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NOMINATION OF VERNON B. PARKER, OF ARIZONA, TO BE ASSISTANT SECRETARY OF AGRICULTURE FOR CIVIL RIGHTS

HEARING

BEFORE THE

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY UNITED STATES SENATE

ONE HUNDRED EIGHTH CONGRESS

FIRST SESSION

MARCH 20, 2003

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NOMINATION OF VERNON B. PARKER, OF ARIZONA, TO BE ASSISTANT SECRETARY OF AGRICULTURE FOR CIVIL RIGHTS

THURSDAY, MARCH 20, 2003

U.S. SENATE,
COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY,
Washington, DC.

The committee met, pursuant to notice, at 10:33 a.m., in room SR–328A, Russell Senate Office Building, Hon. Thad Cochran, [Chairman of the Committee], presiding.

Present or submitting a statement: Senators Cochran, Dole, Grassley, Harkin, Leahy, and Lincoln.

STATEMENT OF HON. THAD COCHRAN, A U.S. SENATOR FROM MISSISSIPPI, CHAIRMAN, COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

The CHAIRMAN. The committee will please come to order.

This morning we are conducting a hearing on the nomination of Mr. Vernon Park, who has been nominated by President Bush to assume the responsibility of Assistant Secretary for Civil Rights in the Department of Agriculture. This is a position that was created in the 2002 Farm bill that was passed by Congress and signed by the President.

I am pleased to notice that we have Senator Jon Kyl, who is here with Mr. Parker. Senator Kyl is from Arizona; Mr. Parker is from Arizona. Before we proceed any further, Senator Kyl, we will recognize you for any introductory comments that you would like to make.

STATEMENT OF HON. JON KYL, A U.S. SENATOR FROM ARIZONA

Senator KYL. Well, thank you very much, Mr. Chairman. That is kind. I will make a couple of remarks, and then at your pleasure will excuse myself to go to a briefing.

It is a real privilege for me to introduce to my friends on the committee here another friend from Arizona, Vernon Parker, who has distinguished himself as an Arizonan and I know will distinguish himself here in Washington, D.C.

He is a lawyer, a community leader, a public servant. A little bit about his background: he graduated from Georgetown Law School and while there was editor of the American Criminal Law Review. He rapidly rose after his graduation to the position of general counsel at the Office of Personnel Management. He has also served as

special assistant to President Bush I, a role that required him to oversee more than 300 Presidential boards and commissions. Since he moved to Arizona, Vernon Parker has achieved further distinction as a business leader, first as a consultant, and then as president and CEO of Scottsdale-based Bel Sante International. Throughout, he has maintained a high-level involvement in community organizations and, I might also mention, some involvement in politics.

Most recently, he served as interim pastor of his church, the Calvary Church of Valley in Paradise Valley, and I just want to say that his legal skills and his dedication to equal opportunity will permit him to excel as Assistant Secretary of Agriculture for Civil Rights. As I said, it is a real privilege for me to introduce him. I could say much more, but I know in the interest of brevity that this should suffice.

I personally endorse him for the position and look forward to his quick confirmation.

The CHAIRMAN. Thank you very much, Senator. We appreciate your being here to say those things about the nominee. We are pleased to have your statement, and we know you have other obligations, and you are certainly free to return to those.

Senator KYL. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

We are also pleased to have before the committee this morning Senator John McCain, the other Senator from Arizona. We appreciate your being here, Senator, to make any opening comments or remarks about Mr. Vernon Parker that you would care to make. Welcome.

STATEMENT OF HON. JOHN McCAIN, A U.S. SENATOR FROM ARIZONA

Senator MCCAIN. I thank you, Mr. Chairman, and I thank my colleague and friend, Senator Kyl, for his remarks. I very rarely elaborate on his statements since he covers everything usually completely. I would like to add my strong support to Vernon Parker who is a proud—we are proud that he is a resident of Paradise Valley, Arizona, but most importantly, we are proud of his record of commitment to community and public service and improving the lives of children. His dedication to public service is certainly demonstrated by his willingness to assume this position.

He has been in the Office of Personnel Management, served in the first Bush administration. He is also an entrepreneur, serving as president and CEO of Bel Sante International, LLC.

I am proud of this young man. I am pleased that the President has nominated him for this very important position. We know how important this position and these issues are to all of us that he will be involved in, and I strongly recommend the committee's approval. I thank the Chairman and members of the committee for allowing me to be here.

The CHAIRMAN. Thank you very much, Senator. We appreciate your comments and we respect your views and your service in the Senate. You are a good friend. We appreciate your coming to the committee this morning.

Senator MCCAIN. Thank you, Mr. Chairman, members of the committee.

The CHAIRMAN. Mr. Parker, under the rules of the Senate, we are required to put you under oath before we proceed with the testimony in the committee. If you will please stand and raise your right hand. Do you swear or affirm that the testimony you are about to provide is the truth, the whole truth, and nothing but the truth, so help you God?

Mr. PARKER. I do.

The CHAIRMAN. Thank you. You may be seated.

Before we proceed with any questions, I want to know if the distinguished Senators who are here, Senator Grassley, Senator Dole, have any opening comments or statement for the record? If you would like to make a statement, please proceed.

Senator DOLE. Thank you, Mr. Chairman. Let me ask Senator Grassley first, though, as my senior, would you like to make a statement?

Senator GRASSLEY. It happens on this committee I am your junior.

[Laughter.]

Senator GRASSLEY. You should go ahead.

Senator DOLE. OK.

The CHAIRMAN. Senator Dole.

STATEMENT OF HON. ELIZABETH H. DOLE, A U.S. SENATOR FROM NORTH CAROLINA

Senator DOLE. Mr. Chairman, the 107th Congress recognized, as you mentioned, that it was imperative for the U.S. Department of Agriculture to have a senior post specifically dedicated to the issue of civil rights. I favor the action taken in the 2002 Farm bill to create this post, and I strongly support the nomination of Vernon Parker to serve in the capacity as Assistant Secretary for Civil Rights.

This job, in my view, requires someone who has a calling for public service, and it is clear from reviewing Mr. Parker's background and meeting with him in person that public service is indeed a calling for him.

He has been involved in a wide range of work and community service that exemplifies his commitment in this regard. Additionally, his work in Government at the U.S. Office of Personnel Management and his practice of law in the private sector, his work as a pastor illustrate his versatility and ability to bridge different areas of expertise.

This, in my opinion, makes Mr. Parker uniquely qualified for this post. Make no mistake, this job requires someone who can bring people together, someone who can bridge differences.

Mr. Parker has the background and experience to do that, and I am confident that he will work to keep the Department focused on our commitment to ensuring equality for all of those who seek the services of USDA.

Mr. Chairman, I commend Secretary Veneman for her work to address the numerous civil rights issues with which the Department has been confronted in recent years. The swift confirmation of Mr. Parker will allow the Department to make significant

progress in this important area. His strength of character, experience, and temperament will make him an extraordinary asset to the Department of Agriculture. I urge my colleagues to support Mr. Parker's nomination for this important post.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator.

Senator Grassley, any opening statement you would care to make?

Senator GRASSLEY. No.

The CHAIRMAN. At this point in the record, we will include the prepared statement of Senator Leahy.

[The prepared statement of Senator Leahy can be found in the appendix on page 17.]

The CHAIRMAN. The Assistant Secretary for Civil Rights is charged with the duties of enforcing and ensuring compliance with all civil rights laws by all agencies and under all programs of the Department of Agriculture. The mission of the Office of Civil Rights is to "facilitate fair and equitable treatment of USDA customers and the employees and ensure the delivery and enforcement of civil rights programs and activities".

I have had the pleasure of meeting with Mr. Parker and reviewing his background and his qualifications, and I am very impressed with his fitness for this position. I look forward to this hearing where Senators have an opportunity to ask any questions they might about the qualifications and plans of Mr. Parker in this new office. He has a distinguished background as a lawyer, both in Government and in the private sector. He has served in the Office of Personnel Management as counselor to the director and then as general counsel, where he helped shape policies and implement those policies on various issues, including civil rights.

He has also served as special assistant to the President. Mr. Parker has credentials as both a community leader and as an attorney, and he has recently served as pastor in his church.

Mr. Parker, I know that you may have special guests or family members here with you today, and if you do, please feel free to introduce them to the committee at this time.

Mr. PARKER. Thank you, Mr. Chairman. My best friend and my lovely wife, Lisa; my son, Ian; and a very good friend who traveled all the way from Scottsdale, Arizona, Mr. Bill Gresser; and my surrogate brother and sister, Jackie and Kevin Davis. I have quite a few people here.

The CHAIRMAN. Thank you all for being here. We appreciate your presence.

[Applause.]

The CHAIRMAN. Mr. Parker, we will now yield to you for any opening statement or comments that you would like to make to the committee. You may proceed.

STATEMENT OF VERNON B. PARKER, OF ARIZONA, TO BE ASSISTANT SECRETARY OF AGRICULTURE FOR CIVIL RIGHTS

Mr. PARKER. Thank you, Mr. Chairman. This is indeed a wonderful day for me. Mr. Chairman and members of this committee, I would like to begin by stating how proud I am to be from the great State of Arizona and how fortunate all Arizonan citizens should be

to have two of the finest Senators to come from the State of Arizona in Senator Kyl and Senator McCain.

Mr. Chairman, I would like to thank the President and Secretary Ann Veneman for putting their trust in me and nominating me for such a challenging position. I would also like to thank my lovely wife, Lisa, and my son, Ian, for their undying support while going through this process.

Mr. Chairman, the great theologian Martin Luther once said that, "Everything that is done in this world is done by hope." This morning, it is with great hope that I appear before this committee. My hope lies in that, if confirmed, I will be able to make a difference in the lives of those who may have had their hopes or dreams destroyed because of injustice.

Today, there are many people who rely on the Department of Agriculture. They are honest Americans to whom our society has decided to lend a hand through Government. This Government lent me such a hand. As a child, I was a beneficiary of USDA programs. I still remember lining up in the cafeteria before school for that hot breakfast. As public servants, it is our duty to respect the dignity and foster the promises to those who are touched by Government programs. These are simple and basic American values.

Unfortunately, Mr. Chairman, at times, obstacles get in the way of these values. Racism and poverty, for example, all too often work in synergy to rob many people of their hopes and dreams. If confirmed, it is my intention to work to root out discriminatory practices as weeds in this garden of democracy. I will work to develop systems to promote equality of access and opportunity and work toward the day when the special focus of this job will become unnecessary because that focus will have been fully moved to the hearts of every employee within the Department. In creating this position, you did not take it lightly, nor will I, if confirmed. I will rely greatly on my past life and work experiences.

Speaking of those experiences, Mr. Chairman, as a child I was blessed by a loving extended family, a grandmother, a mother, and many caring aunts, all of whom instilled in me a deep faith in God, faith in each other, and a deep belief in America and its values. As a child, I suffered poverty and felt the discord of racism. During an unfortunate time in my life, my family needed Government assistance, and I remember the embarrassment on my mother's and grandmother's faces when they could not understand the forms that they had to fill out at the welfare office just to get food stamps. I saw individuals take advantage of them because of their lack of sophistication and because they could not read that well. They were both products of the segregated South.

Mr. Chairman, I vividly remember them having to ask the person behind the desk for help when filling out these forms. I remember the look on their faces when the person helping was anything but helpful. I remember them questioning whether they were being treated differently because of their race. They would always say, "I bet they would not have talked to me like that if I were white, or I bet they would have helped me if I were white." More importantly, Mr. Chairman, I remember the joy on their faces when someone would help, and many times that person helping would be white. Mostly I remember them telling me not to judge another

person by the color of their skin because in the end, we will all be judged by our resolve not to judge others.

It is my understand that today at the Department of Agriculture there are many people who have been denied or are being denied services because of the color of their skin or their gender. These people are just like my mother and my grandmother, and this is a practice which must be abolished. Abraham Lincoln some 141 years ago created the People's Department, today known as the USDA. This same President, 3 years after creating the People's Department, freed a people by signing the Emancipation Proclamation. There is no agency in our Government whose mission is more bound to basic American values than the Department of Agriculture.

As public servants, it is up to us to ensure that the letter and spirit of that proclamation is carried out. We are caretakers of the public trust; there is no higher service, other than service to God and family. We must, as I said earlier, root out discriminatory practices. At the same time, we must use discernment to properly identify justifiable cases that have no merit, because finding racism where there is none has a numbing effect on rooting out legitimate cases.

If confirmed, I will rely on two overriding principles to guide me in achieving these goals. First, it is critical that we work together and commit the resources to do the job. If we don't, we will remain at status quo. We can either pay now or pay later. We can either invest in the prevention of civil rights abuses, or we can invest in the next landmark settlement eclipsing the nearly $1 billion already committed to by this Government.

Second, if confirmed, I will work to knock down roadblocks that hinder people from achieving their dreams. The President and Secretary Ann Veneman have strong commitments to this principle. This principle extends to those who may not be in this room today, but whose lives are very real and whose dreams are rooted in the American dream of equality and justice for all.

The prevention of civil rights abuses at the USDA is an investment in our values, a decision of the Congress and the President to see that the resources of this Government reach all those Congress intended to benefit. We must the legislative and executive authorities to get the job done, rather than wait for courts to act as Government administrators.

In closing, Mr. Chairman and members of this committee, I am reminded of the words in Matthew where Christ said, "whatever you did for one of the least of these brothers of mine, you did for Me." Conversely, "whatever you did not do for one of the least of these, you did not do for Me."

Mr. Chairman, I thank you and the members of this committee for your time and consideration, and I am available to answer any questions that you may have of me at this time.

The CHAIRMAN. Thank you very much. I must say, Mr. Parker, that I don't recall ever hearing a more eloquent statement by a nominee for any office who has appeared before this committee for confirmation. I congratulate you on the statement and the spirit in which it was delivered. It was obvious to me that you meant what you said, and those were very reassuring words, and I am confident

that if you keep that spirit alive within yourself, you will be an outstanding Assistant Secretary for Civil Rights for the Department of Agriculture.

Mr. PARKER. Thank you.

The CHAIRMAN. There is one mandatory question that we have to ask all nominees who come before the committee for confirmation, and I will ask that now. Do you agree to appear before any duly constituted committee of the Congress, if asked to appear?

Mr. PARKER. Yes, sir.

The CHAIRMAN. I have looked at your qualifications, and by reason of your experience with the Office of Personnel Management and the other duties you have had in Government and out of Government, you certainly have the work experience that would qualify you to serve in this position. I believe by your statement as well that you understand the role and responsibilities.

Let me ask you this, though: If you are confirmed by the Senate and assume the duties of Assistant Secretary for Civil Rights, how would you measure the success of your tenure in this office?

Mr. PARKER. Thank you for that question, Senator. One of the things that I would look at is present day. How do people get along? I am speaking of the clients outside of the USDA who rely on the services of each employee there. I speak of the farmers. I speak of the employees under Title VII. I speak of Title VI programs also. If at the end of the day relationships can be repaired and there are no obstacles or roadblocks to services at the USDA, I will be very proud of that. I stand firmly committed to work to really have an environment where people feel that they have access to the system.

The CHAIRMAN. I am pleased to note the presence of our distinguished Senator from Iowa, Mr. Harkin, who is the ranking Democrat on the committee and served as chairman of this committee and has presided over confirmation hearings before. This is the first hearing where I am presiding as chairman of the committee in the confirmation of a nominee before the committee. I am pleased that it is this nominee and for this position, because it is truly a landmark day of real hope and meaning, not only for the customers, the farmers who deal with the Department of Agriculture, but the employees who work there.

I am impressed with the comments that have been made by this nominee and wish him well in the assumption of these duties. I am sure that your background and experience and your commitment to doing an excellent job I will ensure your success as the first Assistant Secretary for Civil Rights. Other Senators will respect this as well and look forward to your serving in this job.

Senator Harkin, I am pleased to yield to you for any statement or questions you might have?

STATEMENT OF HON. TOM HARKIN, A U.S. SENATOR FROM IOWA, RANKING MEMBER, COMMITTEE ON AGRICULTURE, NUTRTION, AND FORESTRY

Senator HARKIN. Mr. Chairman, thank you very much, and thank you for your great leadership of this committee and for being so involved when we created this. This is quite a compliment to you that as the chairman of the Agriculture Committee, this would be

the first nomination you have presided over because this is a unique position. It is the first time we have ever had this position at the Department of Agriculture. It is extremely important that we move ahead on this as soon as possible, and I thank you for moving this nominee as rapidly as you have, Mr. Chairman.

I just want to welcome Mr. Vernon Parker to our committee and extend my welcome also to your wife, Lisa, and your son, Ian. I enjoyed my visit with you just the other day, Mr. Parker, in my office. Again, you have a tough job ahead of you, but I am sure I can assure you that on both sides of the aisle up here you will have the support necessary to make this position strong and successful.

It is interesting that the Department of Agriculture was founded 150 years ago by President Lincoln, and I don't think that irony is lost on us as the atmosphere at USDA has been, of all the departments of the Federal Government, one of the least friendly for minorities and women.

While I am pleased that USDA will finally have someone charged with overseeing civil rights compliance at the Department, both here in Washington and throughout the country, I guess it is somewhat disappointing that such a special position is needed.

Most people are aware of *Pickford v. Glickman*, and now Veneman, class action lawsuit in which thousands of African American farmers have received redress for decades of discrimination. Under the historic consent decree which flowed from this case, almost $700 million has been paid out to African American farmers. The process of providing relief has been plagued with problems and continues to limp along.

In addition, other civil rights lawsuits are pending, including class actions by Hispanic farmers, American Indians, women, and minority employees of the Department of Agriculture itself.

In addition, we regularly hear complaints that the culture at USDA continues to be troublesome. Just last month, the EEOC issued a report on civil rights enforcement at USDA that confirmed that civil rights problems remain serious and systemic at USDA and require, and I quote, "immediate correction."

Unfortunately, this critical report is not an isolated one. Over the years, the GAO, the EEOC, and the Inspector General of USDA itself have issued reports critical of USDA in this regard.

For that reason, we on this committee in a bipartisan, strong bipartisan fashion, created the Assistant Secretary for Civil Rights in the last Farm bill. Again, this was, first and foremost, to ensure top-level accountability at the Department of Agriculture.

The message has to come through loudly and clearly that discrimination is unacceptable in any form, place, or time. Mr. Parker, it is critical that you have and use all the tools of the Department at your disposal to alleviate discrimination at USDA and for all USDA customers.

Mr. Parker, I want to emphasize to you both the high hopes that we have for this position as well as the high expectations. The USDA civil rights record is a blight on the Department and the many fine employees at USDA who suffer guilt by association. It is past time that we solve this problem once and for all. As the first Assistant Secretary for Civil Rights, your actions will set a precedent for the Department and all future Assistant Secretaries.

You have a tough job ahead of you. We look forward to working with you on this difficult but critically important cause. Again, I add my congratulations to you for your nomination to this position. Again, Mr. Chairman, I hope we can move this nominee as rapidly as possible.

The CHAIRMAN. Thank you very much, Senator.

Mr. PARKER. Thank you, Senator.

The CHAIRMAN. An excellent statement.

Senator Grassley.

Senator GRASSLEY. I thank you, Mr. Chairman. This gives me an opportunity, Mr. Chairman, and probably the last one, to congratulate you on your assuming the chairmanship because this is the first meeting I have been able to be to, so I want to make sure I join all those others who have congratulated you after all your years of service on this committee. Being chairman of this committee, I had the opportunity to do the same thing to Senator Harkin 2 years ago. I am glad to be back on the committee after being off for the last 2 years.

I don't know whether I want to ask questions so much as just to ask the nominee to give some consideration to some points of view that I might make to any nominee at the Department of Agriculture, but also maybe some that are directly related to your immediate responsibilities. Obviously when it comes to the issue of civil rights, I am sure you are very, very sensitive to all of the needs and all of the concerns of those things, and I wouldn't even pretend to have the understanding that you would of those, although I hope I appreciate those issues as well.

When it comes to issues of civil rights, I know that your responsibilities go well beyond just things related to race, even though probably the really highlighted issues before the Department of Agriculture as they deal with civil rights, it seems to me that most of the highlighted ones have dealt with the issue of race and some American farmers not being treated fairly. You would have that appreciation.

Whatever denial of civil rights that Americans have, I would ask that you always be sensitive to farmers having not only the civil rights issue but also connected with their occupation of farming, a lot of other things that you need to take into consideration, although you can only, obviously, deal with those things that are in your authority.

Everybody in the Department of Agriculture should be concerned about sensitivity to the occupation of farming. There is so much about agriculture that is unpredictable, and just the problems of African Americans in the past not being treated right by county offices is just one of the problems that those farmers had.

When people come to you for help, they are also controlled—they are affected by a lot of things that are—practically everything that is beyond their control: whether or not they get enough rain or too much rain; whether or not international trade or international politics, what that might do to them.

Everybody in the Department of Agriculture, it seems to me, has to be concerned about and be sensitive to the problem of the family farmer, has to have some understanding of the unpredictability of this occupation, this business. Even in the best of times, let me

say—let's say when prices are high and there is plenty of rain and maybe it is all quiet on the international front, there is always a cloud over the head of the family farmer, because you don't know what is out there. You always end up paying somebody else what they ask for your input. You are always at the burden of what the price is for your product on the day that you might have to sell it.

You have all the problems of civil rights you have to deal with, but when you are dealing with farmers of America, you have all those other things that you have to be sensitive about. I am not here saying you won't be sensitive about them. You may be very well sensitive about them. If you don't come from agriculture, I don't know whether you can be as sensitive as people who came from agriculture.

I guess with that admonition, I would just simply say to you that when it comes to the problems of the African American farmer not being treated right on getting loans and on foreclosures and all those things that are now history, but not all of those—in fact, just a small minority of those groups of farmers at this point have been satisfied.

One of the problems of Government is that there were certain rulings that gave these people justice, and then the bureaucracy just didn't work to get them finality. As far as I know, there is still a lot that don't have finality yet. It is one thing to fight and lose, but it is another thing to fight and win and then just never get victory because somebody doesn't like the decision of the judge or the adjudicatory body.

We have to work to make sure that not only justice is rendered, but justice is delivered. You are going to find yourself up against a bureaucracy that doesn't want to ever admit defeat. Kind of like the IRS, they can lose in three or four circuits and they win in one, and they are going to follow the one circuit they win in. Sometimes there ought to be an acceptance by Government, if Government is wrong, that we deliver the right award to people.

I will stop there because I have expressed as best I can as a farmer what faces agriculture, and I expressed as best I could without a full appreciation of it, certain Americans being denied their equal treatment under the law. You are going into maybe a bureaucracy that is not very friendly to what you have to deliver on. You are probably a fighter or you wouldn't want to take this on. You are going to have to be a fighter.

If I have any questions, Mr. Chairman, I will submit those for answers in writing, if that is OK.

The CHAIRMAN. That would be fine. Senator, we appreciate very much your eloquent statement and comments about this office and the nominee and the challenges that face him.

We will leave the record of the hearing open for a period of 5 days within which Senators may submit questions if they were not able to attend this hearing and want to ask the witness any questions.

Senator Lincoln, we are pleased to have you attend this hearing. Welcome. You may proceed with any statement or questions that you may have.

Senator LINCOLN. Well, a special thank you, Mr. Chairman, for holding this hearing, and I want to add my congratulations to you

as well. I am proud to see you there and glad to have a chairman who speaks my language and happens to be a neighbor. Congratulations. We are looking forward to working with you.

Mr. Parker, welcome to the committee and a very special welcome to your family as well. I know they are very proud to be with you today.

Mr. PARKER. Thank you.

Senator LINCOLN. I want to thank you for coming by my office, giving me an opportunity to meet you and understand, and I will share with my colleague, Chairman Grassley over there, that he did indicate to me that he had worked a little bit on his grandfather's farm, he has a little bit of farming background in him.

Senator Grassley and I both have farming backgrounds ourselves, so we are always glad to know when somebody does have a connection with the land and has some background there.

I am very pleased to be here today to consider your nomination, Mr. Parker, for the position of Assistant Secretary of Civil Rights. It is no secret that we have seen and continue to see a number of documented problems with the Department of Agriculture's handling of civil rights complaints, and I have been a strong one in advocating, writing the Secretary and others, to indicate that I felt like it was absolutely a critical position that needed to be filled and it needed to be filled in a timely way.

These injustices have really affected thousands of minority farmers across our country, and we have had a great deal in Arkansas who have suffered a tremendous amount, not only financially but personally and very much in a personal and sensitive way.

Many minority farmers have lost faith in the Department of Agriculture's ability to meet their special needs because of that, and it is always a sad thing and a disheartening thing when people lose trust in the Government and the agencies that are there to work with them and to work better toward helping them achieve their goals and their dreams. After all, that is what our Government was designed to do, and that was to work with the American people to help them reach their dreams.

You know, because of that loss of faith, that is really why during the debate of the 2002 Farm bill I and many of my colleagues recognized the need for this position to oversee implementation of farm policy for our minority farmers and to respond quickly and effectively to these civil rights complaints.

It was the intention of Congress that the occupant of this position be tasked with improving the Department's civil rights policies and ensuring that the Department is responsive to complaints and to concerns. I have to say to you, Mr. Parker, it is a big task which will bring great challenges. I speak for my colleagues when I say to you that we thank you for accepting these challenges. We know there will be great challenges, and there will be much to do in mending and binding the wounds that have been created over the past. We want to work with you.

I look forward to working with you closely to ensure that we can improve that situation by enhancing the equity and the accessibility of all USDA programs so that our minority communities enjoy the same confidence and the reassurance as other American farmers do. Whether they happen to be African American, happen to be

female, whatever—particularly Hispanic as well, whatever their category is, it is so important that they know that their Government can be trusted. You are being given that responsibility. We have a great deal of faith in you. We are looking forward to working with you and making sure that we provide what we can in terms of the help and the assistance. Certainly your initiative, your tenacity, your willingness to really attack this problem and go at with the idea that you want to rebuild that trust and bring back justice for these individuals is a critical component for the success of this new office at USDA.

I will echo my colleague Senator Harkin's comments that we have high hopes and high expectations. We are willing to work with you to do what we have to do to make this a success, and I hope that we will all come together in making sure that it is a success.

We thank you for being here. I thank you, Mr. Chairman. I have a couple of questions, and I will be glad to submit them to the record so that Mr. Parker can answer them.

The CHAIRMAN. We thank you very much, Senator Lincoln, for your comments and your presence and influence on this committee. You are a valued member of the committee, and it is a pleasure to work with you.

[The prepared statement of Senator Lincoln can be found in the appendix on page 16.]

The CHAIRMAN. [continuing] Mr. Parker it is a compliment to you that you have not had any hostile questions.

[Laughter.]

The CHAIRMAN. The fact is that because you have met with Senators and you have probably answered the questions that those you visited with had already and you answered them in a way that was very reassuring. Certainly that was the case with my questions of you, talking about how you viewed this office and your role and the responsibilities it would bring to you and how you planned to discharge those responsibilities and what your background was and why you thought you were qualified to serve, and all those answers impressed me. The fact that other Senators have been here today to compliment you, to express our confidence in you, is a tribute to you. I want you to feel good about the relationship you have with this committee starting off in this very important undertaking.

Because we have indicated that the record will remain open for a period of days for comments, statements, or questions to be submitted, we will probably not have another meeting of this committee on this nomination until that time expires. It is my hope that we can have a meeting as soon as possible after that 5 days has elapsed so that we can vote to recommend confirmation of you to the full Senate and the Senate can act on it. We hope within the near future your confirmation will be assured and you can begin assuming the duties of Assistant Secretary for Civil Rights.

I have received a statement, which we will put in the record, from the Rural Coalition/Coalicion Rural, and the Federation of Souther Cooperations/Land Assistance Fund. That will be made a part of the record in full.

[The referred information is retained in the committee files.]

The CHAIRMAN. If there are other statements that any other organizations or individuals would like to submit for the record, they can feel free to do so, and we will make them a part of the hearing record.

Mr. Parker, that concludes the hearing, and I congratulate you for your performance and your selection for this job and wish you well in this important undertaking.

Mr. PARKER. Thank you, Mr. Chairman.

[The prepared statement of Mr. Parker can be found in the appendix on page 18.]

APPENDIX

March 20, 2003

Statement of Senator Blanche Lincoln
Senate Agriculture, Nutrition and Forestry Committee
Hearing on the Nomination of Mr. Vernon Parker
March 20, 2003

- Thank you, Mr. Chairman
- I am pleased to be here today to consider the nomination of Mr. Parker for the position of Assistant Secretary of Civil Rights.
- It is no secret that we have seen and continue to see a number of documented problems with the Department of Agriculture's handling of civil rights complaints.
- These injustices have affected thousands of minority farmers across our country, including many in Arkansas.
- Many minority farmers have lost faith in the Department of Agriculture's ability to meet their special needs.
- That was why, during debate about the 2002 Farm Bill, I and many of my colleagues recognized the need for this position to oversee implementation of farm policy for minority farmers, and to respond quickly and effectively to civil rights complaints.
- It was the intention of Congress that the occupant of this position be tasked with improving the Department's civil rights policies and ensuring that the Department is responsive to complaints and concerns.
- It's a big task which will bring great challenges, and I think I speak for my colleagues when I say to Mr. Parker that we thank you for accepting these challenges.
- I look forward to working closely with you to ensure that we can improve this situation by enhancing the equity and accessibility of all USDA programs so that our minority communities enjoy the same confidence and reassurance as other American farmers. Thank you, Mr. Chairman.

Statement Of Senator Patrick Leahy
Hearing On The Nomination Of Mr. Vernon Parker
To Be Assistant Secretary For Civil Rights
At The U.S. Department Of Agriculture
March 20, 2003

Today we are considering the nomination of Mr. Vernon Parker to serve as the first Assistant Secretary for Civil Rights at the United States Department of Agriculture.

Before we hear from Mr. Parker, I want to commend our distinguished Minority Leader, Senator Daschle, for his leadership in sponsoring legislation that led to the creation of this position. This is an extremely important position. USDA has been accused of and admitted to discrimination within its programs. The problems go back decades. Unfair treatment and lack of access to various USDA programs has seen African-American farmers, Latino farmers, American Indian farmers, and Asian farmers marginalized and driven from the field.

I also want to commend former Secretaries of Agriculture Mike Espy and Dan Glickman for acknowledging the problems of discrimination at USDA and having the fortitude to work towards eliminating this discrimination. They made civil rights a priority at USDA, and made great strides toward reconciling with the past and preparing USDA for the future. They reestablished the office of civil rights, which was abolished in 1981, and required civil rights training for all USDA employees. And they started the process of resolving tens of thousands of complaints of discrimination going back decades.

Secretary Veneman has shown the same level of commitment to civil rights as her immediate predecessors, and I am pleased she moved quickly to fill this important new position.

If confirmed to this position, Mr. Parker will have a daunting task in front of him. Despite the fact that discrimination in program delivery and employment has been documented and discussed, many believe it continues to exist to a large degree unabated.

If confirmed, Mr. Parker must root out ongoing discrimination; address mismanagement issues in the civil rights office identified by the Inspector General and others; fully implement the Pigford and Brewington consent decrees; and bring about cultural change to ensure that discrimination is a thing of the past at USDA.

Mr. Parker, I have read your testimony and reviewed the information you provided to the Committee, and I look forward to learning more about your views and your plans for addressing these challenges.

Statement of Vernon Bernard Parker
Nominee for Assistant Secretary for Civil Rights
U.S. Department of Agriculture
Before The
Committee on Agriculture, Nutrition, and Forestry
United States Senate

March 20, 2003

Mr. Chairman, I would like to thank the President and Secretary Veneman for putting their trust in me, and nominating me for such a challenging position. I would also like to thank my lovely wife Lisa and my son Ian for their undying love and support while going through this process.

Mr. Chairman, the great theologian Martin Luther once said that: "Everything that is done in this world is done by hope."

It is with great hope that I appear before this committee today. My hope lies, in that, if confirmed, I will be able to make a difference in the lives of those who may have had their hopes and dreams put on hold or destroyed because of injustice.

Today, there are many people who rely on the Department of Agriculture; they are honest Americans, to whom our society has decided to lend a hand through government. This government lent me such a hand. As a child, I was the beneficiary of U.S.D.A. programs. I still remember lining up in the cafeteria before school to be served a hot breakfast. As public servants, it is our duty to respect the dignity, and foster the promises to those who are touched by government programs; these are simple and basic American values.

At times obstacles get in the way of these values. Racism and poverty for example, all too often, work in synergy to rob many people of their hopes and dreams. If confirmed, it is my intention to work to root out discriminatory practices as weeds in the garden of democracy. I will work to develop systems to promote equality of access and opportunity, and to work toward the day when the special focus of this job will become unnecessary, because that focus will have fully been moved to the hearts of every employee within the Department. In creating this position, you did not take it lightly, nor will I. I will rely greatly on my past life and work experiences.

As a child, I was blessed by a loving extended family, a grandmother, a mother, and many caring aunts, all of whom instilled in me a deep faith in God, faith in each other, and a deep belief in America, and its values. As a child, I suffered poverty and felt the discord of racism. During an unfortunate time in my life, my family needed government assistance. And I remember the embarrassment on my mother's and grandmother's faces when they could not understand the forms that they had to fill out at the welfare office for food stamps. I saw individuals take advantage of them because of their lack of

sophistication, and because they could not read that well. They both were products of the segregated south.

I vividly remember them having to ask the person behind the desk for help when filling out these forms. I remember the look on their faces when the person helping was anything but helpful. And I remember them questioning whether they were being treated differently because of race, saying "If I were white, I bet they would not have talked to me like that, or if I were white they would have helped me." I remember the joy on their faces when someone would help, and many times that person helping would be white. Mostly I remember them telling me not to hate or judge another person by the color of their skin, because in the end, we will be judged by our resolve not to judge others.

It is my understanding, that today, at the Department of Agriculture, there may be people who have been, or are being denied services because of the color of their skin, or their gender, people like my mother and grandmother. This is a practice which must be abolished. Abraham Lincoln some 141 years ago created the People's Agency, today known as the USDA. This same President, three years after creating The People's Agency, freed a people, by signing the Emancipation Proclamation. And there is no agency in our government whose mission is more bound to basic American values than the Department of Agriculture.

As public servants it is up to us to ensure that the letter and spirit of that proclamation is carried out. We are caretakers of the public trust; there is no higher service, other than service to God and family. We must, as I said earlier, root out discriminatory practices. And at the same time, we must use discernment to properly identify justifiable cases, and identify and shelve those cases that have no merit, because finding racism where there is none, has a numbing effect on rooting out legitimate cases.

If confirmed, I will rely on two overriding principles to guide me in achieving these goals. First, it is critical that we work together, and commit the resources to do the job. If we don't, we will remain at status quo. We can pay now or pay later. We can either invest in the prevention of Civil Rights abuses, or we can invest in the next landmark settlement eclipsing the nearly $1 billion already committed to by this government.

Second, if confirmed, I will work to knock down roadblocks that hinder people from achieving their dreams. The President and Secretary Veneman have a strong commitment to this principle. This principle extends to those who may not be in this room today, but whose lives are very real, and whose dreams are rooted in the American dream, equality and justice for all.

The prevention of Civil Rights abuses at the USDA is an investment in our values, a decision of the Congress and the President to see that the resources of this government reach all those Congress intended to benefit. We must use the Legislative and Executive authorities to get the job done, rather than wait for courts to act as government administrators.

Mr. Chairman, not only is compassion needed to fulfill the challenges of this position, so is an understanding of government. My background in government has given me the unique opportunity to facilitate change. While working at the United States Office of Personnel Management (OPM), I helped champion landmark legislation. I worked very closely with then Director of OPM, Constance Berry Newman, to overhaul the federal pay system, and present to Congress Pay Reform (locality pay), which was signed into law. As General Counsel of OPM, I supervised many attorneys and support staff. I enjoyed more than anything, the management aspect of the job. I also worked very closely with the United States Department of Justice on voting rights, as they affected Native Americans. Finally, in my capacity as General Counsel, I worked very closely with the EEOC and MSPB on Title VII issues. Finally, I had the honor to serve as a member of the Administrative Conference of the United States.

I have also had the opportunity to practice law in the private sector, which gave me a different perspective from that of the public sector. The study and practice of law has taught me to utilize analytical reasoning in problem solving.

Finally Mr. Chairman, my service as a Pastor over the last two years has given me the great insight as to how to bring fragmented groups together. A great deal of pasturing involves restoring: restoring individuals and restoring relationships. I will use these tools to restore broken relationships that exists between the clients of the USDA and the USDA.

In closing, I am reminded of the words in Matthew where Christ said: "whatever you did for one of the least of these brothers of mine, you did for me." And conversely, "whatever you did not do for one of the least of these, you did not do for me."

Mr. Chairman, I thank you for your time and consideration.

DOCUMENTS SUBMITTED FOR THE RECORD

MARCH 20, 2003

Statement by Senator Richard Lugar Supporting Vernon Parker for Assistant Secretary for Civil Rights at the United States Department of Agriculture

I would like to extend my support for Mr. Vernon Parker to serve in the position of Assistant Secretary for Civil Rights at the United States Department of Agriculture.

When I served as Chairman and later as Ranking Member of the Senate Agriculture Committee, many minority farmers reported they were receiving disparate treatment. In addition, the Committee received complaints from employees in the Department of Agriculture alleging less than thorough and untimely review of their own civil rights complaints.

In view of these ongoing concerns about the operation of the Office of Civil Rights at the USDA, this Committee held hearings with former Secretary of Agriculture Glickman and later with Secretary Veneman. As a result of the hearings, it was clear that legislation should be passed that would create an Assistant Secretary for Civil Rights position at the United States Department of Agriculture. During the farm bill process I worked with other Senators to include language creating this position. I am pleased that we addressed this important issue in the farm bill but it is up to the Secretary and individual called upon to serve in this newly created position to truly bring about reform.

The administration nominated Vernon Parker to fulfill the duties of this new and extremely important position. I am pleased with the administration's nominee and believe he posses the qualities required and resolve needed to deliver equal opportunity for all farmers.

Max Baucus

Statement of Senator Max Baucus
Confirmation Hearing for Vernon Parker
Senate Agriculture Committee
March 20, 2003

Mr. Chairman. I appreciate the opportunity to make this statement today while the Senate Agriculture Committee is considering President Bush's nomination of Dr. Vernon Parker to the position of Assistant Secretary for Civil Rights with the United States Department of Agriculture.

Both Congress and the USDA have struggled for years with the thousands of claims presented by agricultural producers and the USDA employees who feel that they were discriminated against as a result of their dealings with the USDA.

We cannot forget that the producers that the USDA serves are vital to their local economies and to their communities' livelihoods. And I know that we do not.

I raise these issues on behalf of the producers who feel they have been denied fair and equitable access to the USDA programs and for Montana's USDA employees who are impacted by programs that fall to them for implementation. I must tell you that my experience with the USDA's civil rights process has been extremely concerning.

Clearly, the system must be fixed because to continue down the same path is unacceptable.

Program access and fair employment must never be an obstacle. It must be a right that all Americans expect and enjoy.

Producers must have clear guidelines on programs. USDA employees must have clear information on program implementation and employment expectations. Appeals should be heard within reasonable timeframes by experienced personnel. Determinations should be made with the expectation that all rights will be exercised to the greatest extent possible. And the USDA priorities must include the tools to do exactly this. Congress cannot pass legislation that authorizes and funds these programs and consider our job complete if the guarantee and check to the system is in total disarray.

Additionally, during the 2002 Farm Bill debate, we also heard clearly from producers about the workload and timetables we place on USDA employees who are overwhelmed and stressed by expectations that they will implement the farm programs we legislate in a timely manner. A significant concern is that they are responsible for assisting producers who are making critical decisions on their farming operations—in turn requesting financing for these very decisions from their local banks and crop insurance agents.

It will take the USDA's entire management team to implement this concept. It cannot be the sole responsibility of the Office of Civil Rights. From Secretary Veneman down, all

personnel must be held accountable to see that these programs are implemented fairly and equitably.

The General Accounting Office has been Congress' eyes and ears through the years on the USDA's civil rights process. I would urge you to sit down with the GAO's Comptroller General David Walker and his professional staff, listen to their recommendations and ask tough questions. Your office will be better prepared to anticipate and respond to Congressional frustrations and concerns. I am sure it will be well worth your time.

Finally, Congress and the Administration must demand that the true cost of civil rights be totaled and included in the budget to implement the necessary changes to ensure equitable access to the USDA.

I look to you to return faith in the system. I stand ready to assist you because I believe it can be done by someone who understands the meaning of why America is great—fair and equal access with justice for all.

Thank you.

March 18, 2003

Honorable Thad Cochran
Chairman
Committee on Agriculture, Nutrition,
and Forestry – SR328A
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

On February 3, 2003, a copy of my SF 278, Executive Branch Public Financial Disclosure Report, required in connection with my nomination to serve as Assistant Secretary of Agriculture for Civil Rights was submitted to the U.S. Office of Government Ethics. That report contained all required financial information for calendar year 2001 and for the current calendar year through February 3, 2003.

The Ethics in Government Act of 1978, as amended, also requires that I update certain of the information reported on the SF 278, i.e., that required by section 102(a)(1)(A) of the Act, respecting income (other than my federal salary, dividends, interest, rents, and capital gains) and honoraria, to a date which occurs not more than five days before the date of the hearing to be held by your Committee to consider my nomination. The hearing to be held on my nomination is scheduled for Thursday, March 20, 2003. The purpose of this letter is to report that since I filed my Financial Disclosure Report on February 3, 2003, I received no honoraria. However, I received a total of $12,727 as a consultant to USDA.

I trust that this letter satisfies the additional applicable reporting requirements contained in the Ethics in Government Act.

Sincerely,

Vernon B. Parker
Nominee for Under Secretary of Agriculture
For Civil Rights

cc: Hon. Amy Comstock, Director, US Office of Government Ethics
John Surina, USDA Designated Agency Ethics Officer

QUESTIONNAIRE FOR UNITED STATES DEPARTMENT OF AGRICULTURE NOMINEES

BIOGRAPHICAL INFORMATION (PUBLIC)

1. Full name,(include any former names used).

Vernon Bernard Parker
Vernon Bernard Thomas

2. Date and place of birth.

November 16, 1959
Houston, Texas

3. Marital Status (include maiden name of wife or husband's name). List spouse's occupation, employer's name and business address(es).

Lisa Susan Farringer
Attorney, currently not practicing

4. Education: List each college and graduate or professional school you have attended, including dates of attendance, degrees received, and dates degrees were granted.

Georgetown University Law Center, Juris Doctorate 1985 – 1988
California State University Long Beach, B.S., Finance 1980 – 1983
Institute for Foreign Language, Cuenavaca, Mexico Certificate
Long Beach \community College, A.S. 1977 - 1980

5. Employment Record: List (by year) all business or professional corporations, companies, firms, or other enterprises, partnerships, institutions and organizations, nonprofit or otherwise, including farms, with which you were connected as an officer, director, partner, proprietor, or employee since graduation from college; include a title and brief job description.

Matt Salmon For Governor 2002
Senior Aid and Press Secretary

Inertia 21 Global 2001 - 2002
Served as a consultant to company: participated in management consulting to enhance the management culture of various companies.

Calvary Church of the Valley 2000 - 2002
Senior Pastor, and Counselor

BelSante International 1997 - 2000
President & CEO, responsible for daily operations of nutritional supplement company.

Parker Farringer Parker 1993 – 1997 (Parian International, Consulting arm of law practice)
Partner in Washington, DC law firm. Represented various clients in the areas of corporate and government contracts. Consulting arm of practice assisted in management consulting to various companies.

The White House 1992 – 1993
Special Assistant to the President and Associate Director for Presidential Personnel. Responsible for recommending to the President appointments to presidential boards and commissions.

The United States Office of Personnel Management 1989 – 1992
Served as Counselor to the Director and Director of Policy 1989 – 1991. General Counsel 1991-1992.

Multinational Legal Services 1989
Attorney for consulting firm that dealt with regulatory issues.

George Bush for President 1986-1988
Paid position, worked on coalitions.

Law School 1985 – 1988
Georgetown University Law Center, Tutor

Rockwell International 1983-1985
Financial Analyst on B1-b program

6. Military Service: Have you had any military service? If so, give particulars, including the dates, branch of service, rank or rate, serial number and type of discharge received.

No Military Service

7. Government Service: State (chronologically) your government service or public offices you have held, including the terms of service grade levels and whether such positions were elected or appointed.

Special Assistant to the President and Associate Director for Presidential Personnel, first Bush Administration, 1992-1993

General Counsel, United States Office of Personnel Management 1991-1992, SES

Counselor to the Director, and Director of Policy, United States office of Personnel Management 1989-1991, GS-15

8. Honors and Awards: List any scholarships, fellowships, honorary degrees, and honorary society memberships that you received and believe would be of interest to the Committee.

None

9. Other Memberships: List all organizations to which you belong, excluding religious organizations.

Town of Paradise Valley Board of Adjustments.
District of Columbia Bar Association
Commonwealth of Virginia Bar Association
Member, Greater Phoenix Urban League.
Member: Arizona State University's Board of Community Alliance for Black Student Support.

10. Published Writings: List the titles, publishers, and dates of books, articles, reports, or other published materials (including published speeches) you have written. Please include on this list published materials on which you are listed as the principal editor. It would be helpful to the Committee if you could provide one copy of all published material that may not be readily available. Also, to the maximum extent practicable, please supply a copy of all unpublished speeches you made during the past five years on issues involving agriculture, nutrition, forestry or commodity futures policy or related matters.

***American Criminal Law review*, Survey on White Collar crime 1988, Georgetown University American Criminal Law review**

11. Health: What is the present state of your health?

Excellent

FINANCIAL DATA AND CONFLICT OF INTEREST (PUBLIC)

1. Have you severed all connections with your immediate past private sector employers, business firms, associations, and/or organizations?

   Yes

2. List sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock options, incompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, former employers, clients, or customers.
   None

3. Do you, or does any partnership or closely held corporation in which you have an interest, own or operate a farm or ranch? (If yes, please give a brief description including location, size and type of operation.)

   No

4. Have you, or any partnership or closely held corporation in which you have an interest, ever participated in Federal commodity price support programs? (If yes, provide all details including amounts of direct government payments and loans received or forfeited by crop and farm, etc. during the past five years.)

   No

5. Have you, or any partnership or closely held corporation in which you have an interest, ever received a direct or guaranteed loan from or cosigned a note to the Rural Business-Cooperative Service, Rural Housing Service, the Rural Utilities Service or their predecessor agencies, the Farmers Home Administration, the Rural Development Administration, the Rural Housing and Cooperative Development Service or the Rural Electrification Administration? (If yes, give details of any such loan activity during the past 5 years.)

   No

6. Have you, or any partnership or closely held corporation in which you have an interest, ever received payments for crop losses from the Federal Crop Insurance program? (If yes, give details.)

   No

7. If confirmed, do you have any plans, commitments, or agreements to pursue outside employment or engage in any business or vocation, with or without compensation, during your service with the government? (If so, explain.)

No

8. Do you have any plans to resume employment, affiliation, or practice with your previous employers, business firms, associations, or organizations after completing government service? (If yes, give details.)

No

9. Has anyone made a commitment to employ you or retain your services in any capacity after you leave government service? (If yes, please specify.)

No

10. Identify all investments, obligations, liabilities, or other relationships which involve potential conflicts of interest in the position to which you have been nominated.

None

11. Have you ever received a government guaranteed student loan? If so, has it been repaid?

Yes, Paid in full

12. If confirmed, explain how you will resolve any potential conflict of interest, including any that may be disclosed by your responses to the above items.

I am well aware of the potential for any conflicts of interest, as noted in my responses, none presently exists. If such a conflict should arise, I would bring it to the attention of the appropriate "Ethics Officer" at the Department, and would remove myself from the matter until a decision by said official(s)has been rendered. Moreover, I have executed an ethics agreement which has been reviewed and given initial approval by the White House, OGE and the USDA Office of Ethics.

United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

February 5, 2003

The Honorable Thad Cochran
Chairman
Committee on Agriculture, Nutrition,
and Forestry
United States Senate
Washington, DC 20510-6000

Dear Mr. Chairman:

In accordance with the Ethics in Government Act of 1978, I enclose a copy of the financial disclosure report filed by Vernon B. Parker, who has been nominated by President Bush for the position of Assistant Secretary for Civil Rights, Department of Agriculture.

We have reviewed the report and have also obtained advice from the Department of Agriculture concerning any possible conflict in light of its functions and the nominee's proposed duties. Also enclosed is a letter dated January 29, 2003, from Mr. Parker to the Department's ethics official, outlining the steps he will take to avoid conflicts of interest. Unless a specific date has been agreed to, the nominee must fully comply within three months of his confirmation date with the action he agreed to take in his ethics agreement.

Based thereon, we believe that Mr. Parker is in compliance with applicable laws and regulations governing conflicts of interest.

Sincerely,

Amy L. Comstock
Director

Enclosures

SF278 (Rev. 03/2000)
5 C.F.R Part 2634
U.S. Office of Government Ethics

Form Approved:
OMB No. 3209-0001

Executive Branch Personnel PUBLIC FINANCIAL DISCLOSURE REPORT

Date of Appointment, Candidacy, Election or Nomination (*Month, Day, Year*)	Reporting Status (*Check appropriate boxes*)	Incumbent	Calendar Year Covered by Report	New Entrant, Nominee, or Candidate	Termination Filer	Termination Date (*If Applicable*) (*Month, Day, Year*)
		[ ]		[X]	[ ]	

Reporting Individual's Name	Last Name: Parker	First Name and Middle Initial: Vernon B.
Position for Which Filing	Title of Position: Assistant Secretary of Agriculture for Civil Rights	Department or Agency (*If Applicable*): U.S. Department of Agriculture
Location of Present Office (or forwarding address)	Address (*Number, Street, City, State, and ZIP Code*): Paradise Valley, Arizona	Telephone No. (*Include Area Code*): (480) 922-8730
Position(s) Held with the Federal Government During the Preceding 12 Months (If Not Same as Above)	Title of Position(s) and Date(s) Held: None	
Presidential Nominees Subject to Senate Confirmation	Name of Congressional Committee Considering Nomination: Committee on Agriculture, Nutrition, and Forestry	Do You Intend to Create a Qualified Diversified Trust? [ ] Yes [X] No

Certification I CERTIFY that the statements I have made on this form and all attached schedules are true, complete and correct to the best of my knowledge.	Signature of Reporting Individual: Vernon B. Parker	Date (*Month, Day, Year*): 02/03/03
Other Review (If desired by agency)	Signature of Other Reviewer:	Date (*Month, Day, Year*):
Agency Ethics Official's Opinion On the basis of information contained in this report, I conclude that the filer is in compliance with applicable laws and regulations (subject to any comments in the box below).	Signature of Designated Agency Ethics Official/Reviewing Official: Steve Swinn	Date (*Month, Day, Year*): 02/03/03
Office of Government Ethics Use Only	Signature: Stuart W. Rich	Date (*Month, Day, Year*): 2-5-03

Comments of Reviewing Officials (If additional space is required, use the reverse side of this sheet)

(*Check box if filing extension granted & indicate number of days* _____) [ ]

(*Check box if comments are continued on the reverse side*) [ ]

Fee for Late Filing

Any individual who is required to file this report and does so more than 30 days after the date the report is required to be filed, or, if an extension is granted, more than 30 days after the last day of the filing extension period shall be subject to a $200 fee.

Reporting Periods

Incumbents: The reporting period is the preceding calendar year except Part II of Schedule C and Part I of Schedule D where you must also include the filing year up to the date you file. Part II of Schedule D is not applicable.

Termination Filers: The reporting period begins at the end of the period covered by your previous filing and ends at the date of termination. Part II of Schedule D is not applicable.

Nominees, New Entrants and Candidates for President and Vice President:

Schedule A--The reporting period for income (BLOCK C) is the preceding calendar year and the current calendar year up to the date of filing. Value assets as of any date you choose that is within 31 days of the date of filing.

Schedule B--Not applicable.

Schedule C, Part I (Liabilities)--The reporting period is the preceding calendar year and the current calendar year up to any date you choose that is within 31 days of the date of filing.

Schedule C, Part II (Agreements or Arrangements)-- Show any agreements or arrangements as of the date of filing.

Schedule D--The reporting period is the preceding two calendar years and the current calendar year up to the date of filing.

Agency Use Only

OGE Use Only
FEB - 3 2003

OGE 278 (Rev. 03/2000)
5 C.F.R. Part 2634
U.S. Office of Government Ethics

Reporting Individual's Name: Vernon B. Parker

SCHEDULE A

Page Number: 1

Assets and Income — BLOCK A

For you, your spouse, and dependent children, report each asset held for investment or the production of income which had a fair market value exceeding $1,000 at the close of the reporting period, or which generated more than $200 in income during the reporting period, together with such income.

For yourself, also report the source and actual amount of earned income exceeding $200 (other than from the U.S. Government). For your spouse, report the source but not the amount of earned income of more than $1,000 (except report the actual acount of any honoraria over $200 of your spouse).

None ☐

Valuation of Assets at close of reporting period — BLOCK B

Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. — BLOCK C

	Assets and Income	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Type: Dividends	Type: Rent and Royalties	Type: Interest	Type: Capital Gains	Amount: None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
Examples	Central Airlines Common				x												x						x										
	Doe Jones & Smith, Hometown, State				x																											Law Partnership Income $110,000	
	Kempstone Equity Fund						x							x										x									
	IRA: Heartland 500 Index Fund								x					x											x								
1	American Movil S.A. de C.V.		x																		x												
2	Amgen, Inc.				x															x		x											
3	Applied Materials, Inc.		x																		x												
4	Cisco Systems, Inc.			x																	x												
5	Citigroup Inc.			x																x					x								
6	Dell Computer Corporation		x																		x												

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Prior Editions Cannot be Used.

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U.S. Office of Government Ethics

Reporting Individual's Name: Vernon B. Parker

SCHEDULE A continued

(Use only if needed)

Page Number: 2

Assets and Income — BLOCK A

Valuation of Assets at close of reporting period — BLOCK B

Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. — BLOCK C

None ☐

#	Assets and Income (BLOCK A)	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Type: Dividends	Type: Rent and Royalties	Type: Interest	Type: Capital Gains	Amount: None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
1	DoubleClick Inc.		x																		x												
2	EMC Corporation		x																	x					x								
3	Walt Disney Company		x																		x												
4	General Electric Company		x														x					x											
5	Hewlett-Packard Company		x																		x												
6	The Home Depot, Inc.		x																		x												
7	Intel Corporation			x																	x												
8	IBM Corporation			x																	x												
9	Limited Brands, Inc.		x																		x												

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5 C.F.R. Part 2634
U.S. Office of Government Ethics

Reporting Individual's Name: Vernon B. Parker

SCHEDULE A continued

(Use only if needed)

Page Number: 3

Assets and Income — BLOCK A

Valuation of Assets at close of reporting period — BLOCK B

Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. — BLOCK C

None [ ]

#	Assets and Income (Block A)	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Type: Dividends	Type: Rent and Royalties	Type: Interest	Type: Capital Gains	Amount: None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
1	Microsoft Corporation				x															x												
2	Motorola, Inc.		x																	x												
3	Nokia Corporation			x												x					x											
4	Pfizer Inc.			x															x		x											
5	QUALCOMM, Inc.			x															x				x									
6	Schlumberger Ltd.		x																	x												
7	Starbucks Corporation		x																	x												
8	Sun Microsystems, Inc.		x																	x												
9	Target Corporation		x																	x												

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U.S. Office of Government Ethics

Reporting Individual's Name: Vernon B. Parker

SCHEDULE A continued

(Use only if needed)

Page Number: 4

Assets and Income — BLOCK A

Valuation of Assets at close of reporting period — BLOCK B

Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. — BLOCK C

None ☐

#	Assets and Income	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Type: Dividends	Type: Rent and Royalties	Type: Interest	Type: Capital Gains	Amount: None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
1	Transocean Inc.		x																		x												
2	VeriSign, Inc.		x																		x												
3	Liberty Media Corporation		x																		x												
4	Smith Barney Cash Account	x																	x			x											
5	Monolithic System Technology, Inc			x																	x												
6	Western Gas Resources, Inc.			x																	x												
7	Smith Barney Money Cash Portfolio	x																	x			x											
8	Inertia 21 Global																															$19,250 $14,262.00	CY01 Salary CY02 Salary
9	Calvary Church of the Valley																															$52,000 $37,000.00	CY01 Salary CY02 Salary

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Reporting Individual's Name: Vernon B. Parker

SCHEDULE A continued

(Use only if needed)

Page Number: 5

Assets and Income — BLOCK A

Valuation of Assets at close of reporting period — BLOCK B

Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. — BLOCK C

None ☐

#	Assets and Income (Block A)	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Type: Dividends	Type: Rent and Royalties	Type: Interest	Type: Capital Gains	Amount: None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
1	Matt Salmon For Governor																															$6,750	CY02 Salary
2	Republican State Party of AZ																															$3,250	CY02 Salary
3																																	
4																																	
5																																	
6																																	
7																																	
8																																	
9																																	

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Do not Complete Schedule B if you are a new entrant, nominee, Vice Presidential or Presidential Candidate

Reporting Individual's Name	SCHEDULE B	Page Number
Vernon B. Parker		6

Part I: Transactions

None ☐

Report any purchase, sale, or exchange by you, your spouse, or dependent children during the reporting period of any real property, stocks, bonds, commodity futures, and other securities when the amount of the transaction exceeded $1,000. Include transactions that resulted in a loss. Do not report a transaction involving property used solely as your personal residence, or a transaction solely between you, your spouse, or dependent child. Check the "Certificate of divestiture" block to indicate sales made pursuant to a certificate of divestiture from OGE.

	Identification of Assets	Transaction Type (x): Purchase	Sale	Exchange	Date (Mo., Day, Yr.)	Amount of Transaction (x): $1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000*	Over $1,000,000*	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Certificate of Divestiture
Example:	Central Airlines Common	x			2/1/99			x									
1																	
2																	
3																	
4																	
5																	

* This category applies only if the underlying asset is solely that of the filer's spouse or dependent children. If the underlying asset is either held by the filer or jointly held by the filer with the spouse or dependent children, use the other higher categories of value, as appropriate.

Part II: Gifts, Reimbursements, and Travel Expenses

For you, your spouse and dependent children, report the source, a brief description, and the value of: (1) gifts (such as tangible items, transportation, lodging, food, or entertainment) received from one source totaling more than $285; and (2) travel-related cash reimbursements received from one source totaling more than $285. For conflicts analysis, it is helpful to indicate a basis for receipt, such as personal friend, agency approval under 5 U.S.C. § 4111 or other statutory authority, etc. For travel-related gifts and reimbursements, include travel itinerary, dates, and the nature of expenses provided. **Exclude** anything given to you by the U.S. Government; given to your agency in connection with official travel; received from relatives; received by your spouse or dependent child totally independent of their relationship to you; or provided as personal hospitality at the donor's residence. Also, for purposes of aggregating gifts to determine the total value from one source, exclude items worth $114 or less. See instructions for other exclusions.

None ☐

	Source (Name and Address)	Brief Description	Value
Examples:	Nat'l Assn. of Rock Collectors, NY, NY	Airline ticket, hotel room & meals incident to national conference 6/15/99 (personal activity unrelated to duty)	$380
	Frank Jones, San Francisco, CA	Leather briefcase (personal friend)	$300
1			
2			
3			
4			
5			

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Do not Complete Schedule B if you are a new entrant, nominee, or Vice Presidential or Presidential Candidate

Reporting Individual's Name		Page Number
Vernon B. Parker	**SCHEDULE B continued** (Use only if needed)	7

Part I: Transactions

	Identification of Assets	Transaction Type (x)			Date (Mo., Day, Yr.)	Amount of Transaction (x)												
		Purchase	Sale	Exchange		$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Certificate of divestiture
Example:	Central Airlines Common	x			2/1/99			x									
1																	
2																	
3																	
4																	
5																	
6																	
7																	
8																	
9																	
10																	
11																	
12																	
13																	
14																	
15																	
16																	

* This category applies only if the underlying asset is solely that of the filer's spouse or dependent children. If the underlying asset is either held by the filer or jointly held by the filer with the spouse or dependent children, use the other higher categories of value, as appropriate.

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Reporting Individual's Name: Vernon B. Parker

SCHEDULE C

Page Number: 8

Part I: Liabilities

Report liabilities over $10,000 owed to any one creditor at any time during the reporting period by you, your spouse, or dependent children. Check the highest amount owed during the reporting period. Exclude a mortgage on your personal residence unless it is rented out; loans secured by automobiles, household furniture or appliances; and liabilities owed to certain relatives listed in instructions. See instructions for revolving charge accounts.

None [x]

	Creditors (Name and Address)	Type of Liability	Date Incurred	Interest Rate	Term if applicable	$10,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000
Examples:	First District Bank, Washington, DC	Mortgage on rental property, Delaware	1991	8%	25 yrs.			x								
	John Jones, 123 J St., Washington, DC	Promissory note	1999	10 %	on demand					x						
1																
2																
3																
4																
5																

* This category applies only if the liability is solely that of the filer's spouse or dependent children. If the liability is that of the filer or a joint liability of the filer with the spouse or dependent children, mark the other higher categories, as appropriate.

Part II: Agreements or Arrangements

Report your agreements or arrangements for: continuing participation in an employee benefit plan (e.g. 401k, deferred compensation; (2) continuation payment by a former employer (including severance payments); (3) leaves of absence; and (4) future employment. See instructions regarding the reporting of negotiations for any of these arrangements or benefits.

None [x]

	Status and Terms of any Agreement or Arrangement	Parties	Date
Example:	Pursuant to partnership agreement, will receive lump sum payment of capital account & partnership share calculated on service performed through 1/00	Doe Jones & Smith, Hometown, State	7/85
1			
2			
3			
4			
5			
6			

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Reporting Individual's Name	SCHEDULE D	Page Number
Vernon B. Parker		9

Part I: Positions Held Outside U.S. Government

Report any positions held during the applicable reporting period, whether compensated or not. Positions include but are not limited to those of an officer, director, trustee, general partner, proprietor, representative, employee, or consultant of any corporation, firm, partnership, or other business enterprise or any non-profit organization or educational institution. **Exclude** positions with religious, social, fraternal, or political entities and those solely of an honorary nature.

None ☐

	Organization (*Name and Address*)	Type of Organization	Position Held	From (Mo., Yr.)	To (Mo., Yr.)
Examples:	Nat'l Assn. of Rock Collectors, NY, NY	Non-profit education	President	6/92	Present
	Doe Jones & Smith, Hometown, State	Law firm	Partner	7/85	1/00
1	Inertia 21 Global, Scottsdale, AZ	Management Consulting	Consultant	07/01	01/02
2					
3					
4					
5					
6					

Part II: Compensation In Excess Of $5,000 Paid by One Source

Report sources of more than $5,000 compensation received by you or your business affiliation for services provided directly by you during any one year of the reporting period. This includes the names of clients and customers of any corporation, firm, partnership, or other business enterprise, or any other non-profit organization when you directly provided the services generating a fee or payment of more than $5,000. You need not report the U.S. Government as a source.

Do not complete this part if you are an Incumbent, Termination Filer, or Vice Presidential or Presidential Candidate

None ☐

	Source (*Name and Address*)	Brief Description of Duties
Examples:	Doe Jones & Smith, Hometown, State	Legal services
	Metro University (client of Doe Jones & Smith), Monetown, State	Legal services in connection with university construction
1	Calvary Church of the Valley Paradise Valley, AZ	Pastoral Services
2	Matt Salmon for Governor, AZ	Press and Media Related
3	Inertia 21 Global Scottsdale, AZ	Management Consultant
4		
5		
6		

Prior Editions Cannot Be Used.

JAN 29 2003

John Surina
Designated Agency Ethics Official
U.S. Department of Agriculture
Washington, DC 20250-0122

Dear Mr./Surina:

The purpose of this letter is to describe the steps that I intend to take to avoid any actual or apparent conflict of interest in the event that I am confirmed for the position of Assistant Secretary of Agriculture for Civil Rights, U.S. Department of Agriculture.

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter that has a direct and predictable effect on my financial interests or those of any other person whose interests are imputed to me, unless I first obtain a written waiver, pursuant to section 208(b)(1), or qualify for a regulatory exemption, pursuant to section 208(b)(2). I understand that the interests of the following persons are imputed to me: my spouse, minor children, or any general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

As reflected on my Form SF 278, Public Financial Disclosure Report, I provided pastoral services for the Calvary Church of the Valley, Paradise Valley, AZ, until September 2002. I also served as a consultant for the Republican State Party of Arizona until November 2002. Pursuant to 5 C.F.R. § 2635.502, for a period of one year after concluding employment with each of these two entities, I will not participate in any particular matter involving specific parties in which either entity is a party or represents a party, unless I am authorized to participate.

Sincerely,

Vernon, B. Parker

QUESTION AND ANSWERS

MARCH 20, 2003

Senator Tom Harkin
Senate Committee on Agriculture, Nutrition and Forestry
Nomination of Vernon Parker
Questions for the Record

1. In creating the position of Assistant Secretary for Civil Rights, Congress intended that the Assistant Secretary would not just have authority over the Office of Civil Rights, but would also play an active role in all other functions pertaining to minority and socially disadvantaged farmers.

If confirmed as Assistant Secretary, how do you intend to bring these functions under your direct supervision? Have you been given assurances from Secretary Veneman that you will have full authority to carry this out?

2. Recently, the Equal Employment Opportunity Commission (EEOC) released a review of civil rights at USDA. Like many other reviews done by EEOC, the General Accounting Office and others, the review found that serious and systemic civil rights problems plague USDA, including numerous operational failings such as failing to track complaints and process them in a timely fashion. In particular, the review found that others at USDA and outside of USDA do not have confidence in the Office of Civil Rights' ability to carry out its basic responsibilities.

What actions do you plan to take to rectify these very basic problems and to strengthen the operational performance of the Office of Civil Rights? What steps will you take to keep the Committee informed of your actions and progress?

3. In reviewing transcripts from the hearing in the House Agriculture Committee held last fall on civil rights at USDA, one major topic of discussion was USDA's apparent unwillingness to discipline or terminate USDA employees who have engaged in discriminatory behavior. I do not understand how USDA can have paid nearly $700 million in claims under the black farmers consent decree, while its own records show that so few individuals have been terminated for civil rights violations.

What actions do you plan to take to ensure that USDA employees are held accountable for their actions and to instill confidence in USDA customers and employees that they will no longer have to deal with discrimination by USDA employees?

4. While the black farmers class action lawsuit, and the consent decree stemming from it, is probably the most visible aspect of ongoing civil rights problems at the Department of Agriculture, it is, in reality, just one part of a large culture of discrimination. Implementation of the consent decree has been plagued with problems and continues to

limp along. Currently, there are several other lawsuits pending against the Department of Agriculture, including suits filed on behalf of Hispanic farmers, American-Indian farmers, women farmers, and by minority employees of the Department of Agriculture itself.

How do you intend to address the deep-rooted cultural problems within the Department of Agriculture that appear to be the basis for these lawsuits? How do you intend to approach the suits currently pending and potential future suits so that USDA can settle these suits properly and quickly and avoid further discrimination?

QUESTION SUBMITTED BY SENATOR TOM HARKIN TO VERNON PARKER

1. In creating the position of Assistant Secretary for Civil Rights, Congress intended that the Assistant Secretary would not just have authority over the Office of Civil Rights, but would also play an active role in all other functions pertaining to minority and socially disadvantaged farmers.

If confirmed as Assistant Secretary, how do you intend to bring these functions under your direct supervision? Have you been given assurances from Secretary Veneman that you will have full authority to carry this out?

Answer: Yes. I expect to be fully engaged in all aspects of USDA's relations with minority and socially disadvantaged farmers, ranchers, and customers. This will require working closely with other members of Secretary Veneman's subcabinet to ensure that all customers are treated fairly, equitably, and with respect, and that new and productive partnerships are formed that benefit them. I am not in a position at this time to address specific organizational structure questions, but I intend to look at those issues if confirmed. Finally, I have received a complete assurance from the Secretary that the position will encompass working with and holding the subcabinet accountable for civil rights-related issues.

QUESTION SUBMITTED BY SENATOR TOM HARKIN TO VERNON PARKER

2. Recently, the Equal Employment Opportunity Commission (EEOC) released a review of civil rights at USDA. Like many other reviews done by EEOC, the General Accounting Office and others, the review found that serious and systemic civil rights problems plague USDA, including numerous operational failings such as failing to track complaints and process them in a timely fashion. In particular, the review found that others at USDA and outside of USDA do not have confidence in the Office of Civil Rights' ability to carry out its basic responsibilities.

What actions do you plan to take to rectify these very basic problems and to strengthen the operational performance of the Office of Civil Rights? What steps will vou take to keep the Committee informed of your actions and progress?

Answer: While I have read the EEOC report, I have not been privy to the discussions between USDA and EEOC, nor have I seen the information provided by USDA to the EEOC or USDA's response to the report. Of course, I am aware of USDA's well-documented history of civil rights problems. I note that EEOC's report does not mention any progress at USDA since June 2002, and I am eager to learn what steps have been taken by USDA since the time EEOC was onsite. EEOC's report is an important contribution, and implementing its recommendations will be a key task of the position of Assistant Secretary for Civil Rights. I welcome third-party reviews and recommendations. With regard to confidence in the Office of Civil Rights, I intend to earn that confidence by leading it in becoming more efficient in its case-processing responsibilities, doing all we can to move cases more quickly, and acting at all times in a fair, impartial and ethical manner. I will be delighted to meet with members of the Committee on a regular basis to keep you informed of our progress.

QUESTION SUBMITTED BY SENATOR TOM HARKIN TO VERNON PARKER

3. In reviewing transcripts from the hearing in the House Agriculture Committee held last fall on civil rights at USDA, one major topic of discussion was USDA's apparent unwillingness to discipline or terminate USDA employees who have engaged in discriminatory behavior. I do not understand how USDA can have paid nearly $700 million in claims under the black farmers consent decree, while its own records show that so few individuals have been terminated for civil rights violations.

What actions do you plan to take to ensure that USDA employees are held accountable for their actions and to instill confidence in USDA customers and employees that they will no longer have to deal with discrimination by USDA employees?

Answer: I agree that accountability must be at the top of the agenda. I am aware that Secretary Veneman's team has been working on ways to significantly improve USDA's performance in this area, and I am looking forward to learning about the steps being discussed. Since I am only privy to public information, I cannot be specific at this early date on exact steps I will take. I will make it my business to ensure that discriminatory behavior is not tolerated, and that those guilty of discrimination receive appropriate disciplinary action. I will keep the Committee informed of our actions.

QUESTION SUBMITTED BY SENATOR TOM HARKIN TO VERNON PARKER

4. While the black farmers class action lawsuit, and the consent decree stemming from it, is probably the most visible aspect of ongoing civil rights problems at the Department of Agriculture, it is, in reality, just one part of a large culture of discrimination. Implementation of the consent decree has been plagued with problems and continues to limp along. Currently, there are several other lawsuits pending against the Department of Agriculture, including suits filed on behalf of Hispanic farmers, American-Indian farmers, women farmers, and by minority employees of the Department of Agriculture itself.

How do you intend to address the deep-rooted cultural problems within the Department of Agriculture that appear to be the basis for these lawsuits? How do you intend to approach the suits currently pending and potential future suits so that USDA can settle these suits properly and quickly and avoid further discrimination?

Answer: I am not privy to the details of these lawsuits or the strategy employed by USDA and the Department of Justice. I will study them and seek a briefing from the USDA Office of General Counsel and the Department of Justice on confidential communication; at that time I will have a better perspective. As for the culture of USDA, my message will be that civil rights is not just the province of the Office of Civil Rights, but of each and every one of the 100,000 employees of USDA. I look forward to the challenge of ensuring that all USDA employees treat all customers and employees fairly, equitably and with respect. I understand the necessity for further intensive training of employees, and that accountability for actions that violate the standards is necessary to ensure compliance and send a message that discrimination will not be tolerated.

Senator Blanche Lincoln
Senate Committee on Agriculture, Nutrition and Forestry
Nomination of Vernon Parker
Questions for the Record

1. It is not only important that these programs are available but that people feel comfortable accessing them. What are your ideas to reach out and rebuild the relationships with rural citizens who have lost trust with USDA?

2. By now I am sure that you are aware of the Equal Employment Opportunity Commission's (EEOC) onsite report of the Department of Agriculture. Would you share your thoughts on the findings of this report and any ideas you have on implementing the Commission's recommendations?

QUESTION SUBMITTED BY SENATOR BLANCHE LINCOLN TO VERNON PARKER

1. It is not only important that these programs are available but that people feel comfortable accessing them. What are your ideas to reach out and rebuild the relationships with rural citizens who have lost trust with USDA?

Answer: I could not agree more. If confirmed, I will work to repair broken relationships between USDA and minority and women farmers. As a pastor, I brought people together on many occasions who had longstanding rifts. I accomplished this by creating a dialogue between the parties, and creating a safe environment whereby people could openly discuss issues. I intend to do the same at USDA, if confirmed. I will also work hard to repair these relationships by ensuring that farmers, ranchers, and all USDA customers are treated fairly, equitably, and with respect.

QUESTION SUBMITTED BY SENATOR BLANCHE LINCOLN TO VERNON PARKER

2. By now I am sure that you are aware of the Equal Employment Opportunity Commission's (EEOC) onsite report of the Department of Agriculture. Would you share your thoughts on the findings of this report and any ideas you have on implementing the Commission's recommendations?

Answer: I have had an opportunity to review the EEOC report. I have not, however, had an opportunity to review underlying information that went into the report, e.g., the information that was provided to EEOC by the USDA. In addition, I have not had an opportunity to speak with the USDA Civil Rights or General Counsel's staff, as to the information they provided EEOC. In saying that, however, I am sure that there are some aspects of the report that will be helpful in addressing problems at the USDA. If confirmed, I will move rapidly to examine the underlying information that led to EEOC's conclusions, and work to implement those aspects of the report that will further the progress at the USDA. Third party reviews are always helpful, and I will work to establish a productive partnership with EEOC so that we may benefit from their knowledge and experience.

Draft Answers to Questions from Sen. Leahy

1. There are a number of studies in the field that have shown that milk consumption is strongly associated with an overall good diet. I know that Dr. Rachel Johnson of the University of Vermont, a respected voice in this field, has recently conducted a study showing that offering a variety of flavored milks to children does not increase their total daily average sugar consumption. Can you comment on this finding as it relates to the pilot program conducted by the National Dairy Council and the American School Food Service Association?

Dr. Johnson's research clearly supports that flavored milk consumption can increase the nutrient quality of the diet without increasing intakes of fat or added sugars. In one large national survey of children's dietary intake, Johnson refutes concerns by pointing out that children who consumed flavored milk had higher calcium intakes but similar percentages of energy from total fat and added sugars when compared to children who were non-consumers of flavored milk. The researchers suggest that foods and beverages of lower nutrient value are likely displaced when flavored milks are consumed. In another study, Johnson observes that higher consumption of fluid milk at the noon meal results in higher lunchtime intakes of calcium, magnesium, and vitamin A.

With these nutritional benefits in mind, the School Milk Pilot Test (SMPT) provides an excellent model for improving children's selection and consumption of milk in schools. When offered a variety of colder milk options in convenient plastic packages as part of the school meal program and in other venues such as a la carte sales and vending, more students selected and drank more milk. To enhance variety, an additional flavor (usually strawberry, in addition to white and chocolate) was offered to students. The presence of an additional flavored proved to be an important component in the increase in children's selection and consumption of milk. While nutrient intake was not measured directly in the SMPT, we know that when children choose and consume more milk at lunch, their diet quality is improved for that meal, and often for the entire day.

The SMPT and other efforts by schools and the dairy industry to increase milk consumption through product improvements have helped NMPF and IDFA arrive at the views stated in our testimony, in which we support incentives for schools to increase milk consumption in a variety of ways, including but by no means limited to model standards and specifications.

2. I know that for the last decade, USDA has put in a lot of effort to improving the quality of food served at lunches. For instance, USDA improved standards for peanut butter, making it less runny. This has led to more consumption and more balanced meals. Has the Department made similar efforts to improve the quality and, for lack of a better word, desirability of milk at lunch? And if not, do you know why not?

To our knowledge, the only changes that USDA has introduced for school milk in the last few decades affected the types of milk offered. At one time only one choice of milk was

available - whole white milk. USDA broadened the choices made available to children to include flavors (usually chocolate) and a variety of fat levels. Although it was not mandated, dairy producers have worked to improve the presentation and temperature of milk by providing coolers to schools. This was not a national program, but occurred sporadically across the U.S.

Both dairy producers and processors share an interest in increasing milk consumption by offering a high-quality product in a variety of venues throughout the school environment. We believe USDA shares our concern about declining milk consumption, as well as our belief that milk is a marker for good nutrition and a vital component of school meals. For example, USDA's Food and Nutrition Service was consulted before and during the School Milk Pilot Test (SMPT) carried out by the National Dairy Council and the American School Food Service Association (ASFSA), and provided valuable advice on project design and other parameters.

Schools' limited food service budgets may sometimes discourage them from putting additional resources into milk, even though that might be necessary to upgrade product quality. Some aspects of improving milk can be costly, and someone must pay that cost. Yet the health and nutrition benefits of higher school milk consumption are so great that it would be a prudent investment for Congress to provide incentives to the schools that would enable them to focus more attention on improving milk quality, variety and availability throughout the school environment.

Senator Max Baucus
Senate Committee On Agriculture, Nutrition and Forestry
Nomination of Vernon Parker
Questions for the Record

1. Mr. Parker, the position of Assistant Secretary for Civil Rights is much needed and long overdue. Currently, there are many pending civil rights issues with the Department that have yet to be resolved. It seems as if some of these issues and complaints have just been shoved into a drawer and have been forgotten. How do you plan to resolve these pending issues?

2. Discrimination occurs throughout various agencies and levels within USDA. Do you have any ideas for restructuring how the agency deals with these complaints? After a complaint is filed, what kind of system do you plan to use to follow up and resolve these complaints?

3. In my state of Montana, there have been cases of discrimination by USDA employees towards women and Native Americans. What kind of ideas do you have to make sure that these groups receive equal treatment when working with the agency?

QUESTION SUBMITTED BY SENATOR MAX BAUCUS TO VERNON PARKER

1. Mr. Parker, the position of Assistant Secretary for Civil Rights is much needed and long overdue. Currently, there are many pending civil rights issues with the Department that have yet to be resolved. It seems as if some of these issues and complaints have just been shoved into a drawer and have been forgotten. How do you plan to resolve these pending issues?

Answer: I can assure you that if confirmed, I will uphold the office to which I am being called. I would take seriously the charge that Congress gave when creating the position of Assistant Secretary for Civil Rights. Inherit in that charge would be to work to shed light on unresolved issues, then work with all of the available resources to bring closure. I will assess the actions taken, determine what additional steps are needed, and move forward to address each issue.

QUESTION SUBMITTED BY SENATOR MAX BAUCUS TO VERNON PARKER

2. Discrimination occurs throughout various agencies and levels within USDA. Do you have any ideas for restructuring how the agency deals with these complaints? After a complaint is filed, what kind of system do you plan to use to follow up and resolve these complaints?

Answer: Because of my consultant status, I am not in a position at this time to address specific organizational structure questions. If confirmed, I will examine the current structure that the Department has in place for dealing with complaints, and implement any changes that will help USDA in better serving its clients. I will assess current systems, recent improvements, internal reports, and recommendations from third-party reviews, and determine what additional steps need be taken.

QUESTION SUBMITTED BY SENATOR MAX BAUCUS TO VERNON PARKER

3. In my state of Montana, there have been cases of discrimination by USDA employees towards women and Native Americans. What kind of ideas do you have to make sure that these groups receive equal treatment when working with the agency?

Answer: I view the concept of civil rights broadly. It applies to not just one group, but many. Women and Native Americans have been afforded Equal Protection/Protected Class status under the U.S. Constitution because of "immutable characteristics." I will, if confirmed, work to ensure that the full application of the law is enforced. My message will be that civil rights is not just the province of the Office of Civil Rights, but of each and every one of the 100,000 employees of USDA. I look forward to the challenge of ensuring that all USDA employees treat all customers and employees fairly, equitably and with respect. I will meet with Native American and women leaders to get a firsthand account of their experiences. I will work to resolve their issues, and put into place safeguards that will ensure fair and equitable treatment.

Senator Mark Dayton
Senate Committee On Agriculture, Nutrition and Forestry
Nomination of Vernon Parker
Question for the Record

Question: What will the USDA do to de-stigmatize the Department as being too difficult for new immigrant farmers to approach for loans?

QUESTION SUBMITTED BY SENATOR MARK DAYTON TO VERNON PARKER

Question: What will the USDA do to de-stigmatize the Department as being too difficult for new immigrant farmers to approach for loans?

Answer: The most important thing that can be done to remove any such stigma would be to reach out to immigrant groups and help them through the process. USDA needs to help them understand that they will have the full force of USDA and the United States Government in assuring that they are treated fairly and with dignity. In addition, we must ensure that those with limited English proficiency have access to information and assistance in their native language.

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