

Racial Healing

Truth, Racial Healing, And Transformation: The Promise And Peril Of The Biden–Harris Presidential Transition

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The public policy process in the United States has strong status quo biases that frustrate efforts to adopt policies focused on racial justice and social equity. On occasion, a policy window opens and the chance for real change increases greatly. This article is a case study focused on advocacy for a Truth, Racial Healing, and Transformation (TRHT) Commission during an open policy window that occurred in 2020 related to brutal police violence (readers should know in advance that traumatic events covered in this article include descriptions of racial violence). The findings are drawn primarily from original interviews with advocates for the Commission, providing an outsider's perspective on this political process.

“I give you my word. If I'm elected president, I will marshal the ingenuity and goodwill of this nation to turn division into unity and bring us together because I think people are looking for that,” said Joe Biden in Gettysburg, PA with one month remaining in the 2020 campaign (Biden 2020). In the wake of national protests after the killing of George Floyd by police and several other brutal cases of police violence, people across the country mourned and confronted the personal trauma of this racism and oppression. In part, a response to these crimes and traumas, Vice President Biden and Senator Kamala Harris championed racial justice and social equity on the campaign trail. They won the 2020 election, in some measure, based on the pledge Biden made in Gettysburg and a host of more specific promises Biden and Harris made on policies centered on a new vision for federal policy and personnel that emphasized diversity, equity, and inclusion (DEI).

Hearing Biden frame the problem in this way, advocates for racial justice policies and practices saw an open window to advise Biden and Harris on what to do once in office. During the so-called *presidential transition period* after the election, before the inauguration, one coalition of civic groups and activists pushed for the transition team to write an executive order to form a Truth, Racial Healing, and Transformation (TRHT) commission. The commission would fulfill Biden's promise for unity and bring the country together by

applying a set of principles of truth-telling about the country's history of racism and resulting healing and transformation. As of January 20 2022, Biden would have the authority to do this unilaterally through executive action.

Joe Biden and Kamala Harris did no such thing. Despite meetings with the transition team and a policy solution to a stated DEI problem, a TRHT commission was not a part of the initial agenda of the new administration. Though Biden did sign an executive order on related issues, the TRHT commission was not included. Why did this happen? Why didn't groups with an open policy window, and access to the transition team, influence the actions of the new administration? This article applies the conceptual framework of policy windows and the policy status quo drawn from John Kingdon's (1995) Multiple Streams Theory to a case study based on original stakeholder interviews to understand the failure to adopt a wide-ranging DEI-based policy following the 2020 Biden–Harris transition.

Theoretical Framework

In most scholarly and popular conceptions of the policy process, change happens slowly if at all. At the national level, Congressional gridlock, fueled by partisan polarization, leads to protracted stalemates over policy change. Entrenched interests and overworked policy-

makers create environments where incremental change, if any change at all, often defines federal affairs (Lindblom 1959).

Frank Baumgartner and Bryan Jones (1993) conceptualize this as a public policymaking system defined by boundedly rational policymaking. It is bounded in the sense that policymakers have too few resources and too little time to truly evaluate the range of policy options to solve pressing problems in a rational or scientific fashion. Instead, policymakers use their scarce attention on a limited range of problems and an even more limited range of policy solutions. Interest groups, too, uncertain about the potential outcomes of policy change and often advantaged by current policy, favor existing practice over comprehensive change (Baumgartner et al. 2009). Consequently, it is said that there is a *status quo bias* in public policymaking favoring more of the same over something new.

Change does happen on occasion. John Kingdon (1995) famously imagines times when factors converge to open a window for policy change. These factors, seemingly uncoordinated and largely unpredictable, center on what is happening in what Kingdon calls the policy, problem, and political streams. Kingdon's metaphor of multiple or separate streams suggests that those working in policy development—think of those employed by think tanks dreaming up new policy alternatives—work independently from those in problem identification—imagine those collecting and analyzing data within federal agencies as well as the public attention drawn to these data. Still separate from these two streams are those working in politics, typically those elected officials (and their staffers) with the authority to legislate change. Operating in normal circumstances, these streams flow freely, yet without contacting each other, which means debates about public problems occur distinct from debates about policy and discussions of politics. The result is a closed system of policymaking that is prone to stability and is usually incompatible with change.

On occasion, Kingdon suggests, these streams come together, and a window opens for change. A dramatic event, such as a natural or human-made disaster, is one such reason. For example, a mass murder might temporarily shake the policymaking system free from the accepted status quo as the tragic event reveals new dimensions to the problem of gun ownership at the same time public attention is riveted to the lives lost. Elec-

tions are another reason why this happens, as newly elected officials who have campaigned on policy promises and won debates about the urgency of certain public problems, now have the political authority to move change ahead. Presidential elections in the United States offer a strong case for an open policy window, since the winning candidate takes over a vast federal government, must appoint hundreds of new federal officials, and has the authority to enact policy, directly through executive action and indirectly through advancing a proposed budget to Congress and a legislative agenda.

If a newly-elected President enacts policy change during this open policy window, the status quo is overturned and a policy punctuation results in a new public policy (Baumgartner and Jones 1993). An open policy window does not guarantee a policy punctuation, nor is an election the only time a policy window opens, but the probability of change increases markedly during these periods, but also may quickly close as political context changes and the power of the status quo sets back in.

In the U.S. system, a newly elected president, particularly one from the party out of office, has approximately 11 weeks to get ready to govern; this is called the presidential transition period (Kumar 2017). Those roughly 75 days between election date and inauguration day are a feverish rush to prepare to take office. Knowing the transition period serves as a type of open policy window, those concerned with maintaining the status quo lobby alongside those interested in policy change (Brown 2012).

Methodology

To evaluate these theories during the 2020 presidential transition, I employ a case study approach that seeks to provide deep descriptive findings, but not to make causal or more generalizable claims. The primary dependent variable analyzed is the adoption or non-adoption of a TRHT commission after the Biden–Harris transition. The independent factors related to this dependent variable include those categorized by Kingdon as problems, politics, and policy.

To do the study, I rely on several sources of information. First, I conducted confidential stakeholder interviews from December 2021 to November 2022 with seven prominent activists in the TRHT coalition. I chose these interview subjects using a non-random,

snowball sampling method. Because the names of members of the Biden–Harris transition team focused on racial justice issues were not made public, I focused on the perspective of outside advocates, not those inside the team.¹ I include a few general points made by members of the transition team about the political environment of 2020 for racial justice, but not directly on TRHT. This methodological limitation means the findings of the article must be read primarily as a description of an outsider’s perspective on this policy process, not an insider’s account.

Confidentiality was promised to each subject in compliance with Institutional Review Board (IRB) permission granted by the City University of New York. Each interview occurred by phone or Zoom. A transcript of the saved audio recording was generated, then the audio recording was deleted. Names and other identifiers were deleted from each transcript to maintain confidentiality.

The data analysis that makes up the subsequent parts of this article reflects the responses to a set of open-ended questions about the 2020 transition period and the issues of racial justice and social equity. Direct quotations are used related to the key elements of the theories presented earlier in the article. All interviewees have been anonymized with a code number and noted with footnotes throughout the article. Additional information comes from secondary survey data, archives, and newspaper reporting.

Problems and Politics: Racial Justice in 2020

Racial injustice and social inequities did not begin in 2020. The United States has a long and shameful history of both. Yet, because racism and inequities are institutionalized and largely accepted as, at best, inevitabilities or, at worst, features of a system favoring the few over the many, 2020 was a watershed moment. Many Black people had been killed by the police in the past, but George Floyd’s murder in June 2020, just the type of dramatic event raised by Kingdon, spurred an

awareness of police brutality and racism not seen in the country since the 1960s. It is worth noting, though, that while the focus of this article is on the political impacts of these murders, the personal traumas borne by family, friends, and others should not be minimized in the interest of macro interpretations. Pausing to acknowledge the lives lost, and the ongoing healing on an individual level, including readers of this article, may avoid the numbing effects that come from diminishing the victims of racialized violence.

Police violence, however, was not the only brutal factor to consider in 2020. The pandemic, too, which had a disproportionately deadly impact on those who are Black, Indigenous, and People of Color (BIPOC), drew attention to the consequences of a society long organized to harm these communities. The mass protests that ensued after Floyd’s murder, then, were focused on more than police violence, though that was central to many of the marches. Nearly every location in the country had at least one protest during this time with wide-ranging calls for racial justice and social equity (Buchanan, Bui, and Patel 2020).

Public opinion soon reflected the sentiments of this mass movement. Gallup (Saad 2022) found that concern about race relations reached a 20-year-high after George Floyd’s death: Nearly a majority (48%) of all Americans worried a great deal about race relations in 2021, up from under 30% two decades earlier (Saad 2022). Furthermore, a majority (57%) of Americans in the summer 2020 believed the police were more likely to use excessive force against Black people, up from just a third (33%) four years earlier (Monmouth University Polling Institute 2020).

These issues were especially salient for Democrats and liberals (Sides et al. 2022). Between 2017—when the Black Lives Matter (BLM) movement started—and summer 2020, Pew found support among Democrats for BLM increased 12 points, from 55% to 67% (Horowitz 2021). Additionally, according to political scientists Tyler Reny and Benjamin Newman, during this period, ideological liberals rapidly

1. The Biden-Harris transition team released the names of people serving on Agency Review Teams charged with surveying the work of federal agencies. A separate group of people worked on cross-cutting policy issues, like racial justice, but those names were never shared publicly, and each person promised the transition team they wouldn’t reveal their participation for a year after the transition ended in January 2021. For research related to this article, I interviewed 27 of these people, but none worked directly on TRHT issues. For this reason, I include the perspective only sparingly in this article, instead focusing on the outsiders’ account of this policy process.

decreased their support for police and increased perceptions of racist acts against Black people (Reny and Newman 2021).

At the same time, the public focused its attention on racial justice, Joe Biden and Kamala Harris were campaigning for the White House. The concurrence of these events resulted in the Democratic ticket elevating the problems of racial justice and social equity to a height greater than any other candidates in recent memory. They incorporated the words of protest for justice into the party's platform as well as their speeches and debating points (Viser 2020). For example, the 2020 platform read: "We will never amplify or legitimize the voices of racism, misogyny, anti-Semitism, anti-Muslim bigotry, or white supremacy" (DNC 2020). The word racism appeared 17 times in 2020; it was absent from the 2008 platform. In Kingdon's conceptualization, two dramatic events, the killing of George Floyd and the pandemic, led to a substantial change within the problem stream; a new framing of a policy problem emerged as central to the Democratic Party in 2020.

Once Joe Biden and Kamala Harris won the election, they had the authority to act on this newly-framed policy problem. The brief, 11-week transition period involves a massive undertaking that involves thousands of consequential decisions about national policy, federal government, and the White House. Again, in Kingdon's words, the politics stream had undergone a real change, with a Democratic president taking over after a Republican president. Moreover, though the immediate aftermath of the election left control of Congress unclear, by the new year, with runoff victories in Georgia, the Democratic Party had control over two branches of government for the first time in a decade.

A classic case of a policy window opening for action on racial justice occurred during the fall of 2020. When interviewing those serving on the team of over a thousand people serving on the Biden–Harris transition, the issue of racial justice and DEI came through as a clear priority. One transition official said, "Coming after the summer of protests after George Floyd's murder there

was a stated, and very serious level of commitment on the part of Joe Biden, the candidate, and his running mate: his transition would look like America."² Someone else on the transition team said, "Equity and justice, and all that, was an overriding theme that would be considered on a rigorous basis in almost everything we did."³ A third person said that equity and justice "was a mandate that we all had throughout. Every single plan had to have a section explicitly analyzing impact."⁴

These priorities also could be observed in the area of the transition team focused on staffing. One person focused on staffing said, "The issues from the campaign had pretty much-permeated everyone's consciousness . . . the issue of social justice was constant and deep, but it wasn't because 'did you see what they did yesterday?' or because Reverend Sharpton said 'X' or because this police officer did 'Y'."⁵ Another echoed this sentiment: "I can't say that we would have meetings at any point and say, 'the George Floyd murder makes it really clear that [this issue] is one part of a whole social justice movement'. . . that said, that kind of idea sort of develops as you're working." And one other said, "it affected our vocabulary quite a bit . . . it definitely affected the way we talked about things."⁶

Nearly everyone shared the same sentiment: the challenge of diversity, inclusion, and equity mattered to the candidates. Leaders of the transition team reflected this in organizing the teams, and members of the transition team recognized this as a priority. One person on the transition team said, "The senior management could tell you at any given moment, like if you popped up on a Tuesday at 3:00 and said, 'What's the proportion of our own staff of women to men? Of African Americans, Latinos, Asian Americans, Native Americans, veterans? [The transition team leaders] always knew what the answer was. So, it was constantly visible. Constantly reinforced as everybody's job."⁷

The principle of racial justice and equity was reflected in staffing decisions made by the transition team leaders. More so than any other recent incoming administration, the Biden–Harris transition team was descriptively

2. Interview with 048.

3. Interview with 017.

4. Interview with 003.

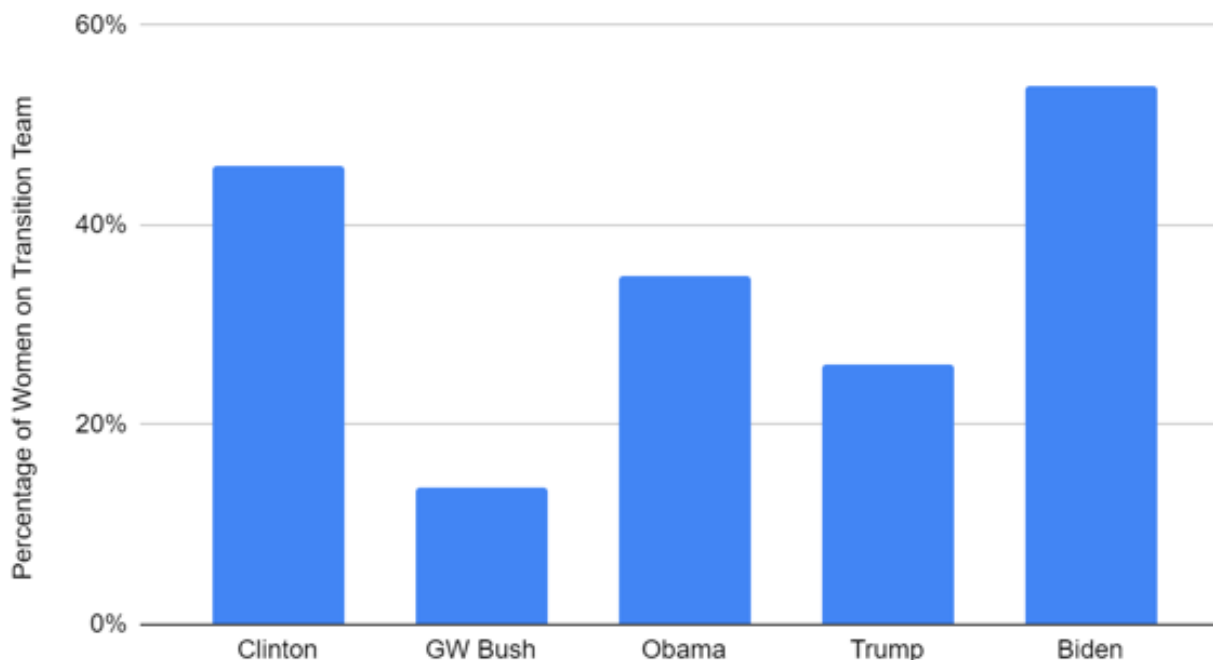
5. Interview with 019.

6. Interview with 028.

7. Interview with 023.

Figure 1

Percentage of Women on Transition Team



representative of the country. Figure 1 presents the best estimate of the historical trend in successive presidential transitions since 1992: Clinton, Bush, Trump, Obama, and Biden. Incoming Democratic Presidents have consistently had a larger share of women on their transition teams than Republicans, but not until Joe Biden and Kamala Harris organized their transition in 2020–2021 did women make up a majority (54%) of transition team members whose names were shared publicly. This reflected what Yohannes Abraham, executive director of the transition team, said about the aim of the team to find “a diverse group of experts” to help prepare for Day One (Biden–Harris Transition Team 2020).

Additionally, though women made up a minority of the list of transition co-chairs and the Biden–Harris transition’s advisory council, women served as the team lead of 22 of the 38 agency review teams. And, when it came to racial and ethnic representation, much harder to assess historically, people of color made up 41% of the senior leaders on the Biden–Harris transition team (Vitali 2020).

A Policy Alternative: TRHT

With a newly-fashioned problem (the problem stream) matched to a sympathetic and newly-elected polit-

ical leader (the politics stream), the last of Kingdon’s streams (the policy stream) was the only thing missing. The candidates had made promises on a variety of civil rights, criminal justice, and equity issues, but an idea for a wide-ranging policy to be developed on truth, racial healing, and transformation is worth particular attention here. There was no federal policy on truth and racial healing at the time, meaning adopting a new commission—the primary dependent variable in the case study—would represent a dramatic first step in changing the status quo national policy on race.

On Capitol Hill, Representative Barbara Lee (D) from California had been pushing the idea of a TRHT commission in Congress for several years, based, in part, on the work of Dr. Gail Christopher of the Kellogg Foundation. Christopher had pioneered a comprehensive approach to racial healing, officially launched in 2016. She had been spreading the idea as a way for local communities in the United States to be transformed through conversations about the country’s true history of slavery and ongoing racial injustice, as well as ways to overcome racism in the future (Christopher 2021). Christopher’s TRHT framework rested on several pillars: narrative change; racial healing and relationship building; understanding the role of separation; the law; and the economy. In response to Christopher’s work,

TRHT has been adopted at the community level across the United States and especially at select universities (Posthumus and Zvobgo 2022).

Three years later, in 2019, the 400th anniversary of the arrival of enslaved people from Africa in the colony of Virginia, Rep. Lee reached out to activists to gather the momentum needed to convince Congress to create a national commission to implement many of Dr. Christopher's ideas. A year delayed, Rep. Lee introduced the resolution to form a Truth, Racial Healing, and Transformation (TRHT) commission in June 2020, a week after George Floyd's murder.

Rep. Lee's wish for a movement to back the resolution was soon fulfilled. Coordinated by The U.S. Truth, Racial Healing, and Transformation Movement, the TRHT coalition included groups like the Black Music Action Coalition, the Religious Action Center, and the March For Our Lives as well as dozens of other activists, scholars, and organizations. One person involved in the planning explained, "We began a campaign of advocacy . . . to get co-sponsorship for the Truth, Racial, Healing and Transformation resolution."⁸ By the fall of 2020, they had lined up 170 members of Congress to co-sponsor Rep. Lee's resolution. Nevertheless, this was a new coalition with limited resources and much of its work was completed by volunteers. One TRHT advocate said, "We were like newbies . . . we were new kids on the block."

While much of the early effort of the TRHT coalition focused on passing a resolution in Congress, the rising salience of racial justice and the 2020 presidential campaign shifted thinking on the best strategy, in part to take advantage of this open policy window. The presidential campaign and transition quickly became a priority. One member of the TRHT coalition explained how they advanced the executive-branch alternate strategy, while not abandoning the legislative path altogether. "I don't think [the executive approach] was in lieu of or instead of the co-sponsorship for the Congressional resolution. It wasn't tabled," the person said.⁹ Instead, they

explained, "We were invited to have conversations with the administration transitional folks about our work."¹⁰ Another advocate said, "We wouldn't describe this as a shift in strategy. This was actually an approach where we'd have options available because we know how Congress is and we understand how volatile Congress is in terms of polarization."¹¹

Whether a change or an expansion of strategy, a leader advocating for the TRHT commission acknowledged that "The George Floyd explosion of interest in this zone" drew public attention, resulting in Biden talking about the issue on the campaign trail. With the problem on the candidate's agenda, the campaign needed a solution: "[the Biden campaign] had to figure out how they were going to manifest it." The campaign needed a policy solution to the problems of racial injustice, and the TRHT coalition believed it had just that.

The coalition also had connections. The person involved in the TRHT coalition continued, "It was the personal relationships that Shelly Marc had with that [Biden] team," that made a big difference.¹² Marc was a part of the leadership team of the TRHT coalition and was its best-connected member. Marc had been Rep. Lee's deputy chief of staff since 2019 and had worked in the Obama White House before that. As the campaign was ending, she took a new job in private industry, but these connections do not end when someone leaves the government. What this meant, explained someone involved in the coalition, was that "some of the folks that (*sic*) were on the racial justice team within the Biden campaign, and then transition, were colleagues of [Marc's] who she worked with and had a good, strong relationship."¹³ Another person agreed: "The [Biden campaign] staff overlapped from the Obama years to the point where Shelly knew a lot of the people."¹⁴ Shelly Marc's relationships elevated this upstart TRHT coalition, just a couple of years old at the time, to a position of insider during the late stages of the Biden campaign. As a consequence: "We had meetings with

8. Interview with 004.

9. Interview with 011.

10. Interview with 011.

11. Interview with 006.

12. Interview with 007.

13. Interview with 007.

14. Interview with 004.

that [campaign] and we sent them a memo,” said one member of the coalition.¹⁵

Once Joe Biden won the election, the TRHT coalition moved on to the transition. One advocate for the TRHT coalition explained, “We reached out to the transition team and we had two or three meetings a week coordinated by Ashley Allison . . . she was the point person on matters of racial equity for the transition team.”¹⁶ Connecting with Allison, a former Obama White House official and a senior advisor on the Biden–Harris transition team, demonstrated the access granted to the TRHT coalition. At a public event hosted by the Harvard Institute of Politics during the transition, Allison said the work of the team was “being done through a racial equity lens, because that will allow for people’s lives to be truly impacted” (Harvard Institute of Politics 2020). Another coalition leader who had attended those meetings continued: “We go into those [transition] meetings prepared to give information . . . We talked about background. We talked about the [TRHT] resolution. We talked about the movement around the country . . . you just make your case, almost a pitch, but not.”¹⁷ In response, “people on the transition team say: ‘great idea, we’ll work on it, we’ll try to set up another meeting,’” according to another person in attendance.¹⁸

These meetings with the Biden transition team allowed for the coalition to make its policy pitch and share information, but it also resulted in new insights, insights only insiders who had been meeting with the transition team would possess. Importantly, a member of the coalition said, “We knew that there was a racial justice memo.”¹⁹ This mattered because the boundedly rational way Baumgartner and Jones (1993) conceptualized policymaking in general was even more true during this chaotic transition period, all conducted virtually because of the pandemic and violently resisted by the outgoing Trump administration. The transition

team had focused its attention on racial justice and they needed a policy solution.

Informed that the transition team was going to write a memorandum specifically on racial justice meant the coalition knew exactly what type of advice it would submit. Even better, though, was a specific invitation to submit something on which the team was working, since the transition would be receiving hundreds of unsolicited memos of advice on a variety of other topics. A coalition member explained, “It’s a tactic of advocates that you try to get the policymaker to ask you for something.”²⁰ The TRHT coalition tried this and it worked: “I was on one of the calls where we created the conversation where [the transition team member] asked us for an input memo and we were like ‘thank you for asking for that.’ That’s our dream,” explained the coalition member.²¹

These insights also signaled to the coalition that the transition team wanted more ideas than just the idea of a TRHT commission. One person explained that they “developed briefing documents that detailed what a Commission would look like, but also it detailed specific recommendations and remedies that we felt [Biden’s] administration should do to really begin to help this country heal. And, so it wasn’t all just about the Commission.”²² Another activist said “We were definitely calling for inter-agency action, a whole of government” approach that depended on “looking at the data between the inter-agencies.”²³ But it wasn’t just that, either. Another activist believed “we had the right rhythm or tone or something, and we also were providing documents, so we had a draft executive order, we had memos, we sent [the transition] legislation.”²⁴ That person continued: “We brainstormed over many days and many Zoom calls the different components that we could present that [the transition team] could perhaps get behind, so we had our concentration on cultural

15. Interview with 007.

16. Interview with 004.

17. Interview with 011.

18. Interview with 001.

19. Interview with 007.

20. Interview with 007.

21. Interview with 007.

22. Interview with 006.

23. Interview with 007.

24. Interview with 004.

healing,” as well as “the Commission, the [digital library of documents, images, materials, articles that help to work toward racial and cultural healing], the racial equity fund, and the idea of an interdepartmental agency or some kind of watchdog.”²⁵ After presenting these ideas, the transition team asked for even more information and help: “We had another meeting with [the transition team] where we were then asked to maybe work with individual agencies and help them figure out how to do the racial equity component.”²⁶

This shift in strategy means the focus of this analysis on a single dependent variable, adopting (or failing to adopt) a commission, must be broadened, as well. Though it was not in its initial plan, the TRHT coalition recognized there were multiple potential outcomes of the transition period, each serving as a potential dependent variable, a lesson for advocates for justice, and a point of interest for scholars of public policy.

During 2020, these important insights occurred because of the coalition’s access to the transition team, which had resulted in prized information few others had as well as an invitation, likely offered to very few others. Critically, the transition team indicated they might even take the coalition’s advice. The coalition leader concluded: “[the transition team] was like ‘We’re writing a memo and we want to consider [your input memo] as part of it.’”²⁷

During the transition, this meant getting the policy idea of the TRHT commission, as well as all the other recommendations, into the one-pager the racial equity team was preparing. That would ensure it would travel up to higher levels of the transition team and maybe even to the president-elect for enactment. According to one TRHT advocate, for the transition team, “the documents that we provided became a resource. Even if they weren’t going to do what we asked for in that executive order [creating a TRHT commission], they clearly read it and used the piece of it that worked for their agenda.”²⁸ That person continued, saying the tran-

sition team “indicated that it was going to be included in the memo.”²⁹ Another advocate for the TRHT said “we had a series of meetings with the folks [on the transition] and we know that they included our agenda in an options memo . . . Whatever that meant. So, we were like ‘That’s all you can ask for.’ You know? that you get into the policy sausage-making. So, we were successful in being able to do that.”³⁰

Precisely identifying the influence on any particular outcome from the transition, of course, is hard to attribute to any single individual or group pushing a policy proposal. Sometimes you have to read between the lines or actually read the written words closely. Though the one-page report written by the Racial Equity transition team was never shared publicly, what President Biden wrote on this issue immediately after the transition is known. On January 20, 2021—Inauguration Day—Joe Biden, now president, issued an executive order on “Advancing Racial Equity and Support for Underserved Communities Through the Federal Government.” The president ordered several things to advance equity for people of color and other underserved communities, including an equity assessment of federal agencies, more resources to advance fairness, and the creation of an equitable data working group. One advocate for the TRHT commission celebrated that “In the first 100 days of his administration, in day two or three, [Biden] actually borrows from our meeting and enacts some component of something we advised. We were all like ‘Oh yeah, we suggested that they do that part.’”³¹ At least on this front, the TRHT coalition seemed to have wielded its access during this open policy window to influence the transition team.

The president did not, however, order the creation of a presidential commission to study truth and transformation. One TRHT advocate conceded: “We’re still working on the Truth Commission thing.”³² Another activist reflected that “[The transition team members] were focused on other issues and I think they just didn’t want to touch this.”

25. Interview with 004.

26. Interview with 004.

27. Interview with 007.

28. Interview with 004.

29. Interview with 004.

30. Interview with 007.

31. Interview with 004.

32. Interview with 004.

The failure to successfully influence the Biden decision on a TRHT commission reflected the frantic pace of the transition period that limited the number of issues the team could focus on. Bounded rationality proved real and consequential (Baumgartner and Jones 1993). That person continued: “I’m not aware of anybody who did meet with Susan Rice (who was serving on the transition’s 16-person advisory board and was heading for the job of White House Domestic Policy director). But people down the chain said ‘I think we’re interested in this’ and they kept thinking maybe we should pursue this. We could have probably had a dozen meetings, but it was pretty clear to me, and I think to other members of the coalition as well, that this was not going to happen anytime soon.”³³ The access used to line up the meetings did not lead to the influence needed to convince soon-to-be White House leaders of the wisdom of this novel idea, even while those serving lower down on the transition team indicated support.

Another explanation for this relates to Kingdon’s idea of an open policy window. The opportunity to enact change may have risen greatly after the three streams converged, but Kingdon acknowledges that open windows quickly close if attention moves elsewhere. Nationally, this had started to happen by the fall of 2020. Racial justice shifted from the center of the public conversation to the periphery. This was, in part, because public attention had shifted. News coverage of protests disappeared by the time Joe Biden was elected, and Americans soon worried less about the country’s problems with race relations (Sides et al. 2022).

Another advocate was more sanguine about what transpired: “I am thrilled with the progress that was indicated in the power behind those executive orders and the work that they have brought forth from the agencies.”³⁴ They explained, “We proposed that there should be an assessment at every federal agency . . . and to some measure that has happened. Now, success has many parents, so I’m sure we may not have been the only ones who suggested that. But, we look back on those conver-

sations and feel like we had an influence.”³⁵ It is clear from the advocate that a different way for scholars to conceptualize this is as an open window for *multiple* public policies changing (or not changing) rather than a *singular* policy window.

Another factor to consider when evaluating the failure to convince the new administration to adopt a TRHT commission policy was other policy proposals received by the transition team. Since the work of the transition team remained so secretive, not unlike many other public policy processes, it is hard to know how many other policy recommendations the team received, nor the perspectives of insiders on what transpired in 2020. Future research should address the limitation of this article and its case study approach through alternative methodologies that center on causal mechanisms, additional interviews with key figures on the transition team, and archived documents possibly available at a Biden presidential library.

We do know that another group of advocates called for a reparations commission to study and offer recommendations for how to enact a national policy to redress the historic and ongoing harms of slavery. That coalition had been advocating for this policy since the 1980s, meaning they had weathered long periods of inaction, and successive presidential transitions with limited interest from incoming administrations (Jenkins and Harris 2002).

In 2020, the two coalitions shared much in common, but also competed for the time of a transition team short on just that. Though it is hard to tell whether the idea of the two commissions confused the transition team or whether they canceled each other out, advocates for the TRHT acknowledged that the path forward had to involve collaboration. One TRHT leader said: “Clearly, we’ve always said, given the history, the longevity, the preeminence of those who stood behind HR 40, we’ve always said ‘that goes first’ and the energy goes into that.”³⁶ That person continued, “And if there was going to be an executive office strategy, those were going to be primarily HR 40 that would lead.”³⁷

33. Interview with 001.

34. Interview with 011.

35. Interview with 011.

36. Interview with 011.

37. Interview with 011.

Conclusion

Policy windows offer the theoretical chance for change, the kind of change advocates for DEI, social equity, and racial justice aspire to. John Kingdon's idea of three separate streams coming together explained much of what happened in 2020 for the idea of a TRHT commission from the perspective of outsider advocates. Growing awareness of the problem of injustice and inequity merged with a new administration that was eager to find policy solutions. This confluence of events offered access to a coalition of groups that, in the past, likely would have been left out of the conversation. Instead, this open policy window afforded a prized seat at the table of the transition team and the chance to advise the incoming administration on what to do to address this policy problem.

Through the eyes of advocates, the eventual response of President Biden and Vice President Harris to this advice can be read either as a win or a loss, depending on what one focuses on. The TRHT commission was not included in the Day One Executive Order on equity and justice. That is viewed by many as a loss. However, the fact that the Biden Executive Order included some of the other ideas suggested by the TRHT coalition members is read by others as a win. The public policy process in general, and the process for equity and justice issues more specifically, should be understood with this type of nuance. Victories need not be total and complete to validate the work of advocates and activists. Partial victories and slow progress over many decades, not just a single presidential transition, is a more realistic way to understand how the country's future can be more equitable and just.

Nevertheless, slow progress can be undone by slow regression. A future presidential transition can just as easily overturn these deliberate moves by the Biden-Harris administration. A TRHT commission, like a commission on reparations, could have instead recommended sweeping policy change that could have been enacted by legislation with a Democratic majority in Congress. Such large-scale policy changes, like historic policy changes, might prove more durable and sustainable over time.

Alas, change of that magnitude is often frustrated by the status quo bias of the policymaking system (Baumgartner and Jones 1993). This bias cements inaction in place and renders even the widest open policy

window fragile and fleeting. It also makes the study of frequent non-events methodologically exceedingly difficult. Nevertheless, future activists for DEI, social equity, and racial justice should understand these realities of the policymaking process when they develop strategies to push for change. Even an incoming administration that signals support may not be able to deliver on those promises. Working locally and working steadfastly over decades offers the chance to make steady progress in the face of national institutions unable to change.

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