

**Congress of the United States**  
**Washington, DC 20515**

February 25, 2021

President Joseph R. Biden, Jr.  
The White House  
1600 Pennsylvania Avenue, NW  
Washington, DC 20500

Dear President Biden,

We are writing to commend your commitment to make environmental justice a central priority of your administration and to request that you take the following additional executive actions across several Federal agencies to further advance that commitment.

As you know, generations of low-income communities, communities of color, Tribal nations and indigenous communities, and others have experienced economic and racial inequality accelerated by disproportionate exposure to environmental threats. The air pollution, lack of clean water, legacy pollution, lax enforcement of environmental laws, and disinvestment that persists in environmental justice communities has resulted in low wages, toxic pollution, and climate threats that are increasing at an alarming rate. In order to address these systemic issues, we must inject justice into our Nation's environmental and economic policies by strengthening Federal investments and promoting accountability. In this effort, special attention must be given to the industries and communities that are most likely to be impacted by the effects of climate change and the transition to a clean economy.

Since entering office, you have acted boldly to combat climate change and address environmental injustice, and we applaud the executive actions you took during the first two weeks of your administration. We have also been encouraged by your early appointments of individuals who will oversee the implementation of strong environmental justice policies and urge you to continue hiring staff who can remove historical barriers to participation, expand access to government decision-making, and build an executive branch that is responsive to community needs. However, given that environmental justice communities cannot wait for relief, there are several additional actions that your administration could take immediately to strengthen and invest in environmental justice communities, and work to end the decades of inequity and environmental racism felt by communities of color. To that end, we request that you build on your recently announced commitments by:

**Strengthening Executive Order (EO) 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations."** We appreciate the requirement to update EO 12898 in your EO 14008, "Tackling the Climate Crisis at Home and Abroad," and we urge you to direct your administration to consult with the environmental justice community on how best to strengthen, restructure, and implement President Clinton's EO. Consultation with the environmental justice community is key to identifying and developing needed changes and appropriate steps to meet the Federal government's responsibility to achieve environmental protection for all communities. Additional outreach should be performed in an effort to entrust responsibilities for environmental protection to Tribes, based on government-to-government consultation.

**Prioritizing implementation of your Justice40 Initiative to deliver 40 percent of climate investment benefits to historically marginalized and overburdened communities.** We applaud the inclusion of the Justice40 Initiative in EO 14008. As your administration works on recommendations for investments, we would urge you to work with environmental justice advocates and communities to ensure that benefits are appropriately measured and that investment plans are properly crafted to have the greatest beneficial impact in historically marginalized communities. We also urge you to direct agencies to conduct a review of existing programs to identify needed improvements. This will allow agencies to maximize benefits for historically marginalized and overburdened communities and avoid redundant or unnecessary actions or potential harms. Improvements could include expanding capacity building support to communities; strengthening investment criteria and grantee guidance; and clarifying and strengthening monitoring, evaluation, and reporting processes. The reviews should incorporate input from environmental justice advocates and communities.

**Working with the environmental justice community to improve the U.S. Environmental Protection Agency's (EPA) EJScreen or a similar tool.** We were pleased that EO 14008 included a requirement for the Council on Environmental Quality to create a geospatial Climate and Economic Justice Screening Tool. Communities and the Federal, state, local, Tribal, and territorial governments need reliable and up-to-date data on communities overburdened by our Nation's pollution. This will empower lawmakers and communities to address the public health risks associated with this pollution and to ensure that investments and supplemental environmental projects are distributed to the communities with the greatest demonstrated need. This tool must also help us understand the cumulative impact of pollution on people living and working in proximity to health hazards when facilities pollute. Working with the environmental justice community will ensure that this tool has the functionality necessary to provide communities and lawmakers with meaningful and useful data.

**Investing in Minority Serving Institutions and Land-grant Colleges.** Quality education, as well as good-paying, family-sustaining union jobs and opportunities within environmental justice communities are key components of an effective strategy to combat racism and economic discrimination. The administration, across all relevant Federal departments and agencies, including the Departments of Education, Agriculture, and Interior, must dramatically increase Federal funding for Historically Black Colleges and Universities (HBCUs), Tribal Colleges and Universities (TCUs), Hispanic-Serving Institutions (HSIs), Asian American and Native American Pacific Islander-Serving Institutions (AANAPISIs), and other Minority Serving Institutions (MSIs) and Land Grant colleges. Your administration must also prioritize workforce development and training programs for green, good-paying union jobs and clean infrastructure in these communities and on American Indian reservations.

Students who participate in these programs should also receive priority recruitment for internships and good-paying union jobs in Federal programs.

**Prioritizing Mandatory Pollution Reduction in Environmental Justice Communities.** It is imperative that you charge Federal agencies with achieving mandatory reductions in their cumulative pollution footprint, with a focus on reducing pollution in areas that are burdened by disproportionate exposure. Areas with cumulative impacts of exposure to multiple sources of pollution must be addressed so that health risks and other challenges posed by this exposure are reduced and eliminated.

**Investing in training staff in environmental justice.** For agencies to do environmental justice work that fosters sustainable and meaningful progress, it is critical that agency staff receive diversity and anti-racism training. Trainings will help staff better understand our Nation's history of race and racism, the impact of that legacy on policy, and to identify tools to correct bias within both policy development and personal decision-making. Understanding structural differences is critical to agencies' work to ensure equal protection, and it helps foster more inclusive environments and work to eliminate discriminatory behaviors.

**Supporting existing climate resiliency programs and establish a Climate Justice Resiliency Fund.** We urge you to establish a Climate Justice Resiliency Fund at the EPA that assists under-resourced groups like communities of color, low-income communities, Tribal nations and indigenous communities, people with disabilities, children, and the elderly in recovering from and preparing for climate impacts. This Fund must also provide frontline and fenceline communities a transition to a clean and climate-safe future that includes good-paying union jobs, resilient infrastructure, and economic development opportunities. Finally, the Fund should be able to provide a range of assistance based on community need, such as development programs, tax credits, or public-private partnerships. We also ask that you support existing climate resiliency programs and environmental justice grant programs at the EPA by asking for additional funding through the budget process.

**Reinvigorating the National Environmental Policy Act (NEPA).** Following the Trump administration's dismantling of NEPA, it is critical that your administration revive and strengthen this bedrock environmental protection and civil rights law. Specifically, an assessment of cumulative environmental impacts, including climate change, must return to the forefront of any environmental review. Additionally, agency timelines that prevent adequate public comment periods or inhibit thorough environmental review must be adjusted to include more flexibility. Finally, barriers that prevent communities from exercising their legal right to challenge agency decisions should be removed, restoring NEPA's original intent in creating sound environmental policy decisions that take into account the views of impacted communities. NEPA will also be an important mechanism for ensuring that the transition of our country to a clean economy is fair and equitable.

We stand ready to work with you and your administration, and thank you for your consideration of this request.

Sincerely,

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Tammy Duckworth  
United States Senator

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A. Donald McEachin  
Member of Congress

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Thomas R. Carper  
United States Senator

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Cory A. Booker  
United States Senator

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Raúl M. Grijalva  
Member of Congress

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Nanette Diaz Barragán  
Member of Congress

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Pramila Jayapal  
Member of Congress

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Richard J. Durbin  
United States Senator

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Kirsten Gillibrand  
United States Senator

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Jeffrey A. Merkley  
United States Senator

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Bernard Sanders  
United States Senator

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Karen Bass  
Member of Congress

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Earl Blumenauer  
Member of Congress

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Lisa Blunt Rochester  
Member of Congress

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Suzanne Bonamici  
Member of Congress

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André Carson  
Member of Congress

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Kathy Castor  
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Jason Crow  
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Diana DeGette  
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Mark DeSaulnier  
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Debbie Dingell  
Member of Congress

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Dwight Evans  
Member of Congress

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Alcee L. Hastings  
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Jared Huffman  
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Mondaire Jones  
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Brenda L. Lawrence  
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Alan S. Lowenthal  
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Gwen S. Moore  
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Eleanor Holmes Norton  
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Jamie Raskin  
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Bobby L. Rush  
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Jan Schakowsky  
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Terri A. Sewell  
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Adam Smith  
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Rashida Tlaib  
Member of Congress

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Paul D. Tonko  
Member of Congress

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Debbie Wasserman  
Shultz  
Member of Congress

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Bonnie Watson Coleman  
Member of Congress

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Peter Welch  
Member of Congress

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Kaiali'i Kahele  
Member of Congress

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Yvette D. Clarke  
Member of Congress

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Henry C. "Hank" Johnson, Jr.  
Member of Congress