



THE DEPUTY SECRETARY OF HEALTH AND HUMAN SERVICES

WASHINGTON, D.C. 20201

OCT 07 2020

TO: Operating and Staff Division Heads

FROM: Deputy Secretary

SUBJECT: Implementation of Executive Order 13950 on *Combating Race and Sex Stereotyping* and Office of Management and Budget's Memorandum, M-20-37: *Ending Employee Training that Use Divisive Propaganda to Undermine the Principle of Fair and Equal Treatment for All*

On September 22, 2020, President Trump issued Executive Order 13950, *Combating Race and Sex Stereotyping*, which outlined actions federal departments and agencies (agencies) were required to take "to promote unity in the federal workforce, and to combat offensive and anti-American race and sex stereotyping and scapegoating." The Executive Order indicated that it:

Shall be the policy of the United States not to promote race or sex stereotyping or scapegoating in the Federal workforce or in the Uniformed Services, and not to allow grant funds to be used for these purposes. In addition, Federal contractors will not be permitted to inculcate such views in their employees.

The Executive Order specifically prohibits any training being provided to federal employees (whether by contractor or employee), which includes any of the nine defined "divisive concepts," or race or sex stereotyping and race or sex scapegoating. A few examples of these divisive concepts that are prohibited from such training are that:

- One race or sex is inherently superior to another race or sex; or
- The United States is fundamentally racist or sexist; or
- An individual, by virtue of his or her race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously.

For a complete list of the Divisive Concepts including the definitions of race or sex stereotyping and race or sex scapegoating see Section 2 of the Executive Order (Tab A).

The applicability of the Executive Order is comprehensive and includes federal agencies and their employees, federal contractors (including sub-contractors), Uniformed Services, including Public Health Service, and federal grant recipients. The obligation to abide by the Executive Order is expansive as well, and includes any office, Institute, Center, etc., within the Department of Health and Human Services (HHS) that independent of the designated Equal Employment Opportunity and/or Diversity and Inclusion office, provides diversity and/or inclusion training for its employees whether the training is by contract or by federal employee (HHS and non-HHS).

In support of this Executive Order, the Office of Management and Budget (OMB) issued M-20-37: *Ending Employee Training that Use Divisive Propaganda to Undermine the Principle of Fair and Equal Treatment for All*, on September 28, 2020, providing additional guidance related to the implementation of the Executive Order (Tab B).

In accordance with the Executive Order and OMB's M-20-37, HHS will immediately initiate action. The Assistant Secretary for Administration (ASA) has been designated as the lead senior HHS official in this initiative. In support of this initiative, each OpDiv/StaffDiv must designate a senior Political Appointee to oversee and confirm the execution of these requirements within each Division.

Effective immediately, pursuant to and to ensure compliance with the Executive Order and OMB's memorandum, diversity and inclusion trainings are to be halted until they have been approved by the designated HHS official(s) and by the Office of Personnel Management. The ASA will issue additional direction and guidance shortly and as part of this initiative, the Assistant Secretary for Financial Resources (ASFR) will be issuing a data call for information related to the FY2020 expenditures for diversity and inclusion training.

If you have questions regarding this initiative, contact EO13950@hhs.gov.



Eric D. Hargan

Attachments:

TAB A: Executive Order 13950 on *Combating Race and Sex Stereotyping*, issued September 22, 2020

TAB B: Office of Management and Budget's Memorandum, M-20-37: *Ending Employee Training that Use Divisive Propaganda to Undermine the Principle of Fair and Equal Treatment for All*