



**NORTHEAST OHIO AREAWIDE COORDINATING AGENCY
MEMORANDUM**

TO: NOACA Board of Directors
FROM: Grace Gallucci, Executive Director and Chief Executive Officer
DATE: September 5, 2025
RE: **Resolution 2025-040: Compliance with Federal Executive Orders on DEI**

ACTION REQUESTED

The Board of Directors is asked to adopt Resolution 2025-040, which dissolves the Equity Subcommittee and amends relevant NOACA policies in compliance with recent Executive Orders and federal guidance.

This item was recommended by the Executive Committee.

BACKGROUND/JUSTIFICATION FOR CURRENT ACTION

On January 21, 2025, U.S. President Donald J. Trump issued Executive Order (EO) 14173, “Ending Illegal Discrimination and Restoring Merit-Based Opportunity”. This EO revokes previous EOs directed at diversity, equity & inclusion (DEI), affirmative action, and equal opportunity programs. President Trump’s EO also eliminated DEI requirements from federal contracting and requires contractors, subcontractors, and grant recipients to certify that they “do[] not operate any programs promoting DEI that violate any applicable Federal anti-discrimination laws.” This EO, as well as other including EOs 14148 and 14151, also revoke prior EOs related to environmental justice (EJ).

In furtherance of President Trump’s EO, the U.S. Department of Transportation (USDOT) issued a guidance letter on April 24, 2025 addressed to all recipients of USDOT funding affirming that recipients must comply with federal non-discrimination and immigration law requirements, and warning that USDOT will use enforcement tools such as comprehensive audits, fund recoupment, and suspension or termination of assistance against any non-compliant recipient of federal transportation funds. In a further guidance letter dated July 2, 2025, and sent to funding recipients, USDOT announced that it will not enforce any previous DEI or EJ requirements.

NOACA has reviewed its policies, procedures, and related materials for compliance with the EOs and applicable guidance. The following policies require amendment, based primarily on their inclusion of “environmental justice”:

Policy	Change	Page No(s).
Diversity & Inclusion Policy	Rescind	-
Disadvantaged Communities Policy	Remove and replace DEI language	2
Environmental Justice Areas Policy	Rescind	-
Equal Employment Opportunity Policy	Amend in accordance with the Civil Rights Act of 1964	1

New or Modified Highway Interchange Projects Policy	Replace EJ language	2, 6, 10, 12, 16-17
Public Participation Plan	Remove EJ language	5, 7-8, 11, 17-20
Regional Transportation Investment Policy	Remove and replace EJ language	6, 11-12, 19, 24-25
Technical Assistance (TA) Program Policy	Remove EJ language	1
Title VI Program Policy	Remove EJ and DEI language, update	8,10, 20-24, 31-39, Appendices
Toll Credits Policy	Remove and replace EJ language	2
Transportation for Livable Communities Initiative Policy	Remove EJ language	1
Vanpool Policy	Remove and replace EJ language	1-2

Additionally, NOACA’s General Counsel has recommended that the Equity Subcommittee be dissolved. The Equity Subcommittee was established on June 16, 2021, via Resolution No. 2021-016. The purpose of the Subcommittee set forth in its Charter is to “provide advice and policy recommendations to the Policy Committee to ensure equality in all matters affecting the NOACA region.” Among the goals set forth in its Charter are to:

- Ensure fair treatment and meaningful involvement of all people, regardless of race, color, national origin, or income with specific focus on Environmental Justice communities; and
- Embrace diversity, strive for equity, and seek inclusion in all our efforts.

The functions of the Equity Subcommittee include:

- Development of comprehensive long-range policies and strategic plans for the inclusion of Environmental Justice;
- Application of Environmental Justice evaluations;
- Identification of significant equity issues relative to Environmental Justice communities; and
- Development and updating of NOACA’s major planning documents.

As the name suggests, the Equity Subcommittee exists to promote and achieve equity, therefore the operation of the Equity Subcommittee as set forth in the Charter may be inconsistent with the Executive Orders and USDOT letters.

FINANCIAL IMPACT

There is no financial impact at this time. Compliance with all applicable federal and state laws and regulations is a requirement of funding eligibility.

CONCLUSION/NEXT STEPS

Pending Board approval, the NOACA policies listed above (and associated materials) will be amended and the Equity Subcommittee will be dissolved. The membership of the Policy Committee and Economic Development Subcommittee will also be amended to remove the Equity Subcommittee Chair.

NOACA will also continue to coordinate with legal counsel, metropolitan planning organizations (MPOs) across the nation, and work our industry organizations – like the Association of Metropolitan Planning Organizations (AMPO) and the National Association of Regional Councils (NARC) – to understand how these orders and directives will be implemented and enforced as well as monitor ongoing legal actions.

GG:RMG:EB

RESOLUTION OF THE BOARD OF DIRECTORS
OF THE
NORTHEAST OHIO AREAWIDE COORDINATING AGENCY

WHEREAS, the Northeast Ohio Areawide Coordinating Agency (NOACA) is the Metropolitan Planning Organization (MPO) for the counties of Cuyahoga, Geauga, Lake, Lorain, Medina, and the City of Cleveland and the areawide water quality management agency for the same region; and

WHEREAS, U.S. President Donald J. Trump issued Executive Order (EO) 14173, revoking previous EOs directed at diversity, equity & inclusion (DEI), affirmative action, and equal opportunity programs. EO 14173, along with EOs 14148 and 14151, also revoke prior EOs related to environmental justice (EJ); and

WHEREAS, in furtherance of these EOs, the U.S. Department of Transportation (USDOT) issued a guidance letter on April 24, 2025 addressed to all recipients of USDOT funding affirming that recipients must comply with federal non-discrimination and immigration law requirements, and warning that USDOT will use enforcement tools such as comprehensive audits, fund recoupment, and suspension or termination of assistance against any non-compliant recipient of federal transportation funds; and

WHEREAS, by additional guidance letter dated July 2, 2025, and addressed to all recipients of USDOT funding, USDOT announced that it will not enforce any previous DEI or EJ requirements; and

WHEREAS, NOACA is a recipient of USDOT funding; and

WHEREAS, based on EO 14173 and the guidance letters from USDOT, it is recommended that NOACA dissolve the Equity Subcommittee previously created by Board Resolution 2021-017; and

WHEREAS, the membership of the Policy Committee and Economic Development Subcommittee will be amended to remove the Equity Subcommittee Chair; and

WHEREAS, NOACA has reviewed its policies, procedures, and related materials for compliance with the EOs and applicable guidance and identified the following policies that require amendment consistent therewith:

- Diversity & Inclusion Policy;
- Disadvantaged Communities Policy;
- Environmental Justice (EJ) Areas Policy;
- Equal Employment Opportunity (EEO) Policy;
- New or Modified Highway Interchange Projects Policy;
- Public Participation Plan;
- Regional Transportation Investment Policy (RTIP);
- Technical Assistance (TA) Program Policy;
- Title VI Program Policy;
- Toll Credits Policy;
- Transportation for Livable Communities Initiative Policy (TLCI); and
- Vanpool Policy.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Northeast Ohio Areawide Coordinating Agency, consisting of forty-six voting officials serving general-purpose local governments throughout and within the counties of Cuyahoga, Geauga, Lake, Lorain, Medina, and the City of Cleveland that:

Section 1: The Equity Subcommittee is hereby dissolved, and the Equity Subcommittee Chair is removed as a member of the Policy Committee and Economic Development Subcommittee.

Section 2: The policies listed above are approved as amended by the Executive Director with the assistance of legal counsel to comply with the EOs and agency guidance.

RESOLUTION 2025-040
(Compliance with Federal Executive Orders on DEI)

Section 3. The Executive Director is authorized to transmit a certified copy of this Resolution to appropriate federal, state, and local agencies.

Certified to be a true copy of a Resolution of the Board of Directors of the Northeast Ohio Areawide Coordinating Agency adopted this 12th day of September, 2025.

Secretary

Date Signed