

115TH CONGRESS
1ST SESSION

H. R. 3590

To restore, reaffirm, and reconcile environmental justice and civil rights, provide for the establishment of the Interagency Working Group on Environmental Justice Compliance and Enforcement, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 28, 2017

Mr. GRIJALVA introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on the Judiciary, and 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 restore, reaffirm, and reconcile environmental justice and civil rights, provide for the establishment of the Interagency Working Group on Environmental Justice Compliance and Enforcement, 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Environmental Justice and Civil Rights Restoration and
6 Enforcement Act”.

1 (b) TABLE OF CONTENTS.—The table of contents for
 2 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Statement of policy.
- Sec. 3. Definitions.
- Sec. 4. Prohibited discrimination.
- Sec. 5. Right of action.
- Sec. 6. Rights of recovery.
- Sec. 7. Interagency Working Group on Environmental Justice Compliance and Enforcement.
- Sec. 8. Responsibilities of Federal agencies.
- Sec. 9. Ombudsmen.
- Sec. 10. Training of employees of Federal agencies.
- Sec. 11. Grant programs.
- Sec. 12. Environmental justice basic training program.
- Sec. 13. National Environmental Justice Advisory Council.
- Sec. 14. Environmental Justice Clearinghouse.
- Sec. 15. Public meetings.
- Sec. 16. Supplemental environmental projects for environmental justice communities.
- Sec. 17. Evaluation by Comptroller General of the United States.

3 **SEC. 2. STATEMENT OF POLICY.**

4 It is the policy of Congress that each Federal agency
 5 should—

6 (1) seek to achieve environmental justice as
 7 part of its mission by identifying and addressing, as
 8 appropriate, disproportionately high and adverse
 9 human health or environmental effects of its pro-
 10 grams, policies, practices, and activities on commu-
 11 nities of color, low-income communities, rural com-
 12 munities, and Tribal and indigenous communities in
 13 each State of the United States;

14 (2) promote meaningful involvement and due
 15 process in the development, implementation, and en-
 16 forcement of environmental laws;

1 (3) provide direct guidance and technical assist-
2 ance to environmental justice communities focused
3 on increasing community understanding of the
4 science, regulations, and policy related to Federal
5 agency action on environmental justice issues; and

6 (4) cooperate with State governments, Tribal
7 Governments, and local governments to address pol-
8 lution and public health burdens in environmental
9 justice communities, and build healthy, sustainable,
10 and resilient communities.

11 **SEC. 3. DEFINITIONS.**

12 In this Act:

13 (1) ADMINISTRATOR.—The term “Adminis-
14 trator” means the Administrator of the Environ-
15 mental Protection Agency.

16 (2) ADVISORY COUNCIL.—The term “Advisory
17 Council” means the National Environmental Justice
18 Advisory Council established by the President under
19 section 13.

20 (3) AGGRIEVED PERSON.—The term “aggrieved
21 person” means a person aggrieved by discrimination
22 on the basis of race, color, or national origin.

23 (4) CLEARINGHOUSE.—The term “Clearing-
24 house” means the Environmental Justice Clearing-

1 house established by the Administrator under section
2 14.

3 (5) COMMUNITY OF COLOR.—The term “com-
4 munity of color” means a population of individuals
5 who are members of one or more of the following
6 population groups:

7 (A) American Indian or Alaskan Native.

8 (B) Asian or Pacific Islander.

9 (C) Black, not of Hispanic origin.

10 (D) Hispanic.

11 (6) COVERED AGENCY.—The term “covered
12 agency” means an agency described in section 7(e).

13 (7) DEMONSTRATES.—The term “dem-
14 onstrates” means meets the burdens of going for-
15 ward with the evidence and of persuasion.

16 (8) DIRECTOR.—The term “Director” means
17 the Director of the National Institute of Environ-
18 mental Health Sciences.

19 (9) DISPARATE IMPACT.—The term “disparate
20 impact” means an action or practice that, though
21 appearing neutral, actually has the effect of sub-
22 jecting persons to discrimination because of their
23 race, color, or national origin.

24 (10) DISPROPORTIONATE BURDEN OF HIGH
25 AND ADVERSE HUMAN HEALTH OR ENVIRONMENTAL

1 EFFECTS.—The term “disproportionate burden of
2 high and adverse human health or environmental ef-
3 fects” means situations where there exists signifi-
4 cantly higher and more adverse human health or en-
5 vironmental effects on communities of color, low-in-
6 come communities, rural communities, and Tribal
7 and indigenous communities.

8 (11) ENVIRONMENTAL JUSTICE.—The term
9 “environmental justice” means the fair treatment
10 and meaningful involvement of all people regardless
11 of race, color, culture, national origin, or income,
12 with respect to the development, implementation,
13 and enforcement of environmental laws, regulations,
14 and policies to ensure that each person enjoys—

15 (A) the same degree of protection from en-
16 vironmental and health hazards; and

17 (B) equal access to any Federal agency ac-
18 tion on environmental justice issues in order to
19 have a healthy environment in which to live,
20 learn, and work.

21 (12) ENVIRONMENTAL JUSTICE COMMUNITY.—
22 The term “environmental justice community” means
23 a community with significant representation of com-
24 munities of color, low-income communities, rural
25 communities, and Tribal and indigenous commu-

1 nities, that experiences, or is at risk of experiencing,
2 significantly higher and more adverse human health
3 or environmental effects.

4 (13) ENVIRONMENTAL LAW.—The term “envi-
5 ronmental law” includes the Clean Air Act (42
6 U.S.C. 7401 et seq.), the Federal Water Pollution
7 Control Act (33 U.S.C. 1251 et seq.), the Energy
8 Policy Act of 2005, the National Environmental Pol-
9 icy Act of 1969 (42 U.S.C. 4321 et seq.), the Pollu-
10 tion Prevention Act of 1990 (42 U.S.C. 13101 et
11 seq.), the Safe Drinking Water Act (42 U.S.C. 300f
12 et seq.), and the Solid Waste Disposal Act (42
13 U.S.C. 6901 et seq.).

14 (14) FAIR TREATMENT.—The term “fair treat-
15 ment” means the conduct of a program, policy, prac-
16 tice or activity by a Federal agency in a manner that
17 ensures that no group of individuals (including ra-
18 cial, ethnic, or socioeconomic groups) experience a
19 disproportionate burden of high and adverse human
20 health or environmental effects resulting from such
21 program, policy, practice, or activity.

22 (15) INDIAN TRIBE.—The term “Indian Tribe”
23 has the meaning given the term “Indian tribe” in
24 section 4 of the Indian Self-Determination and Edu-
25 cation Assistance Act (25 U.S.C. 5304).

1 (16) LOCAL GOVERNMENT.—The term “local
2 government” means—

3 (A) a county, municipality, city, town,
4 township, local public authority, school district,
5 special district, intrastate district, council of
6 governments (regardless of whether the council
7 of governments is incorporated as a nonprofit
8 corporation under State law), regional or inter-
9 state governmental entity, or agency or instru-
10 mentality of a local government;

11 (B) an Indian Tribe or authorized Tribal
12 organization, or Alaska Native village or organi-
13 zation, that is not a Tribal Government; or

14 (C) a rural community.

15 (17) LOW-INCOME COMMUNITY.—The term
16 “low-income community” means a population of in-
17 dividuals whose family’s taxable income for the pre-
18 ceding year did not exceed 150 percent of the pov-
19 erty level amount.

20 (18) RURAL COMMUNITY.—The term “rural
21 community” means a population of individuals not
22 included within an urban area (as defined by the
23 Census Bureau).

24 (19) STATE.—The term “State” means any
25 State of the United States, the District of Columbia,

1 the Commonwealth of Puerto Rico, the Virgin Is-
2 lands, Guam, American Samoa, and the Common-
3 wealth of the Northern Mariana Islands.

4 (20) TRIBAL AND INDIGENOUS COMMUNITY.—

5 The term “Tribal and indigenous community” refers
6 to a population of people who are members of a fed-
7 erally recognized Indian Tribe, including those living
8 on a different reservation or living outside Indian
9 country, State-recognized Indian Tribes, Alaska Na-
10 tives, Native Hawaiians, Native Pacific Islanders,
11 and Native Americans.

12 (21) TRIBAL GOVERNMENT.—The term “Tribal

13 Government” means the governing body of any In-
14 dian Tribe, Alaska Native Tribe, band, nation, pueb-
15 lo, village, or community that the Secretary of the
16 Interior acknowledges to exist as an Indian Tribe
17 under the Federally Recognized Indian Tribe List
18 Act of 1994.

19 (22) WORKING GROUP.—The term “Working

20 Group” means the Interagency Working Group on
21 Environmental Justice Compliance and Enforcement
22 established by the President under section 7.

23 **SEC. 4. PROHIBITED DISCRIMINATION.**

24 Section 601 of the Civil Rights Act of 1964 (42
25 U.S.C. 2000d) is amended—

1 (1) by striking “No” and inserting “(a) No”;
2 and

3 (2) by adding at the end the following:

4 “(b)(1)(A) Discrimination (including exclusion from
5 participation and denial of benefits) based on disparate
6 impact is established under this title only if—

7 “(i) a person aggrieved demonstrates that a
8 covered agency has a program, policy, practice, or
9 activity that causes a disparate impact on the basis
10 of race, color, or national origin and the covered
11 agency fails to demonstrate that the challenged pro-
12 gram, policy, practice, or activity is related to and
13 necessary to achieve the nondiscriminatory goal of
14 the program, policy, practice, or activity alleged to
15 have been operated in a discriminatory manner; or

16 “(ii) the aggrieved person demonstrates (con-
17 sistent with the demonstration required under title
18 VII with respect to an ‘alternative employment prac-
19 tice’) that a less discriminatory alternative program,
20 policy, practice, or activity exists, and the covered
21 agency refuses to adopt such alternative program,
22 policy, practice, or activity.

23 “(B)(i) With respect to demonstrating that a par-
24 ticular program, policy, practice, or activity causes a dis-
25 parate impact, the aggrieved personal shall demonstrate

1 that each particular challenged program, policy, practice,
2 or activity causes a disparate impact, except that if the
3 aggrieved person demonstrates to the courts that the ele-
4 ments of the covered agency’s decision-making process are
5 not capable of separation for analysis, the decision-making
6 process may be analyzed as 1 program, policy, practice,
7 or activity.

8 “(ii) If the covered agency demonstrates that a spe-
9 cific program, policy, practice, or activity does not cause
10 the disparate impact, the covered agency shall not be re-
11 quired to demonstrate that such program, policy, practice,
12 or activity is necessary to achieve the goals of its program,
13 policy, practice, or activity.

14 “(2) A demonstration that a program, policy, prac-
15 tice, or activity is necessary to achieve the goals of a pro-
16 gram, policy, practice, or activity may not be used as a
17 defense against a claim of intentional discrimination under
18 this title.

19 “(c) No person in the United States shall be sub-
20 jected to discrimination, including relation, because such
21 person opposed any program, policy, practice, or activity
22 prohibited by this title, or because such person made a
23 charge, testified, assisted, or participated in any manner
24 in an investigation, proceeding, or hearing under this
25 title.”.

1 **SEC. 5. RIGHT OF ACTION.**

2 Section 602 of the Civil Rights Act of 1964 (42
3 U.S.C. 2000d–1) is amended—

4 (1) by inserting “(a)” before “Each Federal de-
5 partment and agency which is empowered”; and

6 (2) by adding at the end the following:

7 “(b) Any person aggrieved by the failure of a covered
8 agency to comply with this title, including any regulation
9 promulgated pursuant to this title, may file suit in any
10 district court of the United States having jurisdiction of
11 the parties, without respect to the amount in controversy
12 and without regard to the citizenship of the parties.”.

13 **SEC. 6. RIGHTS OF RECOVERY.**

14 Title VI of the Civil Rights Act of 1964 (42 U.S.C.
15 2000d et seq.) is amended by inserting after section 602
16 the following:

17 **“SEC. 602A. ACTIONS BROUGHT BY AGGRIEVED PERSONS.**

18 “(a) CLAIMS BASED ON PROOF OF INTENTIONAL
19 DISCRIMINATION.—In an action brought by an aggrieved
20 person under this title against a covered agency who has
21 engaged in unlawful intentional discrimination (not a
22 practice that is unlawful because of its disparate impact)
23 prohibited under this title (including its implementing reg-
24 ulations), the aggrieved person may recover equitable and
25 legal relief (including compensatory and punitive dam-
26 ages), attorney’s fees (including expert fees), and costs of

1 the action, except that punitive damages are not available
2 against a government, government agency, or political
3 subdivision.

4 “(b) CLAIMS BASED ON THE DISPARATE IMPACT
5 STANDARD OF PROOF.—In an action brought by an ag-
6 grieved person under this title against a covered agency
7 who has engaged in unlawful discrimination based on dis-
8 parate impact prohibited under this title (including imple-
9 menting regulations), the aggrieved person may recover
10 attorney’s fees (including expert fees), and costs of the
11 action.”

12 **SEC. 7. INTERAGENCY WORKING GROUP ON ENVIRON-**
13 **MENTAL JUSTICE COMPLIANCE AND EN-**
14 **FORCEMENT.**

15 (a) ESTABLISHMENT.—Not later than 30 days after
16 the date of enactment of this Act, the President shall es-
17 tablish a working group to be known as the Interagency
18 Working Group on Environmental Justice Compliance and
19 Enforcement.

20 (b) PURPOSES.—The purposes of the Working Group
21 are—

22 (1) to advise and assist Federal agencies in
23 identifying and addressing, as appropriate, the dis-
24 proportionate human health and environmental ef-
25 fects of Federal programs, policies, practices, and

1 activities on communities of color, low-income com-
2 munities, rural communities, and Tribal and indige-
3 nous communities;

4 (2) to promote meaningful involvement and due
5 process in the development, implementation, and en-
6 forcement of environmental laws;

7 (3) to provide direct guidance and technical as-
8 sistance to environmental justice communities fo-
9 cused on increasing community understanding of the
10 science, regulations, and policy related to Federal
11 agency actions on environmental justice issues; and

12 (4) to cooperate with State governments, Tribal
13 Governments, and local governments to address pol-
14 lution and public health burdens in environmental
15 justice communities, and build healthy, sustainable,
16 and resilient communities.

17 (c) COMPOSITION.—The Working Group shall be
18 composed of a representative from each of the following:

19 (1) The Department of Agriculture.

20 (2) The Department of Commerce.

21 (3) The Department of Defense.

22 (4) The Department of Energy.

23 (5) The Department of Health and Human
24 Services.

1 (6) The Department of Housing and Urban De-
2 velopment.

3 (7) The Department of the Interior.

4 (8) The Department of Justice.

5 (9) The Department of Labor.

6 (10) The Department of Transportation.

7 (11) The Environmental Protection Agency.

8 (12) The Office of Management and Budget.

9 (13) The Office of Science and Technology Pol-
10 icy.

11 (14) The Office of the Deputy Assistant to the
12 President for Environmental Policy.

13 (15) The Office of the Assistant to the Presi-
14 dent for Domestic Policy.

15 (16) The National Economic Council.

16 (17) The Council on Environmental Quality.

17 (18) The Council of Economic Advisers.

18 (19) Any other agency that the President may
19 designate.

20 (d) GOVERNANCE.—The President, or designee, shall
21 serve as Chairperson of the Working Group.

22 (e) REPORT TO PRESIDENT.—The Working Group
23 shall report to the President through—

24 (1) the Council on Environmental Equity;

1 (2) the Deputy Assistant to the President for
2 Environmental Policy; or

3 (3) the Assistant to the President for Domestic
4 Policy.

5 (f) UNIFORM CONSIDERATION GUIDANCE.—

6 (1) IN GENERAL.—To ensure that there is a
7 common level of understanding of terminology used
8 in dealing with environmental justice issues, not
9 later than 1 year after the date of enactment of this
10 Act, the Working Group shall develop and publish in
11 the Federal Register a guidance document that out-
12 lines the ways in which the following considerations
13 will be taken into account in defining communities
14 as environmental justice communities:

15 (A) Health disparities.

16 (B) Environmental exposure disparities.

17 (C) Intrinsic biological factors, including
18 age, sex, and race or ethnicity.

19 (D) Social stressors, including poverty,
20 housing quality, access to health care, edu-
21 cation, and lack of community resources.

22 (E) Cumulative impacts or risks.

23 (F) Additional elements in the community
24 that indicate vulnerability or susceptibility to

1 high and adverse human health and environ-
2 mental effects (including climate change).

3 (G) Capacity of communities to address
4 environmental concerns.

5 (2) PUBLIC COMMENT.—For a period of not
6 less than 30 days, the Working Group shall seek
7 public comment on the guidance document developed
8 under paragraph (1).

9 (3) DOCUMENTATION.—Not later than 90 days
10 after the date of publication of the guidance docu-
11 ment under paragraph (1), the head of each Federal
12 agency participating in the Working Group shall
13 document the ways in which the Federal agency will
14 incorporate guidance from the document into the en-
15 vironmental justice strategy of the Federal agency.

16 (g) DEVELOPMENT OF INTERAGENCY FEDERAL EN-
17 VIRONMENTAL JUSTICE STRATEGY.—

18 (1) IN GENERAL.—Not later than 3 years after
19 the date of enactment of this Act, after notice and
20 opportunity for public comment, the Working Group
21 shall develop and promulgate a coordinated inter-
22 agency Federal environmental justice strategy.

23 (2) CONSIDERATION.—In carrying out para-
24 graph (1), the Working Group shall consider each
25 environmental justice strategy developed and final-

1 ized by each Federal agency that participates in the
2 Working Group under section 8(b).

3 (h) REPORT TO PRESIDENT.—

4 (1) IN GENERAL.—Not later than 180 days
5 after the date described in subsection (g)(1), the
6 Working Group shall, through the Chairperson of
7 the Council on Environmental Quality, the Deputy
8 Assistant to the President for Environmental Policy,
9 or the Assistant to the President for Domestic Pol-
10 icy, submit to the President a report that contains—

11 (A) a description of the implementation of
12 the interagency Federal environmental justice
13 strategy; and

14 (B) a copy of the finalized environmental
15 justice strategy of each Federal agency that
16 participates in the Working Group.

17 (2) PUBLIC AVAILABILITY.—The head of each
18 Federal agency that participates in the Working
19 Group shall make the report described in paragraph
20 (1) available to the public (including by posting a
21 copy of the report on the website of each Federal
22 agency).

23 **SEC. 8. RESPONSIBILITIES OF FEDERAL AGENCIES.**

24 (a) CONDUCT OF PROGRAMS.—Each Federal agency
25 that participates in the Working Group shall conduct each

1 program, policy, practice, and activity of the Federal agen-
2 cy that adversely affects, or has the potential to adversely
3 affect, human health or the environment in a manner that
4 ensures that each such program, policy, practice, or activ-
5 ity does not have an effect of excluding any individual
6 from participating in, denying any individual the benefits
7 of, or subjecting any individual to discrimination or dis-
8 parate impact under, such program, policy, practice, or ac-
9 tivity of the Federal agency because of the race, color, na-
10 tional origin, or income level of the individual.

11 (b) FEDERAL AGENCY ENVIRONMENTAL JUSTICE
12 STRATEGIES.—

13 (1) IN GENERAL.—Not later than 2 years after
14 the date of enactment of this Act, and after notice
15 and opportunity for public comment, each Federal
16 agency that participates in the Working Group shall
17 develop and finalize an agencywide environmental
18 justice strategy that—

19 (A) identifies and addresses any dispropor-
20 tionately high or adverse human health or envi-
21 ronmental effects of its programs, policies,
22 practices, and activities on—

- 23 (i) communities of color;
24 (ii) low-income communities;
25 (iii) rural communities; and

1 (iv) Tribal and indigenous commu-
2 nities; and

3 (B) complies with each requirement de-
4 scribed in paragraph (2).

5 (2) CONTENTS.—Each environmental justice
6 strategy developed by a Federal agency under para-
7 graph (1) shall contain—

8 (A) an assessment that identifies each pro-
9 gram, policy, practice, activity (including any
10 public participation process) of the Federal
11 agency, relating to human health or the envi-
12 ronment that the Federal agency determines
13 should be revised—

14 (i) to ensure that all persons have the
15 same degree of protection from environ-
16 mental and health hazards;

17 (ii) to ensure meaningful involvement
18 and due process in the development, imple-
19 mentation, and enforcement of environ-
20 mental laws;

21 (iii) to improve direct guidance and
22 technical assistance to environmental jus-
23 tice communities with respect to the under-
24 standing of the science, regulations, and

1 policy related to Federal agency action on
2 environmental justice issues;

3 (iv) to improve cooperation with State
4 governments, Tribal Governments, and
5 local governments to address pollution and
6 public health burdens in environmental jus-
7 tice communities, and build healthy, sus-
8 tainable, and resilient communities;

9 (v) to improve Federal research and
10 data collection efforts related to—

11 (I) the health of and environment
12 of communities of color, low-income
13 communities, rural communities, and
14 Tribal and indigenous communities;

15 (II) climate change; and

16 (III) the inequitable distribution
17 of burdens and benefits of the man-
18 agement and use of natural resources,
19 including water, minerals, or land;
20 and

21 (vi) to reduce or eliminate dispro-
22 tionately high and adverse human health
23 or environmental effects on communities of
24 color, low income communities, rural com-

1 communities, and Tribal and indigenous com-
2 munities; and

3 (B) a timetable for the completion of—

4 (i) each revision identified under sub-
5 paragraph (A); and

6 (ii) an assessment of the economic
7 and social implications of each revision
8 identified under subparagraph (A).

9 (3) REPORTS.—

10 (A) ANNUAL REPORTS.—Not later than 2
11 years after the finalization of an environmental
12 justice strategy under this subsection, and an-
13 nually thereafter, a Federal agency that partici-
14 pates in the Working Group shall submit to the
15 Working Group a report describing the progress
16 of the Federal agency in implementing the envi-
17 ronmental justice strategy of the Federal agen-
18 cy.

19 (B) PERIODIC REPORTS.—In addition to
20 the annual reports described in subparagraph
21 (A), upon receipt of a request from the Work-
22 ing Group, a Federal agency shall submit to the
23 Working Group a report that contains such in-
24 formation as the Working Group may require.

1 (4) REVISION OF AGENCYWIDE ENVIRON-
2 MENTAL JUSTICE STRATEGY.—Not later than 5
3 years after the date of enactment of this Act, each
4 Federal agency that participates in the Working
5 Group shall—

6 (A) evaluate and revise the environmental
7 justice strategy of the Federal agency; and

8 (B) submit to the Working Group a copy
9 of the revised version of the environmental jus-
10 tice strategy of the Federal agency.

11 (5) PETITION.—

12 (A) IN GENERAL.—The head of a Federal
13 agency may submit to the President a petition
14 for an exemption of any requirement described
15 in this section with respect to any program or
16 activity of the Federal agency.

17 (B) AVAILABILITY TO PUBLIC.—Each peti-
18 tion submitted by a Federal agency to the
19 President under subparagraph (A) shall be
20 made available to the public (including through
21 a description of the petition on the website of
22 the Federal agency).

23 (C) CONSIDERATION.—In determining
24 whether to grant a petition for an exemption
25 submitted by a Federal agency to the President

1 under subparagraph (A), the President shall
2 consider whether the granting of the petition
3 would likely—

4 (i) result in disproportionately high
5 and adverse human health or environ-
6 mental effects on communities of color,
7 low-income communities, rural commu-
8 nities, and Tribal and indigenous commu-
9 nities; and

10 (ii) exacerbate any disproportionately
11 high and adverse human health or environ-
12 mental effect on any community of color,
13 low-income community, rural community,
14 or Tribal and indigenous community.

15 (D) APPEAL.—

16 (i) IN GENERAL.—Not later than 90
17 days after the date on which the President
18 approves a petition under this paragraph,
19 an individual may appeal the decision of
20 the President to approve the petition.

21 (ii) WRITTEN APPEAL.—

22 (I) IN GENERAL.—To appeal a
23 decision of the President under sub-
24 paragraph (A), an individual shall
25 submit a written appeal to—

1 (aa) the Council on Environ-
2 mental Quality;

3 (bb) the Deputy Assistant to
4 the President for Environmental
5 Policy; or

6 (cc) the Assistant to the
7 President for Domestic Policy.

8 (II) CONTENTS.—A written ap-
9 peal shall contain a description of
10 each reason why the exemption that is
11 the subject of the petition is unneces-
12 sary.

13 (iii) REQUIREMENT OF PRESIDENT.—
14 Not later than 90 days after the date on
15 which an official described in clause (ii)(I)
16 receives a written appeal submitted by an
17 individual under that clause, the President
18 shall provide to the individual a written no-
19 tification describing the decision of the
20 President with respect to the appeal.

21 **SEC. 9. OMBUDSMEN.**

22 (a) ESTABLISHMENT.—The Administrator shall es-
23 tablish within the Environmental Protection Agency a po-
24 sition of Environmental Justice Ombudsman to receive,
25 review, and process complaints and allegations with re-

1 spect to environmental justice programs and activities of
2 the Environmental Protection Agency.

3 (b) REPORTING.—The Environmental Justice Om-
4 budsman shall—

5 (1) report directly to the Administrator; and

6 (2) not be required to report to the Office of
7 Environmental Justice.

8 (c) REGIONAL STAFF.—

9 (1) AUTHORITY OF ENVIRONMENTAL JUSTICE
10 OMBUDSMAN.—The Administrator shall allow the
11 Environmental Justice Ombudsman to hire such
12 staff as the Environmental Justice Ombudsman de-
13 termines to be necessary to carry out at each re-
14 gional office of the Environmental Protection Agency
15 the responsibilities of the Environmental Justice
16 Ombudsman described in subsection (a).

17 (2) FULL-TIME POSITION.—Each individual
18 hired by the Environmental Justice Ombudsman
19 under paragraph (1) shall be hired as a full-time
20 employee of the Environmental Protection Agency.

21 **SEC. 10. TRAINING OF EMPLOYEES OF FEDERAL AGENCIES.**

22 (a) INITIAL PERIOD OF TRAINING.—Not later than
23 1 year after the date of enactment of this Act, the Admin-
24 istrator shall offer to each employee of the Environmental
25 Protection Agency an opportunity to participate in an en-

1 vironmental justice training program to ensure that each
2 employee of the Environmental Protection Agency—

3 (1) has received training in environmental jus-
4 tice; and

5 (2) is capable of—

6 (A) appropriately incorporating environ-
7 mental justice concepts into the daily activities
8 of the employee; and

9 (B) increasing the meaningful participation
10 of individuals from environmental justice com-
11 munities in the activities of the Environmental
12 Protection Agency.

13 (b) MANDATORY PARTICIPATION.—Effective on the
14 date that is 1 year after the date of enactment of this
15 Act, each individual hired by the Environmental Protec-
16 tion Agency after that date shall be required to participate
17 in environmental justice training.

18 (c) REQUIREMENT RELATING TO CERTAIN EMPLOY-
19 EES.—

20 (1) IN GENERAL.—With respect to each Fed-
21 eral agency that participates in the Working Group,
22 not later than 30 days after the date on which an
23 individual is appointed to the position of environ-
24 mental justice coordinator, environmental justice
25 ombudsman, or any other position the responsibility

1 of which involves the conduct of environmental jus-
2 tice activities, the individual shall be required to pos-
3 sess documentation of the completion by the indi-
4 vidual of environmental justice training.

5 (2) EFFECT.—If an individual described in
6 paragraph (1) fails to meet the requirement de-
7 scribed in that paragraph, the Federal agency at
8 which the individual is employed shall transfer the
9 individual to a different position until the date on
10 which the individual completes environmental justice
11 training.

12 (3) EVALUATION.—Not later than 3 years after
13 the date of enactment of this Act, the Inspector
14 General of each Federal agency that participates in
15 the Working Group shall evaluate the training pro-
16 grams of such Federal agency to determine if such
17 Federal agency has improved the rate of training of
18 the employees of such Federal agency to ensure that
19 each employee has received environmental justice
20 training.

21 **SEC. 11. GRANT PROGRAMS.**

22 (a) ENVIRONMENTAL JUSTICE COMMUNITY GRANT
23 PROGRAM.—

24 (1) ESTABLISHMENT.—The Administrator shall
25 establish a program under which the Administrator

1 shall provide grants to eligible entities to assist the
2 eligible entities in—

3 (A) building capacity to address issues re-
4 lating to environmental justice; and

5 (B) carrying out any activity described in
6 paragraph (4).

7 (2) ELIGIBILITY.—To be eligible to receive a
8 grant under paragraph (1), an eligible entity shall be
9 a nonprofit, community-based organization that con-
10 ducts activities to reduce the disproportionate health
11 impacts of environmental pollution in the environ-
12 mental justice community at which the eligible entity
13 proposes to conduct an activity that is the subject of
14 the application described in paragraph (3).

15 (3) APPLICATION.—To be eligible to receive a
16 grant under paragraph (1), an eligible entity shall
17 submit to the Administrator an application at such
18 time, in such manner, and containing such informa-
19 tion as the Administrator may require, including—

20 (A) an outline describing the means by
21 which the project proposed by the eligible entity
22 will—

23 (i) with respect to environmental and
24 public health issues at the local level, in-
25 crease the understanding of the environ-

1 mental justice community at which the eli-
2 gible entity will conduct the project;

3 (ii) improve the ability of the environ-
4 mental justice community to address each
5 issue described in clause (i); and

6 (iii) facilitate collaboration and co-
7 operation among various stakeholders (in-
8 cluding members of the environmental jus-
9 tice community);

10 (B) a proposed budget for each activity of
11 the project that is the subject of the applica-
12 tion;

13 (C) a list of proposed outcomes with re-
14 spect to the proposed project;

15 (D) a description of the ways by which the
16 eligible entity may leverage the funds of the eli-
17 gible entity, or the funds made available
18 through a grant under this subsection, to de-
19 velop a project that is capable of being sus-
20 tained beyond the period of the grant; and

21 (E) a description of the ways by which the
22 eligible entity is linked to, and representative
23 of, the environmental justice community at
24 which the eligible entity will conduct the
25 project.

1 (4) USE OF FUNDS.—An eligible entity may
2 only use a grant under this subsection to carry out
3 culturally and linguistically appropriate projects and
4 activities that are tailored to the needs of the envi-
5 ronmental justice community at which the eligible
6 entity proposes to conduct the project or activity to
7 address environmental justice concerns and improve
8 the health or environment of the environmental jus-
9 tice community, including activities—

10 (A) to create or develop collaborative part-
11 nerships;

12 (B) to educate and provide outreach serv-
13 ices to the environmental justice community;

14 (C) to identify, and implement projects to
15 address, environmental, or public health con-
16 cerns; or

17 (D) to develop a comprehensive under-
18 standing of environmental or public health
19 issues.

20 (5) REPORT.—

21 (A) IN GENERAL.—Not later than 1 year
22 after the date of enactment of this Act, and an-
23 nually thereafter, the Administrator shall sub-
24 mit to the Committees on Energy and Com-
25 merce and Natural Resources of the House of

1 Representatives and the Committees on Envi-
2 ronment and Public Works and Energy and
3 Natural Resources of the Senate a report de-
4 scribing the ways by which the grant program
5 under this subsection has helped community-
6 based nonprofit organizations address issues re-
7 lating to environmental justice.

8 (B) PUBLIC AVAILABILITY.—The Adminis-
9 trator shall make the report required under
10 subparagraph (A) available to the public (in-
11 cluding by posting a copy of the report on the
12 website of the Environmental Protection Agen-
13 cy).

14 (6) AUTHORIZATION OF APPROPRIATIONS.—
15 There is authorized to be appropriated to carry out
16 this subsection \$20,000,000 for each of fiscal years
17 2018 through 2022.

18 (b) STATE GRANT PROGRAM.—

19 (1) ESTABLISHMENT.—The Administrator shall
20 establish a program under which the Administrator
21 shall provide grants to States to enable the States—

22 (A) to establish culturally and linguistically
23 appropriate protocols, activities, and mecha-
24 nisms for addressing issues relating to environ-
25 mental justice; and

1 (B) to carry out culturally and linguis-
2 tically appropriate activities to reduce or elimi-
3 nate disproportionately high and adverse human
4 health or environmental effects on environ-
5 mental justice communities in the State.

6 (2) ELIGIBILITY.—

7 (A) APPLICATION.—To be eligible to re-
8 ceive a grant under paragraph (1), a State shall
9 submit to the Administrator an application at
10 such time, in such manner, and containing such
11 information as the Administrator may require,
12 including—

13 (i) a plan that contains a description
14 of the means by which the funds provided
15 through a grant under paragraph (1) will
16 be used to address issues relating to envi-
17 ronmental justice at the State level; and

18 (ii) assurances that the funds pro-
19 vided through a grant under paragraph (1)
20 will be used only to supplement the
21 amount of funds that the State allocates
22 for initiatives relating to environmental
23 justice.

24 (B) ABILITY TO CONTINUE PROGRAM.—To
25 be eligible to receive a grant under paragraph

1 (1), a State shall demonstrate to the Adminis-
2 trator that the State has the ability to continue
3 each program that is the subject of funds pro-
4 vided through a grant under paragraph (1)
5 after receipt of the funds.

6 (3) REPORT.—

7 (A) IN GENERAL.—Not later than 1 year
8 after the date of enactment of this Act, and an-
9 nually thereafter, the Administrator shall sub-
10 mit to the Committees on Energy and Com-
11 merce and Natural Resources of the House of
12 Representatives and the Committees on Envi-
13 ronment and Public Works and Energy and
14 Natural Resources of the Senate a report de-
15 scribing—

16 (i) the implementation of the grant
17 program established under paragraph (1);

18 (ii) the impact of the grant program
19 on improving the ability of each partici-
20 pating State to address environmental jus-
21 tice issues; and

22 (iii) the activities carried out by each
23 State to reduce or eliminate disproportion-
24 ately high and adverse human health or

1 environmental effects on environmental
2 justice communities in the State.

3 (B) PUBLIC AVAILABILITY.—The Adminis-
4 trator shall make the report required under
5 subparagraph (A) available to the public (in-
6 cluding by posting a copy of the report on the
7 website of the Environmental Protection Agen-
8 cy).

9 (4) AUTHORIZATION OF APPROPRIATIONS.—
10 There is authorized to be appropriated to carry out
11 this subsection \$10,000,000 for each of fiscal years
12 2018 through 2022.

13 (c) TRIBAL GRANT PROGRAM.—

14 (1) ESTABLISHMENT.—The Administrator shall
15 establish a program under which the Administrator
16 shall provide grants to Tribal Governments to enable
17 the Indian Tribes—

18 (A) to establish culturally and linguistically
19 appropriate protocols, activities, and mecha-
20 nisms for addressing issues relating to environ-
21 mental justice; and

22 (B) to carry out culturally and linguis-
23 tically appropriate activities to reduce or elimi-
24 nate disproportionately high and adverse human
25 health or environmental effects on environ-

1 mental justice communities in Tribal and indig-
2 enous communities.

3 (2) ELIGIBILITY.—

4 (A) APPLICATION.—To be eligible to re-
5 ceive a grant under paragraph (1), a Tribal
6 Government shall submit to the Administrator
7 an application at such time, in such manner,
8 and containing such information as the Admin-
9 istrator may require, including—

10 (i) a plan that contains a description
11 of the means by which the funds provided
12 through a grant under paragraph (1) will
13 be used to address issues relating to envi-
14 ronmental justice in Tribal and indigenous
15 communities; and

16 (ii) assurances that the funds pro-
17 vided through a grant under paragraph (1)
18 will be used only to supplement the
19 amount of funds that the Tribal Govern-
20 ment allocates for initiatives relating to en-
21 vironmental justice.

22 (B) ABILITY TO CONTINUE PROGRAM.—To
23 be eligible to receive a grant under paragraph
24 (1), a Tribal Government shall demonstrate to
25 the Administrator that the Tribal Government

1 has the ability to continue each program that is
2 the subject of funds provided through a grant
3 under paragraph (1) after receipt of the funds.

4 (3) REPORT.—

5 (A) IN GENERAL.—Not later than 1 year
6 after the date of enactment of this Act, and an-
7 nually thereafter, the Administrator shall sub-
8 mit to the Committees on Energy and Com-
9 merce and Natural Resources of the House of
10 Representatives and the Committees on Envi-
11 ronment and Public Works and Energy and
12 Natural Resources of the Senate a report de-
13 scribing—

14 (i) the implementation of the grant
15 program established under paragraph (1);

16 (ii) the impact of the grant program
17 on improving the ability of each partici-
18 pating Indian Tribe to address environ-
19 mental justice issues; and

20 (iii) the activities carried out by each
21 Tribal Government to reduce or eliminate
22 disproportionately high and adverse human
23 health or environmental effects on applica-
24 ble environmental justice communities in
25 Tribal and indigenous communities.

1 (B) PUBLIC AVAILABILITY.—The Adminis-
2 trator shall make the report required under
3 subparagraph (A) available to the public (in-
4 cluding by posting a copy of the report on the
5 website of the Environmental Protection Agen-
6 cy).

7 (4) AUTHORIZATION OF APPROPRIATIONS.—
8 There is authorized to be appropriated to carry out
9 this subsection \$10,000,000 for each of fiscal years
10 2018 through 2022.

11 (d) COMMUNITY-BASED PARTICIPATORY RESEARCH
12 GRANT PROGRAM.—

13 (1) ESTABLISHMENT.—The Administrator, in
14 consultation with the Director, shall establish a pro-
15 gram under which the Administrator shall provide
16 not more than 25 multiyear grants to eligible enti-
17 ties to carry out community-based participatory re-
18 search—

19 (A) to address issues relating to environ-
20 mental justice;

21 (B) to improve the environment of resi-
22 dents of environmental justice communities; and

23 (C) to improve the health outcomes of resi-
24 dents of environmental justice communities.

1 (2) ELIGIBILITY.—To be eligible to receive a
2 multiyear grant under paragraph (1), an eligible en-
3 tity shall be a partnership comprised of—

4 (A) an accredited institution of higher edu-
5 cation; and

6 (B) a community-based organization.

7 (3) APPLICATION.—To be eligible to receive a
8 multiyear grant under paragraph (1), an eligible en-
9 tity shall submit to the Administrator an application
10 at such time, in such manner, and containing such
11 information as the Administrator may require, in-
12 cluding—

13 (A) a detailed description of the partner-
14 ship of the eligible entity that, as determined by
15 the Administrator, demonstrates the participa-
16 tion of members of the community at which the
17 eligible entity proposes to conduct the research;
18 and

19 (B) a description of—

20 (i) the project proposed by the eligible
21 entity; and

22 (ii) the ways by which the project
23 will—

24 (I) address issues relating to en-
25 vironmental justice;

1 (II) assist in the improvement of
 2 health outcomes of residents of envi-
 3 ronmental justice communities; and

4 (III) assist in the improvement of
 5 the environment of residents of envi-
 6 ronmental justice communities.

7 (4) AUTHORIZATION OF APPROPRIATIONS.—
 8 There is authorized to be appropriated to carry out
 9 this subsection \$10,000,000 for each of fiscal years
 10 2018 through 2022.

11 **SEC. 12. ENVIRONMENTAL JUSTICE BASIC TRAINING PRO-**
 12 **GRAM.**

13 (a) ESTABLISHMENT.—The Administrator shall es-
 14 tablish a basic training program to increase the capacity
 15 of residents of environmental justice communities to iden-
 16 tify and address disproportionately high and adverse
 17 human health or environmental effects by providing cul-
 18 turally and linguistically appropriate—

19 (1) training relating to—

20 (A) basic and advanced techniques for the
 21 detection, assessment, and evaluation of the ef-
 22 fects of hazardous substances on human health;

23 (B) methods to assess the risks to human
 24 health presented by hazardous substances;

1 (C) methods and technologies to detect
2 hazardous substances in the environment; and

3 (D) basic biological, chemical, and physical
4 methods to reduce the quantity and toxicity of
5 hazardous substances; and

6 (2) short courses and continuation education
7 programs for residents of communities who are lo-
8 cated in close proximity to hazardous substances to
9 provide—

10 (A) education relating to—

11 (i) the proper manner to handle haz-
12 ardous substances;

13 (ii) the management of facilities at
14 which hazardous substances are located
15 (including facility compliance protocols);
16 and

17 (iii) the evaluation of the hazards that
18 facilities described in clause (ii) pose to
19 human health; and

20 (B) training on environmental and occupa-
21 tional health and safety with respect to the pub-
22 lic health and engineering aspects of hazardous
23 waste control.

24 (b) GRANT PROGRAM.—

1 (1) ESTABLISHMENT.—In carrying out the
2 training program, the Administrator may provide
3 grants to, or enter into any contract or cooperative
4 agreement with, an eligible entity to carry out any
5 training or educational activity described in sub-
6 section (a).

7 (2) ELIGIBLE ENTITY.—To be eligible to receive
8 assistance under paragraph (1), an eligible entity
9 shall be an accredited institution of education in
10 partnership with—

11 (A) a community-based organization that
12 carries out activities relating to environmental
13 justice;

14 (B) a generator of hazardous waste;

15 (C) any individual who is involved in the
16 detection, assessment, evaluation, or treatment
17 of environmental waste;

18 (D) any owner or operator of a facility at
19 which hazardous substances are located; or

20 (E) any State government, Tribal Govern-
21 ment, or local government.

22 (c) PLAN.—

23 (1) IN GENERAL.—Not later than 2 years after
24 the date of enactment of this Act, the Administrator,
25 in consultation with the Director, shall develop and

1 publish in the Federal Register a plan to carry out
2 the basic training program described in subsection
3 (a).

4 (2) CONTENTS.—The plan described in para-
5 graph (1) shall contain—

6 (A) a list that describes the relative pri-
7 ority of each activity described in subsection
8 (a); and

9 (B) a description of research and training
10 relevant to environmental justice issues of com-
11 munities adversely affected by pollution.

12 (3) COORDINATION WITH FEDERAL AGEN-
13 CIES.—The Administrator shall, to the maximum ex-
14 tent practicable, take appropriate steps to coordinate
15 the activities of the training program described in
16 the plan with the activities of other Federal agencies
17 to avoid any duplication of effort.

18 (d) REPORT.—

19 (1) IN GENERAL.—Not later than 2 years after
20 the date of enactment of this Act, and every 2 years
21 thereafter, the Administrator shall submit to the
22 Committees on Energy and Commerce and Natural
23 Resources of the House of Representatives and the
24 Committees on Environment and Public Works and

1 Energy and Natural Resources of the Senate a re-
2 port describing—

3 (A) the implementation of the training pro-
4 gram established under subsection (a); and

5 (B) the impact of the training program on
6 improving training opportunities for residents
7 of environmental justice communities.

8 (2) PUBLIC AVAILABILITY.—The Administrator
9 shall make the report required under paragraph (1)
10 available to the public (including by posting a copy
11 of the report on the website of the Environmental
12 Protection Agency).

13 (e) AUTHORIZATION OF APPROPRIATIONS.—There is
14 authorized to be appropriated to carry out this section
15 \$10,000,000 for each of fiscal years 2018 through 2022.

16 **SEC. 13. NATIONAL ENVIRONMENTAL JUSTICE ADVISORY**
17 **COUNCIL.**

18 (a) ESTABLISHMENT.—The President shall establish
19 an advisory council to be known as the National Environ-
20 mental Justice Advisory Council.

21 (b) MEMBERSHIP.—The Advisory Council shall be
22 comprised of 26 members who have knowledge of, or expe-
23 rience relating to, the effect of environmental conditions
24 on communities of color, low-income communities, rural

1 communities, and Tribal and indigenous communities, in-
2 cluding—

3 (1) representatives of—

4 (A) community-based organizations that
5 carry out initiatives relating to environmental
6 justice;

7 (B) State governments, Tribal Govern-
8 ments, and local governments;

9 (C) Indian Tribes and other indigenous
10 groups;

11 (D) nongovernmental and environmental
12 organizations; and

13 (E) private sector organizations (including
14 representatives of industries and businesses);
15 and

16 (2) experts in the fields of—

17 (A) socioeconomic analysis;

18 (B) health and environmental effects;

19 (C) exposure evaluation;

20 (D) environmental and civil rights law; and

21 (E) environmental health science research.

22 (c) SUBCOMMITTEES; WORKGROUPS.—

23 (1) ESTABLISHMENT.—The Advisory Council
24 may establish any subcommittee or workgroup to as-

1 sist the Advisory Council in carrying out each duty
2 of the Advisory Council described in subsection (d).

3 (2) REPORT.—Upon the request of the Advisory
4 Council, each subcommittee or workgroup estab-
5 lished by the Advisory Council under paragraph (1)
6 shall submit to the Advisory Council a report that
7 contains—

8 (A) a description of each recommendation
9 of the subcommittee or workgroup; and

10 (B) any advice requested by the Advisory
11 Council with respect to any duty of the Advi-
12 sory Council.

13 (d) DUTIES.—The Advisory Council shall provide
14 independent advice and recommendations to the Environ-
15 mental Protection Agency with respect to issues relating
16 to environmental justice, including advice—

17 (1) to help develop, facilitate, and conduct re-
18 views of the direction, criteria, scope, and adequacy
19 of the scientific research and demonstration projects
20 of the Environmental Protection Agency relating to
21 environmental justice;

22 (2) to improve the participation, cooperation,
23 and communication with respect to such issues—

24 (A) within the Environmental Protection
25 Agency;

1 (B) between the Environmental Protection
2 Agency and other entities; and

3 (C) between, and among, the Environ-
4 mental Protection Agency and Federal agencies,
5 State, and local governments, Indian Tribes,
6 environmental justice leaders, interest groups,
7 and the public;

8 (3) requested by the Administrator to help im-
9 prove the response of the Environmental Protection
10 Agency in securing environmental justice for com-
11 munities of color, low-income communities, rural
12 communities, and Tribal and indigenous commu-
13 nities; and

14 (4) on issues relating to—

15 (A) the developmental framework of the
16 Environmental Protection Agency with respect
17 to the integration by the Environmental Protec-
18 tion Agency of socioeconomic programs into the
19 strategic planning, annual planning, and man-
20 agement accountability of the Environmental
21 Protection Agency to achieve environmental jus-
22 tice results throughout the Environmental Pro-
23 tection Agency;

24 (B) the measurement and evaluation of the
25 progress, quality, and adequacy of the Environ-

1 mental Protection Agency in planning, devel-
2 oping, and implementing environmental justice
3 strategies, projects, and programs;

4 (C) any existing and future information
5 management systems, technologies, and data
6 collection activities of the Environmental Pro-
7 tection Agency (including recommendations to
8 conduct analyses that support and strengthen
9 environmental justice programs in administra-
10 tive and scientific areas);

11 (D) the administration by the Adminis-
12 trator of grant programs relating to environ-
13 mental justice assistance; and

14 (E) the awareness of, and education train-
15 ing, and other outreach activities conducted by,
16 the Environmental Protection Agency relating
17 to environmental justice.

18 (e) MEETINGS.—

19 (1) FREQUENCY.—

20 (A) IN GENERAL.—Subject to subpara-
21 graph (B), the Advisory Council shall meet bi-
22 annually.

23 (B) AUTHORITY OF ADMINISTRATOR.—The
24 Administrator may require the Advisory Council
25 to conduct additional meetings if the Adminis-

1 trator determines that the conduct of any addi-
2 tional meetings are necessary.

3 (2) PUBLIC PARTICIPATION.—

4 (A) IN GENERAL.—Subject to subpara-
5 graph (B), each meeting of the Advisory Coun-
6 cil shall be open to the public to provide the
7 public an opportunity—

8 (i) to submit comments to the Advi-
9 sory Council; and

10 (ii) to appear before the Advisory
11 Council.

12 (B) AUTHORITY OF ADMINISTRATOR.—The
13 Administrator may close any meeting, or por-
14 tion of any meeting, to the public.

15 (f) FACA.—The Federal Advisory Committee Act (5
16 U.S.C. App.) shall apply to the Advisory Council.

17 (g) TRAVEL EXPENSES.—The Administrator may
18 provide to any member of the Advisory Council travel ex-
19 penses, including per diem in lieu of subsistence, at rates
20 authorized for an employee of an agency under subchapter
21 I of chapter 57 of title 5, United States Code, while away
22 from the home or regular place of business of the member
23 in the performance of the duties of the Advisory Council.

1 **SEC. 14. ENVIRONMENTAL JUSTICE CLEARINGHOUSE.**

2 (a) ESTABLISHMENT.—Not later than 1 year after
3 the date of enactment of this Act, the Administrator shall
4 establish an internet-based clearinghouse to be known as
5 the Environmental Justice Clearinghouse.

6 (b) CONTENTS.—The Clearinghouse shall be com-
7 prised of culturally and linguistically appropriate mate-
8 rials, including—

9 (1) information describing the activities con-
10 ducted by the Environmental Protection Agency to
11 address issues relating to environmental justice;

12 (2) copies of training materials provided by the
13 Administrator to help individuals and employees un-
14 derstand and carry out environmental justice activi-
15 ties;

16 (3) links to web pages that describe environ-
17 mental justice activities of other Federal agencies;

18 (4) a directory of individuals who possess tech-
19 nical expertise in issues relating to environmental
20 justice;

21 (5) a directory of nonprofit and community-
22 based organizations that address issues relating to
23 environmental justice at the local, State, and Fed-
24 eral levels (with particular emphasis given to non-
25 profit and community-based organizations that pos-

1 assess the capability to provide advice or technical as-
2 sistance to environmental justice communities); and

3 (6) any other appropriate information as deter-
4 mined by the Administrator.

5 (c) CONSULTATION.—In developing the Clearing-
6 house, the Administrator shall consult with individuals
7 representing academic and community-based organiza-
8 tions who have expertise in issues relating to environ-
9 mental justice.

10 (d) ANNUAL REVIEW.—The Advisory Council shall—

11 (1) conduct a review of the Clearinghouse on an
12 annual basis; and

13 (2) recommend to the Administrator any up-
14 dates for the Clearinghouse that the Advisory Coun-
15 cil determines to be necessary for the effective oper-
16 ation of the Clearinghouse.

17 **SEC. 15. PUBLIC MEETINGS.**

18 (a) IN GENERAL.—Not later than 2 years after the
19 date of enactment of this Act, and biennially thereafter,
20 the Administrator shall hold public meetings on environ-
21 mental justice issues at each regional office of the Envi-
22 ronmental Protection Agency to gather public input with
23 respect to the planning of future environmental justice ac-
24 tivities of the Environmental Protection Agency.

1 (b) REQUIRED ATTENDANCE OF CERTAIN EMPLOY-
2 EES.—In holding a public meeting under subsection (a),
3 the Administrator shall ensure that at least 1 employee
4 of the Environmental Protection Agency at the level of As-
5 sistant Administrator is present at the meeting to serve
6 as a representative of the Environmental Protection Agen-
7 cy.

8 **SEC. 16. SUPPLEMENTAL ENVIRONMENTAL PROJECTS FOR**
9 **ENVIRONMENTAL JUSTICE COMMUNITIES.**

10 The Administrator shall ensure that all supplemental
11 environmental projects developed as part of a settlement
12 relating to violations in an environmental justice commu-
13 nity—

14 (1) are developed through consultation with,
15 and with the meaningful participation of, individuals
16 from the affected environmental justice community;
17 and

18 (2) result in a quantifiable improvement to the
19 health or well-being of individuals in the affected en-
20 vironmental justice community.

21 **SEC. 17. EVALUATION BY COMPTROLLER GENERAL OF THE**
22 **UNITED STATES.**

23 Not later than 2 years after the date of enactment
24 of this Act, and biennially thereafter, the Comptroller
25 General of the United States shall submit to the Commit-

tees on Energy and Commerce and Natural Resources of the House of Representatives, and the Committees on Environment and Public Works and Energy and Natural Resources of the Senate, a report that contains an evaluation of the effectiveness of each activity carried out in accordance with this Act, including, for the period covered by the report, an evaluation of—

(1) the ways by which the Working Group has developed and implemented the interagency Federal environmental justice strategy;

(2) the ways by which each Federal agency that participates in the Working Group has developed and implemented its environmental justice strategy;

(3) the effectiveness of each grant program carried out under this Act; and

(4) the effectiveness of the Environmental Protection Agency in carrying out the meeting and reporting requirements under this Act.

○