
Subject: RE: FOIA Request (MULTI-20-2605-2607)
Date: Thursday, November 12, 2020 at 8:32:08 AM Pacific Standard Time
From: Ricker, Monique T. EOP/USTR
To: 'FOIA', FN-USTR-FOIA
Attachments: image002.png, image001.png, USTR_FY21-08_Redacted.pdf

EXTERNAL SENDER

Mr. Wood,

This email is the final response from the Office of the United States Trade Representative (USTR) to Freedom of Information Act (FOIA) request FY21-08 submitted on October 20, 2020 requesting all orders, directives, guidance, or memoranda regarding the implementation of OMB guidance banning specific diversity and inclusion trainings (M-20-34 and M-20-37) and Executive Order EO-13950 on “Combating Race and Sex Stereotyping.”

We conducted an eDiscovery search of all USTR employees’ files for records regarding the implementation, cancellation, termination, expenditure or spending on programs, contracts, training, or propaganda containing the terms diversity, inclusion, “critical race theory,” “white privilege,” racist, “evil country,” divisive, sexist, intersectionality, “systemic racism,” positionality, “racial humility,” or “unconscious bias.”

Attached please find 11 pages of responsive records which we are releasing in part. We withheld non-public contact information because we reasonably foresee that disclosure would harm an interest protected by FOIA Exemption 6, which protects personal information the release of which would not shed light on the performance of the agency's statutory duties.

This constitutes a complete response to your request. You may contact me or my colleague Janice Kaye by email at FOIA@ustr.eop.gov or 202-395-3419 for any further assistance and to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

If you are not satisfied with the response to this request, you may also administratively appeal by writing to: FOIA Office, GSD/RDF; ATTN: Janice Kaye, Anacostia Naval Annex, Bldg. 410/Door 123, 250 Murray Lane, S.W., Washington, D.C. 20509.

Your appeal must be postmarked or electronically transmitted within 90 days of the date of the response to your request. Both the letter and the envelope should be clearly marked: “Freedom of Information Act

Appeal" and should include a reference to the FOIA Case File number listed above. Heightened security in force may delay mail delivery; therefore we suggest that you also email any such appeal to foia@ustr.eop.gov.

In the event you are dissatisfied with the results of any such appeal, judicial review will thereafter be available to you in the United States District Court for the judicial district in which you reside or have your principal place of business, or in the District of Columbia, where we searched for the records you requested.

Thank you,
Monique

Monique T. Ricker
FOIA Program Manager/Attorney

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE
WASHINGTON DC 20508

From: FOIA <foia@americanoversight.org>
Sent: Tuesday, October 20, 2020 4:28 PM
To: FN-USTR-FOIA <FN-USTR-FOIA@ustr.eop.gov>
Subject: [EXTERNAL] FOIA Request (MULTI-20-2605-2607)

Dear FOIA Officer:

Please find attached and pasted below a request for records under the Freedom of Information Act.

Sincerely,

Sarah Wishingrad
Pronouns: she/her
Paralegal
American Oversight
foia@americanoversight.org
www.americanoversight.org | @weareoversight

FOIA: MULTI-20-2605-2607

OMB Directive on Diversity Training

From "DiMartini, Traci" <tdimartini@peacecorps.gov>

:

To: Allison Thiriez_ARC <athiriez@arc.gov>, Andrew Wasilisin (FHFA) <andrew.wasilisin@fhfa.gov>, Angela Ameen <ameena@si.edu>, Angela Phifer (CPPWBSD) <aphifer@abilityone.gov>, Angie Titcombe (FMCS) <atitcombe@fmcs.gov>, Annie Shek (CAVC) <ashek@uscourts.cavc.gov>, Anthony Mitchell_NEAH <amitchell@neh.gov>, Antonie L. Dotson (IMLS) <adotson@imls.gov>, Arrie Etheridge (PBGC) <etheridge.arrie@pbgc.gov>, Barbara Polk (JKFPA) <bpolk@kennedy-center.org>, Carroll Ellis Cobb (USAGM) <ccobb@usagm.gov>, Christopher Fioravante (USCC) <cfioravante@uscc.gov>, Cindy Roth (ACUS) <cynthia_roth@ao.uscourts.gov>, Corliss Jackson (EAC) <cjackson@eac.gov>, Courtney Killion <ckillion@fmc.gov>, "Craig M. McCord Sr. (NEA) (mccordc@arts.gov)" <mccordc@arts.gov>, Cynthia McClam <cynthia.mcclam@stb.gov>, Debra A. Hall_OSHRC <dhall@oshrc.gov>, Debra L. Dickson (NCPC) <debra.dickson@ncpc.gov>, Donna Simpson (CPSC) <dsimpson@cpsc.gov>, Donna Smith (AFRH) <donna.smith@afrh.gov>, Doug Goodell (NGA) <d-goodell@nga.gov>, Eduardo Ribas (FERC) <eduardo.ribas@ferc.gov>, Elias Hernandez_SBA <elias.hernandez@sba.gov>, Eric Mozie (USITC) <eric.mozie@usitc.gov>, Erica Barker <erica.barker@prc.gov>, Erin D. Singshinsuk (USCIRF) <esingshinsuk@uscirf.gov>, Eugene Mayo (PDSDC) <emayo@pdsdc.org>, Fred William Graf (IBWC) <fred.graf@ibwc.gov>, Gigi McDaniel <mcdanielg@mcc.gov>, Heath Anderson (USCP) <heath.anderson@uscp.gov>, Ismail Ahmed (ACHP) <iahmed@achp.gov>, James McNamara (SEC) <mcnamaraj@sec.gov>, Janet L. Boyer (USTC) <jlboyer@ustaxcourt.gov>, Jeffrey Sumberg (CFPB) <jeffrey.sumberg@cfpb.gov>, Jennifer Eby (SCUSA) <jeby@supremecourt.gov>, Jennifer Hayes (SSS) <jennifer.hayes@sss.gov>, Jennifer Williams (FCA) <williamsj@fca.gov>, Jessie Stewart (USIP) <jstewart@usip.gov>, Joe Cappello <jcapp@loc.gov>, Kathie D. McDuffie_OSC <kmcduffie@osc.gov>, Katie Higginbothom (FEC) <khigginbothom@fec.gov>, Kay Laporte (CABS/GSA) <kay.laporte@gsa.gov>, Kelly Powell <kelly.powell@frtib.gov>, KerriLaine Prunella <kprunella@cftc.gov>, Kevin Richardson (EEOC) <kevin.richardson@eeoc.gov>, Lasharn Hamilton (NLRB) <lasharn.hamilton@nrlb.gov>, "Lewis, Latesha D. EOP/NSC" <latesha.d.lewis@nsc.eop.gov>, Lavette Young (MCC) <youngl@mcc.gov>, Lesley Duncan (IAF) <lduncan@iaf.gov>, Linda Mays (CSOSA) <linda.mays@csosa.gov>, Lisa Lawn (USTDA) <llawn@ustda.gov>, Maelet Mathias (CNCS) <mmathias@cns.gov>, Mark Fife (USSC) <mfife@ussc.gov>, Mark Rosen <rosen@udall.gov>, Maurice Hawthorne (CSB)

<maurice.hawthorne@csb.gov>, Michelle Lipinski <michelle.lipinski@ferc.gov>, Miriam Cohen (NRC) <miriam.cohen@nrc.gov>, Najuma Lake (PSA) <najuma.lake@psa.gov>, Nancy Payne (FJC) <npayne@fjc.gov>, "Benjamin, Nathaniel H. EOP/OMB" <nathaniel_h_benjamin@omb.eop.gov>, Neysa M. Slater-Chandler (NWTRB) <slater-chandler@nwtrb.gov>, "Nicole Early (nicole.early@hq.doe.gov)" <nicole.early@hq.doe.gov>, Patrina M. Clark (Farm Credit) <clarkp@fca.gov>, Paula Chandler (FLRA) <pchandler@flra.gov>, Pervis Chris Lee (MSPB) <pervis.lee@mspb.gov>, Robert Pecha (DIA) <robert.pecha@dia.mil>, Ruth O'Donnell <ruth.odonnell@uscp.gov>, Samantha Jones (NMB) <jones@nmb.gov>, "Spoonier, Sarah W. EOP/OMB" <sarah.w.spoonier@omb.eop.gov>, Sebastian Parker-Vaughn (EOP/NDCP) <sebastian.a.parker-vaughn@ondcp.eop.gov>, Sherri Proctor <sherri.proctor@prc.gov>, Sherrice Macklin_USATB <macklin@access-board.gov>, Sian Flsher (OPIC) <sian.fisher@opic.gov>, Stacey Murphy (OSTP) <stacy.l.murphy@ostp.eop.gov>, Stephanie Ruiz (CBO) <stephanie.ruiz@cbo.gov>, Stephen A. McLaughlin (USITC) <stephen.mclaughlin@usitc.gov>, "Tanell Coleman (USHMM) (tcoleman@ushmm.org)" <tcoleman@ushmm.org>, "Teresa \"Teri\" Schlee (STB)" <teresa.schlee@stb.gov>, Teresa Bailey_Architect of the Capitol <tbailey@aoc.gov>, Teresa Slater (ONHIR) <tslater@onhir.gov>, TinaLouise Martin (USCCR) <tmartin@usccr.gov>, Towanda A. Brooks <tbrooks@ncua.gov>, "DiMartini, Traci" <tdimartini@peacecorps.gov>, Tracy Mayo <tracy.mayo@csb.gov>, Valorie Findlater (NARA) <valorie.findlater@nara.gov>, "Hurst, Veta P. EOP/OMB" <vhurst@omb.eop.gov>, Vicki Johnson (WC) <vicki.johnson@wilsoncenter.org>, Vickie Barber <vbarber@ftc.gov>, Yvette Evans <yevans@fdic.gov>

Cc: "Moone, Jamesa C. EOP/USTR" <jamesa_c_moone@ustr.eop.gov>

Date: Tue, 08 Sep 2020 11:56:17 -0400

Good morning,

I am sharing a link to the White House directive, via OMB, on the restrictions being placed on training. I am reaching out to stakeholders to find out exactly what this means and what any requirements are for existing training so stay tuned. If you have any additional information to share please reach out to me and Jamesa.

I hope everyone is staying healthy and sane.

Best, Traci

Link to the recent directive on training:

<https://www.whitehouse.gov/wp-content/uploads/2020/09/M-20-34.pdf>

RE: [CHCOC-SCHEDULE] Recently Issued OMB

Memorandums

From: "Moone, Jamesa C. EOP/USTR" <jamesa_c_moone@ustr.eop.gov>
:
To: "Enoch, Tiffany R. EOP/USTR" <tiffany_r_enoch@ustr.eop.gov>, "Ames, Fred L. EOP/USTR" <fred_ames@ustr.eop.gov>
Cc: "Kaye, Janice A. EOP/USTR" <janice_a_kaye@ustr.eop.gov>, "Chambers, Linda C. EOP/USTR" <linda.c.chambers@ustr.eop.gov>
Date: Wed, 30 Sep 2020 11:15:32 -0400

Thank you, Tiffany. The Management Concepts course is fine to keep on the MAX page as it does not teach divisive concepts, nor is it a requirement for USTR employees.

Furthermore, per OMB's September 4th [memo](#) and the E.O., USTR has not offered or *required* any staff trainings or offered/awarded any contracts that include:

..."critical race theory/9 "white privilege," or any other training or propaganda effort that teaches or suggests either (1) that the United States is an inherently racist or evil country or (2) that any race or ethnicity is inherently racist or evil."

Additionally, USTR has not provided any trainings/contracts that provide instruction on other harmful sex or race-based ideologies.

Jamesa

From: Enoch, Tiffany R. EOP/USTR <Tiffany_R_Enoch@ustr.eop.gov>
Sent: Wednesday, September 30, 2020 10:54 AM
To: Ames, Fred L. EOP/USTR <Fred_Ames@ustr.eop.gov>; Moone, Jamesa C. EOP/USTR <Jamesa_C_Moone@ustr.eop.gov>
Cc: Kaye, Janice A. EOP/USTR <Janice_A_Kaye@ustr.eop.gov>
Subject: RE: [CHCOC-SCHEDULE] Recently Issued OMB Memorandums

Good morning—

FY20 training completed by staff did not focus on diversity and inclusiveness nor include discussions on those topics.

In updating the OHCS Virtual Trainings & Webinar page, I recently added the following course from Management Concepts:

[Fostering a Diverse and Inclusive Workplace](#)

This course does not teach, advocate, or promote the divisive concepts specified in the Executive Order, but rather promotes diversity and inclusion as a benefit to the Agency's workforce and organizational performance. If there are additional concerns about offering the course I will take it down. There haven't been any requests to register.

Thanks,
Tiffany

From: Ames, Fred L. EOP/USTR <Fred_Ames@ustr.eop.gov>

Sent: Wednesday, September 30, 2020 9:06 AM

To: Moone, Jamesa C. EOP/USTR <Jamesa_C_Moone@ustr.eop.gov>

Cc: Enoch, Tiffany R. EOP/USTR <Tiffany_R_Enoch@ustr.eop.gov>; Kaye, Janice A. EOP/USTR <Janice_A_Kaye@ustr.eop.gov>

Subject: RE: [CHCOC-SCHEDULE] Recently Issued OMB Memorandums

I am not aware that we've used the type of trainings referred to in the E.O. Suggest Tiffany review our FY 2020 trainings per the attached requirements and see if any addressed diversity and inclusiveness. Fred

From: Moone, Jamesa C. EOP/USTR <Jamesa_C_Moone@ustr.eop.gov>

Sent: Tuesday, September 29, 2020 5:29 PM

To: Ames, Fred L. EOP/USTR <Fred_Ames@ustr.eop.gov>; Kaye, Janice A. EOP/USTR <Janice_A_Kaye@ustr.eop.gov>

Cc: Enoch, Tiffany R. EOP/USTR <Tiffany_R_Enoch@ustr.eop.gov>

Subject: FW: [CHCOC-SCHEDULE] Recently Issued OMB Memorandums

FYSA

From: CHCOC Schedule <CHCOC-SCHEDULE@LISTSERV.GSA.GOV> **On Behalf Of** CHCO Council Staff

Sent: Tuesday, September 29, 2020 12:27 PM

To: CHCOC-SCHEDULE@LISTSERV.GSA.GOV

Subject: [CHCOC-SCHEDULE] Recently Issued OMB Memorandums

We would like to share with you two recently issued OMB Memorandums:

- **M-20-37 Ending Employee Trainings that Use Divisive Propaganda to Undermine the Principle of Fair and Equal Treatment for All**

o This memorandum provides further guidance in regards to M-20-34 and the Executive Order on Combating Race and Sex Stereotyping. To view this memo, please click <https://www.whitehouse.gov/wp-content/uploads/2020/09/M-20-37.pdf>

· **M-20-36 Implementation of Section 2 of Memorandum on Reviewing Funding to State and Local Government Recipients of Federal Funds That Are Permitting Anarchy, Violence, and Destruction in American Cities**

o On September 2, 2020, the President issued a Memorandum on Reviewing Funding to State and Local Government Recipients of Federal Funds That Are Permitting Anarchy, Violence, and Destruction in American Cities. This Memorandum, issued to the Attorney General and the Director of the Office of Management and Budget (OMB), sets forth a policy that the Administration will not allow Federal tax dollars to fund cities that allow themselves to deteriorate into lawless zones. This guidance implements Section 2 of this Memorandum. To view this memo, please click <https://www.whitehouse.gov/wp-content/uploads/2020/09/M-20-36.pdf>

Thanks



U.S. General Services Administration

CHCO Council Staff

Office of Shared Solutions & Performance Improvement (OSSPI)

Office of Government-wide Policy

To unsubscribe from the CHCOC-SCHEDULE list, create a new email message, addressed to CHCOC-SCHEDULE-unsubscribe-request@listserv.gsa.gov. The message content does not matter and the sender's email address will be removed from the list.

RE: Diversity Committee - Survey

From: "Enoch, Tiffany R. EOP/USTR" <tiffany_r_enoch@ustr.eop.gov>
To: "Dhongthog, Tsering L. EOP/USTR" <tsering_l_dhongthog@ustr.eop.gov>
Cc: "Zhao, Shelly EOP/USTR" <shelly.zhao@ustr.eop.gov>, "Zhang, Jing Jing EOP/USTR" <yizhi.zhang@ustr.eop.gov>
Date: Mon, 05 Oct 2020 16:36:22 -0400
Attachments Survey Questions jjz sz te.docx (18.89 kB); M-20-37 EO Diversity and Inclusion Training.pdf (843.29 kB)

Hi Tsering—

Thanks for your patience in getting my response. I think you all have great ideas for kicking off the Committee on Diversity. I added only a couple of items to the draft plan.

I'm not sure if you all are aware but an Executive Order on divisive diversity training was issued last week and subsequently it was determined that all D&I training/ presentations must be reviewed and approved by OPM prior to an agency planning/paying for events.

<https://www.chcoc.gov/content/mandatory-review-employee-training-under-eo-13950-september-22-2020>

This is part of my delay in responding.

For now we can work on standing up the group ie. charter, purpose, goals but programming in the form of presentations will need to be reviewed by OPM.

Please share your thoughts about moving forward.

Tiffany

From: Dhongthog, Tsering L. EOP/USTR <Tsering_L_Dhongthog@ustr.eop.gov>
Sent: Monday, September 21, 2020 7:05 PM
To: Enoch, Tiffany R. EOP/USTR <Tiffany_R_Enoch@ustr.eop.gov>
Cc: Zhao, Shelly EOP/USTR <Shelly.Zhao@ustr.eop.gov>; Zhang, Jing Jing EOP/USTR <Yizhi.Zhang@ustr.eop.gov>
Subject: Diversity Committee - Survey

Hi Tiffany,

Shelly and Jing Jing from my office are also interested in our diversity committee efforts. We've put together some survey questions and some ideas for our kick-off meeting for your consideration. Welcome your thoughts! Happy to chat again.

Tsering

Tsering Dhongthog
Senior Director for China Affairs
Office of the U.S. Trade Representative
EXEMPTION 6 (work mobile)



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D. C. 20503

THE DIRECTOR

September 28, 2020

M-20-37

MEMORANDUM FOR THE HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

FROM: Russell T. Vought
Director

SUBJECT: Ending Employee Trainings that Use Divisive Propaganda to Undermine the Principle of Fair and Equal Treatment for All

On September 4, 2020, M-20-34 was issued at the President's direction, which states in part, "The President, and his Administration, are fully committed to the fair and equal treatment of all individuals in the United States."

M-20-34 alerted agencies that some Federal worker "training" sessions are being held – at taxpayer expense – that demonstrably undermine this core American principle by stereotyping and scapegoating specific groups of people. These divisive trainings constitute a malign subset of a larger pool of Federal agency trainings held to promote diversity and inclusiveness. The sort of training at issue does neither; it sows division among the workforce by attempting to prescribe and impose upon employees a conformity of belief in ideologies that label entire groups of Americans as inherently racist or evil (e.g., critical race theory).

On September 22, 2020, the President issued an Executive Order on Combating Race and Sex Stereotyping. The Executive Order encourages diversity and inclusion efforts consistent with principles of fair and equal treatment, and it defines the sort of divisive trainings the Administration seeks to end.

The President and the Administration believe the fair and equal treatment of individuals is an inviolable principle that must be maintained in the Federal workplace. Agencies should continue all training that will foster a workplace that is respectful of all employees. As stated previously in M-20-34, the Federal government is proud that as an employer we have employees of all races, ethnicities, and religions. Our commitment and efforts to welcome all individuals who seek to serve the American people remains, and our commitment to the fair and equal treatment of Federal employees is enduring. Taking the steps described in this memorandum will help ensure that all Federal workers are treated with the individual respect they deserve and that the Federal government continues to foster a workplace of respect for all. Agencies should take immediate and substantive action to begin this implementation, and complete implementation within the time frame required by the E.O.

Agency employees and contractors are not to engage in divisive training of Federal workers. Noncompliance by continuing with prohibited training will result in consequences, which may include adverse action for Federal employees who violate the Order.

Federal contractors are to be required to represent that they will not conduct such trainings for their own employees, with potential sanctions for noncompliance. Agencies are to review their grant programs and identify programs for which the agency may, as a condition of receiving such a grant, require the recipient to certify that it will not use Federal funds to promote the divisive concepts set forth in the E.O.

With respect to spending transparency, the EO states that, "Within 90 days of the date of this order, each agency shall report to OMB all spending in Fiscal Year 2020 on Federal employee training programs relating to diversity or inclusion, whether conducted internally or by contractors. Such report shall, in addition to providing aggregate totals, delineate awards to each individual contractor."

In furtherance of the Executive Order on Combating Race and Sex Stereotyping and M-20-34, agencies must:

- Identify all agency training programs related to diversity and inclusion held during Fiscal Year 2020, including both those conducted by the agency's own employees and those conducted by others (e.g., outside vendors). Determine the spending on each such session, and the aggregate spending on all such sessions. The data should be presented so that all awards to an individual contractor are viewable together. Since these trainings and the dollars spent on them may be difficult to track or identify, it is recommended that agency leadership consult with the heads of component offices that offer such trainings to obtain their assistance in identifying them and determining the sums obligated.
- Review these trainings to determine whether they teach, advocate, or promote the divisive concepts specified in the Executive Order on Combating Race and Sex Stereotyping (e.g., that the United States is fundamentally racist or sexist or that an individual, by virtue of his or her race or sex, is inherently racist, sexist, or oppressive). Reviews of specific training curriculum materials can be supplemented by a broader keyword search of agency financial data and procurements for terms including, but not limited to: "critical race theory," "white privilege," "intersectionality," "systemic racism," "positionality," "racial humility," and "unconscious bias." When used in the context of diversity training, these terms may help to identify the type of training prohibited by the E.O. Searching for these key words without additional review does not satisfy the review requirements of the E.O.

To prevent prohibited trainings going forward, except for those contracts specifically exempted by the E.O. (see Section 4 and FAR Subpart 22.807), every government contract must include the provisions required by Section 4 of the E.O.

Where diversity and inclusion training is to be provided to Federal employees by contractors, the following steps must be taken:

- Agencies must ensure that requirements are scoped consistent with the E.O. Existing contracts should be reviewed to ensure that training is consistent with this E.O. and any work identified as inconsistent is immediately removed, if necessary and permissible through a partial termination for convenience of the government.
- For future awards, agency solicitations or statements of work concerning Federal employee training shall include the provisions set forth in Section 4 of the E.O.

Contractors who are found to have provided a training for agency employees that teaches, advocates, or promotes the divisive concepts specified in the E.O. in violation of the applicable contract will be considered for suspension and debarment procedures consistent with the E.O. and in accordance with the procedures set forth in Part 9 of the Federal Acquisition Regulation.

For Federal financial assistance, as required by Section 5 of the E.O., Federal awarding agencies are required to identify all programs for which the agency may, as a condition of receiving Federal grants and cooperative agreements, require the recipient to certify that it will not use Federal funds to promote the concepts listed in Section 5 of the E.O. Additionally, although training and education for employee development may otherwise be an allowable cost under 2 CFR 200.472, training or education on the divisive concepts specified in the Executive Order is not an allowable cost unless otherwise provided by law.

As Federal awarding agencies are conducting their review of programs to identify those for which the agency may lawfully impose the condition described in Section 5 of the E.O., they must look at all Federal grant and cooperative agreement programs, not just those for the purposes of providing training. For those programs so identified, Federal awarding agencies must update their guidance, practices, and procedures to ensure that future notice of funding opportunities and the terms and conditions of Federal awards restrict the use of Federal funds, including funds to meet cost share requirements, from being used to promote the divisive concepts set forth in the E.O. (including by conducting research premised upon these concepts), to the extent consistent with the statute(s) governing the grant program and all other applicable law.

By November 20, 2020, Federal awarding agencies are required to report to OMB, through their RMO, those programs for which the agency may impose the conditions identified in Section 5 of the E.O.

The agency head shall designate at least one senior political appointee to review and approve in advance any expenditure on Federal employee diversity and inclusion training (via contract or SF-182), and the senior political appointee shall do so only after certifying that the curriculum meets the standard of fair and equal treatment of individuals.

Pursuant to Section 7 of the E.O. all training programs for agency employees relating to diversity or inclusion must be reviewed by the Office of Personnel Management (OPM) for compliance with the E.O. prior to the training program being used. OPM will issue guidance to agencies on the process for submitting training programs for review and the approval process.

Finally, agencies should take all appropriate actions to align their public-facing information with the requirements for training Federal employees outlined in the E.O. Agencies should encourage their employees to report to the agency Inspector General (IG) any agency-sponsored training session that violates the standard of fair and equal treatment of individuals set forth in the E.O., to support the IG reviews described in Section 6(c)(ii) of the E.O.