



– The Department of Justice –

Equity Action Plan

2022

EXECUTIVE ORDER 13985

I. Executive Summary

The Department of Justice's [mission](#) is to “enforce the law and defend the interests of the United States according to the law; to ensure public safety against threats foreign and domestic; to provide federal leadership in preventing and controlling crime; to seek just punishment for those guilty of unlawful behavior; and to ensure fair and impartial administration of justice for all Americans.” As the Attorney General has [explained](#): “Advancing equal justice under law is a core principle of the Department of Justice. Established during Reconstruction, in the aftermath of the Civil War, the Department’s first mission was to secure the civil rights promised by the 13th, 14th, and 15th Amendments.” Since then, the Department has continued its foundational work of ensuring that no individuals are denied the freedoms and protections guaranteed by the Constitution.

Since January 20, 2021, the Department has taken many steps to advance equity for marginalized and underserved communities.¹ The Department has prioritized five action items to further advance that work:

- A.** leveraging federal funds provided by the Department to (a) encourage grantees to include equity considerations in the provision of federally funded services, (b) enhance data collection to identify and take action to address disparities in access to the Department’s programs or services based on demographic factors, and (c) better ensure that grantees are complying with non-discrimination mandates;
- B.** improving access to funding opportunities for organizations that are led by, or primarily serve, historically marginalized and underserved populations;
- C.** reducing language barriers that make it difficult for individuals with limited English proficiency to access Department programs or activities, communicate public safety concerns, or vindicate their rights;
- D.** improving the Department’s engagement with stakeholders in underserved communities and disadvantaged groups in order to establish enduring relationships with them and enhancing the public’s awareness of the Department’s expansive mission and resources; and
- E.** increasing opportunities for small businesses located in Historically Underutilized Business Zones to secure Department contracts.

The Department believes each of these action items will substantially advance equity and civil rights and, further, will promote public safety by increasing trust and communication between the Department and the communities it serves.

¹ Executive Order 13985 defines equity to mean “the consistent and systematic fair, just, and impartial treatment of all individuals, including individuals who belong to underserved communities that have been denied such treatment, such as Black, Latino, and Indigenous and Native American persons, Asian Americans and Pacific Islanders and other persons of color; members of religious minorities; lesbian, gay, bisexual, transgender, and queer (LGBTQ+) persons; persons with disabilities; persons who live in rural areas; and persons otherwise adversely affected by persistent poverty or inequality.” Sec. 2(a). EO 13985 defines underserved communities to refer to “populations sharing a particular characteristic, as well as geographic communities, that have been systematically denied a full opportunity to participate in aspects of economic, social, and civic life, as exemplified by the list in the preceding definition of ‘equity.’” Sec. 2(b).

II. Summary of Early Accomplishments

Since January 20, 2021, the Department has taken several substantial actions that “[a]ffirmatively advance[e] equity, civil rights, racial justice, and equal opportunity.” Executive Order 13985, § 1.

Combating Hate Crimes and Hate Incidents.

The Department has taken meaningful strides to deter and respond to hate crimes and incidents. In a May 27, 2021 [memorandum](#) (“May 27 Memorandum”), the Attorney General announced that the Department would take certain steps that “share common objectives: deterring hate crimes and bias-related incidents, addressing them when they occur, supporting those victimized by them, and reducing the pernicious effects these incidents have on our society.” Among other things, the Department has assigned a Deputy Associate Attorney General as its Anti-Hate Coordinator, who is leading the creation and coordination of the Department’s anti-hate crime and incident resources. In addition, the Federal Bureau of Investigation (FBI) designated criminal civil rights violations, which includes hate crimes, as one of its highest-level national threat priorities. This change will increase resources for hate crimes prevention and investigations and makes confronting hate crimes a focus for all 56 of the FBI’s field offices. Further, the Office of Justice Programs (OJP) awarded more than \$21 million to investigate and prosecute hate crimes and assist hate crime victims, a substantial increase from previous years. This funding will help state, local and tribal agencies and community organizations address an alarming rise in violent and property crimes committed on the basis of race, color, national origin, religion, sexual orientation, gender, gender identity, or disability. OJP’s Bureau of Justice Statistics (BJS) and National Institute of Justice (NIJ) have conducted research that directly informs policies and approaches to combat hate crimes and hate incidents.

Revitalizing the Community Relations Service.

The Department is revitalizing the Community Relations Service (CRS), which works with communities in conflict to help rebuild relationships, facilitate understanding, and encourage the development of local solutions.

Re-establishing the Office for Access to Justice:

On October 28, 2021, the Attorney General announced the re-establishment of the Office for Access to Justice as a standalone Department component. After an extensive review, the Attorney General issued a [report](#) identifying areas where the Department should expand its access-to-justice functions, including “enhancing the navigability of the justice system through technology, disability, language, and cultural access,” “ensuring economic opportunity and fairness,” and “pursuing racial equity as a cornerstone of access-to-justice efforts and all departmental work.”

Ensuring Non-Discrimination in Federal Grants.

On September 15, 2021, to help ensure that federally funded programs are operating equitably, Associate Attorney General Vanita Gupta issued a memorandum directing a review of the Department’s implementation and administrative enforcement of Title VI of the Civil Rights

Act, which prohibits discrimination on the basis of race, color, and national origin in federally funded programs, 42 U.S.C. § 2000d *et seq.*, and the nondiscrimination provisions of the Omnibus Crime Control and Safe Streets Act (Safe Streets Act), which prohibits discrimination on the basis of race, color, national origin, religion, and sex in connection with any program or activity funded under the statute, 34 U.S.C. § 10228(c)(1).

Expanding Language Access:

The Department has announced that it will appoint a Language Access Coordinator and has now added information to its website about reporting hate crimes in at least ten languages, including six of the most frequently spoken Asian American and Pacific Islander (AAPI) languages.

Reforming Law Enforcement Practices:

As the Attorney General has [stated](#), “[b]uilding trust and confidence between law enforcement and the public we serve is central to our mission at the Justice Department.” The Department has announced several new policies that govern the way Department law enforcement components engage with individuals who come into contact with the criminal justice system, including limiting the use of chokeholds and carotid restraints to deadly force situations, generally requiring that no-knock warrants be used only in situations where knocking and announcing presents a threat of physical harm, and increasing the use of body-worn cameras as a tool to increase transparency and accountability. The Department also issued [interim guidance](#) requiring federal prosecutors to base decisions about charging, plea agreements, and advocacy at sentencing on an individualized assessment of relevant facts, and not to reflexively rely on the maximum punishments allowable under law. This guidance allows prosecutors to “safeguard the public, maximize the impact of our federal resources, avoid unwarranted disparities, promote fair outcomes in sentencing, and seek justice in every case.” The Department will continue to pursue policies that promote equitable law enforcement practices.

The Department also has used its grant-making authority to promote policing efforts that seek collaborative engagements with the communities they serve. For example, in 2021, the Department provided \$33 million in funding to support community policing projects under its Community Policing Development program and an additional \$139 million for law enforcement hiring to advance community policing. The Department also has sought ways to ensure that people experiencing behavioral health crises are provided the care they need and, where appropriate, are diverted from the criminal justice system. OJP, under its Bureau of Justice Assistance’s Justice and Mental Health Collaboration Program (JMHCP), announced the “Connect and Protect” program to support law enforcement–behavioral health cross-system collaboration and to improve public safety responses and outcomes for individuals with mental illness or co-occurring mental illness and substance abuse who come into contact with the criminal justice system.

III. Equity Action Plan

To build on these accomplishments and further advance equity for underserved and marginalized communities, the Department plans to prioritize five action items. The majority of these actions

will cut across Department components and will thereby help promote the equitable distribution of services from across the Department.

A. Federal Financial Assistance (Action 1)

Barrier to Equitable Outcomes:

The Department awards approximately \$4 billion annually to entities engaged in a wide range of justice-related programs, including community policing services, correctional and juvenile justice facilities, drug and mental health courts, services for victims of crime, and law enforcement wellness services. The Department is committed to ensuring that federal funding programs be administered in a way that is inclusive of historically underserved and marginalized populations and implemented in a non-discriminatory manner. Department grantmaking programs present a significant opportunity to further equity across a broad spectrum of services and programs.

The Department views both this action addressing federal financial assistance (“Action 1”) and the second action described below in Part III.B (“Action 2”) as involving strategies for establishing greater equity in federal financial assistance programs. Action 1 focuses on identifying ways in which the Department can promote equity through its grantmaking components, including what recipients of grants can do to promote greater equity in their communities, and to strengthen the Department’s enforcement of the nondiscrimination mandates of Title VI and the Safe Streets Act. As one means of promoting equity through the grantmaking components, Action 2 identifies ways in which the Department can increase opportunities for entities serving communities that historically have had fewer opportunities to access and benefit from federal financial assistance. As such, the Department anticipates that its efforts under Actions 1 and 2 will be complementary.

Action and Intended Impact on Barrier:

Department leadership will work with heads of grantmaking components, the Civil Rights Division, and other relevant components to review program authorities and solicitations and identify opportunities to add or expand equity considerations in application materials, review criteria, data requests, and/or performance measures. Such equity considerations could include identifying disparities in access to federally funded services and benefits, particularly by historically underserved and marginalized populations, and proposing strategies to reach or serve those populations, addressing barriers to services, and evaluating uses of funds against demographic data. Equity considerations will be tailored to address the particular objectives of each program and the needs of the communities being served by those programs. Action 2 in this plan is one example of how such equity considerations may be included in the grantmaking process.

The Department will also review upcoming solicitations and strengthen internal structures related to compliance with Title VI and the Safe Streets Act to improve data collection, enforcement, and information sharing between grantmaking and enforcement components.

By developing a framework that seeks to enhance equity in the grantmaking process, increase compliance with the non-discrimination mandates of civil rights statutes such as Title VI and the Safe Streets Act, and facilitate the Department's enforcement of the laws where violations occur, the Department can better promote the equitable and non-discriminatory use of federal funds.

In the short term, the Department will:

- Review statutory authorities and upcoming solicitations, including for Fiscal Year (FY) 2022 where feasible, to identify opportunities to add equity considerations in application materials, review criteria, data requests, and/or performance measures across programs.
- Develop findings and recommendations for improved data collection and equity performance metrics and reporting by grant recipients, including establishing criteria by which the Department and its grant-making offices can hold themselves accountable and measure success for improving equity through our programs. This will include, but is not limited to, improved Title VI and Safe Streets Act data collection.
- Identify ways to better educate the public, beneficiaries, and recipients of federal financial assistance about the Department's discrimination complaint processes, and identify additional resources, training, and staff to expand capabilities to engage in more robust oversight, compliance reviews, and technical assistance.
- Improve coordination and information-sharing capacities between Department grantmaking and enforcement components, including referrals of potential violations of Title VI and the Safe Streets Act.

In the longer term, the Department will:

- Assess and refine equity considerations and metrics already included in, or added during FY22 to, solicitations to determine their effectiveness in reducing disparities in access.
- Identify opportunities to provide priority consideration for funding to applicants that represent and serve historically marginalized and underserved communities or that demonstrate a sustained effort to improve outcomes for historically marginalized and underserved populations.
- Identify a cross-section of programs to participate in a Pilot Data Collection Program (Pilot Program) under which program-specific data requirements and/or equity performance measures would be added to help identify disparities in access to and delivery of services.
- Identify ways to improve existing data collection platforms currently used by recipients to report performance to the Department and help grantees build their capacity to collect and submit data through any revised/new platform, including through training.
- Build a more robust internal structure for information sharing across Department components, as appropriate, so that grantees whose performance raise potential civil rights compliance concerns can be provided technical assistance or referred for compliance reviews under Title VI and the Safe Streets Act, as appropriate.

The Department prioritized this Action because it will have a significant impact given the substantial federal funds that the Department provides. The Action will most directly impact those demographic groups protected under Title VI and the Safe Streets Act. Because many of the Department's grants are provided to state and local law enforcement agencies and entities that provide services to crime victims, this action will serve the Department's twin goals of

promoting public safety and building community trust by ensuring that those agencies and entities advance equity and non-discrimination in the provision of federally funded services.

Tracking Progress:

The Department will begin by conducting a comprehensive review of all grantmaking programs to identify programs that already have sufficient data sets and equity measures to evaluate promising practices to further equity, as well as programs where additional data elements or equity performance measures may be appropriate and are permitted by statute. This will allow the Department to establish a baseline of data against which to measure progress. The Department will begin to incorporate additional equity considerations in the FY 2022 solicitations. The Department will also identify a cross-section of programs to participate in the Pilot Program. In the short- to mid-term, the Department will track the success of the increased equity measures and will evaluate the lessons learned from the Pilot Program and track its progress by the number of such programs that are participating in the pilot and the number of such programs that add Title VI and other civil rights data-collection requirements or equity-performance measures.

In the longer term (5-8 years), the Department will refine the Pilot Program and seek to scale it up where appropriate. Other indicia of success may be an increased number of programmatic reviews that: (a) identify and remediate barriers to the delivery of programs and services or policies that contribute to negative interactions with recipients that result in inequities among beneficiaries; or (b) identify promising practices that can be replicated by other funding recipients.

Accountability:

The grantmaking components, in consultation with the Civil Rights Division, will report to Department leadership every two years, starting from the date of the publication of this report, on how Department grant programs are furthering equity and on what optimizations have been made to data collection efforts to track and assess compliance with civil rights requirements, as applicable. The Department will also, where relevant, include data on equity metrics under any existing statutory reporting obligations.

B. Improving Access to Grants (Action 2)

Barrier to Equitable Outcomes:

As a complement to Action 1, the Department will seek to leverage federal financial assistance to advance equity by affirmatively requiring funded entities to incorporate equity principles into their work or by tracking whether certain organizations or populations are disproportionately favored or disfavored in the competitive award process. Grantmaking components are increasing their focus on such efforts. For example, OJP's Office for Victims of Crime (OVC) is investing in programming and technical assistance to both raise awareness of the availability of OVC grant programs and expand its pool of applicants. These efforts are aimed at increasing the quality and quantity of victim services available in marginalized and underserved communities.

For Action 2, the Office on Violence Against Women (OVW) plans to advance equity by considering ways in which certain organizations or populations are disproportionately favored or disfavored in the competitive award process. Specifically, OVW will prioritize funding for culturally specific, community-based organizations, as well as for technical assistance for these programs, and will identify ways to make solicitations more welcoming and easier to navigate for culturally specific, community-based organizations. For the purposes of this action, culturally specific, community-based organizations are nonprofit, nongovernmental or Tribal organizations that have as their primary purpose providing culturally relevant and linguistically specific services and resources to cultural groups such as American Indians (including Alaska Natives), Asian Americans, Native Hawaiians and other Pacific Islanders, Blacks, or Hispanics and Latinos in the United States or U.S. territories. 42 U.S.C. § 300u-6(g).

The literature indicates that culturally specific services can have transformative effects on individuals and their communities. For OVW-related services, advocates report that survivors are more inclined to seek services from organizations that are familiar with their culture, language, and background. Culturally specific, community-based organizations are more likely to understand the complex challenges that victims from their communities face when attempting to access services. But culturally specific service providers have too often been unable to access substantial federal grants. The dedicated OVW programs, like the Culturally Specific Services Program or the Tribal Sexual Assault Services Program, are small, and culturally specific and tribal organizations often struggle to compete with larger organizations for other OVW grant programs. As a consequence, victims who need services from a culturally specific service provider may remain unserved or underserved.

Action and Intended Impact on Barrier:

OVW will implement strategies to increase successful applications from culturally specific, community-based organizations, including conducting targeted outreach to increase applications from those organizations; recruiting peer reviews from those organizations; providing capacity-building training to organizations that may be unfamiliar with the federal grantmaking process; and identifying potentially unnecessary requirements that may function to present undue barriers to culturally specific, community-based organizations.

Department leadership will support and elevate OVW's work to promote equity in its administration of federal financial assistance by improving access to funding opportunities for culturally specific, community-based organizations, and work over the next 2-6 years to review, evaluate, and scale up those efforts across grantmaking programs. By funding a larger number of culturally specific service providers across OVW grant programs, OVW will fund promising and evidence-based interventions more likely to meet the needs of survivors from underserved communities.

Tracking Progress:

In the short- to mid-term, OVW will implement this approach and track whether the percentage of applications from, and the percentage of grants awarded to, culturally specific, community-based organizations increases. In the longer term, the Department will evaluate the outcomes of the OVW program and develop improved outreach and funding opportunities for other federal grant programs.

Accountability:

OVW anticipates including a summary of its progress toward broadening its reach to culturally specific, community-based organizations in its FY 2022 report to Congress on discretionary grant programs (34 U.S.C. § 10238), as well as any future reports to Congress similar to the report submitted by OVW for FYs 2020 and 2021—in response to requests from the House Committee on Appropriations—on grants to community-based organizations to provide culturally specific services.

C. Language Access (Action 3)**Barrier to Equitable Outcomes:**

Timely and accurate communication with the public is essential to the Department's mission to ensure public safety, provide federal leadership in preventing and controlling crime, and promote the fair and impartial administration of justice. Yet language barriers often prevent many communities from understanding their rights, reporting crimes, or otherwise having full and equal access to the Department's services and resources. The Department is focused on improving language access to receive complaints and otherwise engage with the approximately 25.6 million individuals with limited English proficiency (LEP) and on increasing this underserved and often vulnerable population's knowledge of and access to Departmental programs and its efforts to, for example, combat hate crimes, seek environmental justice, and prevent discrimination. The Department needs consistent and widely available language access education and training materials and the establishment of a centralized place for resources to improve its communication with LEP individuals.

Action and Intended Impact on Barrier:

On May 27, 2021, the Attorney General committed to establishing a full-time, permanent Language Access Coordinator to increase the Department's language access capabilities. The Language Access Coordinator will centralize and expand language access resources and promote language access directives across the Department; improve awareness by staff of the Department's telephonic language service and other language contracts that may be used by all components and staff; and work with components with constituencies with particularly high language access needs, such as the Executive Office for Immigration Review (EOIR) and the Bureau of Prisons (BOP), to provide assistance to the component in making its programs more language accessible.

The Coordinator, working with Department components, also will be responsible for overseeing the creation of:

- a one-stop shop for Department components to obtain interpreters or translations, including an inventory of internal resources such as existing translation and interpretation contracts;
- an intra-agency working group on language access, with representatives from components that most commonly interact with the public, to ensure a whole-of-Department approach to providing language assistance;

- an internal repository of commonly translated documents;
- a Department-wide translation glossary of common legal terms in the top languages spoken by LEP individuals;
- standard language assistance notices, flyers, and posters for the Department's components to use;
- template web pages or web standards to help components post translated content for LEP communities;
- guidance on identifying documents for translation and targeting languages for translation;
- translations of the Department's most common publicly accessed webpages into Spanish (and will consider translation into additional common languages of LEP individuals in the United States or in the relevant geographic region or in the relevant subject matter audience); and
- guidance and technical assistance for United States Attorney's Offices and other components, as appropriate, on their ongoing language access needs.

The Department prioritized these actions to help ensure that language access is not a barrier to LEP individuals participating in key Department priorities. By creating language accessible materials, and providing Department staff with easy access to and knowledge of those resources, we expect that we will be able to substantially increase language accessible services.

Tracking Progress:

In the next year, the Department will hire the Language Access Coordinator. In the short- to mid-term, the Department's progress will be tracked by the restoration of a departmental language access working group; the creation of a centralized repository of materials; and an evaluation of whether components need to create or update their language access plans. The Department will also seek to increase the number of calls providing interpretation to LEP individuals through telephone interpretation vendor(s). The Department will increase LEP community members' knowledge about federal hate crimes, hate incidents, anti-discrimination laws, and ways to report violations to the Department. In particular, the Department will pilot a new training, called United Against Hate, in three United States Attorney's Offices and will present the training to community stakeholders, including organizations serving LEP communities. Evaluations given after the training may provide data regarding increased knowledge about hate crimes, hate incidents, and how to report violations, and will assist the Department refine the training program. The Department anticipates that in the short- to mid-term it will expand the training to more districts.

The Department will also identify a cross-section of public-facing content that is most relevant for LEP users and will expand the use of professional translations of that content, in terms of number of translations and/or the diversity of languages into which content is translated. The Department will work to improve access to that content and will track progress by the number of views of those pages and other available analytic metrics, as appropriate. The Department will expand the use of the intranet and other internal tools for staff to understand how to access translation and interpretation services and will measure progress in part by tracking usage of the Department's telephonic interpretation contract. The Department will also encourage staff to provide feedback on the quality and timeliness of telephonic interpretation, as appropriate.

In the longer term, Department staff will demonstrate that they know how to access language services and are effectively communicating the existence of those services to the public. In addition, the Department will seek to increase translations of other essential public-facing online pages and tools, and to increase the number of page views of that content.

Accountability:

The Language Access Coordinator will be evaluated based on success related to these objectives. In addition, components will publish language access plans, including resources available for translation and interpretation services, so that they are accessible to the public in different languages. This action should also be implemented to be consistent with EO 13166, *Improving Access to Services for Persons with Limited English Proficiency*, 65 Fed. Reg. 50,121 (Aug. 16, 2000), and [the Department's Language Access Plan](#) (March 2012).

D. Stakeholder Engagement (Action 4)

Barrier to Equitable Outcomes:

Effective stakeholder engagement is a critical aspect of ensuring that communities have equitable access to, and benefit from, all Department work and services. It also ensures that Department work is community-centered, and it helps to mitigate against key barriers that can prevent stakeholders from accessing relevant Department programs and services, including lack of knowledge about the Department's programs and activities, difficulties identifying relevant Department resources, lack of language accessibility or cultural awareness, and lack of trust. Consistent stakeholder engagement will help improve the Department's understanding of the needs and perspectives of the many diverse communities it serves and establish enduring lines of communication between the Department and traditionally underserved communities. Among other things, such engagement will help to improve witness cooperation and participation in the justice process, ensure appropriate consideration of the needs of victims, improve police-community relationships, increase reporting of potential violations of law and hate incidents, and improve the dissemination of important information, resources, programs and services.

Action and Intended Impact on Barrier:

The Department seeks to improve components' understanding of the interests, needs, and perspectives of marginalized and underserved communities; to increase public confidence and trust in the Department; to strengthen relationships with marginalized and underserved communities; to inform the Department's work; and to promote greater understanding of the Department's programs and services among the public, particularly marginalized and underserved communities, by engaging with relevant stakeholders more often and more meaningfully.

To this end, the Department will provide support for components as they enhance stakeholder engagement to address the needs of marginalized and historically underserved populations by:

- enhancing messaging and accessibility of information around the work, programs, and services of Department components and their value to the public;

- collaborating with components, including U.S. Attorney's Offices, and the Department's Performance Improvement Officer to develop and support stakeholder engagement measures that focus on equity;
- serving as a resource for best practices and training on stakeholder engagement with marginalized and historically underserved populations;
- developing evidence-based approaches and materials so that Department programs, initiatives, and messaging advance an equitable approach for historically underserved and marginalized communities, are culturally accessible, and reduce stigma and bias by using inclusive and person-first approaches and language;
- maintaining contact lists of stakeholder organizations that represent and are led by underserved and historically marginalized populations that are hyper-local, local, and regional; and
- conducting ongoing listening sessions with those stakeholders to better understand their concerns and perspectives and help the Department make policy recommendations that are responsive to the needs of these communities.

The Department expects that these efforts will improve relationships and trust with law enforcement and will enhance the Department's effectiveness. In the short-term, the Department will identify components, such as the U.S. Attorney's Offices and the Community Relations Service, for which building community-based strategies and strong collaborations with local law enforcement and communities are particularly important. The Department will centralize, create, and develop resources such as trainings and toolkits to help those components engage with and build trust-based relationships with stakeholders, particularly those communities affected by hate crimes and those that have expressed distrust in law enforcement.

Tracking Progress:

In the next year, the Department will dedicate resources to serve as a focal point for the Department's work to increase the Department's stakeholder engagement capabilities, expand DOJ's stakeholder engagement resources, promote stakeholder engagement plans across the Department, and collaborate with the Department's Language Access Coordinator to fully integrate language access needs into stakeholder engagement efforts as they relate to marginalized and historically underserved populations.

By June 1, 2022, each component will develop an initial list of stakeholder organizations that represent and are led by underserved and historically marginalized populations within the region their office serves, or focused on the legal subject-matter of the component, with whom it should be engaging and working to build long-term relationships.

In addition, in the short- to mid-term, the Department will develop an internal plan for enhancing its stakeholder engagement with marginalized and historically underserved populations, which may include developing methods for conducting surveys to evaluate the existence and effectiveness of stakeholder engagement practices, resources, and needs; promoting individual component-led stakeholder engagement plans; developing training, guidance, or toolkits on stakeholder engagement for components; and developing short-term and long-term performance measures on the improvement of stakeholder engagement that is accessible and culturally and linguistically competent.

In the mid- to long-term, the Department will create a plan to measure and expand stakeholder engagement activities with underserved and historically marginalized populations; and develop methods to track and measurably increase alliances (which can include, among other things, working groups, task forces, or district alliances against hate as described in the May 27 Memorandum) among the Department, local and state law enforcement, and community members, to promote community engagement and the Department's responsiveness to community needs. Success will be tracked by increased number of relevant stakeholder engagement events and alliances.

Accountability:

Accountability measures will include tracking of periodic responses to surveys that will evaluate relevant stakeholder engagement efforts for the prior fiscal year.

E. Procurement and Contracting (Action 5)

Barrier to Equitable Outcome:

Each fiscal year, the Department obligates approximately \$8.5 billion in contracts to support its many missions. In each of the last three fiscal years, the Department has obligated more than \$2.5 billion to American small businesses, including small disadvantaged businesses (SDB), woman-owned small businesses (WOSB), service-disabled veteran-owned small businesses (SDVOSB), and small firms located in distressed and rural areas of the country, which are known as Historically Underutilized Business Zones or HUBZones.² The Department has a long history of supporting American small businesses and the small business procurement programs associated with the respective categories. This history of support stems from the Department's commitment to the objectives of the Small Business Act to enhance the nation's industrial base and provide opportunities to small businesses in our contracting efforts. The Department's history of support for small businesses also stems from the clear recognition that small businesses, including SDBs, WOSBs, SDVOSBs, and HUBZone firms, often provide the best solution and best pricing to meet our critical mission needs.

In recent years, the Department has met or exceeded its goals for small businesses and the statutory goals for contracting with SDBs, WOSBs, and SDVOSBs. The Department has a statutory goal of awarding at least 3% of federal contract dollars to HUBZone-certified companies each year. While the Department has made progress toward this goal, it has not yet met this goal. HUBZone firms have had relatively few contracting opportunities to pursue work at the Department. As a result, disadvantaged and HUBZone firms have been underrepresented in the Department's contracts.

² To qualify as a HUBZone small business, a firm must be certified by the U.S. Small Business Administration and meet the following criteria: (1) it is a small business defined by the SBA's size standards; (2) it is organized for profit; (3) it is at least 51 percent owned and controlled by U.S. citizens, a Community Development Corporation, an agricultural cooperative, an Alaska Native corporation, a Native Hawaiian organization, or an Indian tribe; (4) it has its principal office located in a HUBZone; and (5) at least 35 percent of its employees live in a HUBZone.

The Department sees an opportunity to improve equity by working to identify contracting opportunities that may be competed exclusively among disadvantaged businesses located in HUBZone communities.

Action and Intended Impact on the Barrier:

The Department will prioritize increasing opportunities for HUBZone small businesses to all employees who have a role in defining Department contracting requirements and executing and managing Department contracts. By focusing on increasing opportunities for HUBZone firms, the Department will increase the flow of dollars to these disadvantaged areas, which will have a significant economic benefit for the businesses and residents in these historically marginalized and underserved communities.

The Office of Small and Disadvantaged Business Utilization (OSDBU) will leader this initiative and will enlist the help of acquisition and program leadership in the Department’s major procuring bureaus.

Tracking Progress:

The Department will use the following short-term and long-term actions to determine whether it has eliminated or substantially reduced the barrier. In the short- to mid-term, Department leadership will ask each of its major procuring bureaus to identify at least two contracting opportunities for HUBZone small businesses each fiscal year for 4 years, or until the statutory goal of 3% is met, and to compete those contracts exclusively among HUBZone firms. Progress will be measured when specific contracting opportunities are identified for HUBZone firms and when those contracts are awarded to HUBZone firms. The long-term goal of this work is to increase the percentage of the Department’s contracting dollars awarded to HUBZone firms and to meet or exceed the statutory goal of awarding at least 3% of its contracting dollars to HUBZone firms.

Accountability:

At least quarterly throughout the fiscal year, OSDBU will share small business progress reports with internal stakeholders to track dollars obligated to small, disadvantaged HUBZone firms.