

OAR 141-083 RACIAL EQUITY STATEMENT

Rulemaking Advisory Committee Worksheet



Guidelines for Developing Rulemaking Racial Equity Statements

House Bill 2993 (2021) requires state agencies to include a “statement identifying how adoption of the rule will affect racial equity in the state” in all Notices of Proposed Rulemaking. The below guidelines were developed to support evaluation of how proposed rules may impact racial groups and developing the racial equity statement.

Evaluate Racial Equity Impacts.

- What persons and groups are subject to the rule?
- What issues are addressed by the rule?
- Which racial groups are likely to be most concerned and affected by the issues addressed in the rule?
- What are the impacts on the racial groups identified as likely to be affected by the rule?
 - Will the rule positively impact the just and fair treatment of those groups? Adversely impact? Have no impact? Can impacts be determined based on available information?
- What data would help determine racial equity impacts? Is that data available? What does available data tell us?

If in answering the above questions staff determines racial groups are likely to be adversely affected by this rule, additional evaluation is needed:

- What stakeholders represent racial groups likely to be affected by the rule? How can DSL reach out to and receive input from these stakeholders throughout the rulemaking process?

Discuss Racial Equity Impacts with the Rulemaking Advisory Committee (RAC).

- Are additional groups and persons subject to the rule?
- Are additional issues addressed by the rule?
- In considering potential impacts:
 - If additional groups/persons and issues were identified, what additional consideration of impacts is needed?
- Should the Department consider any additional information or factors in evaluating the rule’s impact on racial equity?
- Should the Department consider outreach to stakeholders beyond those represented in the RAC as part of this rulemaking process? Or, if additional stakeholder outreach has already been performed, is additional outreach recommended?

Draft the Racial Equity Statement. The Department's model racial equity statement is below and will be completed using information and perspectives gathered during the RAC discussion. If additional evaluation resulted in outreach to stakeholders representing racial groups, the statement should also include an overview of outreach, summary of input received, and information regarding how input was considered and the outcome of the input received.

Model Statement

The Oregon Department of State Lands is committed to the fair, just, and unbiased treatment of people of all races. Actively identifying and addressing inequities to ensure inclusive public service is one of the Department's five core values.

Evaluating who a proposed administrative rule will impact, and how the rule may impact some groups of people differently than others, is essential to providing equitable service. During the Division 83, Undersea Infrastructures, rulemaking process, the Department and the Rulemaking Advisory Committee examined the following to ultimately determine the impacts the rule may have on racial equity:

- What persons and groups are subject to the rule?
- What issues is the rule seeking to address? Which racial groups are likely to be affected by those issues?
- Ultimately, what impacts may this rule have on racial equity?

DSL's standard determinations are:

- This rule is unlikely to impact racial equity in Oregon.
- This rule may impact racial equity in Oregon.
- This rule may adversely impact racial equity in Oregon.
- This rule may positively address racial inequity in Oregon.
- The impacts of this rule on racial equity in Oregon cannot be determined with available information.