



**U.S. Department  
of Transportation**



# Equity Action Plan

January 2022



## A MESSAGE FROM THE SECRETARY

From the construction of the transcontinental railroad to the Montgomery Bus Boycott, transportation has always been inseparable from America's struggle for racial and economic justice. At its best, transportation can be a powerful engine of opportunity, connecting people to jobs, education, and resources—whether they live in a big city, a rural community, or anywhere in between. Ensuring equity and accessibility for every member of the traveling public is one of the Department of Transportation's highest priorities.

As we continue to advance this work, it's important to recognize that past federal transportation investments have too often failed to address inequities, or even made them worse. And because a piece of physical infrastructure endures for decades, families and communities today must contend with the results of discriminatory choices that may date back generations. For example, highways routed directly through Black and brown neighborhoods, often in an effort to divide and destroy them, continue to affect the well-being of the residents who remain. In other cases, we see inequities in our failures to invest, as with transit deserts that leave out the communities that most need affordable transportation options, or contracting opportunities for transportation projects that fail to engage and utilize women and people of color.

The Department — and the entire Biden-Harris Administration — are committed to doing the right thing for our shared future, addressing these inequities, and building a better, more equitable transportation system.

On his first day in office, President Biden signed Executive Order 13985, establishing a whole-of-government approach to advancing equity and opportunity. In the year since, this Department has worked hard to implement that order. We've stepped up our efforts to engage with underserved communities, to enforce key provisions of the Civil Rights Act of 1964, and to rebuild our Departmental Office of Civil Rights, ensuring that equity is considered as a key factor in every program we administer and every policy we set.

We've also made clear how equity and civil rights compliance belong in our discretionary grant programs, consistent with the law, acting to ensure that federal dollars are available to support projects that will tangibly benefit underserved and overburdened communities. We are strengthening our Disadvantaged Business Enterprise Program, to ensure that business opportunities in transportation and infrastructure reach women- and minority-owned small businesses. And we've begun working to implement the Bipartisan Infrastructure Law, which provides for historic investments in transportation equity.

This Equity Action Plan is a major milestone for the Department of Transportation that represents a shift in how we view and deliver transportation programs. We have a long way to go toward creating a truly equitable transportation system. But the actions outlined in this plan form a strong foundation, and I encourage the public to hold us accountable as we work to meet these goals.

Done right, transportation policy can help level the playing field. It can transform economies, connect people to opportunity, and empower underserved communities to build generational wealth for the future. In partnership with community leaders, state and local governments, and the traveling public, we at the Department of Transportation look forward to continuing this vital work.

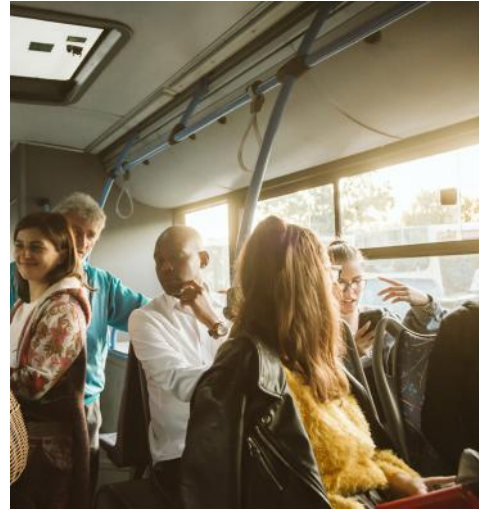
Secretary Pete Buttigieg

# Executive Summary

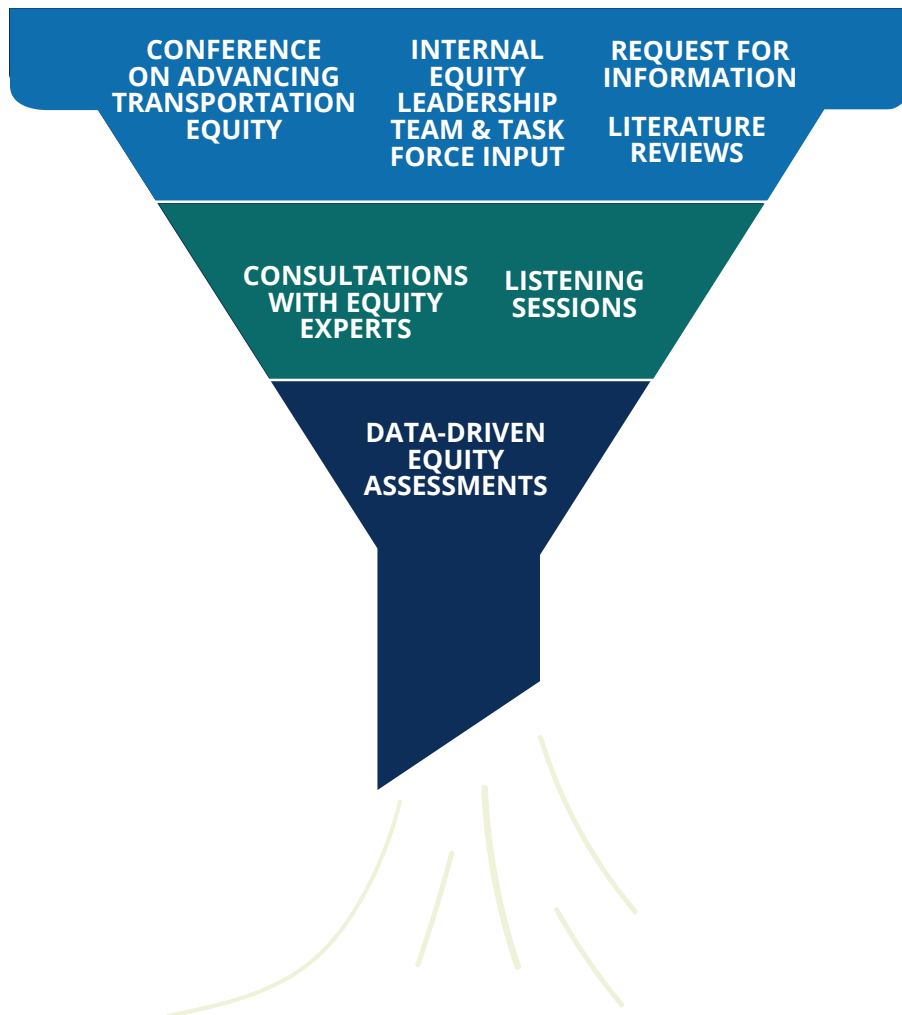
The U.S. Department of Transportation (USDOT or Department) is committed to pursuing a comprehensive approach to advancing equity for all. In response to [Executive Order 13985: Advancing Racial Equity and Support for Underserved Communities Through the Federal Government](#), this Equity Action Plan highlights key actions that USDOT will undertake to expand access and opportunity to all communities while focusing on underserved, overburdened, and disadvantaged communities. The actions described here fall under four focus areas – wealth creation, power of community, interventions, and expanding access. Actions include providing technical assistance to small disadvantaged businesses, reinvigorating USDOT’s programmatic enforcement of Title VI of the Civil Rights Act, launching a national technical assistance center, and developing a national transportation cost burden measure. These actions were developed through an intensive effort, combining knowledge, experience, viewpoints, and data from the public, experts, and USDOT staff.

-  Wealth Creation
-  Power of Community
-  Interventions
-  Expanding Access

Led by the Equity Leadership Team, a group of 30+ senior leaders from across the Department, and supported by a task force with over 160 civil servants, USDOT has already taken important steps to address historic inequities in the transportation system, but more needs to be done. The actions outlined in this plan represent the next steps of USDOT’s efforts to advance equity and fulfill the mission of USDOT.



# Developing the Vision



## USDOT'S EQUITY FOCUS AREAS

Using a variety of sources and activities, the Department identified four equity focus areas to guide its equity advancement activities. The focus areas – wealth creation, power of community, interventions, and expanding access – are designed to place people and communities at the center of USDOT's equity efforts.

USDOT is using these focus areas to develop concrete actions that will thoughtfully redress historic inequities, positively impact historically underserved or overburdened communities in meaningful ways, and ensure that the Department is equipped to equitably deliver its resources and benefits. Initial sets of actions for each focus area are highlighted in this document.

## HIGHLIGHTED EQUITY ACTIONS



### WEALTH CREATION

By providing technical assistance to small disadvantaged businesses, USDOT will help increase their understanding of how to navigate the USDOT contracting process, gain awareness of upcoming contract opportunities, and enhance their core competencies and skills—enabling them to more effectively compete for USDOT contracting opportunities and build wealth.



### POWER OF COMMUNITY

Reinvigorating USDOT's programmatic enforcement of Title VI of the Civil Rights Act, including re-emphasizing agency review of the potential discriminatory impact of grantees' proposed activities before awarding federal funds—as opposed to waiting until a project is delivered to enforce civil rights protections—will prevent disparate impacts on protected classes and empower communities in transportation decision-making.



### INTERVENTIONS

By launching a national technical assistance center, USDOT will provide direct, hands-on technical support with local impact—providing targeted assistance in areas of planning, project development, grant applications, and project delivery to ensure that transportation investments and benefits support underserved and overburdened communities.



### EXPANDING ACCESS

By developing a national transportation cost burden measure, USDOT will have a critical tool to address barriers to accessing affordable transportation options that have consequences on economic mobility—and help bring measurable transportation benefits to disadvantaged communities per Justice40.



# Setting the Foundation for Equity

In order to achieve the Administration's ambitious equity goals and implement [Executive Order 13985: Advancing Racial Equity and Support for Underserved Communities Through the Federal Government](#), the Secretary has mobilized top officials from across the Department to lead equity advancement in USDOT programs and policies.

First, the Secretary has convened an Equity Leadership Team (EQLT), which is made up of **30+ senior agency officials** from across the Secretarial Offices and the Operating Administrations. These officials lead the Equity Task Force (EQTF), which is composed of **over 160 senior level management and program area staff** who are well-versed in topical areas such as civil rights, environmental justice, climate justice, research and development,

human resources, procurement, and small business.

EQTF members have worked across nine workstreams that are directly responsible for implementing the Department's work under Executive Order 13985. Gender and disability justice efforts are also integrated into workstream activities, including the advancement of [Executive Order 13988: Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation](#). In addition, the workstreams address environmental justice efforts as part of the Justice40 initiative, which aims to deliver 40 percent of the overall benefits of relevant federal investments to disadvantaged communities. Each workstream is led by one or more EQLT members. This structure will adapt as needed to advance the Department's equity objectives.

**WORKSTREAM LEADS**



**CHRISTOPHER COES**  
Principal Deputy Assistant Secretary for Transportation Policy



**IRENE MARION**  
Director, Departmental Office of Civil Rights



**ROBERT HAMPSHIRE**  
Deputy Assistant Secretary for Research & Technology



**ROBIN HUTCHERSON**  
Deputy Assistant Secretary for Safety Policy



**PHILIP MCNAMARA**  
Assistant Secretary for Administration

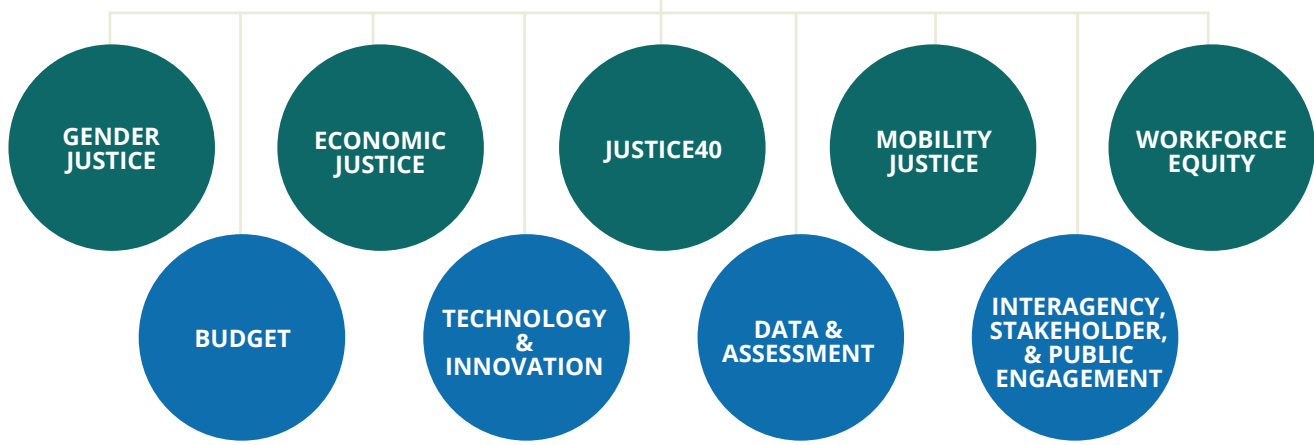


**SHELBY SCALES**  
Director of the Office of Small & Disadvantaged Business Utilization



**VICTORIA WASSMER**  
Deputy Assistant Secretary for Finance & Budget

**EQUITY LEADERSHIP TEAM**  
30+ senior leaders from across the Department



● **FOUNDATIONAL PROCESS WORKSTREAMS** Support and facilitate change in the impact areas.

● **IMPACT AREA WORKSTREAMS** Direct connection to desired equity outcomes.

# Recent Accomplishments

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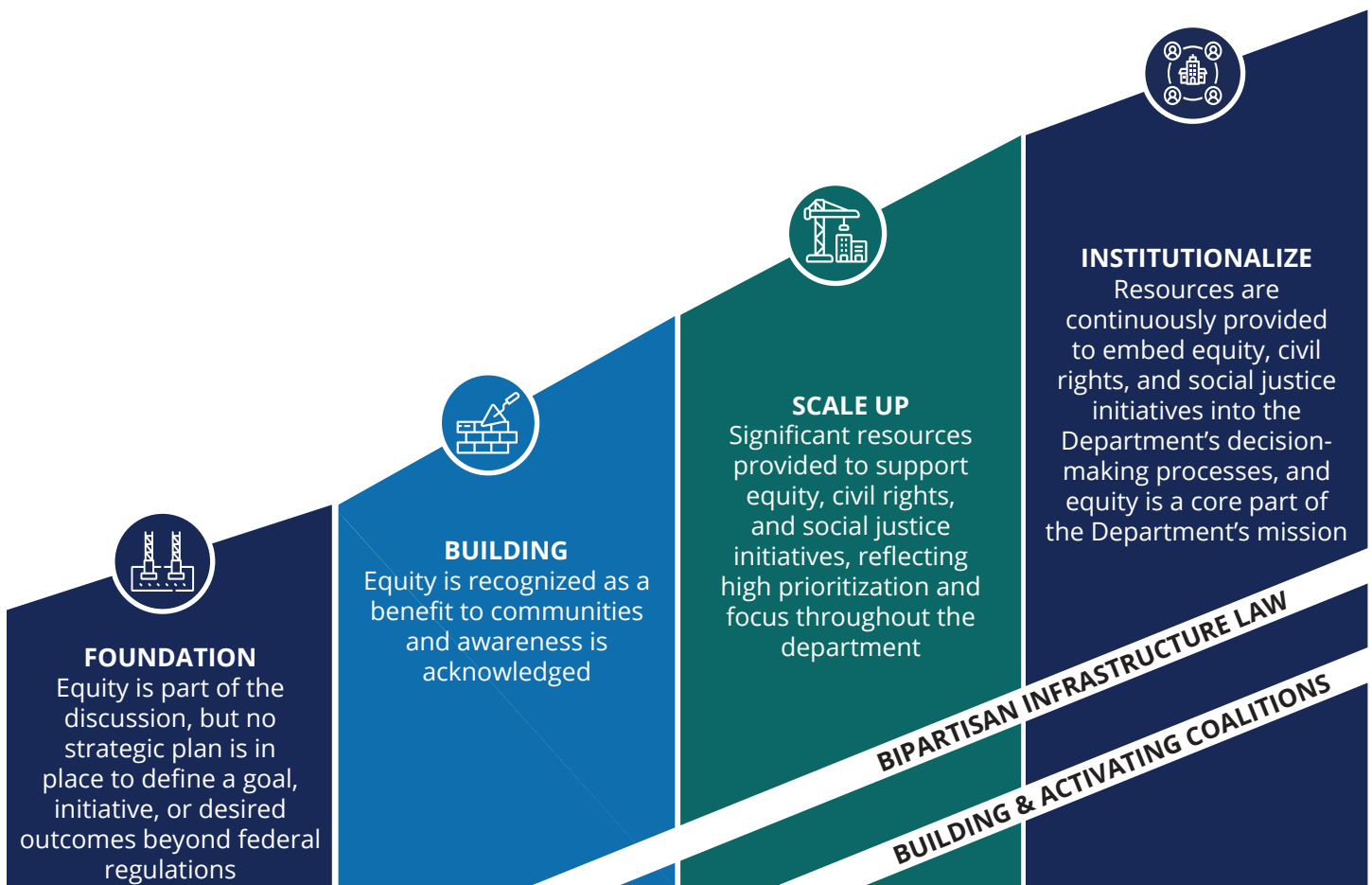


- FEBRUARY 2021** ● Introduced racial equity and barriers to opportunity as a consideration for awarding discretionary grants
- MARCH 2021** ● Established the Equity Leadership Team & the Equity Task Force to lead the Department's equity efforts
- MARCH 2021** ● Consulted with Federally Recognized Tribes on updates to USDOT Tribal Policy & Consultation Plan
- MAY 2021** ● Published a Request for Information asking the public for comments about transportation equity
- JUNE 2021** ● Proposed that equity be included as one of the Department's fiscal year (FY) 2022-2026 Strategic Goals
- JUNE 2021** ● Reinvigorated USDOT's programmatic enforcement of Title VI of the Civil Rights Act of 1964, the National Environmental Policy Act of 1969, the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, and the Air Carrier Access Act
- NOVEMBER 2021** ● Began implementation of the Bipartisan Infrastructure Law, which contains historic investments in transportation equity
- DECEMBER 2021** ● Reinforced small business requirements in the Federal Aviation Administration (FAA) acquisition governance process
- JANUARY 2022** ● Launched USDOT-wide procurement dashboard to drive accountability for small and disadvantaged business goals
- JANUARY 2022** ● Published toolkit for planning and funding rural and Tribal electric mobility infrastructure

# The Equity Action Plan as a Living Document

The Equity Action Plan will **lay the foundation** for institutionalizing equity in all of USDOT's programs and policies.

The Equity Action Plan establishes a foundation for USDOT's path towards building a transportation system that works for all people. The plan outlined on the following pages considers equity from multiple angles, centering on communities that have been underserved, overburdened, and disadvantaged by past transportation decisions. Rather than being a complete synopsis, this document marks an early step in the Department's journey, one that will inevitably grow and change throughout the process. To accommodate this evolving process, this living document will be regularly adapted. At any time, it will represent a portion of the actions the Department is taking to advance equity.



## WHAT IS THE PURPOSE OF THE EQUITY ACTION PLAN?

The Equity Action Plan highlights key actions and steps that will be taken by USDOT to create a more equitable transportation system and country.

## WHO SHOULD READ THE EQUITY ACTION PLAN?

The Equity Action Plan is designed to benefit and inform **everyone**.

## HOW CAN I ENGAGE ON THE EQUITY ACTION PLAN?

Send an email to [equity@dot.gov](mailto:equity@dot.gov) to share your thoughts on advancing transportation equity. Stay up to date on USDOT's equity efforts by visiting [transportation.gov/equity](https://transportation.gov/equity).

# Wealth Creation

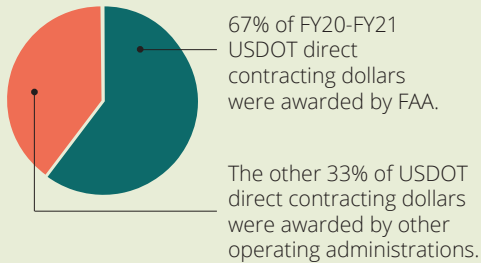
## OUTCOME

Building capital, expanding business networks, and attaining new skills and experience through increased USDOT contracts.

## KEY PERFORMANCE INDICATORS

Increase USDOT direct contract dollars to small disadvantaged businesses to an aspirational goal of 20% by FY25.

## CRITICAL GAPS<sup>1</sup>



USDOT will focus equity efforts on programs that will have the greatest impact on small disadvantaged business opportunities, **including the many FAA contracting opportunities.**

These top 4 industries accounted for \$2.8B out of \$7.8B total FY20 USDOT direct contract dollars:



Engineering Services



Highway, Street, and Bridge Construction



Computer System Design Services



Other Computer Related Services

Black and Hispanic-owned businesses were underrepresented, receiving only 1.7% and 2.4% of FY20 USDOT direct contract dollars in these 4 industries, respectively.

## ROOT DRIVERS

### Restrictive Procurement Practices

- **Federal law, policies, and programs can become inadvertent barriers.** At USDOT, priorities to reduce contract awards may have led to contract consolidation, harming small disadvantaged business opportunities.
- **Requirements and resource constraints create incentives for agencies to purchase from large, established businesses.** Filling high-volume contracts can lower costs but often excludes new entrants and small businesses seeking to grow capacity.

### Uneven Resource Distribution

- **Lack of access to capital sources mean Black and Hispanic-owned businesses have less growth capital.** These businesses are half as likely as non-minority counterparts to be fully approved for loans, lines of credit, and cash advances.<sup>2</sup>
- **Minority-owned businesses and small disadvantaged businesses often have inadequate bonding capacity and access to surety expertise.** This makes it difficult to compete and perform in government contracts, which limits award opportunities of many small disadvantaged businesses.

### Limited Networks

- **Minority-owned businesses and small disadvantaged businesses often lack a robust professional network.** This makes it more difficult to develop working relationships with those who have industry access, expertise, and experience when navigating the complex federal marketplace.
- **Minority-owned businesses and small disadvantaged businesses often do not know how and when to engage with federal programs.** Limited awareness of federal programs can impact ability to provide input on program design, access to funding, and contract opportunities.

## TIMELINE OF USDOT ACTIONS



## THE OPPORTUNITY AT STAKE

Addressing systemic barriers and achieving the 20% goal for small disadvantaged businesses could result in **+\$1.6B** of USDOT direct contract dollars annually to these businesses.<sup>1</sup>

## KEY USDOT ACCOUNTABILITY ACTION

Incorporate elements of small disadvantaged business goals into management performance plans.



# Power of Community

## OUTCOME

Individuals and communities have a greater voice in transportation decisions affecting them.

## KEY PERFORMANCE INDICATORS

- Increase in the number of State Departments of Transportation (DOTs) and Metropolitan Planning Organizations (MPOs) officially adopting a quantitative Equity Screening component to their Statewide Transportation Improvement Program (STIP) and Transportation Improvement Program (TIP) development processes to incorporate community vision and need in project selection and design.
- Increase in the number of meaningful and representative public participation engagements held by MPOs and State DOTs in the development of STIPs and TIPs in rural and urban communities.

## CRITICAL GAPS

More than 30 million Americans live in areas where there is no broadband infrastructure that provides minimally acceptable speeds.<sup>3</sup>



About **1 in 10 Americans lack high-speed internet access**, making it difficult to participate in virtual public involvement activities.

Individuals who are young, have low-incomes, or have less formal education are less likely to attend public meetings.<sup>4</sup> This means that the interests of these groups may be underrepresented in the transportation decision-making process.

Factors that influence public meeting attendance:



Age



Income



Education

## ROOT DRIVERS

### Status Quo Thinking

- **Public involvement is often treated as an event rather than a process.**<sup>5</sup> In many cases, community members are not involved in early discussions to identify solutions with agency partners.
- **Traditional print and radio reach limited audiences.** Social media, pop-up events, and community meetings, used by some, are more effective at reaching diverse groups in rural and urban areas.

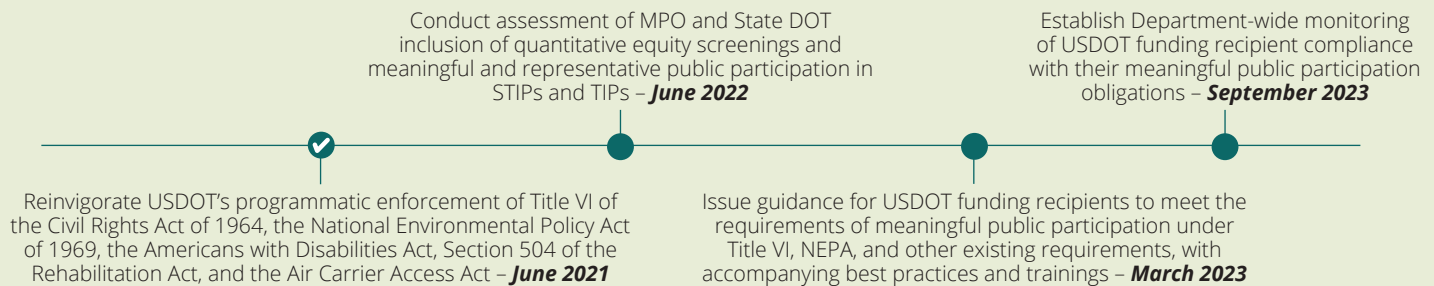
### One-Size-Fits-All Methods

- **Public meetings are a common public involvement strategy, but can be inconvenient or impossible to attend for some.** Physical meeting locations may be inaccessible for some, including those with disabilities. Virtual public meetings are inaccessible for people without internet access or computer literacy.
- **Various methods may be needed to allow people with diverse circumstances to have a voice in decisions that affect their community.** Adaptive engagement strategies can be a resource-intensive but valuable endeavor that is responsive to specific community needs, including different language and cultural backgrounds.

### Lack of Accountability

- **Measuring the effectiveness of public involvement is challenging and time-consuming.**<sup>6</sup> Few practical methods for evaluating the success of public involvement activities have been developed, and they have not yet been applied at large scale.
- **Agencies are often compliance-focused when it comes to public involvement.** Measures of inputs, such as number of meetings, are not distinguished from measures of impacts, such as changes to a proposed project.

## TIMELINE OF USDOT ACTIONS



## THE OPPORTUNITY AT STAKE

Meaningfully involving the public in decision-making processes will help ensure that in transportation formula grants authorized by the Bipartisan Infrastructure Law (BIL) for FY22-FY26 to be distributed through State and local government agencies benefit communities and mitigate any potential harms to them.<sup>7</sup>

**+\$446B**

## KEY USDOT ACCOUNTABILITY ACTION

Binding USDOT Orders on programmatic enforcement of Title VI and NEPA, including obligations for meaningful public participation.

# Interventions

## OUTCOME

Historically overburdened and underserved communities in urban and rural areas benefit from access to a generational investment in the nation's infrastructure through direct, hands-on technical support for transportation projects with local impact.

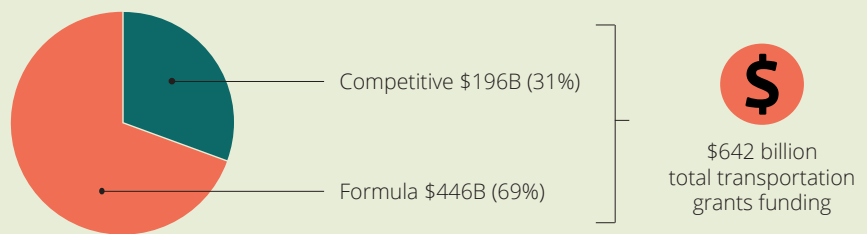
## KEY PERFORMANCE INDICATORS

- Increase in the number of USDOT discretionary grant applicants from disadvantaged communities in urban and rural areas who have never applied for USDOT funding before.
- Increase in the number of new projects in disadvantaged communities utilizing formula funds added to Statewide Transportation Improvement Programs (STIPs) and Transportation Improvement Programs (TIPs).

## CRITICAL GAPS

BIL provides an **unprecedented level of competitive grant funding** that can directly benefit disadvantaged communities in urban and rural areas under the Justice40 initiative. Yet **69% of transportation funding will be allocated by formulas** set by statute. The formulas are not required to account for equity, limiting the Department's ability to direct resources to underserved, overburdened, and disadvantaged communities.<sup>7</sup>

Transportation Grants Funding from Bipartisan Infrastructure Law (BIL), FY22 through FY26



## ROOT DRIVERS

### Limited Resources

- **Underserved communities may lack the resources needed to develop successful discretionary grant applications.** Without assistance, many underserved communities may miss chances to compete for discretionary funding due to a lack of resources rather than a lack of need.
- **Community Based Organizations (CBOs) have limited capacity to advocate on behalf of their community.** CBOs can represent the most underserved and overburdened communities and understand them best. However, coordinating with stakeholders, transportation agencies, and contractors is a costly and time-consuming process.

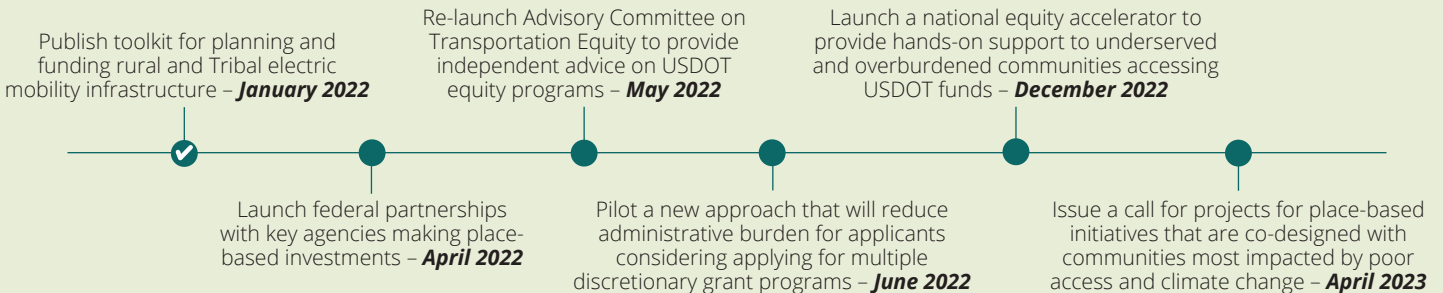
### Systemic Barriers Remain

- **Disadvantaged communities have experienced decades of infrastructure injustice.** Disinvestment and lack of infrastructure funding have compounded years of systemically racist transportation decisions which have been left unresolved.<sup>8</sup>
- **Communities of color are disenfranchised from the decision-making process.** Members of underserved communities have received less priority in infrastructure investments, often shouldering the burden of its environmental and economic impacts.<sup>8</sup>

### Income and Wealth Disparities

- **Navigating the complex environment of federal grant opportunities requires specialized expertise and experience.** Overburdened or disadvantaged communities in urban and rural areas may not have adequate resources to gain access to the necessary expertise and experience.
- **Benefit-cost analysis (BCA) is very influential in discretionary grant applications.** BCAs require specialized analysis tools. When underserved communities do not have access to those tools, potentially beneficial projects in underserved communities might not be selected due to incomplete or flawed BCAs.

## TIMELINE OF USDOT ACTIONS



## THE OPPORTUNITY AT STAKE

Providing technical support to underserved communities will make sure they have the opportunity to access the **+\$642B** in transportation grants funding authorized by the Bipartisan Infrastructure Law (BIL) for FY22-FY26.<sup>7</sup>

## KEY USDOT ACCOUNTABILITY ACTION

Consultation with the re-constituted Advisory Committee on Transportation Equity.

# Expanding Access

## OUTCOME

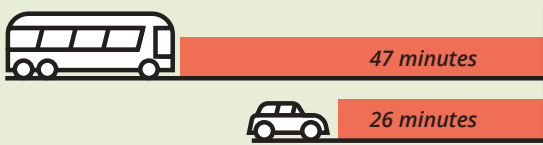
Increase in social and economic opportunity for disadvantaged and underserved communities from the provision of affordable multi-modal transportation options and the development of a transportation cost burden measure.

## KEY PERFORMANCE INDICATORS

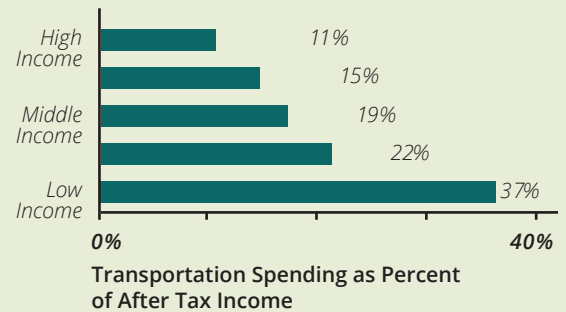
- Reduction in transportation travel cost as a percent of income.
- Reduction in transportation travel time.
- Increase in access to key destinations, including work, education, grocery stores, health care.
- Increase in mobility measured by number of trips at the individual level.

## CRITICAL GAPS

Workers who commute by bus have commute times 1.7x longer than workers who commute alone by car: 47 minutes for bus commuters compared to 26 minutes for car commuters.<sup>9</sup>



The lowest income households spend on average 37% of their after-tax income on transportation, compared to 19% by the middle-income households.<sup>10</sup>



## ROOT DRIVERS

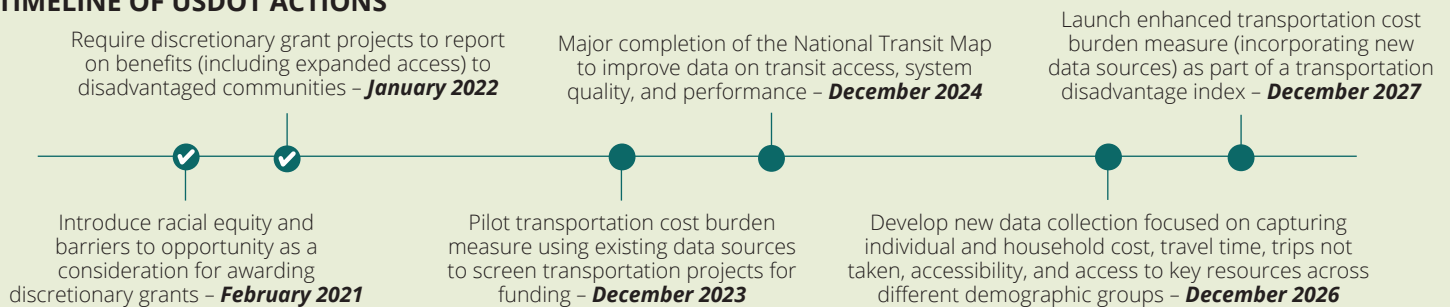
### Higher Transportation Costs

- Lower income people spend a far greater percent of their income on transportation than middle-income or high-income households.<sup>10</sup> Equitable and high quality transportation systems can help address these disparities and increase residents' upward economic mobility.<sup>11</sup>
- The transportation cost burden experienced by an individual is influenced by numerous factors. Inadequate coordination of land use, housing and transportation policy and investment leads to inefficient transportation options that negatively impact social, economic and health outcomes. These factors can vary substantially across communities.

### Lack of Transportation Options and Access

- Many areas of the country have been labeled "transit deserts." The inability to access jobs, schools, health care and social service organizations leads to higher rates of unemployment, poverty, chronic illness, and isolation.
- Infrastructure and land use policy has often made car-ownership a necessity. Decades of transportation and land use policy have focused on mobility for automobile users. This bias has left people without access to vehicles lacking in mobility options.
- Multimodal options have been neglected. Policies that ensure that streets have sidewalks and bike lanes that are safe and accessible to pedestrians, bicyclists, and users of public transit gives residents more travel options and more control over their transportation expenses. Land use policies that prevent people, jobs, goods, and services from being proximate to one another or near transit reduce the feasibility of low cost, environmentally efficient modes such as walking, cycling and transit.

## TIMELINE OF USDOT ACTIONS



## THE OPPORTUNITY AT STAKE

Building a transportation cost burden measure will help USDOT better understand the second largest expenditure category for households, accounting for **\$10,742** on average (15% of after-tax income) in 2019. Transportation expenses are second only to housing expenses.<sup>10</sup>

## KEY USDOT ACCOUNTABILITY ACTIONS

- Develop criteria for incorporating transportation cost burden measure in project selection decision-making.
- Incorporate elements of the transportation cost burden measure into funding programs and policy documents.

# Glossary of Concepts & Endnotes

TERM	DEFINITION
<b>Advisory Committee on Transportation Equity</b>	This committee provides advice and recommendations to the Secretary of Transportation on comprehensive, interdisciplinary issues related to transportation equity from a variety of stakeholders involved in transportation planning, design, research, policy, and advocacy.
<b>Air Carrier Access Act (ACAA)</b>	The ACAA prohibits discrimination on the basis of disability in air travel.
<b>Americans with Disabilities Act (ADA)</b>	The ADA prohibits discrimination against individuals with disabilities in all areas of public life, including jobs, schools, transportation, and all public and private places that are open to the general public.
<b>Disadvantaged Business Enterprise (DBE)</b>	DBEs are for-profit small business concerns where socially and economically disadvantaged individuals own at least a 51% interest and also control management and daily business operations.
<b>Disadvantaged communities</b>	Disadvantaged communities are communities that experience disproportionately high and adverse health, environmental, climate related, economic, and other cumulative impacts.
<b>Equity</b>	Equity means 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.
<b>Justice40</b>	A government-wide initiative established under Executive Order 14008: Tackling the Climate Crisis at Home and Abroad that aims to deliver 40 percent of the overall benefits of relevant federal investments in climate and sustainable transportation to disadvantaged communities.
<b>Minority Business Enterprise (MBE)</b>	A minority business enterprise is defined as a company that is at least 51% owned and operated by an individual that is at least 25% African American, Asian, Hispanic, or Native American. If the company is publicly traded, then the stock must be at least 51% minority-owned as well.
<b>Metropolitan Planning Organizations (MPOs)</b>	MPOs are organizations designated to carry out the metropolitan transportation planning process in urban areas with populations greater than 50,000 people.
<b>National Environmental Policy Act (NEPA)</b>	NEPA requires Federal agencies to assess the environmental effects of proposed major Federal actions prior to making decisions.
<b>Overburdened communities</b>	Overburdened communities are minority, low-income, tribal, or Indigenous populations or geographic locations in the United States that potentially experience disproportionate environmental and/or safety harms and risks. This disproportionality can be a result of greater vulnerability to environmental hazards, heightened safety risks, lack of opportunity for public participation, or other factors.
<b>Section 504 of the Rehabilitation Act</b>	Section 504 prohibits discrimination against people with disabilities in programs that receive federal financial assistance.
<b>Small Disadvantaged Business</b>	A small disadvantaged business is a firm that meets the following criteria: 51% or more owned and controlled by one or more disadvantaged persons; the disadvantaged person or persons is socially disadvantaged and economically disadvantaged; the firm is small, according to the Small Business Administration's size standard.
<b>Statewide Transportation Improvement Program (STIP)</b>	STIPs are federally mandated 4-year funding and scheduling documents for surface transportation projects (road, highway, pedestrian trails, bicycle facilities, bridge facilities and transit projects).
<b>Title VI of the Civil Rights Act</b>	Title VI prohibits discrimination on the basis of race, color, or national origin in any program or activity that receives Federal funds or other Federal financial assistance.
<b>Transportation Improvement Plan (TIP)</b>	TIPs are approved and planned at the MPO level, and must be included in the STIP to receive federal funding.
<b>Underserved communities</b>	Underserved communities are 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.

## ENDNOTES

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