

Re: OMB circular M-20-34, "Training in the Federal Government," and the September 22nd Executive Order on Combating Race and Sex Stereotyping

Majority Leader Mitch McConnell
Chairman Richard Shelby,
Senate Committee on Appropriations

Minority Leader Chuck Schumer
Ranking Member Patrick Leahy,
Senate Committee on Appropriations

Speaker Nancy Pelosi
Majority Leader Steny Hoyer

Minority Leader Kevin McCarthy

Chairwoman Nita Lowey,
House Committee on Appropriations

Ranking Member Kay Granger,
House Committee on Appropriations

October 1, 2020

Dear Senators and Representatives:

On behalf of our millions of members and supporters across the country, we write with deep concern about -- and strong opposition to -- the September 4th 2020 OMB circular M-20-34, "Training in the Federal Government," and the related September 22nd 2020 Executive Order on Combating Race and Sex Stereotyping. These directives are beginning to have a damaging and chilling impact on agency efforts to address prejudice, workplace harassment, discrimination, and related challenges. Among other impacts, the cancelation of trainings threatens to interfere with remediation of pending Equal Employment Opportunity (EEO) claims and to make some employees who have experienced workplace discrimination feel less capable of getting needed support. Unfortunately, the initiative to stifle trainings is now going far beyond federal agencies themselves.

For the reasons outlined below, we urge that a final FY21 appropriations vehicle or any other moving vehicle in the remainder of this Congress prevent any federal funding from being used to implement these directives, which threaten to have a crippling effect on agencies including those that steward public health and our environment, as well as the contractors who coordinate with them and grant recipients who support their missions to serve the public.

There are many challenges that workplace trainings seek to address. Many of the agencies that protect public health and our land, air, water, wildlife and cultural resources lack diversity, particularly at the managerial level. Recruitment and retention efforts that may help shift this dynamic can benefit from employees across the agencies being educated on the societal challenges, human behaviors and intentional or unintentional discriminatory practices that contribute to these patterns. This includes but is not limited to EEO training. One need look no further than the high-profile cases of sexual harassment and discrimination at the National Park Service to recognize the importance of managers having the discretion to pursue these trainings.

Environmental agencies also face relevant challenges not just within their workforce but in their missions and the impacts the agencies have on communities. This includes, for example, the disproportionate impact of polluting industries on communities of color, with profound public health impacts now exacerbated by the covid-19 pandemic. Visitation to our national parks lacks the diversity that reflects the American public, with numerous barriers to access. Low income communities and communities of color also face disproportionate challenges in access to community parks and other environmental amenities.

The circular and EO have already led to interagency memos that are creating employee and manager confusion. In particular, the National Park Service has indefinitely stopped EEO, sexual harassment, tribal consultation, and disability discrimination training to ensure it is in compliance with the OMB circular. This is having a chilling effect on efforts to train employees on a diversity of issues not necessarily limited to race or privilege. Also put on hold are different workforce development leadership trainings such as those addressing conflict resolution and discriminatory structures in the workplace. The orders' directives do not only apply to federal agencies, but to contractors and grant recipients, many of whom are proactively seeking to address these workplace issues. Contracts can be denied and grants rescinded if the applicable nongovernmental organizations engage in training.

Federal agencies, contractors and grant recipients, including but not limited to those that regulate and oversee public health and environmental protections, deserve better. We respectfully call on you to support these entities' engagement in training they deem appropriate and necessary to try to enhance awareness of diversity, harassment and discrimination challenges, employee morale, opportunities for advancement, workplace culture and more.

The civil service and its contractors and grant recipients should have the opportunity to pursue the management and training excellence that is available in the private sector. We ask you to include a provision in a final FY21 appropriations omnibus or other moving vehicle in the remainder of this Congress a provision halting implementation of this regressive OMB circular and EO.

Thank you for considering our views.

Sincerely,

Alaska Wilderness League Action

Alliance for the Great Lakes

American Hiking Society

American Littoral Society

American Rivers

American Society of Landscape Architects

Appalachian Mountain Club

Appalachian Trail Conservancy

Archaeology Southwest

Arizona Trail Association

Association for Experiential Education

Association of Nature Center Administrators

Avid4 Adventure

Berks Nature

Brown People Camping

Bucks County Audubon Society

Business for Montana's Outdoors

Capital Region Land Conservancy

Chispa Arizona, League of Conservation Voters

Clark Fork Coalition

Clean Water Action

Clean Wisconsin

Coalición de Derechos Humanos

Coalition for Sonoran Desert Protection

Coalition for the Delaware River Watershed

Coalition to Protect America's National Parks

Confluence (confluenceproject.org)
Conservancy for Cuyahoga Valley National Park
Conservation Minnesota
Continental Divide Trail Coalition
Defenders of Wildlife
Defensores de la Cuenca
Delaware Highlands Conservancy
Delaware Nature Society
Dogwood Alliance
Earthjustice
Endangered Species Coalition
Environmental Defense Fund
Environmental Justice Center of Chestnut Hill United Church
Environmental Law & Policy Center
Fairbanks Climate Action Coalition
For Love of Water (FLOW)
FracTracker Alliance
Friends of Fort McHenry
Friends of Hopewell Valley Open Space
Glen Canyon Conservancy
Greater Yellowstone Coalition
Greenpeace USA
Green-Rock Audubon Society
Illinois Environmental Council
Indiana Wildlife Federation
Interfaith Partners for the Chesapeake
International Fund for Animal Welfare
IslandWood
Izaak Walton League, Public Lands Committee
John Burroughs Association, Inc.
John Muir Project
Lakeshore Natural Resource Partnership
Latino Outdoors
League of Conservation Voters
Maine Environmental Education Association
Michigan League of Conservation Voters
Mid-Atlantic Youth Anglers & Outdoors Partners
Milwaukee Riverkeeper
Milwaukee Water Commons
Mississippi Park Connection
Montana Wilderness Association
Mount Rushmore Society
MountainTrue
National Aquarium
National Audubon Society
National Parks Conservation Association
National Recreation and Park Association
National Wildlife Federation
Natural History Institute
Natural Resources Defense Council
New Jersey Audubon
New Jersey Environmental Lobby
New Jersey Highlands Coalition
New Mexico Wildlife Federation
NJ Sustainable Business Council
North American Association for Environmental Education
North Cascades Institute
NW Energy Coalition

Olympic Park Associates
Onondaga Audubon
Oregon Wild
Otsego County Conservation Association
PennFuture
Pinelands Preservation Alliance
Religious Coalition for the Great Lakes
River Alliance of Wisconsin
Rockland Conservation & Service Corps
Rocky Mountain Conservancy
San Juan Citizens Alliance
Save Our Canyons
Save Our wild Salmon Coalition
Sierra Club
Sky Island Alliance
SOS Outreach
St. Croix River Association
The Corps Network
The Mission Continues

The Mountaineers
The Wilderness Society
Tip of the Mitt Watershed Council
United States Tour Operators Association
Upper Gila Watershed Alliance
Utah Clean Energy
Valley Forge Park Alliance
Voyageurs National Park Association
Washington Conservation Voters
Washington Environmental Council
Washington Trails Association
Washington Wild
WaterNow Alliance
Western Colorado Alliance
Western Resource Advocates
Western Slope Conservation Center
Western Watersheds Project
Winter Wildlands Alliance

CC:

Sen. Murkowski, Chair, Senate Energy and Natural Resources and Appropriations Subcommittee on Interior, Environment and Related Agencies

Sen. Manchin, Ranking Member, Senate Energy and Natural Resources Committee

Sen. Udall, Ranking Member, Appropriations Subcommittee on Interior, Environment and Related Agencies

Sen. Alexander, Chair, Appropriations Subcommittee on Energy and Water Development

Sen. Feinstein, Ranking Member, Appropriations Subcommittee on Energy and Water Development

Sen. Barrasso, Chair, Senate Environment and Public Works Committee

Sen. Carper, Ranking Member, Senate Environment and Public Works Committee

Rep. McCollum, Chair, House Appropriations Subcommittee on Interior, Environment and Related Agencies

Rep. Joyce, Ranking Member, House Appropriations Subcommittee on Interior, Environment and Related Agencies

Rep. Kaptur, Chair, Appropriations Subcommittee on Energy and Water Development, and Related Agencies

Rep. Simpson, Ranking Member, Appropriations Subcommittee on Energy and Water Development, and Related Agencies

Rep. Grijalva, Chair, House Committee on Natural Resources

Rep. Bishop, Ranking Member, House Committee on Natural Resources

Rep. Pallone, Chair, House Committee on Energy and Commerce

Rep. Walden, House Committee on Energy and Commerce