USDA

United States
Department of
Agriculture

Marketing and
Regulatory
Programs

Animal and
Plant Health
Inspection
Service

Washington, DC
20250

Federal Relay Service
(Voice/TTY/ASCII/Spanish)
1-800-877-8339

RECEIVED
10/22/2004
MJ

OCT 14 2004

Ms. Karen Higgenbotham
Director
Office of Civil Rights
US Environmental Protection Agency
1200 Pennsylvania Avenue NW Mail Stop 1201A
Washington, DC 20460

RE: Complaint of [redacted]

Dear Ms. Higgenbotham:

On October 14, 2004, I spoke with Mike Mattheisen of your staff who agreed to review the referenced complaint to determine if your office would have jurisdiction over the allegations raised by [redacted]. It appears that [redacted]' main issue is the process by which the Pennsylvania Department of Agriculture conducts testing for commercial pesticide certification.

The US Department of Agriculture (USDA) Office of Civil Rights (OCR) notified [redacted] that it had no jurisdiction over the matter. OCR makes such determinations for all USDA agencies, including our agency. I have attached copies of all documents received by our office.

Thank you for your attention to this matter. If you need further information, please contact me at 202-720-0010 or by email: steve.shelor@aphis.usda.gov

Sincerely,

Steve Shelor
Assistant Director
Civil Rights Enforcement and Compliance

Attachments

[redacted]

October 1, 2004

MS GMITTER
EEOC PHILA DISTRICT OFFICE
21 SOUTH 5TH STREET SUITE 400
PHILA, PA 19106-2515

Dear Ms Gmitter:

Your response to a compliant I filed with another agency was received on the 29th of Sept.. In response to your letter I have modified this compliant so it would be clearer and more applicable to your laws and agency responsibilities. I hope that I've clarified it well enough to produce so favorable results.

I requested the test scores from the Dept. of Agriculture on May the 20th and again on May the 26th. the request on the 20th was sent by certified mail. They deliberately waited until July 19th to respond to my letter. Please read this information again, it as been modified for your consideration.

Under certain circumstances some such as someone keeping you from having access to information purposely or delay material that you have a right to. will allow the victim to request that is material and all relative charges be TOLLED.

Respectfully

[redacted]

#0532

September 30, 2004

DEPT. OF AGRICULTURE
ANIMAL PLANT + HEALTH INSPECTION SERVICE
ANNA GRAYSON (DIRECTOR)
OFFICE OF CIVIL RIGHTS - 1400 INDEPENDENCE AVE SW
ROOM 1131 SOUTH BUILDING
WASHINGTON, D.C. 20004

Dear Miss Grayson:

I've sent several agencies the information that was sent to the EEOC in Phila PA, (in reference to a letter enclosed) and I'm not sure who to direct this letter to, so I'm sending it to all the parties involved.

First of all; this letter is to thank all who was and still is involved in this matter. ***The EEOC In Philadelphia PA states that the complaint I filed in regard to the Dept. on Agriculture was not filed on a timely manner;*** and therefore, could not be handled by their agency. I'm hoping that a few other departments in the government that I filed this material with will be able to bring a claim under another statue.

The letter enclosed is sent to you just to keep you informed on the results of your participation in this matter; Thanks again.

Respectfully,

Rcvd APHIS-CAEC
OCT 6 2004
Numb #05-020

[redacted]

Pesticide Applicator's ID NO. [redacted]

September 30, 2004

DEPT. OF AGRICULTURE
ANIMAL PLANT AND HEALTH INSPECTION SERVICE
ANNA GRAYSON (DIRECTOR)
OFFICE OF CIVIL RIGHTS
1400 INDEPENDENCE AVE. SW
ROOM 1131 - SOUTH BUILDING
WASHINGTON D.C. 20004

Dept. of Agriculture
Civil Rights Division
Case No 1989710
1400 INDEPENDENCE AVE NW
WASHINGTON D.C. 20250

[redacted] vs Dept. of Agriculture

To whom it may concern:

There are tests in the enclosed packet that has the same date on it and at mid pages of one of them is another date. First of all I never took a core test twice, and never took two of them in the same day either. One of these tests is dated April the 04, 2000 and the other one is dated April the 20, 2000. The testing dates for these two tests are for Friday, April the 02, 2000. About 2/3's of a page down, on one of these testing sheets, a date I do remember calling about in reference to a test I did take In January. Also, please look at the TEST NAME, which is represented by numbers, they are the same on these two papers. About six pages behind these pages are another one of these testing sheets. These pages have a different TEST NAME NUMBER. There is another thing that I noticed about these tests. They are only suppose to give you 50 questions per test, one of them has 51.

I pass the test in May but they were still taking my money and flunking me until I threaten to get a lawyer then they release these all of these papers to me; when they did this, they didn't pay enough attention to what they were doing before the mailed it to me. If you look closely on one of the tests, you will see that it looks like someone tried to change a date by typing over a number, this test is dated Tuesday, April the 20th 2000.

Respectfully

[redacted]

[redacted]

September 29, 2004

DEPT. OF AGRICULTURE
ANIMAL PLANT HEALTH INSPECTION SERVICE
ANNA GRAYSON DIRECTOR
SOUTH BUILDING
WASHINGTON, D.C. 20004,

Dear Sir or Madam:

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The letter enclosed is sent to you just to keep you informed on the results of your participation in this matter; Thanks again.

Respectfully

[redacted]

Rec'd APHIS-CREC
OCT 14 2004
Mamb #05-032