



## DEPARTMENT OF AGRICULTURE

### Forest Service

### Information Collection; Equal Opportunity Program Delivery Compliance Review

### Tool

**AGENCY:** Forest Service, Agriculture (USDA).

**ACTION:** Notice; request for comment.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, the Forest Service (Agency) is seeking comments from all interested individuals and organizations on the extension with no revision of a currently approved information collection, *Equal Opportunity Program Delivery Compliance Review Tool*.

**DATES:** Comments must be received in writing on or before **[INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]** to be assured of consideration.

**ADDRESSES:** Comments concerning this notice should be addressed to Civil Rights, Mail Stop 1142, Forest Service, USDA, 1400 Independence Avenue, SW, Washington, DC 20250-1142. Comments also may be submitted by email to *SM.FS.WOCivilRight@usda.gov*.

Comments submitted in response to this notice may be made available to the public through relevant websites and upon request. For this reason, please do not include in your comments information of a confidential nature, such as sensitive personal information or proprietary information. If you send an email comment, your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available for public viewing. Please note that comments containing any routine notice about the confidentiality of the communication will be

treated as public comments that may be made available to the public notwithstanding the inclusion of the routine notice.

The public may request that an electronic copy of the supporting documents for the information collection and/or any comments received be sent via return email.

Requests should be emailed to *SM.FS.WOCivilRight@usda.gov*. The information collection request is posted online at *https://www.regulations.gov/*.

**FOR FURTHER INFORMATION CONTACT:** Davina Diaz, Civil Rights, by phone at 520-388-8419 or by email at *davina.diaz@usda.gov*. Individuals who are deaf, hard of hearing, or have a speech disability may call 711 to reach the Telecommunications Relay Service then provide the phone number of the person named as a point of contact for further information.

**SUPPLEMENTARY INFORMATION:**

**Title: Equal Opportunity Program Delivery Compliance Review Tool**

**OMB Number:** 0596-0215

**Expiration Date of Approval:** October 31, 2026

**Type of Review:** Extension with no Revision of a currently approved information collection

**Abstract:**

All Federal agencies must comply with equal opportunity laws:

- Title VI of the Civil Rights Act of 1964, as amended
- Title IX of the Education Amendments Act of 1972
- The Age Discrimination Act of 1975, as amended
- Section 504 of the Rehabilitation Act of 1973, as amended
- Executive orders to advance equal opportunity, nondiscrimination, and meritocracy in the delivery of all programs and services to the public.

Federal agencies and entities receiving Federal Financial Assistance are prohibited from discriminating. Federal Financial Assistance is defined as, “Federal monies given by grants, cooperative agreements, commercial special use permits, training, loan/temporary assignment of federal personnel, loan/use of Federal property at below market value.”

The Equal Opportunity (EO) laws require agencies to conduct compliance reviews to ensure that entities receiving Federal Financial Assistance from the government are adhering to the nondiscrimination statutes. The statutes require that prior to awarding support or issuing permits, the Federal government shall conduct pre-award reviews to ensure that potential recipients understand their responsibilities to provide services equitable pursuant to the law. Thereafter, during the partnership with the agency, ongoing monitoring will take place to ensure that public is served without any barriers or discrimination.

Forest Service employees will use FS-1700-6A, Equal Opportunity Compliance Review Record, to document shared non-discrimination obligations and collect information regarding actions taken by recipients of Federal financial assistance to ensure the public receives services without discrimination or barriers to access. Optional form B documents that recipients’ employees understand their customer service role and optional form C is for customers’ awareness of their rights of non-discrimination.

Collection form FS-1700-6A, Equal Opportunity Compliance Review Record, will occur during face-to-face meetings or telephone interviews conducted by a Forest Service employee as part of the pre-award and post-award process. The pre-award interview will take place prior to the signing of a cooperative agreement, domestic grant, commercial special use permit award or similar where a non-discrimination clause appears in the agreement. The post award interview will take place either on a five (5) or

10-year basis as instructed in Forest Service Handbook (FSH) 1709.11, Chapter 70 or upon report/discovery of discrimination.

Only general statistical information will be summarized and shared in the Health and Human Services (HHS) and Department of Justice (DOJ) annual report. However, if a report or discovery of a discrimination complaint is identified then it will be reported to the USDA Office of the Assistant Secretary for Civil Rights.

Monitoring reviews have been a responsibility of the Federal government since 1964 and continue to be an obligatory activity as outlined in 28 Code of Federal Regulations 42.401-415 and 7 Code of Federal Regulation 15.5. Without the ability to monitor recipients of Federal financial assistance, the Forest Service would not be able to ensure compliance with the civil rights laws, statutes, and current Executive Orders (EO). The Agency would not be aware of potential discriminatory practices. Absence of this form leaves the American people and the public that we serve vulnerable to non-merit-based decisions and discrimination.

**Affected Public:** Recipients of Federal financial assistance, the American taxpayer and public(s) that we serve.

**Estimated Annual Burden Per Response:** 1/hr.

**Estimated Annual Number of Respondents:** 3,294/yr

**Estimated Annual Number of Responses per Respondent:** 4/yr

**Estimated Total Annual Burden on Respondents:** 2,394

**Comment is Invited:**

Comment is invited on (1) whether this collection of information is necessary for the stated purposes and the proper performance of the functions of the Agency, including whether the information will have practical or scientific utility; (2) the accuracy of the Agency's estimate of the burden of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility, and

clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

All comments received in response to this notice, including names and addresses when provided, will be a matter of public record. Comments will be summarized and included in the submission request for Office of Management and Budget approval.

**Michole J. Wesley,**

*Acting National Director, Civil Rights.*

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