

Equity Action Plan

2024 Update



FEDERAL ENERGY REGULATORY COMMISSION

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MESSAGE FROM CHAIRMAN WILLIE L. PHILLIPS

FEDERAL ENERGY REGULATORY COMMISSION

The Federal Energy Regulatory Commission plays a vital role in overseeing the interstate transmission of electricity and natural gas with a mission of ensuring reliable, safe, sustainable, and economically efficient energy for consumers at a reasonable cost. The necessity and benefits of the nation's energy delivery system are clear. It is also clear that the associated burdens of energy infrastructure have not fallen equally on everyone. Likewise, some communities have faced barriers in having their voices heard by the Commission on the issues that impact them.

In response to Executive Order 13985: *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*, the Commission voluntarily released its first Equity Action Plan in April of 2022. Since then, the Commission has made important strides towards enhancing its capacity to incorporate environmental justice into its practices. This includes, for example, hosting the first Environmental Justice Roundtable, creating and filling new roles and groups within the Commission focused on environmental justice, and building our Office of Public Participation, among other efforts. These efforts are just the beginning but serve as a foundation on which to build.

Today, in response to Executive Order 14091: *Further Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*,¹ the Commission is releasing its second Equity Action Plan, which highlights the following strategies intended to advance equity in the context of FERC's mission and goals:

1. Enhance Awareness of Commission Activities and Opportunities for Public Participation
2. Strengthen Tribal Consultation and Engagement
3. Ensure Project Certification and Siting Policies and Processes are Consistent with Environmental Justice
4. Foster Staff Equity Readiness
5. Advance Equity in Federal Procurement

The Commission will implement its Plan to address barriers and expand opportunities to all communities while focusing on underserved and overburdened communities. We at the Commission look forward to continuing the vital work of improving on environmental justice and implementing our mission and objectives in a way that is fair and equitable to all.



Chairman Willie L. Phillips

¹ The Commission, as an independent agency, is not required to comply with Executive Order Nos. 14091 and 13985 but is voluntarily releasing an Equity Action Plan.

ADVANCING EQUITY THROUGH AGENCY MISSION

The Federal Energy Regulatory Commission (FERC or Commission) is an independent agency that regulates the interstate transmission of electricity, natural gas, and oil in certain circumstances. The Commission's mission is to assist consumers in obtaining reliable, safe, secure, and economically efficient energy services at a reasonable cost through appropriate regulatory and market means and collaborative efforts. The Commission's strategic goals include: (1) ensuring just and reasonable rates, terms, and conditions; (2) ensuring safe, reliable, and secure infrastructure consistent with the public interest; and (3) providing mission support through organizational excellence.

As the Commission strives to achieve its mission and strategic objectives, it is committed to doing so in a manner that is fair and equitable to all, irrespective of race, color, national origin, Tribal affiliation, age, sex (including gender identity and sexual orientation), religion, or disability.

EXECUTIVE SUMMARY OF EQUITY ACTION PLAN

To implement Executive Orders 13985 and 14091, the Commission formed an Equity Action Team in 2023 consisting of staff from several offices within the Commission, including: the Office of the General Counsel, the Office of External Affairs, the Office of Energy Projects, the Office of Energy Policy and Innovation, the Office of the Executive Director, and the Office of Public Participation.

The Commission has made important strides towards addressing equity in its policies, practices, and procedures, but recognizes that these steps are part of an ongoing effort. The Commission's second Equity Action Plan outlines five strategies intended to advance equity in the context of FERC's mission and goals:

1. Enhance Awareness of Commission Activities and Opportunities for Public Participation
2. Strengthen Tribal Consultation and Engagement
3. Ensure Project Certification and Siting Policies and Processes are Consistent with Environmental Justice
4. Foster Staff Equity Readiness
5. Advance Equity in Federal Procurement

Each of the sections below introduced with a bold header correlate to one of the strategies mentioned above.

Public Participation and Meaningful Involvement

Environmental justice communities, including some minority and low-income populations and other underserved or overburdened communities, face many barriers to engaging in the Commission's processes. Stakeholders identified a number of concerns regarding meaningful engagement and public participation during the Commission's first Environmental Justice Roundtable² in March 2023 and during the Office of Public Participation's listening sessions in 2021,³ including but not limited to: lack of knowledge and understanding of FERC processes and activities; the need for additional resources and technical and procedural assistance; and the need for additional Commission staff capacity devoted to public participation and engagement.

In response, the Commission has expanded its strategy beyond those measures identified in the 2022 Equity Action Plan to "Build the Office of Public Participation" and will now focus on enhancement of engagement and public participation efforts Commission-wide. The Commission will facilitate public participation and meaningful engagement by:

1. Building relationships with communities potentially affected by FERC actions through effective communications and meaningful engagement.

2 Docket No. AD23-5.

3 Docket No. AD21-9.

2. Exploring ways to enhance internal processes to support effective communications and meaningful engagement with communities potentially affected by FERC.
3. Exploring opportunities to engage and with and provide resources to underserved communities. That includes the Office of Public Participation (OPP) providing technical assistance through, for example, (a) working with research organizations to compile and produce studies and data on topics of interest to constituents; (b) connecting constituents with existing technical papers, data, and resources available in the public domain; and (c) development of educational products that foster deeper participation in FERC proceedings and matters occurring subject to the oversight of FERC, including RTO/ISO stakeholder proceedings.
4. Increasing staff capacity with expertise including, but not limited to, public participation and engagement with environmental justice and other underserved communities.

Tribal Consultation and Engagement

Government-to-government consultation and engagement with Tribes occurs primarily in natural gas certificate and hydropower licensing proceedings when a proposal has the potential to affect one or more Tribes or Tribal resources.

The Commission will enhance Tribal consultation and engagement by:

1. Exploring ways to enhance communication efforts specifically tailored to Tribal Governments.
2. Exploring opportunities to develop targeted resources and assistance to Tribal Governments.
3. Increasing staff knowledge and expertise on Tribal matters.

Ensure Infrastructure Project Review Policies and Processes are Consistent with Environmental Justice

Two of the actions in the Commission's first Equity Action Plan focused on ensuring that our infrastructure project review policies and processes are consistent with environmental justice. The original plan noted concerns about barriers to equitable processes and outcomes in natural gas certificate and hydroelectric licensing practices and established actions intended to address those concerns. In this updated Plan, we consolidate these efforts into a single action intended to guide our continued progress toward ensuring that the Commission's hydroelectric, natural gas pipeline, and liquefied natural gas infrastructure review policies and processes are consistent with environmental justice.

Staff Equity Readiness

The Commission's first Equity Action Plan identified the need for additional staff training regarding equity and environmental justice issues (including in the contexts of public engagement, natural gas and hydropower infrastructure permitting, and Tribal government consultation). The Commission also noted that staff lacked clarity on how equity can be implemented in their work and indicated a lack of a shared language to discuss equity and environmental justice. Although the Commission has made progress in these areas in the interim, the

need for additional staff training concerning environmental justice and equity issues is ongoing. The Commission will continue to develop and offer training on environmental justice and equity issues pertaining to meaningful involvement, Tribal consultation, and project authorization and siting processes.

Equity in Federal Procurement

Underserved communities and underrepresented businesses, including many small businesses, have the capacity to perform the work sought through the federal procurement process, but may face procedural, technical, and communication barriers to navigating that process successfully. For example, potential contractors from these communities may face unnecessary or otherwise unreasonable requirements for vendor past performance related to federal contracting. Further, such businesses may have comparatively few opportunities to demonstrate their business capabilities to programmatic decisionmakers.

Recognizing these potential barriers, the Commission will advance equity in its federal procurement processes by:

1. Exploring ways to enhance stakeholder engagement with businesses from underserved and/or underrepresented communities;
2. Increasing opportunities for underserved communities and/or underrepresented communities through facilitation of programmatic acquisition forecasting, acquisition planning, and requirements; and
3. Exploring ways to reduce the burden on businesses from underserved communities and/or underrepresented businesses communities concerning locating opportunities.

Equity Progress Updates and Accomplishments

PROGRESS AND UPDATE ON THE 2022 EQUITY ACTION PLAN

For reference the Commission's 2022 Equity Action Plan can be found [here](#). Below is a description of progress the Commission has made on the actions it identified:

Progress on Building the Office of Public Participation

In its second year of operation, the Office of Public Participation made important strides in expanding its staff, reach, and activities including, but not limited to:

- *Strategic investments in relationship-building with underserved communities potentially affected by FERC actions*
FERC conducted a Commissioner-led environmental justice tour in Port Arthur, Texas, and Lake Charles, Louisiana. OPP staff met with community leaders throughout the Gulf Coast including a visit to New Orleans and Plaquemines Parish, LA, and visits to Historically-Black Colleges and Universities in the region. OPP participated in environmental justice forums in Virginia, New York, and New England. OPP spearheaded FERC's participation in the 2023 Tribal Energy Equity Summit.
- *Regular communication with stakeholders*
OPP utilized email alerts, phone calls, social media and virtual and in-person meetings with environmental justice communities in the Gulf South and Appalachia, as well as Tribal communities across the country.
- *Targeted outreach for infrastructure proceedings*
OPP performed targeted outreach (e.g., via emails, traditional mail correspondence, attending FERC- or industry-sponsored meetings) to community leaders in Alabama, California, Louisiana, Tennessee, Texas, and Virginia, thereby reducing a barrier related to the filing of comments to FERC.

OPP also expanded its provision of resources and technical assistance to underserved communities:

- o **OPP developed a robust set of handouts and explainers, as well as providing virtual, live, and recorded "WorkshOPPs" that can equip under-resourced communities to participate and engage in FERC proceedings. OPP also provided technical assistance with procedural actions (e.g., finding documents in eLibrary or using tools like eFiling).**
- o **OPP assisted constituents with review of maps and project descriptions and understanding technical documents. OPP also communicated key FERC decisions to constituents (virtually and in-person).**
- o **OPP is in the process of developing an online technical assistance platform.**

OPP increased its staff capacity, including staff with expertise on equity and environmental justice issues:

- OPP now has 19 permanent staff, with the goal of reaching 27 staff by close of FY 2024. Some staff are remote and are located in the Gulf Coast, New England, Pacific Northwest, and Oklahoma. New staff have experience

with environmental justice, Tribal, and low-income communities in their regions. Staff joining from within FERC have equity and environmental justice expertise. Finally, staff are taking advantage of training related to public participation, environmental justice and equity, and energy regulatory processes.

Progress on Strengthening Tribal Consultation and Engagement

The Commission has taken a number of actions to assess and enhance its government-to-government consultation and Tribal engagement policies and processes:

- The Office of External Affairs' State, International and Tribal Affairs Division now includes Tribal governments among the government entities they regularly engage.
- The Commission created a dedicated landing page on the Commission's website for Tribal engagement resources, which provides a convenient, consolidated source of information relevant to Tribal consultation. The Commission plans to expand this page to add guidance information as it is developed.
- The Commission has added a new Tribal Government classification for filings made through the eFiling system and placed in eLibrary, which allows Tribal filings to be recognized as unique governmental filings and gives each filing a heightened prominence.

The Commission has expanded its staff capacity in support of Tribal Government engagement:

- Office of Energy Projects, Office of the General Counsel, and OPP staff participated in and presented information about the Commission at three conferences (Indigenous Energy Initiative Tribal Energy Equity Summit; California Tribal Water Summit; and Washington State Historic Preservation Officer Clean Energy Summit).
- FERC held quarterly Cultural Resources Group meetings for Office of Energy Projects and Office of the General Counsel staff that handle cultural and Tribal resource issues in hydroelectric and natural gas proceedings.
- The Commission is developing additional staff training on Federal Indian Law, the federal trust responsibility, and cultural awareness.

Progress on Ensuring Natural Gas Certification and Siting Policies and Processes are Consistent with Environmental Justice

The Commission has made progress on reviewing key FERC regulations and guidance regarding natural gas project certification and siting policies and processes through the following actions:

- The Office of Energy Projects created standard language to use when environmental information requests are needed to ensure that we have consistent and sufficient information to complete an environmental justice analysis.
- The Office of Energy Projects established the practice of analyzing potential environmental justice impacts in all NEPA documents for natural gas project proceedings.
- The Office of Energy Projects provided environmental justice program trainings to natural gas pipeline industry stakeholders.

The Commission has engaged with stakeholders to help inform review of key FERC regulations and guidance on natural gas facility project review:

- In the Spring of 2023, the Commission held a Commissioner-led Environmental Justice Roundtable focused on infrastructure review. The roundtable provided an opportunity for Commissioners and staff to engage with environmental justice community members, advocates, researchers, industry representatives, and government leaders on actions the Commission can take to better incorporate environmental justice and equity considerations into its decisions (including with respect to adverse impacts associated with development applications for hydroelectric, natural gas pipeline, liquefied natural gas, and electric transmission infrastructure subject to the Commission’s jurisdiction).
- The Office of Energy Projects issued public notices on applications and sent Tribal consultation letters to Tribes potentially interested in the project area.
- The Office of Energy Projects referenced OPP contact information in all NEPA documents and in notices seeking public comments.

Progress on Ensuring Hydropower Licensing Policies and Processes are Consistent with Environmental Justice

The Commission has made strides in reviewing key FERC regulations and guidance regarding Hydropower licensing policies and processes.

The Office of Energy Projects:

- Established the practice of analyzing potential environmental justice impacts in all NEPA documents for hydroelectric infrastructure proposals.
- Developed standard additional information requests to send to applicants, as needed, to fill in the information gaps when applicants do not provide sufficient information or conduct the consultation necessary to evaluate the effects of a hydropower project on environmental justice communities.
- Provided group training to staff on proper procedures for conducting spatial analysis to assist project leaders and environmental justice analysts.

Commission staff have engaged with stakeholders to help inform review of key FERC regulations and guidance on hydropower project review.

- The Office of Energy Projects issued public notices on applications and sent Tribal consultation letters to Tribes potentially interested in the project area. The Office of Energy Projects also referenced OPP contact information in all NEPA documents and in notices seeking public comments.

Progress on Fostering FERC Staff Equity Readiness

The Commission has conducted a number of events and trainings to increase staff understanding and readiness concerning environmental justice and equity issues in the context of natural gas and hydroelectric infrastructure proceedings.

- In July 2023, Environmental Justice & Equity 101 Training was offered and attended by over 300 staff members working in offices throughout the Commission. This training addressed environmental justice principles, including the importance of equitable decision-making and engagement with underserved communities.
- In March 2023 and 2024, multiple staff attended the National Environmental Justice Conference and Training Program.
- In March 2023, multiple staff attended several conferences developed by third parties on the issue of environmental justice. Commission staff attended and served on a 2023 HydroVision Conference panel that sought to evaluate the ways the Hydropower industry can address environmental justice and equity.

ADDITIONAL EFFORTS TO ADVANCE EQUITY

In response to Executive Order 13985, which calls upon federal departments/agencies to advance equity among the American people while fulfilling their missions, the Office of the Executive Director (OED) has taken steps to address equity in federal procurement.

- In FY21, FERC participated in the Small Agency Council Session entitled, “Increasing Equity in Procurement Spending for the Fourth Quarter of Fiscal Year 2021.”
- FERC participated in an event hosted by the General Services Administration entitled, “Small Business Works 2023: Navigating Equity in Procurement.”

OED also developed a Small Business Equity Plan to expand opportunities for businesses from underserved and/or underrepresented communities. This plan forms the basis for Strategy 5 in the Commission’s second Equity Action Plan.

STRATEGIES TO ADVANCE EQUITY IN FY 2024

Strategy #1: Enhance awareness of Commission activities and opportunities for public participation.

This strategy incorporates and enhances the Commission’s Strategy in its first Equity Action Plan to “Build up the Office of Public Participation.” It is intended to apply, not just to the Office of Public Participation, but Commission-wide.

Whole-of-Government Equity Objective(s):

Environmental Justice.

Collaborating Agencies:

None.

Barriers to Equity:

- Lack of knowledge and understanding of the Commission’s processes, proceedings, and activities impacting effective public participation and engagement.
- Lack of Commission resources to provide technical, procedural, and process assistance.
- Limited Commission staff capacity with expertise related to equity issues concerning public participation and meaningful engagement

Evidence Base to Support Strategy:

Stakeholders identified concerns regarding meaningful engagement and public participation during the Commission’s first Environmental Justice Roundtable in March 2023 and during the Office of Public Participation’s public outreach as part of WorkshOPP in 2021.

Actions to Achieve Equity and Associated Metrics:

To address the identified barriers, the Commission will implement the following strategies, actions, and metrics:

- Build relationships with communities potentially affected by FERC actions through effective communications and meaningful engagement.

The Office of Public Participation will track the number of relationships built with community groups; the estimated number of people attending events led by the Office of Public Participation; the geographic reach of its engagement activities; the number of views of OPP educational videos; and the number of followers on OPP social media outlets. Other Program Offices within the Commission will explore, as appropriate, methods to track interactions with a variety of communities impacted by the Commission’s activities.

- Explore ways to enhance internal processes to support effective communications and meaningful engagement with

communities potentially affected by FERC.

The Commission will develop and implement processes to enhance stakeholder engagement.

- Explore opportunities to provide resources and technical assistance to underserved communities.

The Office of Public Participation will track technical assistance, trainings and educational events provided, as well as educational materials produced. Other Program Offices within the Commission will explore, as appropriate, methods to track the assistance provided to stakeholders.

- Increase staff capacity with expertise including, but not limited to, public participation and engagement with environmental justice and other underserved communities.

The Office of Public Participation will track regional participation needs and hire and retain staff accordingly. The Office of General Counsel will track staffing levels of legal personnel with relevant expertise. Other Program Offices within the Commission will explore, as appropriate, methods to increase staff capacity with expertise in public participation and engagement with environmental justice and other underserved communities.

Strategy #2: Strengthen Tribal Consultation and Engagement

Whole-of-Government Equity Objective(s):

Environmental justice

Collaborating Agencies:

None

Barriers to Equity:

The Commission identified the following barriers to equity:

- Need for clearer process for meaningful and consistent government-to-government consultation between FERC and Tribal Nations (including similar consultation with Alaska Native Claims Settlement Act corporations).
- Need for clearer guidance to Tribal Governments on how to participate in Commission proceedings.
- Need for specific FERC staff resources to support Tribal Consultation and engagement.

Evidence Base to Support Strategy:

Stakeholders identified several concerns regarding meaningful engagement and public participation during the Commission's first Environmental Justice Roundtable in March 2023 and during the Office of Public Participation's public outreach as part of WorkshOPP in 2021.

Actions to Achieve Equity and Associated Metrics:

To address the identified barriers, the Commission will implement the following strategies, actions, and metrics:

- Explore ways to enhance communication efforts specifically tailored to Tribal Governments

The Commission will track the number of consultation efforts with Tribal Governments. Additionally, the Office of Public Participation and the Office of External Affairs will track engagement efforts specifically tailored towards Tribes. The Office of Energy Projects will track Tribal Consultation letters and associated follow up information to gauge the efficiency and frequency of consultations to inform future program activities.

- Explore opportunities to develop targeted information resources assistance to Tribal Governments

The Office of Public Participation, the Office of External Affairs, and the Office of Energy Projects will track trainings and educational events offered to Tribal Governments and educational materials produced for Tribal Governments. The Office of Public Participation, the Office of External Affairs, and the Office of Energy Projects will track events attended by staff hosted by Tribal Governments or affiliated organizations, and educational materials produced for Tribal Governments. Additionally, other Program Offices within the Commission will explore, as appropriate, methods to track the provision of resources and assistance provided to Tribal Governments.

- Increase staff knowledge and expertise on Tribal matters

The Commission will seek to increase staff knowledge and expertise on relevant matters including, but not limited to, treaty law, history of federal government/Tribal governments interaction, components of consultation and methods of engagement with Tribal Governments, in conjunction with increasing knowledge of methods of engagement with environmental justice and other underserved communities.

The Commission will track the following to measure the effectiveness of the above actions:

- The number of educational and other opportunities offered to staff aimed at increasing staff knowledge and expertise on Tribal matters.
- The number of staff that engage in related educational opportunities aimed at increasing staff knowledge and expertise on Tribal matters.
- Staff engagement with universities with Tribal programs or other third-party organizations with Tribal Programs for inclusion in the Commission's employment outreach efforts.

Strategy #3: Ensure Infrastructure Project Review Policies and Processes are Consistent with Environmental Justice

Whole-of-Government Equity Objective(s):

Environmental justice

Collaborating Agencies:

None

Barriers to Equity:

The Commission identified the following barriers to equity:

- Need for improved identification of potentially impacted environmental justice and Tribal communities in infrastructure proceedings.
- Need for improved meaningful involvement of environmental justice communities in all stages of an infrastructure development proceeding.
- Need to ensure adequate and consistent review of all potential project impacts to environmental justice communities, including cumulative impacts and impacts to health and safety.

Evidence Base to Support Strategy:

Stakeholders identified several suggested improvements to the Commission's infrastructure review and authorization processes during and following the Commission's first Environmental Justice Roundtable in March 2023 and during the Office of Public Participation's listening sessions in 2021.

Actions to Achieve Equity and Associated Metrics:

To address the identified barriers, the Commission will implement the following strategies, actions, and metrics:

- Develop guidance regarding environmental justice in the context of infrastructure proceedings.

The Environmental Justice and Equity group within the Office of the General Counsel will lead a multi-office effort to develop and, as appropriate, update internal staff guidance with best practices for analyzing and addressing impacts to environmental justice communities associated with Commission-jurisdictional infrastructure development projects. The guidance will address all aspects of integrating the consideration of environmental justice of infrastructure development proposals, including:

1. Meaningful involvement of environmental justice and Tribal communities;
2. Determining the geographic scope of project impacts on environmental justice communities;
3. Identifying environmental justice concerns;

4. Assessing whether the project will have disproportionate and adverse impacts on environmental justice communities; and
5. Addressing adverse impacts on environmental justice communities.

The Commission will also develop public-facing external guidance regarding environmental justice in the context of infrastructure proceedings.

Strategy #4: Foster FERC Staff Equity Readiness

Whole-of-Government Equity Objective(s):

Environmental Justice

Collaborating Agencies:

None

Barriers to Equity:

The Commission's first Equity Action Plan identified the need for additional training regarding equity and environmental justice issues (including in the contexts of public engagement, gas and hydropower infrastructure permitting, and Tribal government consultation). The Commission's first Equity Action Plan also noted that staff lacked clarity on how equity can be implemented in their work and indicated a lack of a shared language to discuss equity and environmental justice. Although the Commission has made progress in the interim, the need for additional educational and implementation training concerning environmental justice and equity issues is ongoing.

Evidence Base to Support Strategy:

Observations from informational interviews conducted with Commission staff support this strategy.

Actions to Achieve Equity and Associated Metrics:

To address the identified barriers, the Commission will:

- Develop internal guidance regarding environmental justice in the context of infrastructure proceedings:

The Commission will develop internal staff guidance regarding environmental justice concerns in the context of infrastructure proceedings.

- Increase staff knowledge and expertise on environmental justice and equity matters:

The Commission plans to increase staff knowledge of, among other equity concerns, issues related to Strategies 1-3 and Strategy 5, methods of engagement with environmental justice and other underserved communities; the intersection of environmental justice and natural gas and hydropower infrastructure permitting; treaty law, history of federal government/Tribal governments interaction, components of consultation; and methods of engagement with Tribal governments.

The Commission will utilize the tracking methods associated with Strategies 1-3 and Strategy 5. The Commission will further investigate and determine the appropriate methods to track equity focused trainings and educational opportunities.

Strategy #5: Advance equity in federal procurement.

Whole-of-Government Equity Objective(s):

Economic Justice

Collaborating Agencies:

None

Barriers to Equity:

- Many small businesses and underserved communities have the capacity to perform work sought by the Commission but may lack knowledge of the procurement process/regulatory requirements. In the context of procurement at the Commission, the phrase “underserved community” is defined as communities and populations that traditionally have faced barriers in accessing credit, capital, and the other tools they need to start and grow businesses. Such communities include, but are not limited to, those containing certified HUBZone businesses, inner cities and rural areas and may include populations such as women, minorities, veterans, tribal groups, and others.
- The underrepresented business community feels that the Federal Acquisition Regulation (FAR) is cumbersome, unclear, and difficult and costly to navigate. Underrepresented businesses are defined as socially, economically, and geographically disadvantaged small business owners. For example, certified HUBZone businesses, Small Disadvantaged Businesses (SDBs), Small Disabled Veteran Owned Small Businesses (SDVOSB), 8(a) companies, Veteran-Owned, Woman-Owned Small Businesses.
- Underserved communities and underrepresented businesses may lack full understanding of FERC’s mission and related requirements, limiting their opportunity to demonstrate their business capabilities.
- Some individuals of underserved communities do not fall within the current statutory socioeconomic categories, nor have an opportunity to self-identify as such in the federal contracting system of record (SAM.gov).
- Limited resources to “learn” the acquisition process/securing trained personnel to address contractual requirements.
- There may be a lack of regular on-ramping of new small businesses for several years (i.e., these businesses may be locked out of opportunities to compete).
- Limited knowledge of federal opportunities due to no centralized portal of forecasted information: multiple agency sites are accessed to discover new information.
- Potential contractors from underserved and underrepresented communities may face unreasonable or unnecessary requirements for vendor past performance related to federal contracting. Placing a greater value on extensive past federal performance and/or narrowly considering non-federal qualifying past performance may limit the ability of small and socioeconomically disadvantaged businesses to compete against large businesses with more extensive federal contracting experience. While these businesses may have innovative approaches, subcontractor experience, and experience with contracting in state, local, and private arenas, the evaluation process often places a greater

“value” on federal prime contracting experience.

Evidence Base to Support Strategy:

The Commission plans to host listening sessions and crowdsourcing campaigns with stakeholders from underserved and underrepresented business communities to seek feedback on the barriers they have experienced in accessing federal procurement opportunities and their ideas for eliminating/mitigating those barriers. The Commission will then incorporate the results of its outreach in future analysis of barriers.

Actions to Achieve Equity and Associated Metrics:

To address the identified barriers, the Office of the Executive Director will:

- Challenge FERC program offices (including senior leadership) to conduct and participate in agency outreach events ensuring that underserved communities and underrepresented businesses understand FERC’s mission and related requirements.
- Heighten awareness of opportunities to promote the utilization of underserved communities and underrepresented businesses (e.g., expand the use of oral presentations and broaden the scope of qualifying past performance.)
- Facilitate programmatic acquisition forecasting, acquisition planning, and requirements development to eliminate ambiguity and increase opportunities for underserved communities and underrepresented businesses.
- Utilize the forecasting of contracting opportunities to reduce the burdens on SDBs regarding locating contracting opportunities.
- Meet the annual contract dollar targets with a goal of exceeding targets set by the Small Business Administration for small and disadvantaged businesses.
- Continue to establish annual targets for diversification of its socio-economic base.

The Office of the Executive Director will track the following to measure the effectiveness of the above actions:

- The number of partnerships formed through agency outreach initiatives, recurring communication, and community inquiries for support.
- The number of contract awards made to participating businesses—those businesses participating (i.e., bidding, quoting) in the federal acquisition process in an effort to obtain government contract awards.
- The number of awards made to underserved communities and underrepresented small businesses.
- The number of targeted training and initiatives for the acquisition workforce on utilizing small businesses.
- The annual contract dollars targets set by the Small Business Administration for small and disadvantaged businesses.
- The number of touches/inquiries received from posted forecasted opportunities.

- The number of attendees for forecasting information sessions.
- Changes in retaliation claims, wage violations, etc., including by industry and geographic area.
- The implementation of annual targets for diversification of its vendor/socio-economic base.
- Survey results from successful and unsuccessful offerors.



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