Civil Rights & Affirmative Action

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Successful DBEs

- State DOTs’ successful DBEs are small share of all DBEs
  - National DBE Directory contained about 41,000 DBEs in July 2018
  - 749 successful DBEs certified as of summer 2018 (data for 45 states)
  - Successful DBEs (that are certified) are about 2% of total certified DBEs
  - In highway construction NAICS code, successful DBEs are 3% of all DBEs
Successful DBEs

“Graduation” temporary for some companies

• One-third of DBEs identified as “graduated” appeared in DBE directories as of summer 2018

• Some DBEs appear to return because of lower revenue once graduated and some return because restructured business

• State DOTs reported that some firms appealed decertification

• Some successful DBEs say they worry about their future if they graduate from the program
Successful DBEs

About one-half of successful DBEs owned by white women
Successful DBEs

African American-owned DBEs half as likely as other DBEs to be identified as successful.
More Information

- When asked how things would be different if never been DBE certified ...
  - 66% say annual revenue would be lower
  - 42% say profit margins would be lower
  - 32% say would not be competitive in their field; 42% say they still would be competitive
  - 23% say would have failed
  - 10% say would work more as prime and less as a sub
  - 19% say would do more work on non-goals contracts and less on contracts with goals
  - 14% say would specialize in a different field
Commercial Useful Function

• If the C.U.F is not being done correctly make sure that the Inspectors in the field are trained and know what the red flags are.

• A lot of DBE Program fraud is seen in the regular dealer/supplier work classification, nationwide.

• Noticing a strong correlation between high DBE goals and failure in C.U.F reviews
“Goal set is just a cover for the racial barrier in the market until we can figure out a way to fix discrimination. Don’t be reactive but find a way to be proactive.”
Safety and Health in Environmental Justice Communities

- Identification of common issues in EJ communities
  - Example issue: wide roads with fast moving traffic near residential areas where car ownership rates are low (areas where people are more likely to walk)
  - Recommendation: consider systematic safety measures to slow traffic in communities of concern. Not all solutions (bump outs, crossings, etc.) work best for all communities
  *Engage the public to understand their needs (importance of public involvement in all phases of the decision-making process)

- Who’s at risk? (Older adults, lower-income, women, minority race)
- Why? (intersection with poverty; delayed care and missed care; geographic proximity; mental health impacts)
Study: Documenting Transportation Inequities

- Custom-designed an app, MyAmble, to measure transportation disadvantage among populations whose transportation needs historically have been neglected in transportation planning
- Based on concept of social exclusion
- MyAmble features: daily trip planner, travel buddy, travel story, challenge logger
  - User would log on and plan a trip.
  - Document where, when, how, importance and impact on life
  - At the end of the day, document whether trip was completed or cancelled
Study setting: Tarrant County, TX (high density suburbs; avg. commute time is 27 minutes; contains largest municipality in the country lacking a public transit system)

Sample demographics: older adults and female survivors of intimate partner violence

Health data: older adults reported lower self-reported physical health and higher prevalence of health conditions compared to survivors of IPV (pain and arthritis).

Transportation data summary: groups logged similar total number of trips. Survivors of IPV travel more frequently.

Implications
- Rideshare
- On-demand, door-to-door service is preferred
- Myth of personal vehicle still strong
National Environmental Policy Act Documentation
Effects of Current Presidential Executive Orders

- NEPA and Climate Change
  - Obama-CEQ guidance on addressing climate change under NEPA
  - Trump-CEQ guidance rescinded

- Floodplain Risk Management
  - Obama-Issued EO 13690 on flood-risk standards for fed projects
  - Trump-EO 13690 revoked; implementation of guidelines halted

- USFWS Mitigation Policies
  - Obama-memo directing revision of USDOI mitigation policies
  - Trump-mitigation policies withdrawn; reinstates prior mitigation policies issued in 1981
NEPA Updates

- Executive Orders
  
  EO 13766 (Jan. 24, 2017)
  - Calls for expediting environmental reviews of designated “high priority” infrastructure projects
  
  EO 13807 (Aug. 15, 2017)
  - Creates “One Federal Decision” policy for infrastructure projects that require an EIS
  
  - No exception made for USDOT projects; must comply with 23 USC 139 and EO 13807
The Equity Equation: Meaningful and Innovative Strategies That Define and Address Unmet Needs in Underserved Communities

- Elder and low-income populations unlikely to adopt new technologies such as autonomous vehicles
- Fleet transportation such as Uber and Lyft not accessible to certain neighborhoods
- Multiple factors contribute to their inability to use services that may be beneficial
  - Cellphone access/literacy
- Study on SFMTA/Muni (Muni Service Equity Strategy)
  - Promotes transit equity
  - Discount program for youth, low and moderate income individuals, seniors and people with disabilities
- The use of policy leverage to ensure services are provided to areas of concern
- Equity requires the guiding principles of transparency, accountability, trust and social inclusive
- Citizen engagement is key
Sub-committee on Environmental Justice

EJ Analysis focus areas

- Providing opportunities for meaningful public involvement (building relationships; tailoring public involvement; measuring effectiveness)

- Identifying EJ populations (high concentrations of EJ residents; dot-density mapping; understanding demographic change; customized approaches)

- Understanding EJ needs and concerns (informing needs assessment with EJ input; regional scale needs; mapping transit access and gaps; neighborhood scale needs)

- Assessing benefits and burdens of plans and programs (assessing investment distribution; differentiating by project type, per capita and usage)

- Assessing whether adverse effects are disproportionately high (qualitative approaches)

- Deploying strategies to address disproportionately high and adverse effects (technical assistance, partnerships, specific goals and measures)