Data Quality Record for Long-Term Performance Goals

Long-Term Performance Goal Text: By September 30, 2026, complete 305 audits to ensure EPA financial assistance recipients are complying with nondiscrimination program procedural requirements.

Corresponding Annual Performance Goal: Number of audits completed to ensure EPA financial assistance recipients are complying with federal civil rights laws.

Goal Number/Objective: Goal 2/Objective 2.3

NPM Lead: Office General Counsel (OGC), External Civil Rights Compliance Office (ECRCO)

1a. Purpose of Long-Term Performance Goal:
This long-term performance goal (LTPG) will track the number of post-award audits completed based on a sampling of submitted EPA Form 4700-4 forms to ensure recipients have in place the required federal civil rights program requirements.

These long-standing requirements are the foundation for recipients to establish and implement their own nondiscrimination programs and procedures to which they can refer individuals and/or communities who raise discrimination issues. A positive trend in number of audits completed will be indicative of the effectiveness of EPA’s efforts to ensure that, through the provision of guidance, tools, training, and enhanced civil rights enforcement, EPA financial assistance recipients are complying with federal civil rights laws.

1b. Performance Measure Term Definitions:
EPA financial assistance recipients: An entity to which EPA financial assistance is extended, directly or through another recipient or third party. Recipients can be public or private entities, but do not include the ultimate beneficiaries of a covered program or activity.

Complying with federal civil rights laws: EPA financial assistance recipient obligation to abide by several federal civil rights laws that, together, prohibit discrimination on the basis of race, color, national origin (including limited-English proficiency, disability, sex, age, and retaliation/intimidation in their programs or activities). As implemented by EPA’s nondiscrimination regulations, 40 CFR Parts 5 and 7, 1 these laws create affirmative legal obligations and prohibit intentional discrimination as well as practices that have a discriminatory effect.

Civil rights program requirements: EPA’s nondiscrimination regulation contains important foundational elements that are legally required of applicants for and recipients (including sub-recipients) of EPA financial assistance, including having a notice of nondiscrimination, nondiscrimination coordinator, grievance procedures, a process for collecting and maintaining nondiscrimination compliance information; 2 and developing policies and procedures under federal civil rights law for ensuring meaningful access to programs and activities for individuals with limited-English proficiency and

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2 See generally 40 CFR Parts 5 and 7.
individuals with disabilities. In addition, federal civil rights law prohibits discrimination by excluding persons from participation. Accordingly, EPA guidance recommends public participation processes that ensure applicants for and recipients of EPA financial assistance provide meaningful public involvement that is consistent with federal civil rights laws.

1c. Unit of Measure:
The number of post-award audits of EPA Form 4700-4 forms completed.

2a. Data Source:
EPA's records of Form 4700-4 forms submitted for competitive and noncompetitive funding by EPA program offices.

2b. Data needed for interpretation of (calculated) Performance Result:
The FY 2021 baseline is 0. ECRCO will develop an audit protocol by the end of the 2nd quarter of FY 2022 and initiate representative audit process by the 4th quarter of FY 2022.

3. Calculation Methodology:
Results are calculated by adding up the total number of post-award Form 4700-4 forms completed.

4. Quality Assurance/Quality Controls:
Tracking for this project involves internal oversight and review in ECRCO and EPA Regions, with voluntary cooperation and reporting from state agencies to validate data compiled.

5. Data Limitations/Qualifications:
This long-term performance goal is not measuring the results of any audits, only the number of audits completed. A sampling of EPA Form 4700-4 forms for audit creates a limitation as opposed to auditing all forms.

6. Technical Contact:
Kurt Temple (ECRCO), 202-564-7299

7. Certification Statement/Signature:

I certify the information in this DQR is complete and accurate.

DAA Signature Original signed by Elise Packard Date 5/24/2022

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4 Title VI, 42 U.S.C. § 2000d.