to track and report these metrics against performance targets.	Developed outline for program metrics; on target to meet project deadline.	5/31/2009	Work-In-Process
2	EO Manual Revision - To provide specificity regarding the purpose, format and structure of EO reviews	CG has developed a comprehensive document outlining the EO Review process. Final review of the document is underway and will be completed within the assigned completion date.	5/30/2009	Work-In-Process
3	Training Requirements - Assess OCR's current training program and develop a training suite for CRSPs, supervisors, and managers that is tailored to the specific audience.	CG researched other government services to benchmark training and career development/ladder models. CG is currently developing a Career Management program for all Civil Rights Service Providers.	6/29/2009	Work-In-Process
4	Workload Analysis - Maximize workflow efficiencies and workforce planning by basing staffing decisions and training requirements on valid and reliable data. This would include developing a Work Breakdown Structure (WBS) that delineates the discrete work elements of OCR operations.	Funding has been identified and a workload analysis is currently being conducted.	9/30/2009	Work-In-Process
5	Conduct training needs assessment of USCG civil rights organization to assess current training programs and knowledge gaps. This assessment should also consider regulatory requirements, business drivers, and the skills and abilities of CRSPs.	CG is assessing all Civil Rights Service Providers training in order to provide an analysis of their current training and develop a training suite.	6/29/2009	Work-In-Process
6	Use Facilitated workshops to help OCR senior staff members to understand their own and other stakeholders' underlying interests and concerns and thereafter to focus on those interests rather than on stated positions and demands.	OCR HQ and Field-level senior staff are scheduled for first of ongoing workshop with with CCL North America Team/Leadership Workshops to accomplish this.	6/29/2009	Work-In-Process

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# of Recmds.	Recommendations	CG Plan of Action	Estimated Completion Date	Status
7	Through coaching sessions, guide the Director, Deputy Director, and senior staff to pursue more collaborative methods of working with each other. This could be accomplished through the strategic planning process and other OCR initiatives such as the MD-715 Report.	Planned Initiatives to fulfil this are: the CCL North America workshops, OCR Strategic Plan 2012 monthly off-sites and periodic Budget Build/Spend Plan sessions. Ongoing in this endeavor have been weekly in-person meetings to update Commandant and Vice Commandant on OCR needs and progress.	6/29/2009	Work-In-Process
8	Conduct a skills inventory of current staff to measure skills v. needs for org, and to identify skill sets required for job.	Developing a skills inventory document that lists all Civil Rights Service Providers and their training to assist in analyzing skills v. needs of the CG and identifying skill set requirements.	6/29/2009	Work-In-Process
9	Conduct skills assessment to identify core competencies by assessing existing job descriptions and key skills required to support each programmatic function. Refine Job vacancy announcement to ensure that candidates have the required skills	Conducting a skills assessment to determine which skills are necessary. Results will be used to ensure job vacany announcements reflect the required skills.	9/30/2009	Work-In-Process
10	Skills Assessment - Determine whether an adequately skilled civil rights workforce is available, trained, and prepared to achieve the OCR and USCG's civil rights objectives.	See recommendation 9. Data received from skills assessment will be used to conduct an analysis of the Civil Rights workforce.	7/1/2009	Work-In-Process
11	Develop a Training Course for EO Review team members on various data collection methods and the process of applying statistical techniques to analyze, describe, and evaluate trend data.	See recommendation 10. Analysis received from recommendation 10 will be used to structure a comprehensive training program to incorporate all facets of the EO Review Program.	9/30/2009	Work-In-Process
12	Ensure that all CRSPs receive training on intake and complaint processing at both the Informal and Formal stages. This would include training designed to ensure that CRSPs understand their role of neutrality throughout the counseling process, pursuant to 29 C.F.R. 1614.	CG is addressing this recommendation concurrently with recommendations 3 and 10.	9/30/2009	Work-In-Process

# of Recmds.	Recommendations	CG Plan of Action	Estimated Completion Date	Status
13	Training - Provide Strategic Plans Resources Mgt Team Lead with additional training in budget development & justifications.	Trining Planned for Fall 2009	9/30/2009	Work-In-Process
14	Ensure OCR Budget Personnel undergo training in statutory and regulatory obligations of the office.	Training Planned for Fall 2009	9/30/2009	Work-In-Process
15	Assess & take appropriate action regarding EO Review Team participants training needs.	CG has developed a Personnel Qualification Standard(s) (PQS) document outlining the skillset necessary to conduct EO Reviews. This PQS will be required of all EO Review team members.	9/30/2009	Work-In-Process
16	Restructure USCG Civil Rights Program - This restructuring can be accomplished by placing the Field CRSPs under the direct oversight of the Director of OCR with Area Equal Opportunity Managers reporting to the Director instead of directly to Field Commanders.	Restructing plan has been developed to align with the Coast Guard's proposed Modernization Plan. This plan will include efforts to stream-line the Office of Civil Rights (OCR) reporting structures.	Pending approval of CG authorization bill	Pending approval of CG authorization bill
17	Convert the Instructional Systems Specialist position currently residing in the Policy and Plans Division to an Operations Manager position reporting to the Deputy. This position would, among other duties, be responsible for operations mgmt. and training requirements oversight.	Position's new PD is at HR for review prior to job posting.	5/1/2009	Complete
18	Transition training oversight responsibilities from the Policy and Plans Division to a newly created Operations Manager (reporting to the Deputy) who will manage all aspects of OCR training processes.	Once new hire gets aboard, that will be her/his duties among others.	5/1/2009	Complete
19	Create a Senior Advisor Position - This position will provide programmatic guidance to the Director	Created Executive Assistant Position with one of Mil O-5 positions with Modernization Initiative.	6/1/2009	Complete
20	Designate Privacy & Records Manager - Assign to CG-00H-1 GS -14 billet.		Complete	Complete

# of Recmds.	Recommendations	CG Plan of Action	Estimated Completion Date	Status
21	Leverage 0-6 Deputy Responsibility - Responsible for operational and non-statutory activities including, budgeting, resource mgmt., strategic planning, and oversight. Align the Strategic Plans and Resource Mgmt. Team and the Policy and Plans Division under the Deputy.	Accomplished with Modernization Structurin	7/1/2009	Complete
22	Establish a Solid-line reporting relationship of field CRSPs. - have all CRSPs report to the Director	CG will accomplish this recommendation via the Modernization Plan.	9/30/2009	Work-In-Process
23	Develop an integrated strategic plan to better enable the organization to execute and deliver on its mission. This strategic plan should incorporate input from key stakeholders, be well communicated to employees, and cascaded across OCR and throughout the Field to ensure consistency of focus across all areas of the USCG civil rights organization.	A strategic plan is being drafted, as well as identification of goals and performance measures.	9/30/2009	Work-In-Process
24	Move CG-00H-3 Program Analyst billet to CG-00H-2 - to assist with EO Reviews		Complete	Complete
25	Move Admin. Specialist from CG-00H-2 to CG-00H-4 - to assist with admin. Functions		Complete	Complete
26	SOP - Develop SOP for CG-00H-3 to handle all aspects of budget requests for OCR		Complete	Complete
27	Revise the EO Manual to include statutory references and citations so that a reader can cross-reference relevant statutory language with the guidance provided. In addition, add content that addresses the roles of Field and OCR personnel throughout the complaint process, pursuant to 29 C.F.R. 1614.	1. EO Manual has been revised to include statutory references and citations. 2. CG is incorporating Headquarters staff and field managers comments prior to routing to executive level review/edit.	5/31/2009	Work-In-Process
28	Institute a privacy & records management program - based on DHS policies and procedures		Complete	Complete

# of Recmds.	Recommendations	CG Plan of Action	Estimated Completion Date	Status
29	Redesign EO Review process to increase the value and effectiveness of this function.	CG has developed a comprehensive document outlining the EO Review process. Final review of the document is underway and will be completed within the assigned completion date.	9/30/2009	Work-In-Process
30	Strategic Planning - Ensure that each division develops a strategic plan that feeds into the Director's overall strategic plan.	CG OCR divisions are developing/enhancing strategic plans.	5/31/2009	Work-In-Process
31	Develop SOP for handling PII and Confidential info.	New EEO guide is being developed that will incorporate DHS policy on privacy records management procedures.	5/31/2009	Work-In-Process
32	Develop records mgmt.system that describes, for each type of record, where it should be retained, the various classifications of records, the applicable policies, and how the complaint records should be maintained.	New EEO guide is being developed that will incorporate DHS policy on privacy records management procedures.	5/31/2009	Work-In-Process
33	EO Manual Revision- Enter detailed Instruction for handling PII. Also, revise the EO Manual such that provides step-by-step process to determine whether the release of documents is appropriate.	CG identified real and potential PII vulnerabilities and is now exploring safeguards and solutions to be included in the EO Manual.	6/29/2009	Work-In-Process
34	Institute a mandatory annual training requirement for supervisors and managers through which participants are taught their responsibilities with respect to EEO and affirmative employment. Provide refresher training in a computer-based format that can be used in any location.	OCR is Investigating in commercial off-the-shelf application for this. An Operations, Training and Qualifications Manager GS-13 is being hired to manage this endeavor. Meanwhile the OCR area managers are assessing specific training gaps and conducive methodology.	6/29/2009	Work-In-Process

# of Recmds.	Recommendations	CG Plan of Action	Estimated Completion Date	Status
35	Develop a business case for EO Reviews. This analysis should consider the specific reasons for an established number of EO Reviews, the rationale for particular site selections, quantifiable measures of success, available dedicated resources, and any other strategic or regulatory drivers that would necessitate EO Reviews.	CG is near completion of a comprehensive document clarifying the EO Review purpose and fundamentals.	8/31/2009	Work-In-Process
36	EO Reviews - redesign position Requirements for individuals participating in EO Review process to reflect the specific skills and abilities required to conduct substantive analysis and high-level technical writing.	CG has developed a Personnel Qualification Standard(s) (PQS) document outlining the skillset necessary to conduct EO Reviews.	6/29/2009	Work-In-Process
37	Revise the USCG service-specific portion of the DEOMI EOA Program to include training by civilian EEOC certified trainers who would provide instruction in the areas of EEO Counseling and complaint processing. This training curriculum would include, among other topics, instruction in basic EEO Counseling and other related activities, such as writing reports of counseling, identifying issues, conducting inquiries , and pursuing resolution options pursuant to Title 29 C.F.R. 1614 and MD-110.	CG solicited names of all EEO counselors in order to develop a database for tracking purposes.	Complete	Complete
38	Training Program - Professionalized EEO Counseling training program to include mandatory training required by EEOC, including the 8 hrs. refresher and the required 32-hour training requirement for new federal EEO Counselors. In addition, require counselors to fulfill a bi-annual training requirement by taking an Interviewing Techniques, Conflict Resolution, or Facilitation course.	CG is finalizing training needs for FY09 to meet refresher requirements contained in MD 110; established 30 mediation quotas to meet needs of full-time service providers for ongoing skills maintenance in conflict resolution.	6/29/2009	Work-In-Process

# of Recmds.	Recommendations	CG Plan of Action	Estimated Completion Date	Status
39	Equal Opportunity Manual - Revise the Equal Opportunity Manual such that it effectively serves as the guiding document for enterprise-wide civil rights operations.	Final review of the document is underway and will be completed within the assigned completion date.	5/31/2009	Work-In-Process
40	SOP - Develop Comprehensive SOPs to standardize OCRs operations. This would include SOPs for each team/division within OCR and the compilation of an accessible master volume.	CG is nearly complete in developing comprehensive SOPs for each team/division.	8/1/2009	Work-In-Process
41	Perform gap analysis to determine where the current staff meet core competencies and identify where competency gaps exist by comparing the core competencies required to support the OCR roles with the results of the skills inventory of the current staff.	CG is currently recruiting to fill this temporary position.	8/30/2009	Work-In-Process
42	Determine whether current program functions are statutorily required or necessary to support OCR mission and to determine resource needs	Complete	Complete	Complete
43	Hire or contract for FAD analysts	CG has posted position and will begin interviewing candidates.	6/1/2009	Work-In-Process
44	Create a Separate AFC 56 Funds for Training Needs Assessment		Complete	Complete
45	Identify "strategic initiatives" - that would be drivers of the OCR strategy as well as that of USCG. These initiatives should then be prioritized for funding and implementation in any given fiscal year based on their expected impact.	OCR is in process of linking its Divisions' performance objectives, Outcomes and measures with Plan of Action 2012 (POA 2012) document's 5 goals.	6/29/2009	Work-In-Process
46	Use OCR Strategic Plan to advocate for resource requirements by demonstrating how performance goals align with budget requests.	FY-2012 RPs will link POA 2012 with Functional Review implementation and aftermath measures.	6/29/2009	Work-In-Process
47	Recruit and hire full-time experienced EEO Counselors and CRSPs and discontinue the use of collateral duty staff.	CG will accomplish this recommendation via the Modernization Plan.	7/20/2009	Work-In-Process

# of Recmds.	Recommendations	CG Plan of Action	Estimated Completion Date	Status
48	Assess CG-00H-4 funding needs		Complete	Complete
49	Use Official USCG Blog to refute misinformation & protect credibility of USCG workforce	CG has successfully communicated via official USCG sites to offer accurate representation, for example the USCG Journal, and iCommandant, the Commandant's web site. CG will continue to utilize these media.	Complete	Complete
50	Establish an Official USCG Blog to convey key message and to minimize confusion and misinformation	While this recommendation is directed to the service-wide level, the CG will, through its Manpower Requirements Analysison the OCR program, evaluate the efficacy of dedicated web personnel within the OCR program for this purpose. If sustained, the CG will incorporate requests for the requisite personnel into future resource proposals.	9/30/2009	Work-In-Process
51	Disable access to negative unofficial blog sites at USCG work locations	CG is pursuing alternatives.	5/31/2009	Work-In-Process
52	Strengthen leadership effectiveness in group dynamics & find tools to address effectiveness	OCR is near complete ion of a weekly 45 minute Leadership tutelage series. Topics include: 1) Marketing Your Program, 2) Effective Writing, 3) Teamwork, 4) Strategy Action Planning, 5) Privacy, 6) Conducting Effective Meetings	5/15/2009	Work-In-Process
53	Ensure that individuals are held accountable for acts of insubordination	CG has permanently assigned task to the Deputy.	Complete	Complete

Mr. CUMMINGS. Well, I want to thank all of you for being with us today and this evening. Decisive actions are needed to bring the Coast Guard civil rights programs including the Equal Employment Opportunity programs to full compliance with all applicable regulations and, frankly, with the standards that the Subcommittee expects of the United States Coast Guard.

I am encouraging the senior leadership of the Coast Guard to examine closely the issues we have discussed today, to probe deeper into their own organization, to identify and break down any barriers that may limit opportunities for anyone and to put specific and targeted reforms in place.

As I have said, we will be meeting again on or about June the 15th so that we can evaluate what progress has been made.

Given the urgency of the changes needed in the Coast Guard's civil rights program, I intend to ask the Government Accountability Office to conduct an examination of the Service's progress in a year's time and to report its findings back to the Subcommittee. In this way, the Subcommittee will be able to receive a report of an objective third party that will be responsive to the data request posed by the Congress.

I will remind you, when we asked Booz Allen to come and testify they said that they would not. So maybe we can get the GAO to do so.

I am hopeful that for the benefit of all the Coast Guard's officers, members and employees the GAO will be able to report real progress towards implementing an efficient and effective civil rights service program that adequately protects the civil rights of all Coast Guard personnel.

I consider this to be an urgent matter. I want to thank you for understanding that.

I want to thank you for your efforts. I know this hearing has been a little tough at times, but I want to thank you for everything you have done. I really mean that.

Progress can seem like it is not moving at the pace that we all want it to, but I can see that you all are making the efforts to make that happen.

And so, this meeting is adjourned.

[Whereupon, at 4:33 p.m., the Subcommittee was adjourned.]

SUBCOMMITTEE ON COAST GUARD & MARITIME TRANSPORTATION

"Civil Rights Services and Diversity Initiatives in the Coast Guard"

Opening Statement of Chairman Elijah E. Cummings

The Subcommittee will come to order.

We convene today to consider the state of the Coast Guard's provision of civil rights services to its military and civilian workforce and to applicants for employment. We will also examine the initiatives being undertaken by the service to support expanded diversity among both its military and civilian personnel.

As part of that examination, we will assess what the service has done to benchmark its diversity-related initiatives following a hearing we held on this subject last year.

In April 2008, the Director of the Coast Guard's Office of Civil Rights asked the Department of Homeland Security to commission and supervise an independent assessment of the Office and of civil rights programs within the Coast Guard. The proximate motivation for this request was the posting of derogatory blog entries on the web.

However, as the Subcommittee has come to learn, there have long existed challenges far more central to the provision of effective civil rights services within the Coast Guard than those discussed in recent blog comments.

In February 2009, Booz Allen Hamilton, the firm ultimately commissioned to undertake the study of the Coast Guard Office of Civil Rights, issued its report to the Coast Guard, which subsequently released it to the public.

I note that the Subcommittee invited Booz Allen Hamilton to testify today and also invited its representatives to meet privately with staff; they declined both offers citing their duty of confidentiality to their client and, rather perplexingly, their internal policy against lobbying.

Despite Booz Allen Hamilton's total unresponsiveness to the Subcommittee's inquiries about a report it prepared on a federal agency and for which it received compensation from U.S. taxpayer funding, the firm's report speaks for itself.

Among other findings, the Booz Allen Hamilton team's review identified at the Coast Guard a civil rights program that does not fully protect confidential personal information, that does not conduct thorough analyses of barriers to equal opportunity in employment or develop specific plans to break these barriers down, and that has a number of inadequately trained service providers who cannot ensure implementation of a complaints management process that is in full compliance with regulatory requirements.

While these findings are obviously deeply troubling on their own, as the Subcommittee has learned in its extensive review of the Coast Guard's civil rights programs, they are certainly not new.

Previous reviews of the Coast Guard's civil rights programs and even the self-assessments the Coast Guard submits annually to the Equal Employment Opportunity Commission repeatedly identify many of the same problems noted in the Booz Allen Hamilton report.

For example, a 2001 review conducted by KPMG found that:

- complaints were not handled in an efficient manner;
- individuals who provided civil rights services as a collateral duty showed "great variation in … quality;"
- affirmative action-related reports were disseminated "but report interpretation and action is left up to the individual unit commands, who may or may not have the required time and knowledge to legally apply the affirmative action program as a factor in hiring and promoting;" and
- equal opportunity reviews were being conducted, but there were "no measures or metrics . . . by which to evaluate local command's program performance."

A review conducted by PriceWaterhouseCoopers more than a decade ago concluded that the Coast Guard's "current civil rights program is relatively ineffective at preventing civil

rights complaints and the current program office at headquarters is inefficient in discharging their responsibilities."

In May 2008, the Equal Employment Opportunity Commission sent a feedback letter to the Coast Guard identifying the trends it observed in the Coast Guard's annual self-reports from fiscal years 2004 through 2006. Again, the comments sound very familiar.

EEOC stated that in its 2004 report, the Coast Guard admitted that "EEO officials did not have the knowledge, skills, and abilities to carry out the full duties and responsibilities of their positions."

In fiscal years 2005 and 2006, the service "reported that there was insufficient staff to conduct adequate analysis of civilian workforce data," and in 2004, 2005, and 2006, the service noted it "has not implemented an adequate data collection and analysis system and had not tracked recruitment efforts."
The EEOC found that the Coast Guard's recruitment practices for positions in the civilian workforce created "unintended barriers" to diversity.

Having read all this, what was perhaps most disappointing to me was not just the devastating nature of these individual findings, but the fact that the problems they describe have apparently persisted for nearly a decade.

Put simply, the picture that emerges from the reports available to us shows that despite knowing that its equal opportunity programs did not ensure full compliance with U.S. law and regulations, the Coast Guard has taken little to no action to ensure full compliance.

Further, there have apparently been no consequences for these failures – except perhaps the individual consequences that Coast Guard personnel may have borne, some of whom may have been denied the opportunity to effectively challenge what they may have felt was discriminatory treatment.

Discrimination is an evil that destroys the dignity of fellow human beings and robs them of the opportunity to achieve what their abilities would otherwise enable them to achieve.

In this, the 21st Century, any agency that tolerates any failure in the implementation of effective equal employment opportunity processes or in the effective management of complaints is an agency that is willing to tolerate the possibility that discrimination may exist in its midst.

While I applaud the decision of the Director of the Office of Civil Rights to ask for an independent assessment of Coast Guard civil rights practices, it is also obvious that further study is not needed.

Back in 2001, the KPMG team that assessed the Coast Guard's civil rights program reported that the wide gaps between how the service's equal employment opportunity program was described in manuals and how the program was actually implemented "created a perception that the program is not necessarily a priority among senior leadership." It is LONG PAST TIME that these gaps be closed.

Importantly, as the Booz Allen Hamilton report makes clear, successful implementation of the reforms needed to correct the gaps that their team found "will need to be openly endorsed at the highest level of the Coast Guard organization to ensure the cooperation of, and participation by, key stakeholders."

I know that the Coast Guard is undertaking a variety of initiatives to expand diversity – and I commend the written testimony of Admiral Breckenridge, which details these efforts.

I also commend the individual efforts of Coast Guard personnel to support the service's diversity goals. I note that Admiral Allen himself recently visited Morgan State University in my district and gave a very inspiring address to students at that Historically Black University.

What I didn't find in Admiral Breckenridge's testimony, however, was a statement that the MD-715 process will now be used as intended to identify all barriers to equal access and to inform the development of the plans that will eliminate these barriers, or that a similar process will be implemented on the military slide.

While I appreciate discussion of an "upward glide slope," progress cannot be measured until specific goals are in place – and to think that goals would need to be defined as "specific representational objectives" is simply to think too narrowly.

I also commend Director Dickerson's testimony – and her decision to request the Booz Allen Hamilton review.

I emphasize that I understand – as the Booz Allen Hamilton report indicates and the evidence clearly shows – that many of the problems with the Coast Guard's civil rights program have long pre-dated her appointment.

That said, it is now our watch and the failures and deficiencies that exist with the Coast Guard's civil rights programs CANNOT CONTINUE. For the Coast Guard to truly be "Semper Paratus" – always ready – it must take all necessary steps to ensure that it is not handicapped by discrimination in its ranks or the divisions that discrimination produces.

As I said when I addressed the Coast Guard Academy following the discovery of nooses there, "Diversity – and our mutual respect for each other – are our greatest strengths as a nation."

They must necessarily be the greatest strengths of those who defend this nation – but they can be so only when an agency makes the achievement of diversity and the provision of

effective civil rights services a top priority rather than what appears to be a second thought.

With that, I recognize the Ranking Member, Congressman LoBiondo.

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BENNIE G. THOMPSON, MISSISSIPPI
CHAIRMAN

PETER T. KING, NEW YORK
RANKING MEMBER



Bennie G. Thompson

One Hundred Eleventh Congress
U.S. House of Representatives
Committee on Homeland Security
Washington, DC 20515

STATEMENT OF THE HONORABLE BENNIE G. THOMPSON
CHAIRMAN OF THE COMMITTEE ON HOMELAND SECURITY
BEFORE THE
HOUSE COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE
SUBCOMMITTEE ON COAST GUARD AND MARITIME TRANSPORTATION

HEARING ENTITLED:
"CIVIL RIGHTS SERVICES AND DIVERSITY INITIATIVES IN THE COAST GUARD"

APRIL 1, 2009

- I would first like to thank Chairman Cummings for holding this hearing on this important topic.

- As the Chairman of the Committee on Homeland Security, I too am extremely concerned about diversity and civil rights initiatives in the Coast Guard.

- I have been pleased to work on legislation with Chairman Cummings to develop more transparency and accountability at the Coast Guard on civil rights. I look forward to moving this important legislation through the legislative process and to the President this Congress.

- A component of the Department of Homeland Security, the U.S. Coast Guard is a capable and skilled force of over 48,000 men and women on active duty; 8,100 reservists; 7,000 full time civilian employees, and 37,000 auxiliarists.

- Like the sea, the Coast Guard's mission is broad and deep. It not only patrols our shores every day to protect this nation from

dangerous people and dangerous things but it also plays an integral role in this nation's port security operations.

- However, that is not all it does. In the days after Hurricane Katrina, while many parts of this government seemed unmoved, unavailable or unconcerned, the Coast Guard stepped in and stepped up to rescue over four thousand stranded, frightened and desperate people from rooftops in New Orleans.

- And it is because of the Coast Guard's ability to rise heroically to a challenge and confront a crisis that I am confident that it will rise to address the monumental problems in its civil rights program that have been revealed in an independent study conducted by Booz Allen Hamilton.

- After conducting a "top to bottom review and evaluation" of the United States Coast Guard's Office of Civil Rights, Booz Allen Hamilton released findings that can only be characterized as dismal.

- They found:

  - The decentralized USCG civil right organization enables local directors to operate autonomously with limited interaction or oversight by the Office of Civil Rights;

  - None of the four operating units within the Office of Civil Rights have formal strategic plans in place that would feed into the overall OCR strategic plan;

  - The Equal Opportunity Manual lacks specificity and is outdated;

  - Members of the OCR and the USCG civil rights organization at-large do not respect the need to keep complaint information confidential;

- There are no civil rights/EEO training requirements for USCG managers or supervisors; and

- Twenty-five percent of personnel who should receive basic Human Relations Awareness training do not receive it and this training backlog compounds every year.

- These are just a few of the findings that led Booz Allen Hamilton to make over 50 recommendations to revamp the Coast Guard's civil rights program.

- While these findings are scathing, unfortunately, they are not shocking.

- But we have seen shocking incidents in the last few years.

- In July 2007, a noose was found in an African American cadet's sea bag while he was serving aboard the tall ship, Eagle.

- The next month, a noose was found in a white civil rights instructor's office while she was conducting civil rights training at the Coast Guard Academy.

- It is my understanding that to date, no one has been held responsible for these incidents.

- This atmosphere cannot be allowed to continue.

- For the Coast Guard to move forward, its Office of Civil Rights must develop a comprehensive plan to address the deficiencies found by Booz Allen Hamilton.

- But this plan cannot be merely cold words written on hard paper. It must have the support of the upper echelon of the Coast Guard and it must be etched in the hearts of it members as deeply as its motto *Semper Paratus*"-- "Always Ready".

- Just as the brave members of the Coast Guard stand ready to interdict drug traffickers, stop human smugglers, and rescue people

in distress, it must now show itself to be "Always Ready" to address the challenges of ensuring a climate free from civil rights abuses.

- Again, I thank Chairman Cummings for holding this hearing and I look forward to working with him on this issue.

U. S. Department of Homeland Security
United States Coast Guard

Commandant
United States Coast Guard

2100 Second Street, S.W.
Washington, DC 20593-0001
Staff Symbol: CG-0921
Phone: (202) 366-4280
FAX: (202) 366-7124

DEPARTMENT OF HOMELAND SECURITY

U. S. COAST GUARD

STATEMENT OF

RADM JODY BRECKENRIDGE
ASSISTANT COMMANDANT FOR HUMAN RESOURCES

ON THE

DIVERSITY IN THE COAST GUARD

BEFORE THE

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

SUBCOMMITTEE ON COAST GUARD AND MARINE TRANSPORTATION

U. S. HOUSE OF REPRESENTATIVES

APRIL 1, 2009

Good Afternoon Mr. Chairman and distinguished members of the Committee. I am Rear Admiral Jody Breckenridge, the Coast Guard's Assistant Commandant for Human Resources. It is a pleasure to appear before you today to discuss the Coast Guard's progress on diversity.

Mr. Chairman, the Coast Guard recognizes that diversity is an organizational imperative. The Service is committed to building and sustaining an organizational and workplace climate which enhance the potential and contributions of all employees by promoting inclusion, equity, and respect. I heard you at the September hearing and have taken steps to promote awareness of -- and access to -- the entire spectrum of Coast Guard opportunities: officer, enlisted, civilian, Reserve. I left the hearing with a renewed commitment to step out more aggressively and am here to report on those actions.

Mr. Chairman, we also thank you and Representative Courtney for your leadership and support in getting Coast Guard Academy information posted on Congressional websites. Our research shows only about 50 percent of the websites contain information regarding opportunities at the Academy. Additionally, we recently hired into a new position to raise visibility within Congressional offices on opportunities in the Coast Guard, as well as the Coast Guard Academy. She is ready to assist any office in posting the information and understanding our requirements and programs. This expanded outreach will allow many more Americans to learn of and consider the Coast Guard.

DIVERSITY UPDATE

In our focus on accessions, we've accomplished much in the six months since I last testified. There has been notable progress in our enlisted and officer recruiting programs. Our enlisted recruiting mid-year results for FY 2009 show a 7 percent increase in minority accessions and a 4 percent increase in women compared to the same period in 2008. The enlisted reserve accessions so far this year show a 16 percent gain, and female accessions are up 11 percent over the same period last year as well. Our recruiting mission emphasis will strive to carry this positive trend through the remainder of the year. Our officer programs data shows that applicant pools are increasing. The College Student Pre-Commissioning Initiative (CSPI) candidate pools are at an all-time high. Of the current 42 candidates in the program, 48 percent are minority and 38 percent are female. The projected pool of applicants for the panel that meets later this spring is also shaping up to have the largest candidate pool of any CSPI selection panel we have ever convened. We expect between 60 and 70 applicants. That is a significant increase over the 48 applicants in 2008 and the 30 in 2007. For this upcoming panel, we project the female and minority candidates will make up between 65-70 percent of the candidates. The Academy class of 2013 (in final stages of the selection process for this year) had an overall applicant increase and a 23 percent increase in minority candidates over last year. With this applicant pool, we estimate there will be a slight increase over the 11 percent of minority cadets that entered the Academy last year. I expect a sustained strong female presence at the Academy and project that 25-30 percent of the incoming class will be female. I will be happy to report back the final candidate selection results to you in June. The incoming "Scholars Program," the academy 1-year prep program, is currently projected to be made up of 50 percent minority cadet candidates and is expected to make strong future class contributions as well.

Mr. Chairman, I expressed our (diversity) vision—the starting point. But how do we know when we have arrived at our DIVERSITY [demographic representational] destination? We use the US Census data and racial and ethnicity projections as our guide. We continually measure our recruiting and retention progress to assess if we are on the correct upward glide slope to achieve

greater workforce diversity. Clearly other variables such as "propensity to serve" apply, but we believe that the use of an upward trend line based on the demographic forecast to be of value IN GUIDING OUR EFFORTS." [and consistent with the tenets of equal employment opportunity."]

In affirmative action jurisprudence, the courts have been critical of the use specific representational objectives. Accordingly, the Coast Guard does not set specific proportional objectives. Nonetheless, with a view toward the demographic trends, we continue to emphasize greater workforce diversity.

LEADERSHIP AND ACCOUNTABILITY

Leadership action is crucial to the success of our plan; accountability starts at the top. Since I last appeared before you, Mr. Chairman, the Commandant of the Coast Guard, Admiral Thad Allen, re-directed an additional $1.4M in fiscal 2009 resources to fund our diversity initiatives.

The Commandant also published a diversity video which is shown at leadership forums and is available to all units.

Our Flag and Senior Executive Service members will participate in at least one affinity group national conference annually. Our senior executives are committed to this engagement – we are actively working with each of them to support speakers, flag panels, and one-on-one counseling at each of the conferences.

Commanding officers will attend at least one event during their tour and shall encourage workforce participation. We will monitor requests and attendance at each affinity group conference.

A member of the Coast Guard's senior leadership will visit each commanding officer conference, prospective commanding officer/executive officer course, or program conference to address our workforce diversity, our call to action, and how they can contribute to the accession/retention of our diverse workforce.

As we examined our workforce investment and retention activities, we found that women and minorities in our enlisted force tend to be concentrated in a small number of ratings. Last year, the Coast Guard ranked number one among the Armed Services in recruit quality. We are clearly recruiting bright, talented people with many of our recruits qualified for multiple career specialty schools. However, we have not seen much change over time in the workforce distribution across ratings. We are going to focus commands on the rating selection process. We will arm commands with information to discuss the member's career interests, advise them of all the ratings they qualify for, and document that discussion. We want all non-rated personnel to understand their options and to make a well-informed decision when selecting their career specialty. The best way to retain a diverse workforce is to ensure they select their best career path early on.

We will provide our hiring officials for our civilian workforce with the best practices employed by other federal agencies for hiring Hispanics.

We will share the organizational steps we have taken this year in response to the maritime industry and our own workforce needs to change our representation within marine investigation and inspections. Working with program personnel, we established step positions to expand our

applicant pools to college graduates and partnered with industry for new marketing sources. We reinvigorated established campus relationships with six Maritime Academies: California Maritime Academy, Great Lakes Maritime Academy, Texas Maritime Academy, State University of New York (SUNY) Maritime Academy, Merchant Marine Academy, and Massachusetts Maritime Academy. I personally met with the presidents of these schools recently to discuss both our military and civilian opportunities; we have historically looked at these schools solely as sources for our officer corps. We continue a strong relationship with King's Point. Thus far we have 45 applicant resumes this year and are set to start next year's recruiting cycle this spring. We will support our field commanders in their engagement with these schools and in providing diverse pools for their vacancies.

District Commanders will be reinforcing both our non-rate initiative and civilian hiring needs in unit visits.

OUTREACH AND RECRUITING

As I noted in my testimony last September, the majority of our diversity action plan is tactically focused and weighted toward outreach and recruiting. In addition to the civilian actions already mentioned for marine safety to bring a more diverse perspective to that workforce, we have made progress in a number of other areas:

Members of the Coast Guard's senior leadership are establishing relationships with minority serving institutions. For example, Flags and Senior Executive Service members are working with campus leadership and faculty at Morgan State, North Carolina A&T, Alabama A&M, Hampton University, Morris College, University of Texas at El Paso and the University of Texas at San Antonio. In partnership with the National Naval Officers Association (NNOA), we established an "Ambassadors Program" at schools such as Prairie View A&M, Norfolk State, Hampton University, Jackson State, Lemoyne Owen, Spellman College, South Carolina State, and Bowie State. Our 'ambassadors' are typically alumni of those schools and help provide peer-to-peer type engagement opportunities and liaison to Flag/SES activities on campus. We are aggressively pursuing outreach with several Alaskan Native Tribal Councils and planning a career fair at the 2-year Native Alaskan School in Barrow. The Flag officer responsible for Alaska has just completed a visit to that school to provide support to those students and tribal officials to raise awareness of all Coast Guard military and civilian employment opportunities.

The Coast Guard MUST be in the field reaching out to people from diverse backgrounds and cultures to provide opportunity awareness. In FY 2009, I directed $400 thousand (of the $1.4 million) to triple the funding provided to this critical function. In late FY 2009, we will beta test a pilot Executive Outreach Management System (EOMS) to track, coordinate, report, and measure return on investment of these outreach activities. Meanwhile, we continue to manually capture and present information and data pertinent to our outreach contact hours. I am pleased to report that we are very active in the field as we compete for America's talent. This year alone, we will participate in 40 events such as the Thurgood Marshall College Fund Conference, the Annual Hispanic Professional Engineers Conference, the Black Engineer of the Year Award STEM Conference, the East Coast Asian American Student Union Conference, the Women of Color in Technology Conference, Women's Leadership Symposium, and the Annual Society of American Indian Government Employees Conference. These efforts will increase the exposure of the Coast Guard 'brand' to thousands of future Coast Guard men and women.

During Flag, SES, and 'ambassador' engagements, we raised the visibility of opportunities that include our re-focused College Student Pre-Commissioning Initiative (CSPI) Scholarship program. This is to ensure greater visibility at minority serving institutions of the tremendous educational and career opportunities. This program provides for up to 60 participants at any given time. CSPI provides two years of college tuition, military pay and benefits, and a guaranteed attendance at Officer Candidate School upon graduation. CSPI has a proven track record. 33 percent of the African-Americans holding the rank of Commander (O-5) now serving on active duty entered the Service though this initiative. As more and more students begin their pursuit of higher education at 2-year community colleges, we are in the early stages of targeting this market and strongly believe that CSPI is our niche program. 48 percent of the current CSPI students are minority and 38 percent are female.

The Coast Guard Academy has launched a targeted advertising and promotional initiative in the New York City metropolitan area though Clear Channel Communications. This integrated radio, web, and college promotional program specifically targets college bound African-American students.

The Coast Guard Academy Admissions Office is currently executing a supplemental spring cadet candidate search, targeting approximately 30,000 additional prospects from under-represented minorities. The expected outcome is a larger minority inquiry pool for the Class of 2014 and beyond. This effort includes expanded travel into markets with potential for growth in Georgia, Alabama, North Carolina, Mississippi, and Texas.

The Academy Introduction Mission (AIM) Partnership has been enhanced to include 50 fully funded scholarships for eligible minority participants in the 2009 program. Partners include: University of Texas at San Antonio; College of Technology, MAST, FL; Montgomery Blair High School, MD; Springbrook HS, MD; Charles Herbert Flowers HS, MD; North Carolina School for Science and Math; Illinois Math Science Academy; Mississippi Military Academy; and three New London, CT area high schools. The planned outcome is more minority student participation in summer 2009 and an enriched Academy class of 2014 applicant pool. Two feasibility studies will be conducted in 2009 to assess the viability of satellite AIM programs in Alabama and New Mexico or Texas to take advantage of growing minority populations in those areas.

The Academy is currently planning to host 80 educators from under represented school systems during an upcoming series of on-site workshops and familiarity visits. The Science, Technology, Engineering and Mathematics (STEM) Teacher Summer Program will be launched this summer in partnership with the Wosczyna-Birch Group, a Hartford, CT based National Science Foundation funded partner. The Academy will also host 24 STEM teachers from inner city school systems to provide them with a one-week STEM enrichment program while exposing them to the Academy and providing a glimpse into cadet life. The expected outcome will be increased student referrals from these high school faculties. The latest market research shows that over 50 percent of high school guidance counselors have no knowledge of the Coast Guard Academy. This effort will help close that gap as we develop further partnerships and build ongoing relations with these secondary school systems.

The exportable Coast Guard Academy Robotics on the Water (AROW) Program combines technology, youth and outreach. Recently developed, it has been used to successfully engage Hartford, CT-based under-represented students with an interest in Science, Technology,

Engineering, and Math (STEM) education. A mobile version of AROW was deployed to Antilles High School in Puerto Rico over spring break by five cadets from the Academy's Hispanic cultural awareness "Compañeros Council".

The Academy is exporting the successful campus-based diversity program entitled Students of All Races (SOAR). Two admissions officers are currently convening spring workshops targeting potential cadets in Houston, TX; Mobile, AL; San Juan, PR; San Diego, CA; and Miami, FL to increase awareness of the Coast Guard Academy.

I am optimistic that future classes starting with 2014 will benefit from the many investments being made in telling the Coast Guard Academy story to the most diverse student populations in America.

For our civilian workforce: the Career Entry-Level Opportunity (CEO) program is a 2-year intern program designed to provide a skilled and diverse workforce. Since the 2002 inception of the CEO Program, there have been 56 entry level hires into the program; 48 percent have been minority hires. We developed a methodology to expand this program within our workforce growth efforts.

The Minority Serving Institutions Internship Program (MSIIP) provides fully paid internship opportunities. Stipend paid interns work during the spring, summer, and fall months in Coast Guard locations nationwide. Since the fall of 2006 we have had sixty-one undergraduate and graduate students; 84 percent of the participants have been minority students. Some of these opportunities are now being linked to our Flag/SES college outreach initiative.

We interact with students long before they are ready to consider entering the workforce. The primary focus is assisting in the pursuit of educational excellence and supporting interest in science, technology, engineering, and math. Clearly this helps create greater awareness of opportunities we can offer as these young Americans develop dreams, aspirations and prepare for their futures. We are very proud of our joint efforts with Ms. Dickerson and the Civil Rights staff to support and expand Partnership in Education activities in schools such as the Maritime Industries Academy in Baltimore, MD and others throughout the country.

RETENTION

Retention and career development go hand-in-hand. The only way to improve diversity at senior military levels is to grow it. We are taking action to ensure that junior officers, enlisted personnel and civilians receive the coaching and mentoring necessary to advance and promote. Our Diversity Strategic Group recommended changes to the way we report the performance and provide counsel for our officers. Since I last testified, I have directed changes to our Officer Evaluation System to ensure our officers are counseled on their evaluations and that the counseling is documented.

Although all of our leadership courses include blocks on mentoring and counseling, we will leverage the professional development opportunities at affinity group conferences to provide a counseling module for all Coast Guard attendees.

To help junior officers, and mid-grade members (both officer and enlisted) also, stay on track for success, Individual Development Plans will be required. We currently have 38 units participating in a pilot program on the "how to" roll this program out across the Coast Guard.

Developing and retaining the mid-grade officers and petty officers is key to growing a diverse senior officer and petty officer corps.

Our analysis of the civilian workforce found opportunities to improve training and developmental programs for our civilian workforce. We've since aggressively marketed those programs to raise awareness and promote the wide-ranging avenues for our civilians.

Our flag and senior executives recognize and promote talent within our officer corps. Their commitment to diversity is demonstrated in the representation on the flag and senior executives' personal staffs - key developmental positions of Deputy, Executive Assistant at the captain (O-6), commander (O-5) and Admiral's Aide at the junior officer grades. Minority and women officers in these positions (25 percent of the senior positions and 34 percent of the junior positions) are higher than their overall representation in our Service.

Feedback Loops: The Commandant's Diversity Advisory Council (DAC) and Leadership Advisory Council (LAC) meet semi-annually with Admiral Allen to provide 'truth to power' and immediate senior leadership 360-degree feedback. The DAC and LAC also provide a forum for a reality check that reviews current diversity policies and execution plans. Many items on our current tactical level Diversity Action Plan were validated by the diverse representatives of the DAC and LAC. Both Councils have members sourced nationally from the Total Workforce—active duty, reserve, civilian, officer/enlisted, and Auxiliary members who serve in this collateral duty for 2 years.

Mr. Chairman, at my September testimony, you stated "It is imperative that the Coast Guard's diversity initiatives form a cohesive tactical plan designed to implement specific diversity goals." We agree. We used both our existing, though dated diversity strategy, input from affinity groups and the diversity action committee, and a career continuum to establish our action plan. I also directed a new Leadership and Diversity Management Strategy be developed to operationalize the Commandant's Diversity Policy Statement. That vision drives our mission to recruit, retain, and fully support, a ready, capable, diverse, and high-quality military and civilian workforce. The strategy will be a living document to institutionalize our actions and commitment to diversity.

SUMMARY

Chairman Cummings, total workforce diversity is vitally important to the Coast Guard. I have described some of our current actions in this testimony that will result in advancement on our diversity journey. We are continually measuring our recruiting and retention progress to assess if we are on the correct upward trends to achieve a much improved workforce demographic representation.

Comparing 2003 and 2008, the representation of females in the officer corps is up 2.7 percentage points and the representation of officer minorities is up 2.3 percentage points (see figure 1). In the enlisted workforce, the representation of females is up 1.4 percentage points, while the minority representation is up 6.9 percentage points (see figure 3). During this six-year period, the actual numbers of females and minorities in the military increased by 23.6 percent and 45.6 percent, respectively, in a period where the overall military workforce grew by 8.4 percent. The permanent civilian workforce, however, has been trending in the opposite direction over the same period. Despite increasing the actual numbers of females and minorities between 2003 and 2008 (+8.6 percent and +10.2 percent, respectively), these increases did not keep pace with the

20.2 percent growth in the civilian workforce. As a result, the female representation dropped by 3.6 percentage points and the minority representation dropped by 2.1 percentage points (see figure 4). I have directed additional analysis of our civilian workforce trends to develop courses of action to keep us moving in the right direction.

If we consider the projected year 2050 datum as a broadly defined end-state, we have a long way to go when the minority representation of our military workforce is 23.4 percent (Officer Corps 16.9 percent, Chief Warrant Officers 16.2 percent and Enlisted Workforce 25.0 percent) and the minority representation of the civilian workforce is 23.5 percent.

Mr. Chairman, please be assured that the Coast Guard is committed to improving the diversity of our Service. We are taking action—tactical and strategic. I am personally committed and optimistic that the seeds of our aggressive outreach actions will germinate, sprout, and grow—if we nurture the required social networks in the field. Sustainability is key and we are committed. The Coast Guard needs your continued support to stay on course. We do have challenges ahead and we recognize them. We have developed a plan to address those challenges and are taking bold and decisive action to execute that plan. I'll be happy to provide periodic reports on our progress.

Thank you for the opportunity to testify today. I look forward to your questions.

Figure 1 Officer Diversity

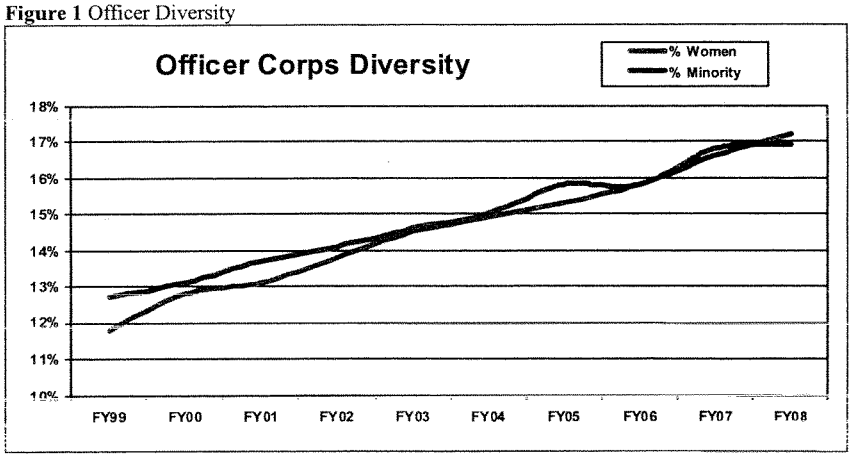


Figure 2 CWO Diversity

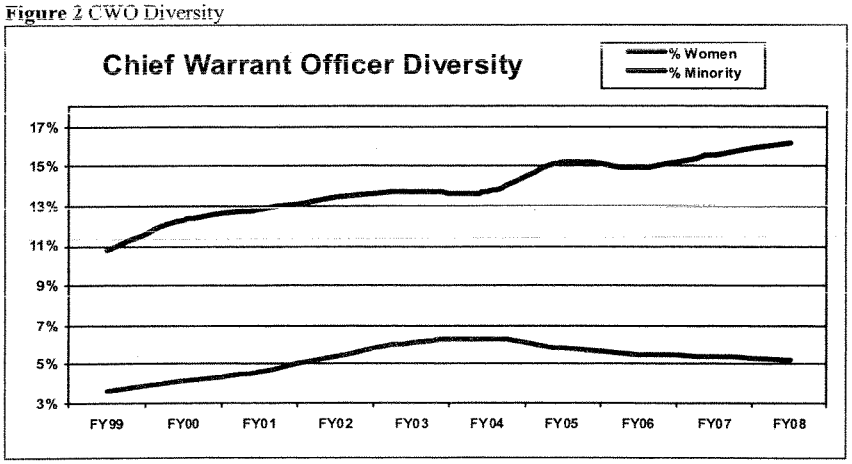


Figure 3 Enlisted Diversity

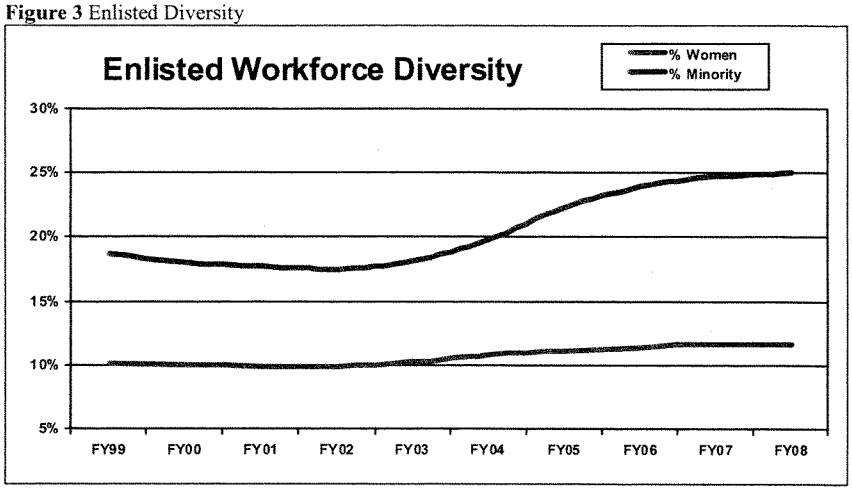
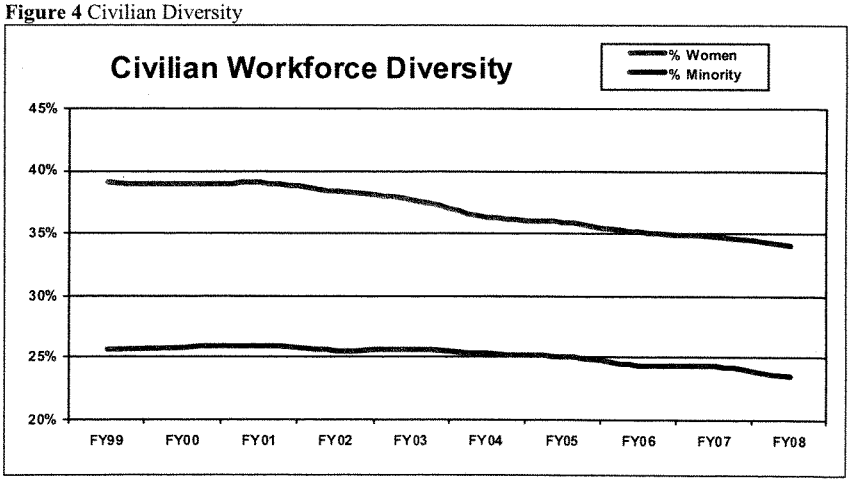


Figure 4 Civilian Diversity



U. S. Department of Homeland Security

United States Coast Guard

Commandant
United States Coast Guard

2100 Second Street, S.W.
Washington, DC 20593-0001
Staff Symbol: CG-00H
Phone: (202) 372-4500
FAX: (202) 372-4967

DEPARTMENT OF HOMELAND SECURITY

U. S. COAST GUARD

STATEMENT OF

MS. TERRI DICKERSON
DIRECTOR, COAST GUARD OFFICE OF CIVIL RIGHTS

ON THE

COAST GUARD'S CIVIL RIGHTS PROGRAM

BEFORE THE

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

SUBCOMMITTEE ON COAST GUARD AND MARINE TRANSPORTATION

U. S. HOUSE OF REPRESENTATIVES

APRIL 1, 2009

Good afternoon Mr. Chairman and distinguished members of the Committee. It is a pleasure to appear before you today to discuss the Coast Guard Civil Rights Program. I am Terri Dickerson, the Director of the Coast Guard's Office of Civil Rights.

Overview and Abbreviated History of the Coast Guard Civil Rights Program

Like many other Federal agencies within the Executive Branch of government, the Coast Guard's formal human relations and Equal Employment Opportunity (EEO) programs began in the late 1960s. These programs were established under the guidance and direction of the U.S. Civil Service Commission and Executive Order 11478. Porvided below is a brief historic overview of their development.

- 1968: The Coast Guard began its efforts to assign personnel within its officer corps service-wide in support of Equal Opportunity (EO) programs and EEO counseling efforts.
- 1969: Under leadership of the Secretary of the newly-formed Department of Transportation (DOT), Coast Guard redoubled its efforts to publicize its EEO program to obtain positive equal opportunity results.
- By 1970: Lieutenant Maxie Berry, an African American, was the Chief of Military Equal Opportunity at Coast Guard Headquarters in Washington D.C. That same year, the Coast Guard formalized procedures governing submission of complaints of discrimination, appointed its first Equal Opportunity Counselor for Headquarters, and continued to assign EEO positions at field units.
- By 1973: Coast Guard had in place a Civil Rights Director. I am told the Coast Guard had one of the top EEO records within DOT.

It is important to distinguish between the programs being developed and those still in place. Equal Opportunity (EO) is a program extended to military members. The military personnel are also afforded opportunities to bring their matters through military adjudication procedures and processes. It is legal and acceptable because of the nature of missions for the military to apply certain policies and behaviors which are not permissible under civilian personnel policy. As discussed above, Coast Guard must afford civilians Equal Employment Opportunity (EEO). At the Coast Guard, one office, the Office of Civil Rights, is responsible for the EEO and EO programs. Currently, the other Armed Services have an entirely different complaint systems with different time frames and process structures. Some of the Services recently contacted the Coast Guard seeking information on our complaint structure.

In 1983, Mr. Walter Somerville assumed the position as Director of the Office of Civil Rights (OCR) and served for 21 years in the position through the Coast Guard's transition into the Department of Homeland Security (DHS). During his tenure the program fostered a culture that valued diversity, initiated and conducted cultural audits, and developed a program to provide tuition assistance to students at predominately Hispanic and Historically Black Colleges and Universities – HBCUs. To date, more than 250 officers have been commissioned as a result of this program. Additionally, the first Coast Guard JROTC Program was established and the Coast Guard Recruiting Initiative for the 21st Century (CGRIT) was implemented to enable students at HBCUs to transfer to the Coast Guard Academy to enhance efforts to attract African Americans to the Academy and the Officer Corps.

The program review, which I am here to discuss, alludes to climate concerns being evident at this time. Though I was not working for the Coast Guard, my predecessor conducted a number of similar reviews. An assessment in 1997 validated a number of problems in the delivery of field civil rights services and proposed changes in policy and organizational structure. The desire for more rigorous analyses led to subsequent studies in 1997, 1998, and 2002.

The Coast Guard adopted a number of recommendations, including restructuring the field civil rights program and implemented recruiting initiatives aimed at diversifying the military. It is evident the office at that time, perhaps because of a smaller number of civilian employees (about 5,000 in fiscal year 1999, compared to almost twice that number today) focused to a large extent on what we now consider to be Diversity programs; those programs which were intended to enable minority military members to reach their full potential. At some point, the main activities associated with recruitment, ascension rates, outreach to HBCUs and Minority Serving Institutions (MSIs) went to the diversity office within the Coast Guard.

On October 1, 2003, EEO Commission (EEOC) introduced Management Directive (MD) 715 to reflect significant changes in the law, including Supreme Court decisions. It superseded earlier EEOC management directives and related interpretative memoranda and provided new guidance on the elements of legally compliant Title VII and Rehabilitation Act programs. MD 715 requires agencies to take appropriate steps to ensure all employment decisions are free from discrimination. It also established standards by which EEOC would review the sufficiency of agency programs, which now includes periodic agency self-assessments and the removal of barriers to free and open workplace competition. The Coast Guard has made steady progress since the promulgation of MD 715; overall EEO compliance rates were 84 percent for 2004 and 86 percent for 2005.

The Coast Guard, like all Federal agencies, has an ongoing obligation to eliminate barriers that impede free and open competition in the workplace and prevent individuals of any race, ethnicity, nationality origin or gender from realizing their full potential. As part of this on-going obligation, the EEOC has directed agencies to conduct a self-assessment on at least an annual basis to monitor progress and identify areas where barriers may operate to exclude certain groups. A first step in conducting this self-assessment involves looking at the racial, national origin, and gender profile of relevant occupational categories in an agency's workforce to serve as a diagnostic tool to help agencies determine possible areas where barriers may exist and require closer attention.

In 2003, the Coast Guard transitioned to the newly-formed Department of Homeland Security (DHS), and the complaint structure changed again. The workload for complaints previously accepted or dismissed and investigated at Department of Transportation (DOT), was transferred to the Coast Guard Area and Headquarters levels. In spite of such challenges, I applaud my predecessor. Based on self-analysis findings and reviews, he inaugurated changes which required some care to successfully graft to a military culture a Headquarters staff that was being asked to look at things differently.

Vacancy: Director, Office of Civil Rights

Upon Mr. Somerville's retirement in 2005, military officers acted in the OCRs Director position until a successor could be selected. Despite a lack of continuity caused by the vacancy of a career SES Director for 19 months, the Program itself was productive in many respects under the guidance of these military officers. They built relationships with counterparts in DHS and within the Department of Defense (DoD). The OCR promulgated the Service's Equal Opportunity Manual, implemented a new training curriculum for Sexual Harassment Prevention, produced and

disseminated Service-wide Standard Operating Procedures for pre-complaint processing, expanded the Program's Equal Opportunity Review visits to Coast Guard operational units in consultation with the Commandant's Diversity Advisory Council, and assisted the newly-formed DHS to establish an agency-wide complaint tracking system. This period of transition also included a staff reorganization to optimally support the complaint and investigation functions.

I was hired in April 2006. Based on my own assessment of the program and resources, I became convinced of the need to reorganize to achieve our desired functionality. Therefore, I undertook steps to establish more accountability and standardized processes while identifying service-wide improvement opportunities to be made - consistent with the Coast Guard's Service-wide modernization plans that soon would be underway.

I initially held an off-site all-hands meeting with my civil rights staff to focus on mission alignment with the Coast Guard. This event afforded my staff the opportunity to develop cohesive and strategically aligned proposals, many of which have been implemented.

The EEO Complaint Structure

Before discussing the recent OCR Program Review, it is important to provide a brief overview of the Coast Guard's EEO staffs and complaint processes. A graphical representation of these processes has been included at the conclusion of my statement.

Persons who believe they have been discriminated against must contact a military or civilian complaints counselor within 45-calendar days of an alleged discriminatory act. Names of local servicing EEO personnel are posted at every unit. These individuals are located throughout the Coast Guard, serving in a collateral duty or a full-time civil rights service provider status.

The roles of Civil Rights Service Providers in the field locations include:

1) Collateral Duty Counselor – These are individuals whose main job function is not EEO, but they volunteer to assist field EEO offices with counseling functions. They can provide up to 30 percent of their work time counseling individuals who believe they have been subjected to discrimination. Since it is a statutory requirement to provide counseling within 45 calendar days to individuals who believe that they are subjected discrimination, and due to lack of full-time civil rights resources, we have utilized collateral duty counselors to provide this service.

2) Collateral Duty Command Officers – These are individuals, mostly military members who are assigned by local commands to assist field commanders with EEO activity. They usually attempt mediation, and serve as an advisor on EEO matters to the commander. In some instances, they provide EEO counseling to complainants.

3) Full-time Civil Rights Service Providers - These are individuals who have specialized experience providing counseling along with other civil rights services. These personnel report to local commanding officers and not to the OCR.

The Coast Guard currently employs 22 full-time personnel in the OCR at Coast Guard Headquarters.

In an effort to reduce complaint backlog and improve efficiency, personnel and aggrieved parties in both the informal and formal stage of the complaint may elect mediation. In general this is a voluntary opportunity for parties to attempt to resolve their disputes in a way other than the complaint process. The Coast Guard has some trained neutral mediators within our workforce and others available on a contract basis to assist parties and formulate enforceable resolutions in writing. When any person withdraws from mediation, the complaint resumes at the same stage in the traditional complaint process prior to entering mediation.

It is important to note that the collateral duty counselors and other field civil rights service providers report to the local commands and not to the OCR. These positions are appointed, recruited, and selected by local commands. Training is provided to newly-selected counselors, as is annual refresher training as required by EEOC regulations. In addition, the full-time civil rights managers at the Coast Guard Atlantic and Pacific Areas provide annual training for all field civil rights services providers. The OCR also hosts biannual civil rights conferences to which all civil rights service providers are invited.

The Complaint Process

The complaint process starts with the informal stage. If the aggrieved party is a military member, the command has 15 calendar days in which to attempt to resolve the matter. If it is not resolved within 15 calendar days, the member's informal complaint is processed by a counselor who conducts a limited inquiry into the allegations and attempts to a resolve the matter within 30 calendar days. If the matter is not resolved within 30 calendar days, the counselor issues a notice of right to file a formal complaint to the aggrieved, and prepares a counselor's report that identifies the issue, basis of the complaint, witnesses, and other relevant factors.

If the aggrieved party is a civilian member, the informal complaint goes directly to the counselor for resolution within 30 days of issuance of a notice of right to file. The only difference between treatment of military and civilian members is that the military member's command gets 15 days to attempt resolution.

If the aggrieved party files a formal complaint, the matter will advance to the Area-level civil rights manager. The three Area EEO managers for the Coast Guard are located at Headquarters, Pacific Area, and Atlantic Area. These managers are responsible for reviewing the counseling reports to ensure that they are complete, forwarding the counseling report to the aggrieved within 15 calendar days of the filing of the formal complaint, and determining whether the claims are acceptable for further processing in accordance with established regulatory guidelines.

The Area civil rights managers are then responsible for advising the aggrieved party of their determination, along with the aggrieved rights and responsibilities. If the claim is accepted for further processing, the complaint will be investigated by a contract investigator from Coast Guard Headquarters.

After the complaint is investigated, the aggrieved will be provided with further rights. If the aggrieved is military, they will have the right to a final agency decision with appeal rights to DHS only. If the aggrieved is a civilian, the civilian member will have the right to a final agency decision by DHS with appeal rights to EEOC; the right to go directly to EEOC for a decision; or a decision from District Court, if 180 calendar days has passed since the filing of the formal complaint.

Coast Guard civilian employees may choose to have their cases heard at an EEOC hearing and receive a final decision from EEOC. If they elect to go to court and have a hearing, they usually wait longer.

One other important point is the Coast Guard supports and encourages mediation at every stage of the process. As such, we have resolved complaints from the very beginning at the command level, up to and during the EEOC hearing stage.

Complaint Statistics:

FY	Pre-complaints		Complaints Filed		Resolution Rate	
	Military	Civilian	Military	Civilian	Formal	Pre-complaint
08	46	65	25	50	12%	07%
07	79	61	17	41	19%	23%
06	54	129	15	45	12%	55%

Issues and Bases in FY08 Civilian and Military Complaints are relatively consisted throughout the past three years:

Civilian:

Issues:	Harassment (Non-Sexual)	Non-Selection	Disciplinary Actions
Bases:	Race (African-American)	Age (over 40)	Reprisal (for prior EEO Activity)

Military:

Issues:	Harassment (Non-Sexual)	Disciplinary Actions	Evaluations
Bases:	Race (African-American)	Gender (Female)	Reprisal (for prior EEO Activity)

Coast Guard's Request for a Functional Review

In early 2008, I sought to validate some known climate concerns. The decision to conduct a review was neither an offensive nor defensive undertaking. The decision was deliberate. I had taken steps, and while they were bearing fruit, I thought the Coast Guard could gain from outside perspective.

Initially, I reached out to EEOC and Defense Equal Opportunity Management Institute (DEOMI) staffs to inquire about the possibility of submitting my EEO program for their review. I was informed, however, that I would either have to limit the scope or endure an unacceptable delay in scheduling. I ultimately approached DHS and they agreed to assist a contractor in reviewing our program.

In April 2008, I sent Chairman Cummings a letter indicating my intention, and I also sent a letter to DHS outlining the review. Booz Allen Hamilton (BAH) was awarded the contract. Thus, with Admiral Allen's support, and with DHS staff agreeing to give us recommendations with the benefit of perspective from their office, I commissioned a self-assessment. The purpose was to (1) gain

perspective on known problems already being addressed, and (2) to ask a third party (which turned out to be a contractor - BAH) to identify any other issues needing attention. Specifically, my letter 25 April 2008 to DHS Deputy and Director of EEO Programs, I requested:

> "a comprehensive review and evaluation to determine the extent to which the structure, policies, procedures, and personnel of the OCR are meeting Coast Guard's equal opportunity missions, and whether it performs in accordance with the Equal Employment Opportunity Commission (EEOC) regulations set forth at 29 C.F.R. Part 1614; EEOC's MD 110 and MD 715; the Coast Guard Equal Opportunity Manual, COMDTINST M5350.4B (EOM) and the Uniform Code of Military Justice (10 U.S.C. Chapter 47). While your review should address our entire Civil Rights Program, we request that it address specifically the structure, policies, procedures, and personnel of my headquarters directorate that leads the program. In particular, please assess the office climate and its cause and effects; whether and to what extent it engages in productive activities that enhance our Civil Rights mission; and whether its personnel, including me, adhere to the Coast Guard values of honor, respect, and devotion to duty. Please specifically examine whether our personnel, including me, safeguard official information and ensure the confidentiality of information contained in EO/EEO case files and ensure an environment free from harassment."

As I was interviewed by the BAH team, I provided them detailed information on the known challenges the Coast Guard was facing (e.g., structuring, training, lines of communication, climate concerns, skills assessments). I sought and received cooperation from all of my senior executive leadership colleagues in allowing their staffs to participate in the activity. The BAH team concluded its efforts with the publication of the Program Review in February 2009. I thought the BAH team ultimately did a good job of offering the outside perspective needed to validate existing concerns, and inform future approaches. In the Coast Guard's efforts to be as transparent as possible and to maximize readership amongst Coast Guard employees and commands, the entire review was posted on OCR's web site and a message was sent to all Coast Guard employees directing their attention to the results.

Program Review Findings, Implementation, and Action Planning

The BAH team found a number of good initiatives either recently completed or well into implementation. They noted a robust response to an incident at the Coast Guard Academy and its follow-on actions, the use of a monthly newsletter as a communications tool, and continuing progress on compliance with MD 715 self-assessment measures, reaching 92 percent in 2006, 96 percent in 2007, and (though trailing as a result of self-imposed higher standards) a still robust 94 percent in 2008.

At the heart of the recommendations is an overall program re-structuring. Consistent with previous review recommendations, this review recommends ensuring the program is a full-time function carried out by personnel with specialized EEO expertise. The review's foremost finding is that the current structure of locally-hired and accountable staff, augmented liberally with a host of collateral duty agents, while well-intended, has resulted in EEO practices which vary as a function of command and are not conducted in a prescribed manner.

Pursuant to this finding, I have proposed to the Commandant a national EEO program delivered from geographically distributed points throughout the Coast Guard by trained, permanent civil

rights providers and a toll-free telephone access number, staffed around the clock seven days a week. These changes could be made consistent with the Coast Guard's ongoing Modernization efforts.

Additionally, the report stresses instances of EEO information being left unsecured at field locations, under-trained counselors, and commands delegating authority for complaints to unauthorized personnel. These are the very practices which spurred my request to have an independent review conducted in order to quantify and validate the extent of the problem, and to illustrate the cause for action for program restructuring.

The program review showed that the Coast Guard may not be exacting full value from self-assessment resources, since it historically has focused on one activity, EO Reviews. The resources expended on this activity could be applied to other evaluation tools, some of which could help make up for lack of field self-assessment efforts. For this reason, I am planning to inaugurate other data collection methodologies such as questionnaires which measure supervisor and employee satisfaction at discrete points in the field EEO process. Equal Opportunity reviews will continue, although (as the review recommended) they will no longer dominate the Coast Guard's self-assessment mix. We will utilize reviews in combination with other tools, some referenced above, in constructing more expansive measure of our EEO effectiveness.

Last year we changed the requirement for climate assessments by Coast Guard commands from triennial to annual. Our new proposed organizational structure will allow all Coast Guard units to have access to EEO centers staffed by full-time specialists who are trained and ready to advise them on interpreting annual DEOCS results, assessing longitudinal progress, and designing appropriate follow-on actions. The change in DEOCS requirements has added substantially to the Coast Guard's self-assessment database, and the opportunity to augment the more robust reporting with specialized assistance in its interpretation will increase its utility.

Concerning overall climate, we anticipate that setting up the one-stop EEO units will bring needed organization and cohesion to field employees. We are in the process of creating an intensive leadership development seminar for OCR and EEO field managers. As our office modernization proposal is finalized, we will look to secure facilitators to extend additional teambuilding activities between OCR and field staff. Once OCR restructures, we intend to conduct a climate survey, which we will repeat periodically to gauge progress.

With the handling of Personally Identifiable Information (PII), OCR terminated a long-standing practice of providing management officials reports of investigation on request. We now have set in place written disclosure agreements by which commands understand the terms of EEO personnel releasing portions of investigative reports (i.e. almost exclusively limited for purposes of attempting mediation with willing aggrieved parties, and only to management officials who possess the proper authority). The report points out that we must re-communicate parameters for EEO record disclosure because some personnel in the field have not kept current with new policies. Here again, a centralized reporting structure will safeguard against protections being overridden by persons unfamiliar with EEO record handling procedures. The OCR staff is re-issuing general guidance, emphasizing proper handling of PII information.

We have recognized, through reviews of complaint files, the need to shore up some skill gaps among Collateral Duty Counselors who process complaints of discrimination, as well as a small number of full-time Civil Rights Service Providers. The structure proposed in the report will enable

the OCR to track and certify qualifications of EEO personnel, and to design training programs to ensure they sustain the necessary core competencies. Leadership and management must set priorities, certify training, establish performance standards, offer direct feedback, and be able to ensure accountability. This will require many changes in policy references, since Coast Guard EEO/EO has been under local command for so many years. In the future, we anticipate that all EEO personnel will be full-time. Furthermore, hiring and training of service providers, currently done at the field level, will be done at Headquarters.

Due to DHS' heavy workload with final agency decisions it issues, our service members were experiencing 12- to 18-month periods for decisions in their discrimination claims. With DHS support, final decisions in military complaints will now be decided by me. I have enacted plans to offer all recommendations for final decisions in the 60-day period prescribed under Coast Guard policy. Consistent with report recommendations, we plan to utilize contract assistance with term employees to address a backlog of cases that DHS is passing to us. In addition, we have assembled a special mediation team which has identified a subset of the returned cases for aggressive resolution.

Admiral Allen has directed the development of an Executive Level EEO/Diversity Training course to raise awareness of these complex issues. I am pleased to report that the first 2.5-day session was just completed in March. It included frank and open discussions designed to help leaders better manage climate issues. We plan to hold these sessions several times per year to ensure the widest possible dissemination of the information.

Everything cannot be done overnight and some things may not be feasible. The Coast Guard is considering the recommendations and committing items to action plans rolled out over the next 18 months to 2 years.

I fully believe the decision to conduct a program review was a worthwhile endeavor, as evidenced by the findings and responses in the review, the endorsement by the DHS Office of Civil Right Civil Liberties, the Commandant's commitment, and his tasking of the Coast Guard's senior leaders to provide the necessary support for Service-wide implementation of actionable recommendations.

Transparency is the hallmark of self correction, and as the Commandant has stated, he is personally committed to ensuring that the Civil Rights Program receives the oversight, assistance, and resources necessary to implement all appropriate recommendations. The Commandant and I meet frequently to provide progress updates on Coast Guard Civil Rights matters and implementation of our action plan to overcome the deficiencies noted in the Review.

With the oversight, guidance, and support of the Coast Guard's senior leadership, my staff and I are fully engaged in developing and executing a comprehensive strategy to address all the issues in the Review. I am confident that I have the commitment and support to carry out Service-wide changes. The Commandant has tasked senior officers to augment my Action Team to assist in accelerating the review and development of the tracking of initiatives and challenges identified in the Review.

I look forward to a future opportunity to report our successes to you.

Thank you for the opportunity to testify today. I look forward to your questions.

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