

**Forest Service Manual  
National Headquarters (WO)  
Washington, DC**

**Forest Service Manual 1700 – Civil Rights**

**Chapter 1730 - Civil Rights Impacts**

**Amendment:** 1700-2006-1

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**Superseded Directive:** 1730, Amendment 1700-2002-1, November 21, 2002

**Approved by:** Jacqueline Myers, Associate Deputy Chief

**Date approved:** February 14, 2006

**Responsible Staff:**

**Explanation of changes:** Following is an explanation of the changes throughout the directive by section.

**Posting Instructions:** Amendments are numbered consecutively by title and calendar year. Post by document; remove the entire document and replace it with this amendment. Retain this transmittal as the first page(s) of this document. The last amendment to this title was 1700-2004-1 to 1770.

Throughout the chapter makes minor format and editorial changes.

**1730.1-1730.12:** Clarifies Departmental Regulations 1010-1 and 4300-4 as authorities which set out policy and procedures for civil rights impact analysis and statements.

**1730.12:** Changes code and caption to “Civil Rights Impact Analysis of Proposed Policy Actions.”

**1730.2:** Adds new objectives to include new agency direction on civil rights impact analyses.

**1730.3:** Adds policy actions for developing CRIAs to further detail Departmental Direction.

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## **1730.1 - Authority**

Departmental Regulation (DR) 4300-4 sets out the requirements for USDA agencies on civil rights impact analyses of proposed organizational and policy actions. DR 1010-1 deal peripherally with proposed organization changes (FSM 1730.11). Detailed Forest Service direction on implementing these requirements is in FSH 1709.11, chapter 30.

## **1730.11 - Civil Rights Impact Analysis of Proposed Organizational Changes**

Departmental Regulation (DR) 4300-4 requires that civil rights impact analyses (CRIAs) be conducted for proposed organizational changes covered by the DR. DR 1010 sets out the policy and procedures to be followed for proposed reorganization changes. Section 6 sets out actions upon which the Department must be notified or which the Department must approve. Section 7d refers to the CRIA requirement.

## **1730.12 - Civil Rights Impact Analysis of Proposed Policy Actions**

Departmental Regulation (DR) 4300-4, section 4a, requires agencies to establish internal procedures to identify and address civil rights impacts of proposed policy, actions, or decisions on women, minorities, and persons with disabilities in a civil rights impact analysis is (CRIA) before the policy, actions, or decisions are approved and implemented. A CRIA is intended to include the impacts on individuals' civil rights, as well as or social impacts.

## **1730.2 - Objective**

The objectives of this chapter are to:

1. Determine the scope, intensity, duration, and direction of civil rights impacts resulting from a proposed action, to provide possible mitigation measures to reduce negative impacts, and to set out the procedures to monitor impacts and mitigation measures during implementation of the action.
2. Establish procedures to evaluate proposed policies, actions, or decisions for potential violations of civil rights statutes, Federal regulations, or Forest Service (FS) policy on discrimination.
3. Preclude the issuance of policies, actions, or decisions that contain eligibility criteria, methods of administration, or other agency-imposed requirements that may adversely and disproportionately impact employees or program beneficiaries because of their race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, protected genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program.
4. Use CRIA as a management tool to ensure fair and equitable service to FS employees and beneficiaries of Federally assisted and Federally conducted activities.

### 1730.3 - Policy

1. It is the policy of the Forest Service that the Responsible Forest Service Official (FSM 1704) review proposed actions for civil rights impacts and take either of the following actions in compliance with DR 4300-4 and 1010-1 (FSM 1730.1):

- a. Prepare a civil rights impact analysis and statement of its findings for any proposed policy or organizational action which may have a major civil rights impact, or
- b. Document the determination that a civil rights impact analysis and a statement of findings are not needed.

2. It is the policy of the Forest Service to require agency officials to take the following actions when developing CRIAs and implementing civil rights strategies related to policies, programs, and activities to:

- a. Involve subject matter experts from the appropriate disciplines such as biologists, foresters, botanists, economists, statisticians, budget analysts, civil rights analysts, program/management analysts, human resource specialists, and others in the evaluation of civil rights impacts).
- b. Consult with stakeholders, advisory committees, and customers, as appropriate, to obtain input prior to decision-making.
- c. Analyze employment and program participation data by race, sex, national origin, disability, and age, as appropriate, to identify the proportion of the labor force and eligible population, respectively, that are participating in the Forest Service work force and in Forest Service programs and activities.
- d. Identify and analyze the civil rights implications and impacts of proposed eligibility criteria, methods of administration, and other requirements associated with policies, programs, and activities on employees, recipients, and beneficiaries, and develop civil rights strategies to eliminate, alleviate, or mitigate such impacts.
- e. Refer problematic aspects of proposed policies, programs, and activities that cannot be resolved at the agency level to the USDA Office of Civil Rights for review and guidance, with supporting documentation on potential civil rights implications and impacts.
- f. When appropriate, submit a CRIA, including a Civil Rights Certification (see FSH 1709.11, chapter 30) on the proposed policy, program, or activity, to USDA Office of Civil Rights for review and a determination of CRIA sufficiency.

- g. Coordinate and implement civil rights strategies identified in CRIAs with implementation of policies, programs, or activities.
- h. Monitor and evaluate the policy, program, or activity for civil rights effects after implementation.
- i. Based on monitoring and evaluation, adapt and improve the process.

For detailed direction on implementing this policy for civil rights impact analysis and identifying the types of actions covered by these requirements, see FSH 1709.11, chapter 30.

#### **1730.4 - Responsibility**

(See FSM 1709).

1. The Forest Service official delegated with the authority to make the decision on a proposed policy or action is responsible for certifying whether or not a civil rights impacts analysis (CRIA) must be conducted prior to making the decision on the proposed policy or action (FSH 1709.11, sec. 32.6) and for ensuring that either:
  - a. A CRIA and statement of findings are prepared for any proposed action that would have potentially major civil rights, social, or environmental impacts as set out in FSM 1730.1 and FSH 1709.11, chapter 30; or
  - b. Appropriate documentation is prepared for a determination that there will be no potentially major civil rights or social impacts related to a proposed policy or action, and, therefore, a CRIA and statement of findings are not required. The documentation must include a statement as to how the scoping and data collection was conducted to arrive at the determination. The criteria and format for waivers can be found in FSH 1709.11, chapter 30.
2. It is the responsibility of the official authorized as the decisionmaker to ensure that a CRIA or the determination that a CRIA and statement of findings are not needed or is waived has been completed prior to decisionmaking on the proposed policy, program, or action, according to the process set out in FSH 1709.11, chapter 30; DR 1010-1, and DR 4300-4. This official may designate a person or team to prepare the CRIA with technical assistance from the unit Civil Rights Staff.
3. The authorized official is also responsible for ensuring the a CRIA is reviewed by the Director of the Civil Rights Staff responsible for review of the unit's CRIA's before the CRIA is accepted by the official responsible for the proposed policy or action. If the CRIA involves the reorganization, consolidation, or relocation of a unit, or the proposed action required approval at the next higher organizational level, the CRIA must also be submitted and reviewed, with the proposed action, at the next higher level of authority.

### **1730.5 - Definitions**

For the definitions of "civil rights impacts," and "social impact," and other terms used in this chapter, see FSH 1709.11, section 30.5.