

110TH CONGRESS
1ST SESSION

H. R. 4652

To direct each Federal agency to establish an Environmental Justice Office,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 13, 2007

Mr. HASTINGS of Florida (for himself, Ms. SOLIS, Mr. CONYERS, Mr. ELLISON, Ms. KILPATRICK, Ms. DEGETTE, Mr. UDALL of Colorado, Mr. PALLONE, Mrs. CHRISTENSEN, Mr. MEEK of Florida, Ms. CORRINE BROWN of Florida, Mr. WEXLER, Ms. WASSERMAN SCHULTZ, Mr. HONDA, Mr. PAYNE, Mr. SERRANO, Mr. CLAY, Mr. BERMAN, Ms. LEE, Mr. NADLER, Mr. HINCHEY, Ms. JACKSON-LEE of Texas, Mr. HINOJOSA, Mr. KUCINICH, and Ms. BERKLEY) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To direct each Federal agency to establish an Environmental
Justice Office, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Environmental Justice
5 Access and Implementation Act of 2007”.

1 **SEC. 2. DEFINITIONS.**

2 (a) **DEFINITION OF ENVIRONMENTAL JUSTICE.**—For
3 purposes of carrying out this Act, the following definitions
4 shall apply:

5 (1) The term “environmental justice” means
6 the fair treatment and meaningful involvement of all
7 people regardless of race, color, national origin, edu-
8 cational level, or income with respect to the develop-
9 ment, implementation, and enforcement of environ-
10 mental laws and regulations in order to ensure
11 that—

12 (A) minority and low-income communities
13 have access to public information relating to
14 human health and environmental planning, reg-
15 ulations and enforcement; and

16 (B) no minority or low-income population
17 is forced to shoulder a disproportionate burden
18 of the negative human health and environ-
19 mental impacts of pollution or other environ-
20 mental hazard.

21 (2) The term “fair treatment” means policies
22 and practices that ensure that no group of people,
23 including racial, ethnic, or socioeconomic groups
24 bear disproportionately high and adverse human
25 health or environmental effects resulting from Fed-
26 eral agency programs, policies, and activities.

1 (b) IDENTIFICATION AND PRIORITIZATION OF ENVI-
2 RONMENTAL JUSTICE COMMUNITIES.—For purposes of
3 Executive Order 12898, criteria for defining an environ-
4 mental justice community shall include demographic char-
5 acteristics, such as percentages of minority and low-in-
6 come residents within an area with a higher than average
7 rate of—

8 (1) health vulnerabilities, such as cancer mor-
9 tality and incidence rate, infant mortality, low birth
10 weight, asthma, and childhood lead poisoning; and

11 (2) exposure to environmental conditions, such
12 as facility density and proximity to Corrective Ac-
13 tion/Superfund Sites, Brownfields, Enforcement
14 Data (percent and number of uninspected facilities,
15 percent and number of unaddressed violations, aver-
16 age and total penalty and air nonattainment status),
17 hazardous emissions, attainment status, hazardous
18 indoor air quality, hazardous water quality, and traf-
19 fic related to the covered or uncovered, transport of
20 polluting substances.

21 **SEC. 3. IMPLEMENTATION AND INTEGRATION OF FEDERAL**
22 **ENVIRONMENTAL JUSTICE INITIATIVES.**

23 (a) ESTABLISHMENT OF OFFICES OF ENVIRON-
24 MENTAL JUSTICE.—For purposes of Executive Order

1 12898, each of the following shall establish an Office of
2 Environmental Justice:

- 3 (1) Department of Defense.
- 4 (2) Department of Justice.
- 5 (3) Department of the Interior.
- 6 (4) Department of Agriculture.
- 7 (5) Department of Commerce.
- 8 (6) Department of Labor.
- 9 (7) Department of Health and Human Services.
- 10 (8) Department of Housing and Urban Devel-
11 opment.
- 12 (9) Department of Transportation.
- 13 (10) Department of Energy.
- 14 (11) Department of Homeland Security
- 15 (12) Environmental Protection Agency.
- 16 (13) Office of Management and Budget.
- 17 (14) Office of Science and Technology Policy.
- 18 (15) Office of the Deputy Assistant to the
19 President for Environmental Policy.
- 20 (16) Office of the Assistant to the President for
21 Domestic Policy.
- 22 (17) National Economic Council.
- 23 (18) Council of Economic Advisers.
- 24 (19) Department of State.

1 (20) Such other Government entities as the
2 President may designate.

3 (b) CHARACTERISTICS OF OFFICES OF ENVIRON-
4 MENTAL JUSTICE.—Offices established by this Act shall
5 be overseen by a Director of Senior Executive Service des-
6 ignation with environmental justice activities as their pri-
7 mary responsibility. Such offices should be established
8 within 6 months of enactment of this Act

9 (c) INTEGRATION OF ENVIRONMENTAL JUSTICE
10 POLICIES IN AGENCY ACTIONS.—For purposes of the en-
11 vironmental justice strategies developed by agencies under
12 Executive Order 12898, each agency shall integrate the
13 strategy into the operation and mission of the agency and
14 explicitly address compliance with this Act, including in
15 the following activities:

16 (1) Future rulemaking activities.

17 (2) The development of any future guidance,
18 environmental reviews (including NEPA, CAA, Fed-
19 eral Land Policy Act), regulation, or procedures for
20 Federal agency programs, policies, or activities that
21 affect human health or the environment.

22 (d) INTERAGENCY FEDERAL WORKING GROUP CO-
23 ORDINATION AND GUIDANCE.—The Interagency Federal
24 Working Group on Environmental Justice (in this section
25 referred to as the “Working Group”) shall—

1 (1) coordinate an integrated environmental jus-
2 tice training plan for the Federal agencies and of-
3 fices listed in subsection (c);

4 (2) formalize meaningful public participation
5 goals and procedures;

6 (3) survey the Federal agencies and offices to
7 determine what is effective and how to best facilitate
8 outreach without duplicating efforts;

9 (4) develop a strategy for allocating responsibil-
10 ities and ensuring participation in multi-agency
11 projects, even when faced with competing agency
12 priorities; and

13 (5) coordinate plans to communicate research
14 results so reporting and outreach activities produce
15 more useful and timely information.

16 (e) AGENCY PUBLIC PARTICIPATION EFFORTS.—

17 (1) OUTREACH EFFORTS.—Each Federal agen-
18 cy listed in subsection (c) shall carry out and report
19 outreach activities to the Working Group, including
20 the following:

21 (A) Respond directly to inquiries from the
22 public and other stakeholders.

23 (B) Maintain Web sites and listservers.

24 (C) Produce and distribute hardcopy docu-
25 ments and multimedia products.

1 (D) Conduct or sponsor briefings, lectures,
2 and press conferences.

3 (E) Testify before Congress or other gov-
4 ernment bodies.

5 (F) Finance scholarships, fellowships, and
6 internships.

7 (G) Support museum exhibits and other
8 public displays.

9 (H) Sponsor, participate, or otherwise con-
10 tribute to meetings attended by stakeholders.

11 (I) Provide scientifically-sound content for
12 K–12 education activities.

13 (J) Fund outreach efforts managed outside
14 the Federal Government.

15 (2) STAKEHOLDERS.—To ensure their active
16 public participation and to provide input early in en-
17 vironmental decision-making, Federal agencies along
18 with the Working Group shall develop ways to en-
19 hance partnerships and coordination with stake-
20 holders, including affected communities, Federal,
21 Tribal, State, and local governments, environmental
22 organizations, nonprofit organizations, academic in-
23 stitutions (including Historically Black Colleges and
24 Universities (HBCUs), Hispanic Serving Institutions

1 (HSIs), and Tribal Colleges), and business and in-
2 dustry.

3 (f) AUTHORIZATION OF APPROPRIATIONS.—

4 (1) There are authorized to be appropriated for
5 each of the entities named in section 3(a) and (b),
6 \$1,000,000 for each of fiscal years 2008 through
7 2018 to carry out this section.

8 (2) There are authorized to be appropriated for
9 the purposes of section 3(c), (d), and (e) such sums
10 as may be necessary for each of fiscal years 2008
11 through 2018.

12 **SEC. 4. COMMUNITY ACCESS AND PARTICIPATION IN FED-**
13 **ERAL ENVIRONMENTAL JUSTICE INITIA-**
14 **TIVES.**

15 (a) COMMUNITY TECHNOLOGY CENTERS.—

16 (1) IN GENERAL.—Federal agencies shall col-
17 laboratively fund and establish community tech-
18 nology centers to assist with technical assistance
19 issues in the environmental justice area, coordinated
20 by the Interagency Federal Working Group on Envi-
21 ronmental Justice.

22 (2) DESCRIPTION.—In this subsection, the term
23 “community technology center” (CTC) refers to pro-
24 grams with the goal of providing at least 10 hours
25 of open access a week for anyone in a community,

1 especially youth and adults in low-income urban and
2 rural communities, for purposes of providing tech-
3 nical assistance to communities experiencing issues
4 associated with environmental hazards.

5 (3) LOCATION.—A community technology cen-
6 ter may be located in places such as libraries, com-
7 munity centers, schools, churches, social service
8 agencies, low-income residential housing complexes,
9 and Minority Academic Institutions (such as His-
10 torically Black Colleges and Universities, Hispanic
11 Serving Institutions, and Tribal Colleges).

12 (4) CRITERIA FOR ESTABLISHMENT OF COMMU-
13 NITY TECHNOLOGY CENTERS.—The President shall
14 recommend the minimum number of community
15 technology centers based on demographic profiles of
16 environmental justice communities, within 12
17 months of the implementation of this Act.

18 (5) ACTIVITIES OF COMMUNITY TECHNOLOGY
19 CENTER.—A community technology center funded
20 under this section shall—

21 (A) assist community members in becom-
22 ing active participants in cleanup and environ-
23 mental development activities;

1 (B) provide independent and credible tech-
2 nical assistance to communities affected by haz-
3 ardous waste contamination;

4 (C) review and interpret technical docu-
5 ments and other materials;

6 (D) sponsor workshops, short courses, and
7 other learning experiences to explain basic
8 science and environmental policy;

9 (E) inform community members about ex-
10 isting technical assistance materials, such as
11 publications, videos, and web sites;

12 (F) offer training to community leaders in
13 facilitation and conflict resolution among stake-
14 holders; and

15 (G) create technical assistance materials
16 tailored to the identified needs of a community.

17 (6) REPORTING REQUIREMENTS.—To further
18 the development of the mandated environmental jus-
19 tice offices, the following reports on identified ac-
20 complishments, complaints, and implementation of
21 this Act shall be undertaken:

22 (A) The President shall present an annual
23 report to Congress on the state of environ-
24 mental justice in the agencies identified in this

1 Act within 12 months after the enactment of
2 this Act.

3 (B) The Government Accountability Office
4 shall report to Congress an evaluation of the
5 implementation of this Act within 18 months
6 after the enactment of this Act.

7 (b) AUTHORIZATION OF APPROPRIATIONS.—There
8 are authorized to be appropriated to the entities named
9 in this section such sums as may be necessary for each
10 of fiscal years 2008 through 2018 to carry out this sec-
11 tion.

12 **SEC. 5. DOCUMENTATION AND REPORTS.**

13 To further the development of the mandated environ-
14 mental justice offices, and other initiatives set forth by
15 this Act, the following reports on identified accomplish-
16 ments, complaints, and implementation of this Act shall
17 be undertaken:

18 (1) The President shall present an annual re-
19 port to Congress on the state of environmental jus-
20 tice in the agencies identified in this Act within 12
21 months after the enactment of this Act.

22 (2) The Government Accountability Office shall
23 report to Congress an evaluation of the implementa-

1 tion of this Act within 18 months after the enact-
2 ment of this Act.

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