



June 16, 2022

MEMORANDUM

TO: Michael McManus, USAID Desk Officer
Office of Information and Regulatory Affairs
Office of Management and Budget

FROM: Neneh Diallo, Chief Diversity Officer

SUBJECT: Justification for Emergency Processing

Background

From the start, the Biden-Harris Administration has emphasized the importance of our Federal public servants—our dynamic and committed workforce. The strength of any organization rests on its most important asset—its people. Taking the President’s lead, the President’s Management Council (PMC), together with the Office of Management and Budget, the Office of Personnel Management, and the General Services Administration, launched a pilot of a first-ever, Government-wide pulse survey, inviting roughly 2 million civilian employees across the 24 agencies represented by the PMC to respond with a quick “pulse check,” so that agency leadership could hear from employees on three timely topics:

- Navigation of the ongoing pandemic and the safe, increased return of Federal employees to physical workplaces
- Equity and inclusion
- Employee engagement and burnout

While the pilot, known as the Federal Employee Viewpoint Survey (FEVS), seeks to capture employee experiences around an Agency’s climate, in order to provide insights into whether, and to what extent workplace conditions are successful, and to inform organizational change and development initiatives, it is not representative of or captures the viewpoints of all of USAID’s workforce around Diversity, Equity, Inclusion, and Accessibility (DEIA).

Justification

5 C.F.R. § 1320.13(a)(2) allows for emergency processing of collections of information in instances where an agency "... cannot reasonably comply with the normal clearance procedures under this part because... (i) *Public harm is reasonably likely to result if normal clearance procedures are followed.*"

USAID's workforce comprises various hiring categories, including U.S. Direct Hires (USDHs), Personal Services Contractors (PSCs), and Institutional Support Contractors (ISCs). Of our entire workforce of approximately 11,000 individuals, more than 5,500 are PSCs with almost 1,500 ISCs, comprising around 64% of our entire workforce.

The annual Agency-wide DEIA survey will establish a baseline for DEIA related metrics and enable longitudinal evaluation at the Agency level and within Bureaus, Independent Offices and Missions (B/IO/M). The USAID DEIA survey will support USAID's implementation of government-wide initiatives to strengthen DEIA in the federal workforce and deliver equitable outcomes for the American people through the Agency's outward-facing policies, programs, regulations, contracting opportunities, and services. Development and implementation of the survey will be conducted in accordance with guidance from the White House Domestic Policy Council (DPC), U.S. Equal Employment Opportunity Commission (EEOC), U.S. Office of Personnel Management (OPM), and U.S. Office of Management and Budget (OMB).

The Biden-Harris Administration's Government-wide DEIA Strategic Plan released in November 2021, specifically outlines a priority to "*improve the collection of voluntarily self-reported demographic data about the federal workforce to take an evidence-based approach to reduce potential barriers in hiring, promotion, professional development, and retention practices.*"

The inaugural USAID DEIA Survey will, to the greatest extent practicable or appropriate:

- Capture the viewpoints and perceptions of USAID headquarters and overseas workforce across all hiring mechanisms and at all grades and ranks
- Allow for data disaggregation by B/IO/M, consistent with the Federal Employee Viewpoint Survey
- Provide data for analysis to support an evidence-based and data-driven approach to determine whether and to what extent Agency policies, programs, and/or practices present barriers to equal and equitable employment opportunities and outcomes, and what needs to be changed or developed to remove those barriers
- Support USAID's efforts to monitor and report on DEIA and EEO program effectiveness, enabling continuous program improvement

Currently, USDHs and PSCs voluntarily report demographic data only on race, ethnicity, sex at birth, and disability status. Only USDH data is analyzed and reported to the EEOC in the annual Management Directive (MD) -715 Report. USAID, like most federal government agencies, does not collect data on sexual orientation or gender identity, which results in a data gap that prevents analysis to identify potential areas of underrepresentation of Lesbian, Gay, Bisexual, Transgender, Queer and Intersex (LGBTQI+) people and the barriers to equal employment at USAID for LGBTQI+ people; resulting in invisibility, biases, and inefficient policies and programming

USAID's leadership continues to advocate for all of our employees to be able to participate in government-wide initiatives to ensure evidence-based decision making and action-planning.

Therefore, it is imperative that we request emergency processing for this expanded data collection, so as to not cause further harm and invisibility of certain groups in our workforce. By expediting this review, we will be able to improve the quality and effectiveness of public policy, ensure inclusion and equity, and gain useful and meaningful insights into USAID's climate around DEIA. This survey collection will allow respondents to voluntarily and anonymously submit responses. The data collected will in turn be provided in aggregate to USAID stakeholders to review, analyze, and identify trends, including viewpoints and perceptions of all groups in USAID's workforce, using demographic data in a variety of ways including:

- Overall Agency and B/IO/M level;
- Hiring category/mechanism (e.g., federal employee (permanent or temporary), personal services contractor, institutional support contractor, Cooperating Country National);
- Sexual Orientation and Gender Identity (USDHs, USPSCs, ISCs); and
- Expanded Race and Ethnicity Questions (USDHs, USPSCs, ISCs)

This "do no harm" approach will allow USAID to perform its decision-making in a manner that does not tolerate or contribute to inequity, discrimination, exclusion, or stigma toward any population or group, avoiding public harm. Survey data will be limited to authorized channels within USAID; a privacy review and risk assessment will be conducted prior to sharing survey results. Additionally, upon successful completion of the survey, the Agency will determine whether expanding demographic data collection is feasible to collect within Agency-wide systems that allow for more comprehensive workforce data reporting.

With no Government-wide effort, USAID decided that it needed to contact the Office of Information and Regulatory Affairs (OIRA) to find a way to move forward independently in order to be able to conduct a DEIA survey inclusive of our entire workforce.

In order to promote the priorities of this Administration as outlined in Executive Order 14035: Diversity, Equity, Inclusion and Accessibility in the Federal Workforce; Executive Order 13985: Advancing Racial Equity and Support for Underserved Communities through the Federal Government; Executive Order 14031: Advancing Equity, Justice, and Opportunity for Asian Americans, Native Hawaiians, and Pacific Islanders; and Executive Order 13988: Preventing and Combatting Discrimination on the Basis of Gender Identity or Sexual Orientation in a timely-manner, USAID needs to collect information from all categories of the workforce in order to institutionalize these priorities.

The survey is broken down into 6 main categories on a 5-point Likert scale. 11 profile questions, 7 equity questions, 14 accessibility questions, 13 diversity questions, 38 inclusion questions, and 29 talent impact questions.

Therefore, USAID respectfully requests emergency approval to launch the DEIA Survey to staff who have a usaid.gov e-mail address irrespective of their employment status to be administered as quickly as possible, with a total of up to an estimated 11,000 respondents, as the information obtained in the survey would inform Agency leadership and support decision making in delivering on President Biden's mandate in the previously mentioned Executive Orders. USAID cannot

reasonably comply with the normal clearance procedures under the PRA because doing so would delay the Agency's efforts to assess and provide ongoing, real-time input to our workforce around DEIA and act appropriately to any findings to ensure all the workforce feels supported and empowered. As such, we request expedited approval of this information collection. The Agency will issue a Federal Register Notice notifying the public of this request.

Neneh Diallo

Sincerely,
Neneh Diallo

Neneh Diallo, Chief Diversity Officer
Office of the Administrator
Office of the Chief DEIA Officer

