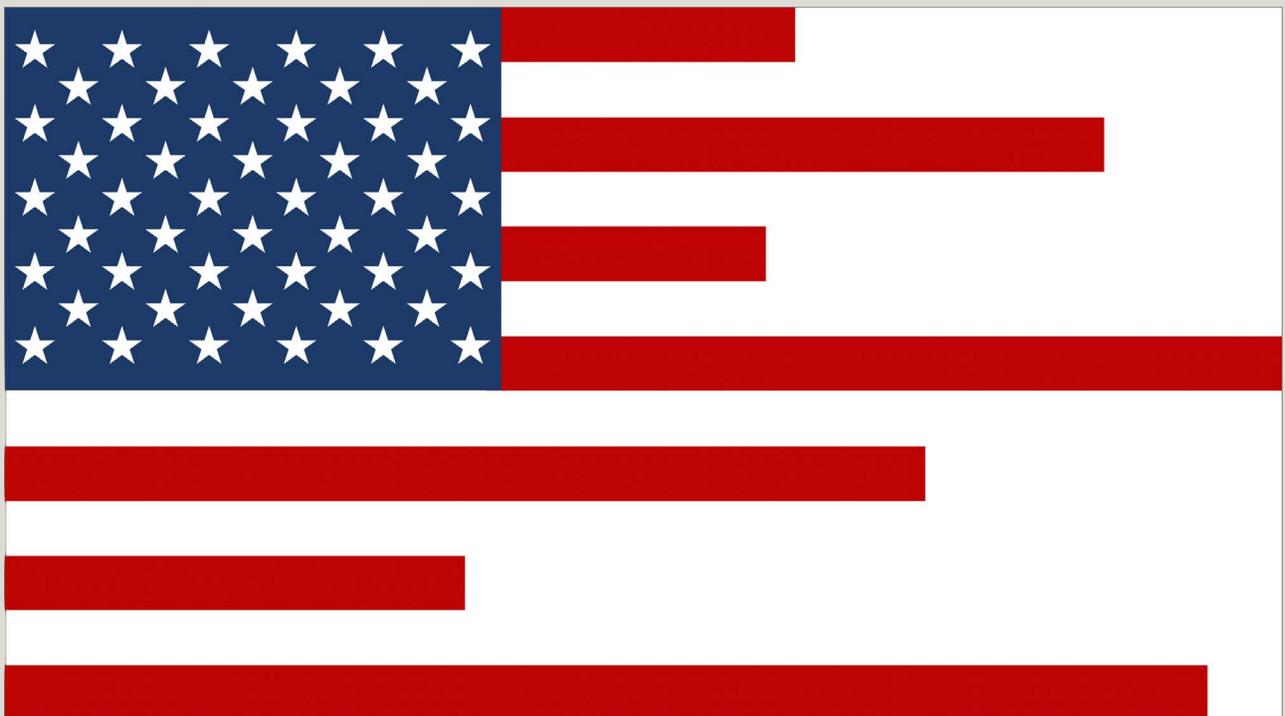




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FEBRUARY 2023

# Assessment of Federal Equity Action Plans



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February 2023

## Acknowledgments

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# Organizational Biographies



Race Forward was founded in 1981, and brings systemic analysis and an innovative approach to complex race issues to help people take effective action toward racial equity. In 2021, Race Forward launched the Federal Initiative to Govern for Racial Equity (FIRE). FIRE builds on Race Forward's deep expertise in working with government partners, and it seeks to encourage sustained change on racial equity at the federal level. The predecessor to FIRE is the Government Alliance on Race and Equity (GARE). GARE supports racial equity leaders and practitioners to design and implement strategies that transform local and regional government to create an equitable society. The GARE Network started with 12 local government jurisdictions, and it has expanded significantly to over 437 jurisdictional members. GARE's movement and model for racial equity in government has grown and become increasingly influential over the years, even influencing the federal Executive Order. With the launch of FIRE, federal agencies have access to a wealth of information regarding the wide range of government equity efforts.

## PolicyLink

Founded in 1999, PolicyLink is a national research and action institute advancing racial and economic equity by Lifting Up What Works®. In partnership with a wide range of equity movement leaders, PolicyLink is advancing Winning on Equity—a cross-sector, nation-building campaign linking civil society leaders, government agencies, and corporate power to advance the equity movement and redesign the nation so that it works for all, starting with people of color. Our work is guided by a focus on one unifying result: *Ensuring all people in America—particularly those who face the burdens of structural racism—participate in a flourishing multiracial democracy, prosper in an equitable economy, and live in thriving communities of opportunity. We focus on advancing liberating policies **for the 100 million people living in or near poverty, the majority of whom are people of color.*** PolicyLink is guided by the belief that the solutions to the nation's challenges lie with those closest to these challenges: when the wisdom, voice, and experience of those traditionally absent from policymaking drive the process, profound policy transformations emerge.

## Introduction

In January 2021, on the heels of a historic movement and uprising for racial justice, President Biden issued Executive Order 13985, *“Advancing Racial Equity and Support for Underserved Communities Through the Federal Government”* (“Executive Order”), signaling the Biden–Harris administration’s commitment to advancing racial equity throughout the federal government. In February of 2023, the administration issued Executive Order 14091, *“Further Advancing Racial Equity and Support for Underserved Communities Through the Federal Government,”* which codifies and deepens the work of federal agencies begun under Executive Order 13985.<sup>1</sup> These Executive Orders address the nation’s history of entrenched structural racism in honest terms, while also pointing to how an “ambitious whole-of-government equity agenda,” executed through intentional planning and consistent implementation, would strengthen our democracy, yielding benefits for all people living in America.<sup>2</sup>

1 Race Forward and PolicyLink initiated the assessment in June 2022, and they finalized the report in December 2022. At the time, all references to Executive Order contained in the report were for “Executive Order 13985” which was signed January 20, 2021. On February 16, 2023, President Biden signed “Executive Order 14091”.

2 See The White House, “Advancing Equity and Racial Justice Through the Federal Government,” available at <https://www.whitehouse.gov/equity/>.

This moment is built upon decades of movement organizing to name, counter, and dismantle systemic racism. Eager to make as much progress as possible during the current term, the Biden–Harris administration gave agencies and departments one year to create and publish Equity Action Plans (EAPs) that identified barriers to advancing equity within 3-5 of their agency’s high-impact services and introduced actions to address them.<sup>3</sup> Leaders at all levels of the federal government were required to identify and remove systemic barriers and fully embrace the charge of advancing equity.

The potential for advancing equity via federal policies and programs is significant, and can uplift the more than 100 million “economically insecure” people in the United States who are systematically denied opportunity.<sup>4</sup> As the author and enforcer of large-scale policy change, the federal government is strongly positioned to ensure that opportunity is not determined by circumstances of birth when policymakers embrace racial equity as a core tenet of our nation’s foundational purpose. Federal agencies also hold immense influence to set the tone of the nation and are poised to lead our country towards an equitable future where all can prosper; however, this will require working in new, innovative, and targeted ways. This moment requires that federal leaders expand their understanding of the impact of past policies, address root drivers of current

3 See *id.*

4 The one in three people in the U.S. who are defined as “economically insecure” have a household income at or below 200 percent of the federal poverty line. Among this 100 million, 52 million are people of color; they represent 52 percent of the economically insecure despite only accounting for 38 percent of the overall population. The other 48 million are white. But inequitable policies, although often driven by race and having disproportionate racial impacts, harm all economically insecure families. Conversely, racially equitable policies benefit all struggling communities.

disparities, and remain clear about who has been left behind. While acknowledging the work ahead, it is equally important to recognize the many equity-oriented federal employees who have dedicated their lives to this tireless work long before a sweeping mandate was issued. The current Executive Order serves only to strengthen and build upon the groundwork they have laid.

Renewed societal reckoning around systemic racism in our nation is a reminder that racial equity is critical to the health of our democracy. In light of this urgent call to action, over 90 federal agencies and departments, including all Cabinet-level agencies and over 50 independent agencies, prepared EAPs

in response to the Executive Order. Race Forward and PolicyLink selected a varied sample of 30 of these plans for review, striving for diversity in size and mission. Our goal was to examine the degree to which the plans lay the groundwork for meaningful agency action to advance racial equity. All 30 agencies and departments are listed in Appendix A.



**This moment is built upon decades of movement organizing to name, counter, and dismantle systemic racism.”**

# Guiding Principles for Federal Action on Racial Equity<sup>5</sup>

In July 2021, PolicyLink released *For Love of Country: A Path for the Federal Government to Advance Racial Equity*, the nation's first comprehensive racial equity blueprint for federal agencies. Included were resources, tools, and a plan for federal agency leaders to implement President Biden's historic executive order on advancing racial equity. The following guiding principles as outlined in the racial equity blueprint are the foundation for which we begin to approach the federal EAPs assessed in this report.

## PRINCIPLE 1

### UNDERSTAND THE PAST, THE PRESENT, AND YOUR INFLUENCE

Understand and acknowledge the federal government's role in impacting society at a wide scale to this day—whether positive, negative, or seemingly neutral

## PRINCIPLE 2

### CONSISTENTLY ADDRESS ROOT DRIVERS

Target the fundamental root drivers of gaps and inequities and prioritize the people who have traditionally been excluded, recognizing these investments will benefit all

## PRINCIPLE 3

### WORK IN PARTNERSHIP WITH IMPACT IN RELEVANT COMMUNITIES

Leverage the expertise and experiences of all to promote equity, particularly leaders of color and their communities

## PRINCIPLE 4

### ADOPT A CONTINUOUS LEARNING AND ADAPTIVE APPROACH

Acknowledge that the scale and complexity of reaching racial equity will require ongoing commitment, action, and adjustments to drive meaningful change and strengthen our democracy

## PRINCIPLE 5

### BE TRANSPARENT AND ACCOUNTABLE

Build public trust and accountability in the long-term commitment for racial equity through data-driven decision-making and outcome tracking

<sup>5</sup> See *For Love of Country: A Path for The Federal Government to Advance Racial Equity*, available at [https://www.policylink.org/resources-tools/for\\_the\\_love\\_of\\_country](https://www.policylink.org/resources-tools/for_the_love_of_country).

## Report Overview

The following report is intended to provide an overview of the federal equity action planning process and assess the strengths and areas for improvement in the plans themselves.

The assessment identified three overarching themes as a result of the analysis:

1. Responsiveness to Executive Order
2. Transformative Measures, and
3. Sustainability.

The brief concludes by offering recommendations for how an equity action plan process may be strengthened if there is an opportunity to do so. To learn more about our assessment methodology, please see Appendix C.



**This review of the Biden–Harris administration’s first-ever federal EAPs suggests reasons for optimism about the possibility of translating commitments by high-level elected and appointed leaders into actions that will positively impact the lives of all people living in the United States. It also suggests opportunities for improvement.”**



## BY THE NUMBERS

**SUMMARY FINDINGS****OF THE 30 AGENCY PLANS REVIEWED FOR THIS ASSESSMENT,****30**

All 30 plans correctly distinguish between equity and equality

**28**

include actionable strategies that have a strong chance of improving racial equity outcomes

**15**

explicitly reference “racial equity”

**8**

reference equity tools developed by experts or utilized by other government partners

**3**

explicitly name “institutional racism” and “structural racism”

**Overview of Findings**

An equality approach will never get us to equity, and one-size-fits-all equity strategies are rarely successful. Also, strategies to achieve racial equity differ from those to achieve equity in other areas, and a strong racial equity framework targets the differences between individual, institutional, and structural racism, as well as the history and current reality of inequities. We recognize that the creation and perpetuation of racial inequities has been baked into government, and that racial inequities across all indicators for success are deep and pervasive. We also acknowledge that marginalization is driven by a range of factors, including gender, sexual orientation, ability, and age, and that experiences of marginalization are compounded by experiences of racism. Focusing on racial equity provides the opportunity to introduce a framework, tools, and resources that can also be applied to other areas of marginalization.

In order to achieve maximum impact, the plans need explicit focus and specificity. While the EAPs demonstrated a clear distinction between equity and equality, only half of the plans reviewed for this assessment explicitly referenced racial equity, despite the explicitness of the Executive Order naming it in the title.

With very few EAPs explicitly naming institutional and structural racism, we see a gap in the opportunity that this administration has to establish a baseline for transformative change within the identified strategies.

### 1. DISTINCTION BETWEEN EQUITY AND EQUALITY

Our review suggests that federal agencies and departments have clearly distinguished between “equity” and “equality.” Every EAP reviewed used the term “equity,” and none of the plans appeared to conflate the term with equality or sameness. This is an accomplishment worth noting, as developing shared understandings of key concepts and language is an important initial step toward creating a shared understanding of equity competencies, and demonstrates progress towards normalizing equity language and institutionalizing equity commitments.

### 2. INCLUSION OF ACTIONABLE STRATEGIES THAT HAVE A STRONG CHANCE OF IMPROVING RACIAL EQUITY OUTCOMES

Another very encouraging insight relates to the agencies’ identification of actionable strategies that have a strong chance of improving racial equity outcomes. The review identified evidence of such strategies in 29 of the 30 EAPs reviewed. While several of these agencies and departments identified actions related to data collection and analysis in the service of equity<sup>6</sup> and there was considerable variety in terms of the actions planned, the review nonetheless indicates that the vast majority of agencies and departments in the sample were able to identify at least one action that had strong

potential to advance racial equity outcomes within their policies and programs.

Examples include:

- The Department of Housing and Urban Development (HUD) will pursue a major rulemaking on “Affirmatively Furthering Fair Housing,” which requires recipients of HUD funds take meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics.<sup>7</sup>
- The Department of the Treasury (Treasury) is working to develop a methodology for analyzing the racial and ethnic equity implications of tax policy and administration.<sup>8</sup>

### 3. EXPLICIT REFERENCE TO “RACIAL EQUITY”

Where attention to **“racial equity”** and not simply equity is concerned, 15 agencies and departments<sup>9</sup> in the sample explicitly named this concept in their EAP documents.<sup>10</sup> This includes agencies and departments that use the term a single time—such as the Department of Homeland

<sup>6</sup> See the discussion of “Commonalities” below.

<sup>7</sup> See Department of Housing and Urban Development, “Equity Action Plan” at 10 (hereinafter “HUD”).

<sup>8</sup> See Department of the Treasury, “Equity Action Plan One Year Progress Report” at 9 (hereinafter “Treasury”).

<sup>9</sup> These agencies and departments were the Council on Economic Advisors (CEA), United States Department of Agriculture (USDA), Department of Commerce (DOC), Department of Defense (DOD), Department of Health and Human Services (HHS), Department of Homeland Security (DHS), Department of Housing and Urban Development (HUD), Department of Justice (DOJ), Department of Labor (DOL), Department of State (DOS), Department of the Treasury (Treasury), Department of Transportation (DOT), National Science Foundation (NSF), Smithsonian Institution (Smithsonian), and United States Agency for International Development (USAID).

<sup>10</sup> This excludes agencies that only reference “racial equity” when recounting the title of the Executive Order.

Security (DHS)<sup>11</sup>—as well as agencies and departments that repeatedly reference the concept throughout their plans—including the Department of State (DOS),<sup>12</sup> Health and Human Services (HHS),<sup>13</sup> the Council of Economic Advisors (CEA),<sup>14</sup> the Treasury,<sup>15</sup> and the Smithsonian Institution (Smithsonian).<sup>16</sup> Other agencies, while not mentioning racial equity, use related terms including “racial inequities”<sup>17</sup> or “racial justice.”<sup>18</sup> Those who have worked at the intersection of government and racial equity will recognize that these explicit references represent evolution over time.

This is a marked departure from the previous administration, as well as from federal practice under prior administrations—regardless of party—which were typically reluctant to utilize the language of racial equity and justice. Because naming racial equity is an important part of normalizing and ultimately successfully implementing racial equity efforts, this is an accomplishment worth noting.

#### 4. REFERENCE TO EQUITY TOOLS DEVELOPED BY EXPERTS OR UTILIZED BY OTHER GOVERNMENT PARTNERS

The Government Alliance on Race and

Equity (GARE) links 12 equity tools and resource guides on their website,<sup>19</sup> including a how-to manual for creating racial equity action plans in government. Within that manual is a Racial Equity Action Plan template, created after a national scan of promising practices from cities and counties that have developed plans for racial equity and the structures that supported successful planning processes. Additionally, a library of 3600+ racial equity resources are available on the Racial Equity Tools website,<sup>20</sup> with many frontline community designed examples.

Given the abundance of available resources, theories of change, and lessons learned that have been provided by both movement partners and local government practitioners over the years, it was discouraging to see little inclusion of readily available and applicable equity tools and resources in the EAPs. Our review identified only eight agencies or departments<sup>21</sup> that referred to equity tools developed by experts or utilized by other government partners. Among these were:

- Environmental Protection Agency (EPA), which references community mapping tools used by state and federal partners, citing them as inspiration for its desire to create a “cumulative impact analysis framework”;<sup>22</sup>
- HHS, which notes that its divisions have

11 See Department of Homeland Security, “U.S. Department of Homeland Security Equity Action Plan Pursuant to Executive Order 13985” (hereinafter “DHS”).

12 See Department of State, “Equity Action Plan” (hereinafter “DOS”).

13 See Department of Health and Human Services, “U.S. Department of Health and Human Services HHS Equity Action Plan” (hereinafter “HHS”).

14 See Council of Economic Advisors, “Council of Economic Advisors Agency Equity Actions” (hereinafter “CEA”).

15 See Treasury.

16 See Smithsonian Institution, “Executive Order 13985: Advancing Racial Equity and Support for Underserved Communities Through the Federal Government Equity Action Plan” (hereinafter “Smithsonian”).

17 See Department of Education, “2022 Agency Equity Plan related to Executive Order 13985” (hereinafter “USED”).

18 See Department of Justice, “The Department of Justice Equity Action Plan” (hereinafter “DOJ”).

19 See <https://www.racialequityalliance.org/tools-resources/>.

20 See <https://www.racialequitytools.org/>.

21 These agencies or departments were the Department of Education (USED), HHS, HUD, DOS, Treasury, DOT, Environmental Protection Agency (EPA), and Small Business Administration (SBA).

22 See Environmental Protection Agency, “EO 13985 Equity Action Plan U.S. Environmental Protection Agency” at 5 (hereinafter “EPA”).

incorporated “equity impact analyses” into their work;<sup>23</sup> and

- HUD, which cites a racial equity analysis tool created by an unnamed technical assistance partner as instructive.<sup>24</sup>

##### 5. EXPLICIT NAMING OF “INSTITUTIONAL RACISM” AND “STRUCTURAL RACISM”

Where explicit naming of either “**institutional racism**” or “**structural racism**” was concerned, there were relatively few examples in the reviewed EAPs. Only three agencies or departments satisfied this measure. These are:

- HHS, which utilizes the term “structural racism”;<sup>25</sup>
- CEA, which references “institutional racism”;<sup>26</sup> and
- DOS, which also references “institutional racism.”<sup>27</sup>



**Focusing on racial equity provides the opportunity to introduce a framework, tools, and resources that can also be applied to other areas of marginalization.”**

<sup>23</sup> See HHS supra note 21 at 4.

<sup>24</sup> See HUD at 16. Note that because the link is broken it’s not possible to determine the identity of the technical assistance partner.

<sup>25</sup> See HHS at 4.

<sup>26</sup> See CEA at 2.

<sup>27</sup> See DOS at 4.

## BY THE NUMBERS

**SUMMARY FINDINGS**

**OF THE 30 AGENCY PLANS REVIEWED FOR THIS ASSESSMENT,**

**27**

included a focus on equitable contracting and small business support

**14**

included the establishment of an equity commission, task force, or officer

**11**

addressed civil rights compliance

**10**

addressed alignment on climate change

**8**

included data collection and analysis to advance equity

**5**

addressed alignment on equitable infrastructure approaches

## **Key Findings: Assessment of Overarching Themes from the Federal Equity Action Plan Analysis**

### **RESPONSIVENESS TO EXECUTIVE ORDER**

#### **How well did agencies address the requirements and implied concepts in the mandate?**

There was considerable variability with respect to anticipated commonalities across EAPs in response to the Executive Order. Our review suggests that agencies share a strong understanding of their purchasing power as a lever of change to advance racial equity. This is likely a direct result of the requirements in Section 5 of the Executive Order, which included “providing a report of the potential barriers that underserved communities and individuals may face in taking advantage of agency procurement and contracting opportunities.” And while there is opportunity for agencies to further improve equitable contracting and procurement strat-

egies, this initial set of strategic responses to the Executive Order demonstrates potentially notable impact, and magnitude, across agency strategies.

Other areas of insight point toward significant opportunities for improvement, growth, and support across agencies and departments. For example, with only five EAPs citing robust equitable community engagement strategies, we noted the need for greater agency assistance in developing rigorous initiatives to continuously engage impacted people in thought partnership and decision-making. Meaningful, inclusive, and empowering community engagement is foundational to equity work.

Additional examples of opportunities for growth and improvement include agencies that received funding from the Infrastructure Investment and Jobs Act (IIJA) but, at the time of the release of the EAPs, had not spoken to the alignment of equity and infrastructure spending in their reports, alongside the relatively small subset of agencies that spoke directly to the alignment of climate change and equity initiatives. Together, these gaps signal another tremendous and timely opportunity for expanded agency partnership and support.

*Examples:*

**1. EQUITABLE CONTRACTING AND SMALL BUSINESS SUPPORT** was perhaps the greatest area of commonality across EAPs with 27 out of 30 agencies and departments<sup>28</sup> identifying a need to leverage their considerable spending power to direct resources toward small businesses owned by individuals from

marginalized communities and populations.

- A number of agencies identified challenges to offering sufficient notice of upcoming contracting opportunities for small disadvantaged businesses. This led many agencies to prioritize strengthening contract opportunity forecasting systems. Agencies proposing such measures include HUD,<sup>29</sup> EPA,<sup>30</sup> HHS,<sup>31</sup> Department of Agriculture (USDA),<sup>32</sup> and General Services Administration (GSA).<sup>33</sup>
- The Small Business Administration's (SBA) EAP acknowledges that the United States federal government is the largest purchaser of goods and services in the world. As the federal agency charged with supporting small disadvantaged businesses, SBA plans to leverage its authority over federal procurement goal-setting to assign "ambitious but attainable goals to each agency that represent an improvement over the agency's historical SDB [small disadvantaged business] spending"<sup>34</sup> and support agencies to achieve them. The government-wide goal has been increased to 11 percent with the aim of hitting 15 percent by FY 2025.<sup>35</sup> To increase small disadvantaged business participation, SBA will enroll more small disadvantaged businesses into its business development and contract-

<sup>28</sup> The only agencies and departments not satisfying this measure were the Advisory Council on Historic Preservation (ACHP), CEA, and DOL.

<sup>29</sup> See HUD at 6.

<sup>30</sup> See EPA at 20.

<sup>31</sup> See HHS at 8.

<sup>32</sup> See United States Department of Agriculture, "USDA Equity Action Plan in Support of Executive Order (EO) 13985 Advancing Racial Equity and Support for Underserved Communities through the Federal Government" at 17 (hereinafter "USDA").

<sup>33</sup> See General Services Administration, "Executive Order 13985, Equity Action Plan" at 4 (hereinafter "GSA").

<sup>34</sup> See Small Business Administration, "Equity Action Plan" at 8 (hereinafter "SBA").

<sup>35</sup> See SBA at 8.

ing programs.<sup>36</sup> SBA will also measure agencies' and the federal government's progress via the "SBA Scorecard." Finally, the agency will align actions intended to improve access to federal procurement opportunities through its Strategic Plan.<sup>37</sup>

## 2. ESTABLISHMENT OR RESTORATION OF AN EQUITY COMMISSION, TASK FORCE, OR OFFICER

(or other role or body charged with driving or advising on agency equity initiatives) was noted in nearly half the agency and department EAPs.<sup>38</sup> While the creation of such a role or body does not necessarily signify that the individual or group has been vested with the degree of decision-making authority that would be required to transform agency operations to truly advance equity, designation of such individuals or entities is an important indicator of an organization recognizing that dedicating staff time towards advancing equity efforts and implementing equity action plans is a critical component of effective execution. This has been a successful strategy within dozens of local jurisdictions for many years now, and has demonstrated ways to operationalize equity standards and accountability metrics within government by supporting equity oversight bodies or officers.

- The Treasury has appointed a Counselor for Racial Equity who will be responsible for coordinating all offices and work

streams intended to advance equity and advising the Department on all racial equity policy issues and programs.<sup>39</sup> The Department also created a Treasury Procurement Equity Council to guide its efforts to increase the proportion of goods and services purchased from small disadvantaged businesses, women-owned small businesses, service-disabled veteran-owned small businesses, and small businesses in historically underutilized small business zones.<sup>40</sup>

**3. CIVIL RIGHTS COMPLIANCE** was an area of notable overlap. The EAPs reviewed hewed closely to the parameters of traditional civil rights compliance activities, with a focus on examining funding recipients' plans and their reported activities to assess planned and actual adherence to federal civil rights provisions. Roughly eleven<sup>41</sup> of the thirty agency and department EAPs reviewed included plans to enhance performance in this area.

- EPA outlines how it will initiate proactive pre-award and post-award civil rights compliance reviews; develop clear guidance on civil rights obligations; provide training and technical assistance to support compliance; communicate with frontline communities; share info publicly; strengthen interagency collaboration; and engage, educate, and train across EPA divisions to enhance civil rights compliance at the agency.<sup>42</sup>

<sup>36</sup> SBA defines small disadvantaged business as a small business that is at least 51 percent owned by one or more individuals who are both socially and economically disadvantaged.

<sup>37</sup> See SBA at 10.

<sup>38</sup> These agencies and departments were USDA, DOC, Department of Energy (DOE), Department of Health and Human Services (HHS), DOS, Department of the Interior (DOI), Treasury, DOT, EPA, Federal Emergency Management Agency (FEMA), Government Services Administration (GSA), NSF, Office of Personnel Management (OPM), and USAID.

<sup>39</sup> See Treasury at 2.

<sup>40</sup> See *id.* at 12.

<sup>41</sup> These agencies and departments were USDA, USED, HHS, Treasury, DOT, EPA, GSA, National Aeronautics and Space Administration (NASA), Social Security Administration (SSA), and USAID.

<sup>42</sup> See EPA at 14-16.

- The Treasury’s commitment to undertaking post-award compliance reviews will allow the department to determine if funds have been distributed equitably and are flowing to “people in low-income communities and communities of color” as intended.<sup>43</sup>

#### 4. IN LIGHT OF THE DISPARATE AND DEEPENING IMPACT OF CLIMATE CHANGE

on low-income communities and communities of color, **cross-agency alignment on climate strategies** will be integral to addressing inequitable policy and advancing climate justice. Alignment on climate was addressed by roughly ten agencies and departments<sup>44</sup> who shared plans indicating alignment of equity and climate change mitigation related work, though there was considerable variety across plans.

- EPA will ensure investments in pollution remediation and infrastructure exceed Justice40 goals.<sup>45</sup>
- Department of Energy (DOE) describes a planned \$16 million investment to help develop community-driven plans to leverage private and public resources to reduce air pollution, increase energy resilience and lower energy costs and burdens, and create good-paying jobs.<sup>46</sup>
- USDA will direct its program teams to develop policies and activities that

ensure the department’s investments benefit people in low-income communities and communities of color that are rural as well as tribal communities, strengthening their ability to withstand climate change.<sup>47</sup> Resources will also be provided for technical assistance on climate-friendly farming.<sup>48</sup>

- GSA has developed a Climate Risk Management Plan.<sup>49</sup>
- National Aeronautics and Space Administration (NASA) held its first workshops with environmental groups in order to strengthen connections with environmental justice communities. It also used Census data on limited access to potable water affecting 70,000 households in the Navajo Nation to create a Drought Severity Assessment Tool.<sup>50</sup>

#### 5. DATA COLLECTION AND ANALYSIS TO

**ADVANCE EQUITY** is an important accountability and assessment tool to help agencies measure their equity impacts over time. Yet, more than half of the agencies did not include data collection and analysis tools in their plans. Several agencies and departments did however share plans to create dashboards or scorecards to measure their progress implementing EAPs: Treasury,<sup>51</sup> HUD,<sup>52</sup> and the Department of Education (USED).<sup>53</sup> The Department of Transportation (DOT) shared plans to develop a

43 See Treasury at 14.

44 These agencies and departments were USDA, DOC, DOE, HHS, Treasury, EPA, FEMA GSA, NASA, and SBA.

45 See EPA at 10. Justice40 is a White House initiative designed to ensure that 40 percent of the overall benefits of certain Federal investments flow to disadvantaged communities that are marginalized, underserved, and overburdened by pollution. See White House, “Justice40: A Whole of Government Initiative” <https://www.whitehouse.gov/environmentaljustice/justice40/>

46 See Department of Energy, “U.S. Department of Energy’s Equity Action Plan” at 4 (hereinafter “DOE”).

47 See USDA at 4.

48 See *id.* at 7.

49 See GSA at 11.

50 See National Aeronautics and Space Administration, “Mission Equity: NASA Equity Action Plan” at 5 (hereinafter “NASA”).

51 See Treasury at 13.

52 See HUD at 7.

53 See USED at 19.

transportation cost burden measure to deepen its analysis.<sup>54</sup>

**6. ALIGNMENT WITH EQUITABLE INFRASTRUCTURE APPROACHES** was named by only five EAPs.<sup>55</sup> Three examples of agencies that did address this topic are:

- Department of Commerce (DOC) cited billions in funding for broadband planning and infrastructure development;<sup>56</sup>
- DOT cited IIJA as a source of funding for much-needed investments in transporta-

tion equity;<sup>57</sup> and

- EPA outlined plans to ensure that people in low-income communities and communities of color receive over 40 percent of infrastructure dollars to be disseminated by the agency.<sup>58</sup>

54 See Department of Transportation, "USDOT Equity Action Plan" at 10 (hereinafter "DOT").

55 These agencies and departments include USDA, DOC, DOD, DOT, and EPA.

56 See Department of Commerce, "U.S. Department of Commerce Equity Action Plan" at 7 (hereinafter "DOC").

57 See DOT at 3.

58 See EPA at 10.



**Meaningful, inclusive, and empowering community engagement is foundational to equity work.”**

## BY THE NUMBERS

**SUMMARY FINDINGS**

**OF THE 30 AGENCY PLANS REVIEWED FOR THIS ASSESSMENT,**

**6**

identified strategies likely to have direct, positive impacts for people who are financially insecure

**5**

cited alignment with “community-driven” engagement, with a focus on people in low-income communities and communities of color

**2**

included evidence of strategies addressing root causes of inequities

**TRANSFORMATIVE MEASURES**

## To what extent did the EAPs include transformational strategies to both identify and repair root causes of harm?

We must apply rigorous standards if we are to overcome the extreme inequities in outcomes, caused by centuries of structural and systemic oppression. While several plans notably identified strategies that will center people experiencing systemic inequity, prioritize more authentic relationship-building with directly impacted communities, and include a focus on addressing root causes of inequitable outcomes, there remains a need to strengthen and develop interagency and cross-agency strategies aimed at structurally transforming policy and programming so that agencies not only correct existing inequities, but also design and implement more equitable policies and programs. It will take time and additional investment of resources for agencies—many of which have historically perpetuated racial inequity—to transform their cultures and redirect their energies to confronting the most formidable barriers to racial justice.

Examples:

### 1. IDENTIFICATION OF STRATEGIES LIKELY TO HAVE DIRECT, POSITIVE IMPACTS FOR PEOPLE WHO ARE FINANCIALLY INSECURE

Our review identified six EAPs<sup>59</sup> that feature interventions likely to have direct, positive impacts for the 100 million Americans who are currently financially insecure.

- The Treasury’s EAP, which includes considerable reporting on its American Rescue Plan Act programs, is a notable exception. The Treasury is also working with 23 federal agencies and departments to identify climate-related financial risks to low-income households and people of color households.<sup>60</sup>

### 2. ALIGNMENT WITH “COMMUNITY-DRIVEN” ENGAGEMENT, WITH A FOCUS ON PEOPLE IN LOW-INCOME COMMUNITIES AND COMMUNITIES OF COLOR

Approximately 29 of the 30 EAPs reviewed made some reference to community or stakeholder engagement activities.<sup>61</sup> However, the review identified only five EAPs<sup>62</sup> that appeared to satisfy this measure with plans that evidenced thoughtfulness and creativity as to how to meaningfully engage communities, including communities of color, that have traditionally not had adequate voice in such processes.

- An important measure of commitment to “community-driven engagement” focused on people in low-income communities and communities of color is the degree to which impacted people

are able to make or meaningfully inform decisions. There is little evidence of this type of “co-governance” in the plans, though HUD’s commitment to drawing upon lessons learned from its prior efforts to engage young people who have experienced homelessness in the development of policies and tools suggests that the department may be poised to take steps in this direction.<sup>63</sup> Similarly, DOT’s plan to issue a call for place-based projects “co-designed” by communities most impacted by poor transportation access and climate change suggests a similar openness toward decision-making by members from low-income communities and communities of color.<sup>64</sup>

- Some agency EAPs, such as those prepared by DOT and EPA, were particularly notable for their honest assessments of the barriers to meaningful community engagement.
  - In a section entitled “The Power of Community,” for example, DOT notes that low levels of participation in public meetings among low-income, young, and less educated Americans and disparities in broadband access combine to limit the accessibility and effectiveness of typical federal engagement methods. The department observes that new methods are slow to arise due to status quo thinking, one-size-fits-all approaches, and lack of accountability. To address these problems, the department plans to issue guidance to re-

59 These agencies and departments were USDA, DOD, USED, DOE, HHS, and Treasury.

60 See Treasury at 9-10, 15.

61 Only OPM, which has a government-facing mission, did not.

62 These agencies and departments were HUD, DOL, DOT, EPA, the National Endowment for the Arts (NEA).

63 See HUD at 17.

64 See DOT at 9.

recipients of DOT funding—which include state, regional, and local transportation agencies across the country—to support them to provide meaningful public engagement by March 2023. By September of that year, DOT expects to establish department-wide monitoring of recipient compliance with these requirements.<sup>65</sup>

- Similarly, EPA provides a clear-eyed assessment of the factors that have limited the effectiveness and inclusiveness of its community engagement strategies in the past, noting that “[c]ommunities with environmental justice concerns and other low-income communities and communities of color are often on the frontlines of the outcomes of environmental policymaking ... [and] [y]et ... by virtue of being systematically denied a full opportunity to participate in aspects of economic, social, and civic life ... face multiple resource and capacity challenges to engaging with EPA.”<sup>66</sup> To address this, the agency puts forward a thoughtful approach that involves building the technical, financial, and human capital-related capacities of people in low-income communities and communities of color, enhancing its own engagement with these communities with a focus on capacity-building and making sure that infrastructure and pollution remediation investments benefit

these communities.<sup>67</sup>

- Here, again, EPA stands out. As part of its effort to bolster the ability of people in low-income communities and communities of color to engage with the agency, EPA resolves to offer more capacity-building grants and offer more technical assistance to more communities.<sup>68</sup> While neither an exact dollar amount nor targeted number of organizations is provided, the agency is nonetheless notable for its commitment to directing funds and in-kind resources for the organizations that will prove instrumental to this outreach.

### 3. EVIDENCE OF STRATEGIES ADDRESSING ROOT CAUSES OF DISPARITIES

Of the EAPs included in this analysis, few directly identify and discuss root causes of barriers, while also offering clear strategies to address those barriers.<sup>69</sup>

- DOT is notable in this respect, having produced an EAP that includes “root drivers” for cited barriers, as well as actions geared toward addressing them.<sup>70</sup>
- Similarly, DOC identifies a lack of broadband infrastructure as the cause of the digital divide and then outlines plans for investing considerable funding to plan and build this infrastructure, as well as funds for digital equity and inclusion planning and programs.

65 See *id.* at 8.  
66 See EPA at 8.

67 See *id.* at 8-9.  
68 See *id.* at 15.  
69 These agencies and departments were DOC and DOT.  
70 See, generally, DOT.

#### 4. INCLUSION OF ACTIONS WITH THE POTENTIAL TO PRODUCE STRUCTURAL TRANSFORMATION

This review did not surface any explicitly clear examples of actions that have the potential to produce structural transformation. This is, perhaps, the most difficult of the indicators to satisfy given its focus on addressing the “upstream” causes of structural racism and transforming them. However, two items from the plans could be said to approach this standard. It is notable that these originate with DOT and DOC, both of which received major appropriations under IIJA.

- DOC will disseminate more than \$45 billion for broadband infrastructure and to promote digital inclusion across the country, and particularly in unserved areas as well as low-income communities and communities of color.<sup>71</sup> In light of broadband’s ability to promote improved employment, educational, and health outcomes, these DOC programs represent a meaningful investment in infrastructure that has the potential to transform conditions for Americans with limited access to affordable high-speed Internet, many of whom are likely among the 53 million Americans of color who are financially insecure.
- Similarly, DOT will disseminate \$642 billion in competitive and formula funding over the next four years with a commitment to increasing the proportion of funds that flow to “people in low-income communities and communities of color,” a similarly notable opportunity for structural transformation.<sup>72</sup>

#### 5. INCLUSION OF STRATEGIES DESIGNED TO CORRECT SYSTEMS THAT PERPETUATE UNJUST OUTCOMES

Our review did not reveal examples of interventions targeting systemic solutions to unjust outcomes. One particular example from the HHS EAP, however, stands out as potentially approaching this standard.

- To address racial disparities in maternal mortality that result in Black people dying at disproportionate rates, HHS is working with states to extend health insurance coverage through Medicaid and CHIP for all enrollees who give birth and developing innovative ways to improve postpartum care.<sup>73</sup> Acknowledging that the systemic causes for disproportionately higher rates of mortality for Black birthing people are many, this is an important step on behalf of HHS to address its role in addressing these disparities and one that potentially harnesses the power of government actors at multiple levels to change an unjust system that claims the lives of too many Black people each year.

71 See DOC at 6-7.  
72 See DOT.

73 See HHS at 2.

BY THE NUMBERS

**DATA SUMMARY****OF THE 30 AGENCY PLANS REVIEWED FOR  
THIS ASSESSMENT,****0**included evidence of clear  
accountability structures attached to  
the actions and strategies**SUSTAINABILITY****In what ways did agencies indicate a clearly defined commitment to continued EAP iteration, capacity-building, and implementation processes?**

Another important indicator of EAP strength is the degree to which there are clear accountability structures that speak to who is responsible for taking action, when that action will be taken, and what resources have been designated to successfully implement each action. These types of accountability measures are critically important to the longer-term infrastructure needed to sustain each agency's intended equity actions, as well as to build public trust over the long haul. Overall, agency and department accountability measures were a clear area for growth, with no agency or department consistently providing the full suite of needed elements: clear assignments of responsibility, specific timelines, and specific commitments of financial resources across its EAP. Evidence of dedicated resourcing was particularly difficult to identify.

Resources aside, however, a small number of agencies managed to provide insight into how

they plan to track their progress, who will be responsible for driving that progress forward, and possible capacity-building opportunities to empower agency and department staff to lead on this work in the future. In doing so, these agencies have taken preliminary steps in support of sustaining the work of equity action planning along the arc of time that it requires.

*Examples:*

- HHS has produced an EAP with accountability sections featuring clear timelines extending as far as eight years into the future and clear designation of the offices or individuals that will be responsible for driving elements of the action plan.<sup>74</sup>
- Similarly, DOS features clearly defined actions, assignments of responsibility, and discernible timelines.<sup>75</sup>
- Office of Government Ethics (OGE) outlines plans to integrate equity principles into the ethics trainings it provides for federal workers and guidance as to how agencies and departments can integrate diversity, equity, inclusion, and access principles into their trainings.<sup>76</sup>

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<sup>74</sup> See, e.g., HHS at 6.

<sup>75</sup> See, e.g., DOS at 15.

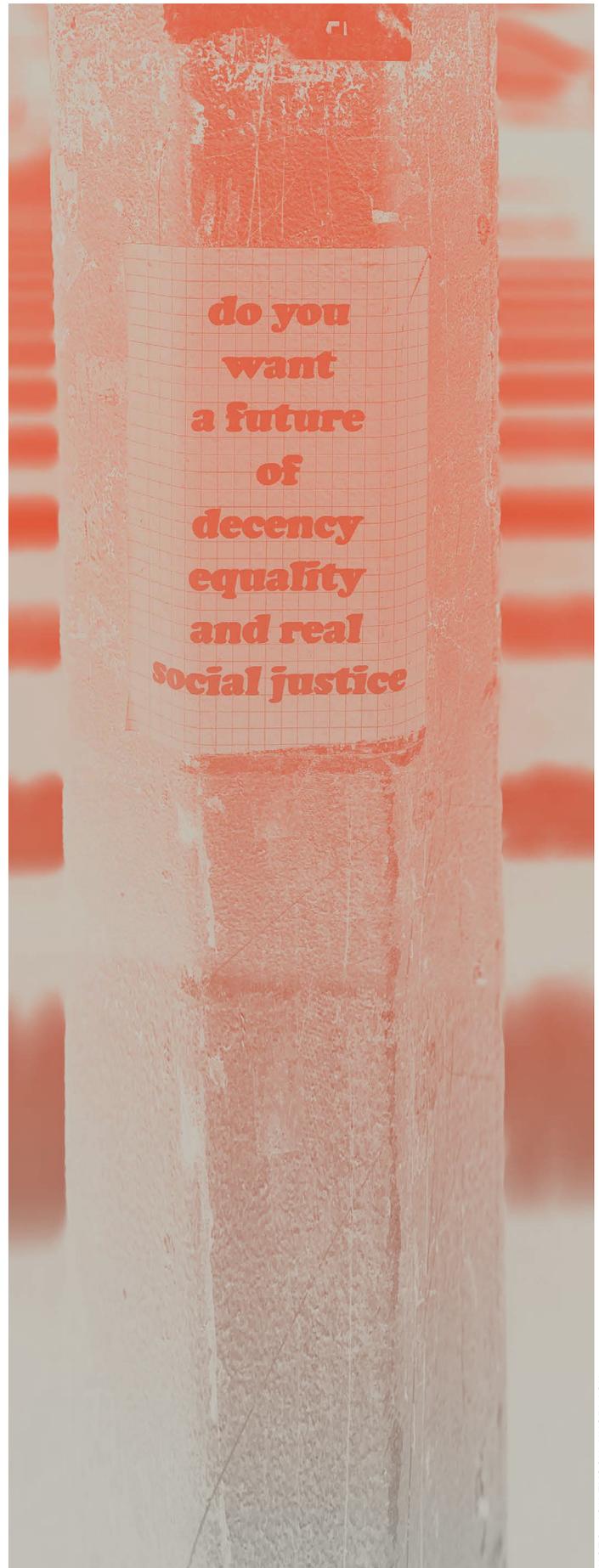
<sup>76</sup> See Office of Government Ethics, "Equity Action Plan U.S. Office of Government Ethics" at 3 (hereinafter "OGE").

## Recommendations

This review of the Biden–Harris administration’s first-ever federal EAPs suggests reasons for optimism about the possibility of translating commitments by high-level elected and appointed leaders into actions that will positively impact people’s lives. It also suggests opportunities for improvement. The following recommendations are intended to highlight steps that agencies and coordinating entities can take to strengthen any future equity strategies, in particular as they respond to Executive Order 14091.

### A. Expand Explicit Mention of and Commitment to Racial Equity

While the term “equity” appeared in all reviewed plans, half of the agencies selected for this review failed to use the term “racial equity.” Building on the foundation set by more than 430 local jurisdictions that have committed to naming and advancing racial equity, federal agencies and departments should also be encouraged to embrace this terminology, identify and target specific racial disparities for reduction, and be explicit about their commitments to dismantling institutional and structural racism. Explicitly naming racial equity is also a central part of what has made the Executive Order historic, and this should be reflected in agency and departmental plans.



## **B. Adopt a More Streamlined Format to Enable Greater Public Accountability**

To encourage cross-agency consistency across plans, coordinating entities should require the use of a streamlined equity action plan template, a practice that has been adopted by many local jurisdictions. Notably, agencies should be prompted to reduce focus on narrative and instead dedicate attention to elements most central to accountability. Annual reports or equity assessment findings would be appropriate places to include lengthier narrative sections highlighting previous equity accomplishments as well as an analysis of barriers identified. Conversely, plans that leverage a tabular format would easily outline the committed strategies and actions aimed at eliminating disparate outcomes.

Presenting EAPs in a streamlined format would also make it easier for both internal and external readers to determine the agency's equity path forward towards transformative change. Standardized templates could include columns for community indicator(s), desired outcomes, strategy, actions/activities, responsibility/accountability assignments, timeline, and evaluation measures, for example.

## **C. Utilize a Results Frame to Measure if Anyone is Better Off**

Some of the strategies included in the EAPs that were reviewed included benchmarks for specific programmatic improvements, but strategies by and large were not designed around a specific desired community indicator, with clearly defined target outcomes or results. Advancing equity and closing disparity gaps requires targeted interventions designed around a goal of achieving clearly defined population-level outcomes. All strategies should

tie back to population-level goals, and all plans should be able to determine if anyone is better off because of the efforts associated with the targeted interventions.

## **D. Ensure Equity Plans are Comprehensive and Reflective of the Entire Agency**

The Executive Order required agencies to select a small handful of the programs and policies for a review to assess whether people in low-income communities and communities of color face systemic barriers in accessing benefits and opportunities available pursuant to those policies and programs. The results of these assessments were used to inform the EAPs, which identified a few targeted interventions for a few of their programs and policies, rather than providing an opportunity to design plans that outlined strategies and actions that could operationalize equity efforts across the entirety of the agency.

In general, the EAPs lack strategies aimed at transforming the institutions, but rather highlight process improvements for select programs and policies, often without clearly defined equity goals. Recognizing that, by design, the EAPs do not reflect the sum total of equity efforts being undertaken by the administration, it is difficult to determine how coordinated the broader equity efforts are, both within and across agencies, and what the full scale of equity efforts is. Future planning would be strengthened by establishing a process by which agencies adopt a guiding set of equitable, people-centered, population-level results to establish the structural and transformative changes each agency seeks to support, with cross-agency, coordinated strategies and continuous improvement processes identified.

## E. Provide Support for Integration of High-Impact Administration Initiatives

A relatively limited number of the EAPs tied together cross-cutting equity strategies in service of high-impact administration initiatives. Future rounds of planning should encourage agencies to prioritize high-impact initiatives such as coordinating across agencies around equitable infrastructure investment policies, collectively addressing the equity needs of the current public health crisis, clearly outlining coordinating efforts to counter climate change in the most vulnerable communities, and mitigating the impacts of gentrification.

## F. Require Co-Governance Strategies with Impacted Communities

While equitable community engagement was an area mentioned by many agencies and departments, there was significant variety with respect to the depth of analysis of current obstacles to equitable community engagement and the prescribed approaches for remedying these issues. Several agencies simply included a cursory statement about community engagement with limited thought to current barriers, what it would take to overcome them, much less the degree of influence afforded to community members and stakeholders over decision-making.

Policies and programs are more likely to be equitable when agencies engage in intentional co-governance processes with impacted communities, as opposed to consultative community engagement. As agencies engage in equity action planning, they should be required to anchor their strategies in realistic assessment of barriers and the alternative strategies prioritized by community leaders.

## G. Apply Stronger Intersectional Approaches

In addition to sharing concrete plans for institutionalizing racial equity, the EAP process creates an opportunity to champion the benefits of equitable policies—not just for communities of color, LGBTQIA+ people, and other marginalized groups—but for all people living in the United States.<sup>77</sup> While a small subset of the EAPs, as discussed previously, do feature elements of this sort of approach, the agencies could go considerably further, particularly if they are willing to be more direct about the role that political obstruction at the federal, state, and local levels plays in impeding equity initiatives.

## H. Center Racial Equity in Concert with Ethics

Given that advancing racial equity is also an ethical obligation and the ethics of civil service shapes professional norms, racial equity should be centered in departmental ethics. If a law, policy, or directive results in harm, civil servants have a duty to speak up for those who have the most at stake rather than remain silent. They also have the tools to do so. Agency staff are able to evaluate the potential equity impacts of actions under consideration, as well as gather data about impacts of existing programs and past decisions and adjust decisions to avoid disparate impacts. At the federal level, when civil servants fail to prevent injurious impacts, they are too often scaled nationally such as residential redlining; inequitable highway construction, which had harmful impacts across the country; and even the present pattern of unbridled gentrification. Both ethics and efficacy of civil servants should be defined by how well they meet the needs of citizens—including relief from burdens and closing racial equity gaps.

## **I. Acknowledge and Address Past Harm as well as Mitigate Present Harm**

Our history on race has deeply shaped our systems, as well as how those systems impact groups of people differently. It is important to understand how past actions and trends are linked to present conditions so as to effectively address the root causes of racial inequity and surface why proactive strategies are required. Without addressing past harms, barriers to racial equity will remain stubbornly in place. In a like manner, failing to mitigate present harm will only shift the burden of responsibility to progeny. Equity action plans are highly visible statements of intent and commitment, and they should remind institutions to do no more harm. Finally, honest acknowledgment of those harms (past and present) within equity action plans is part of the foundation of building trust with impacted communities, who are essential partners for government in driving effective solutions.

## **J. Achieving Racial Equity Requires Sustained Commitment and Stewardship**

Advancing equity is a long-term generational commitment, with each generation making progress and facing backlash. Because the challenge is systemic, touching on almost all aspects of life, it requires long-term work and stewardship. The cycle of preparing racial equity action plans, implementing racial equity action plans, and preparing new plans is an affirmative commitment to progress. It also enables the federal government to demonstrate commitment to core values—such as “liberty and justice for all.” Building from the foundation of this first round of EAP planning processes, future equity action planning should not only remain rooted in deep root cause analysis and reflection of historical harm, but also hold a committed and adaptive long-arc vision for change.

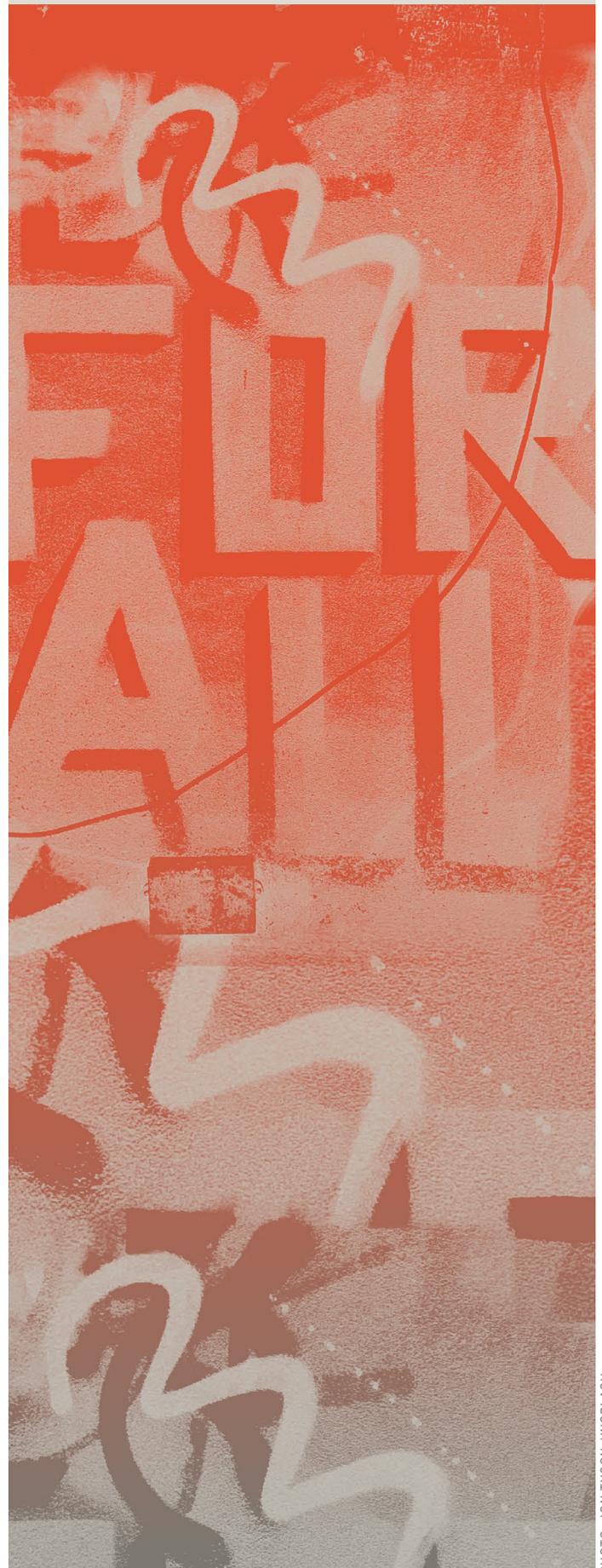


**It is the challenge of this generation to reimagine the nation’s laws, policies, regulations, and programs so they equitably serve people of color, and ultimately all, in a multiracial democracy.”**

## Conclusion

From the inception of our country, government at the local, regional, state, and federal levels has played a role in creating and maintaining racial inequity. The leaders of our nation must now focus on achieving racial equity at scale. It is the challenge of this generation to reimagine the nation's laws, policies, regulations, and programs so they equitably serve people of color, and ultimately all, in a multiracial democracy. This work demands that we transform the oppressive systems and institutions that have compromised our democracy and economy, and those that have hindered equity-focused policies from unleashing their intended impact.

Agency and department responses to the mandate of Executive Order 13985, alongside accompanying legislative efforts, offer critical scaffolding that will protect racial equity gains. Executive Order 14091 deepens and fortifies this foundational work. Federal lawmakers must join the administration and agency staff, alongside advocates, in ensuring that the EAPs are implemented with fidelity to maximally benefit those most impacted. Together we must ensure efforts to advance equity not only deepen within and across agency strategies, but also endure across future administrations.



The work of reorienting our federal systems to center racial equity will require sustained partnership between the federal government and leaders in the equity movement, with a particular focus on tracking performance, engaging in budget and regulatory advocacy, applying targeted public pressure, and integrating public input to ensure meaningful implementation and oversight. We know that to do this work well, now and into the future, will require dedicated time, committed resources, continuous improvement, and honest and responsive accountability.

We thrive as a country when everyone is included, and all can participate, prosper, and reach their full potential. We can transform

this nation together by making real on the aspirations of a multiracial democracy and anti-racist government.



**The work of reorienting our federal systems to center racial equity will require sustained partnership between the federal government and leaders in the equity movement.”**

# Appendix A



## List of Agency and Department EAPs Reviewed

1. Advisory Council on Historic Preservation (ACHP)
2. Council of Economic Advisors (CEA)
3. Department of Agriculture (USDA)
4. Department of Commerce (DOC)
5. Department of Defense (DOD)
6. Department of Education (USED)
7. Department of Energy (DOE)
8. Department of Health and Human Services (HHS)
9. Department of Homeland Security (DHS)
10. Department of Housing and Urban Development (HUD)
11. Department of Justice (DOJ)
12. Department of Labor (DOL)
13. Department of State (DOS)
14. Department of the Interior (DOI)
15. Department of the Treasury (Treasury)
16. Department of Transportation (DOT)
17. Department of Veterans Affairs (VA)
18. Environmental Protection Agency (EPA)
19. Federal Emergency Management Agency (FEMA)
20. General Services Administration (GSA)
21. National Aeronautics and Space Administration (NASA)
22. National Endowment for the Arts (NEA)
23. National Science Foundation (NSF)
24. Office of Government Ethics (OGE)
25. Office of Navajo Hopi Indian Relocation (ONHIR)
26. Office of Personnel Management (OPM)
27. Small Business Administration (SBA)
28. Smithsonian Institution (Smithsonian)
29. Social Security Administration (SSA)
30. United States Agency for International Development (USAID)

# Appendix B



## Definitions of Key Terms

**“Equity”** is a measure of justice that is achieved when outcomes in the conditions of well-being are improved for marginalized groups, lifting outcomes for all.<sup>78</sup> An equitable society is one in which all can participate, prosper, and reach their full potential. “Equality,” in contrast, is “sameness” or a state in which everyone gets the same thing, often with a focus on opportunities as opposed to outcomes. A focus on equality often ignores the realities of historical exclusion and power differentials between racial groups that have prevented full democratic inclusion, often perpetuated through policy.<sup>79</sup>

**“Racial Equity”** requires eliminating racial disparities and improving outcomes for everyone. It is the intentional and continual act of changing policies,

practices, systems, and structures by prioritizing measurable change in the lives of people of color.<sup>80</sup>

**“Racial Justice,”** as distinguished from racial equity, is a vision and transformation of society to eliminate racial hierarchies and advance collective liberation, where people who are Black, Indigenous, Latinx, Asian American, Native Hawaiian, and Pacific Islander, in particular, have the dignity, resources, power, and self-determination to fully thrive.<sup>81</sup>

**“Institutional Racism”** occurs within institutions. It involves unjust policies, practices, procedures, and outcomes that work better for white people than people of color, whether intentional or not.<sup>82</sup>

**“Structural Racism,”** in contrast, refers to racial inequities across institutions, policies, social structures, history, and culture. Structural racism highlights how racism operates as a system of power with multiple interconnected, reinforcing, and self-perpetuating components, resulting in racial inequities across all indicators for success. Structural racism is racial inequity that is deeply rooted

<sup>78</sup> See Race Forward, “What is Racial Equity: Understanding Key Concepts Related to Race,” available at <https://www.raceforward.org/about/what-is-racial-equity-key-concepts#equity-equality>.

<sup>79</sup> See *id.*; PolicyLink, “The Equity Manifesto,” available at <https://www.policylink.org/about-us/equity-manifesto#:~:text=This%20is%20equity%3A%20just%20and,the%20promise%20in%20us%20all>. While “equity” is the focus of this review, both terms are defined here to highlight the distinctions between the two.

<sup>80</sup> See *id.*

<sup>81</sup> See Race Forward, “What is Racial Equity: Understanding Key Concepts Related to Race,” available at <https://www.raceforward.org/about/what-is-racial-equity-key-concepts#equity-equality>.

<sup>82</sup> See *id.*



and embedded in our history and culture and our economic, political, and legal systems.<sup>83</sup>

Like institutional racism, structural racism often has particularly devastating impacts for Black people and communities, even as it also leads to cross-cutting negative outcomes for other communities of color, society as a whole, and therefore the majority of white people. For example, the “racial wealth gap,” by which white people have many times the wealth of Black people and other people of color, as a result of the history and current reality of institutional racism in multiple systems, is an example of structural racism.

**“Structural Transformation”** seeks to transform the institutions, policies, social structures, history, and culture that perpetuate racial inequities by addressing root causes of harm and shifting resources, authority, and agency directly to frontline communities to be able to self-determine solutions to injustice. Transformative practices place trust and belief in the knowledge that people closest to the pain are closest to the solutions, or in other words, we must uphold the belief that people are their own best advocates

and hold the wisdom and skill to be able to best direct their lives and solve for their community needs.

**“Strategies Designed to Correct Unjust and Inequitable Systems”** serve as actionable steps toward achieving structural transformation. The first step requires deep analysis and acknowledgement of history, context, and root causes of harm followed by deep engagement, thought partnership, and decision-making within impacted communities. The strategies developed must result in long-term and significant shifts in policy, resourcing, and systems, centering frontline communities as leaders in the work. Implementation of these strategies must also be met with equal rigor and intentionality to ensure that all key stakeholders are embedded in the process and committed to results, iteration, and sustainability.

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83 See *id.*

# Appendix C



## Rubric for Review

### 1. TRANSFORMATIVE INDICATORS

As an initial matter, Race Forward and PolicyLink identified three “Transformative Indicators” that might be described as the most aspirational of the measures forming the basis for the review. These indicators reflect a higher standard review that will only be met where agencies and departments develop bold, targeted plans for ending long-standing inequities.

- a. **Evidence of strategies addressing root causes of disparities** refers to the degree to which agency or department analysis of barriers identifies root causes of racial disparities and the degree to which the actions specified address those root causes.
- b. **Inclusion of strategies designed to correct unjust and inequitable systems** refers to evidence in EAPs that the agency or department has identified an unjust and inequitable system and has proposed actions that are explicitly intended to shift how this system operates
- c. **Identification of strategies likely to positively impact people who are financially insecure** refers to the presence of strategies

in the EAP that are intended to provide direct benefits for low-income households, particularly the 100 million Americans who are financially insecure and the 53 million of these who are people of color.

### 2. INDICATORS OF EAP STRENGTH

Below are the measures that Race Forward and PolicyLink designated as “Indicators of EAP Strength.” By designing future EAP development processes to satisfy these measures, agencies and departments can maximize the impact of their efforts for the American people.

- a. **Distinction between “equity” and “equality”** refers to the degree to which an agency or department appears to understand the distinction between these two terms rather than conflates the concepts.
- b. **Explicit reference to “racial equity”** refers to the degree to which an agency or department names “racial equity” in its EAP or simply refers to “equity” more generally. Naming racial equity helps to ensure that this becomes the focus of planning and prevents it from becoming a lesser priority.
- c. **Explicit naming of “institutional racism” and “structural racism”** refers to the degree to which agencies and departments



make explicit reference to these phenomena in their EAPs.

- d. Alignment with “community-driven” engagement, with a focus on people in low-income communities and communities of color** refers to the degree to which an agency or department demonstrates understanding that typical modes of federal community engagement (e.g., notice and comment processes) are often inaccessible to communities and populations—such as people of color—that have historically been the targets of institutional and structural racism. This is also intended to capture the degree to which the agency or department outlines thoughtful strategies for learning from these communities. In addition, Race Forward and PolicyLink searched for evidence that agencies are moving beyond mere “engagement” to allowing people of color and members of other marginalized communities and populations to make or meaningfully influence decisions about policies and programs impacting them.
- e. Inclusion of actionable strategies that have a strong chance of improving racial equity outcomes** refers to the degree to which actions identified by agencies or departments appear well-suited to address the racially inequitable conditions surfaced

in the plans.

- f. Evidence of clear accountability structures** refers to the degree to which the EAP makes clear who is accountable for the achievement of identified actions, on what timeline steps will be taken, and what resources will be provided.
- g. Establishment of an equity commission, task force, or officer** refers to whether the EAP takes steps to operationalize commitments by establishing a role or entity that is dedicated to institutionalizing equity through agency or department programs, policies, procedures, and services. These roles are to be distinguished from those that largely focus on cultivation of diversity and inclusion within institutional culture.
- h. Reference to models for advancing equity** refers to the degree to which the EAP references models or tools for advancing equity such as the Government Alliance on Race and Equity (GARE) or other equity tools developed by equity experts or local and state government practitioners.
- i. Inclusion of actions with the potential to produce structural transformation** refers to the degree to which an agency or department has committed to actions that are likely to result in structural change, meaning actions that remedy the sources of racial in-



equity that lie upstream instead of focusing on treatment of symptoms.

### 3. COMMONALITIES ACROSS EAPS

Race Forward and PolicyLink also identified five areas where they anticipated commonality across EAPs. These include:

- a. Equitable community engagement**, meaning attention to the steps that need to be taken to make engagement activities accessible to the communities and populations that are least able to participate in traditional federal engagement processes. Race Forward and PolicyLink also attended to the degree to which agencies and departments shared plans to have communities of color make or meaningfully influence decisions about policies and programs impacting their lives.
- b. Civil rights compliance**, meaning efforts to enforce the civil rights obligations that are attached to recipients of agency or department resources.
- c. Equitable contracting and small business support**, meaning efforts to leverage federal agency or department purchasing power for the benefit of small businesses

owned by individuals from populations and communities, including communities of color, that are underrepresented among business owners and among those from whom agencies and departments typically purchase goods and services.

- d. Alignment on climate** refers to the degree to which plans incorporate actions that are consistent with the Biden–Harris administration’s commitment to addressing climate change.
- e. Alignment on equitable infrastructure approaches** refers to the extent to which the agency or department describes plans to utilize resources for infrastructure investment in ways that support racial equity.

# Assessment of Federal Equity Action Plans

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