

*GENERAL SERVICES
ADMINISTRATION
Environmental
Justice Strategy*

February 2012

LETTER FROM THE ADMINISTRATOR

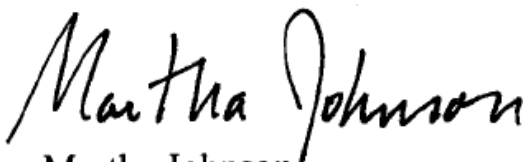
In August 2011, the U.S. General Services Administration (GSA) joined fifteen Departments and Agencies in signing a Memorandum of Understanding (MOU) on Environmental Justice. Through this signing, GSA made a commitment to make environmental justice a part of the agency mission. We are proud to release the agency's first strategy—*General Services Administration Environmental Justice Strategy*.

This strategy sets in motion a number of actions the agency will carry forward to ensure it continues to play a key role in protecting communities from adverse health and environmental impacts. The mission of environmental justice is one that connects seamlessly with GSA's sustainability agenda. GSA set an aggressive goal of achieving a Zero Environmental Footprint (ZEF)—intended to eliminate GSA's impact on the natural environment. Our first ever strategy on environmental justice utilizes our ZEF ethic to ensure that no communities, including minority and low income populations, bear any undue health or environmental impacts from GSA actions.

The *Strategy* establishes actions to ensure that GSA continues to conduct robust public engagement and improves its data collection and analysis as it considers actions that have the potential to impact communities. The range of GSA actions is expansive—from the leasing, building, renovating and disposing of federal buildings; to acquiring goods and services that vary from vehicles to office supplies; to responsibly disposing of electronic waste.

The *Strategy* also demonstrates GSA's emerging commitment to considering the full supply chain lifecycle of its work—considering economic, social, and environmental impacts in its procurement, building, and operational decisions and policies.

Much work lies ahead. GSA is excited to join this interagency effort and advance the cause of environmental justice.



Martha Johnson
Administrator

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INTRODUCTION

A. Overview

On August 4, 2011, the Administrator of the U.S. General Services Administration (GSA) signed the [*Memorandum of Understanding \(MOU\) on Environmental Justice and Executive Order \(E.O.\) 12898 \(MOU on Environmental Justice\)*](#). E.O. 12898, titled "[*Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*](#)," was issued by President Clinton in 1994. Environmental justice is defined as, "the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation and enforcement of environmental laws, regulations, and policies." The Administrator's signature on the MOU affirms GSA's commitment to E.O. 12898, which directs agencies¹ to make environmental justice part of their missions and to identify and address, as appropriate, disproportionately high and adverse human health or environmental effects of programs, policies, and activities on minority and low-income populations. It also reaffirms GSA's commitment to implementing Title VI of the Civil Rights Act of 1964, which states, "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

Environmental justice is "the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation and enforcement of environmental laws, regulations, and policies."

Through the signing of the MOU, GSA has agreed to:

- Declare the importance of identifying and addressing environmental justice considerations in agency programs, policies, and activities;
- Develop an environmental justice strategy and annual implementation progress reports;
- Ensure meaningful opportunities exist for the public to submit comments and recommendations relating to the strategy, implementation, and ongoing efforts associated with environmental justice;
- Serve as an active member of the Interagency Working Group (IWG) on environmental justice.

This *General Services Administration Environmental Justice Strategy* (here on referred to as "*Strategy*") sets direction for the agency to incorporate environmental justice into its mission and to take steps to ensure the fair treatment and meaningful involvement of

¹ A list of Federal Departments and Agencies and their respective environmental justice strategies can be found here: <http://www.epa.gov/compliance/ej/interagency/iwg-compendium.html>

low-income and minority populations that could be impacted by GSA actions. The *Strategy* outlines and describes:

- the mission of GSA;
- the relationship of environmental justice to the mission, vision, and goals of the agency;
- a GSA environmental justice vision and associated guiding principles;
- GSA environmental justice goals;
- GSA agency-wide, as well as program level, efforts and actions to advance environmental justice; and
- an action implementation plan.

B. About the General Services Administration

GSA's mission is to use expertise to provide innovative solutions for our customers in support of their missions, and by so doing, foster an effective, sustainable, and transparent government for the American people.

The GSA mission recognizes the convergence of opportunity, capability and responsibility in providing comprehensive solutions to federal agencies to allow them to achieve their missions. GSA is the central agency for acquiring products, services, and workspace for the Federal Government. It provides office space to over one million federal employees in over 9,600 federal buildings and leases and offers over 12 million products and services to other federal agencies. GSA plays a key role in developing and implementing administrative policies that affect all government agencies and is a leader in developing citizen-driven information and services and citizen engagement tools. In FY 2010, GSA had a business volume representing over 14 percent of the Government's total procurement spending.

GSA's broad reach over the acquisition, management, and disposal of federal assets provides a unique opportunity to influence the environmental performance of the entire government as well as environmental justice. GSA has expertise and a history of leadership in sustainable government technologies and practices. GSA recognizes that it has a responsibility to increase the sustainability and efficiency of the Federal Government by reducing the environmental impact of its buildings, products, and services, as well as its processes and activities.

C. Relationship of Environmental Justice to GSA's Mission, Vision, and Agency Goals

While this *Strategy* represents GSA's first-ever environmental justice strategy, GSA has long been committed to principles of environmental justice and their relationship to civil rights. GSA's mission statement sets a focus on fostering a sustainable and transparent government and, in so doing, demonstrates the close relationship of its mission to guiding principles of environmental justice. Further, GSA has established a vision of achieving a Zero Environmental Footprint (ZEF) both for its own operations and for the work it does for its federal customers. GSA has committed to eliminating its

impact on the environment and using its government-wide influence to eliminate the environmental impact of the federal government—for the benefit of all populations, including minority and low-income populations.

The *MOU on Environmental Justice* identified four scoping areas for agencies to address, as appropriate for its mission, in the following areas:

- Implementation of the National Environmental Policy Act (NEPA);
- Implementation of Title VI of the Civil Rights Act of 1964;
- Impacts from climate change; and
- Impacts from commercial transportation and supporting infrastructure (“goods movement”).

Each of these scoping areas is relevant to the mission of GSA and is addressed through this *Strategy*. GSA is the nation’s largest landlord, with over 370 million square feet of owned and leased space, representing more than 2 percent of U.S. commercial real estate. GSA’s role in the management of these properties—ranging from siting, to design, to construction, to maintenance, to renovation—demands that GSA play a significant role in the implementation of NEPA.

Title VI of the Civil Rights Act of 1964 prohibits discrimination in the issuance of federal financial assistance, among other activities. GSA administers two major federal financial assistance programs, which are described later in the *Strategy*: the Federal Surplus Personal Property Donation Program and the Disposal of Federal Surplus Real Property for public use.

Executive Order 13514: Federal Leadership in Environmental, Energy, and Economic (E.O. 13514) and subsequent White House Council on Environmental Quality (CEQ) instructions directed agencies to support the Federal Climate Adaptation Strategy, participate in the interagency Climate Change Adaptation Task Force, and establish an agency climate change adaptation policy. GSA is an active member of this effort and is considering how to incorporate environmental justice into its related activities. In addition, Section 10 of *E.O. 13514* directed GSA to coordinate with other Federal Departments and Agencies to make recommendations for sustainable locations for Federal facilities. GSA played a key role in developing the implementing instructions per the order. These highlight just two of many roles GSA is playing in implementing *E.O. 13514*.

Finally, with respect to commercial infrastructure and supporting infrastructure (“goods movement”), GSA plays two roles. First, GSA works with the Department of Homeland Security and other Federal agencies to site, design, construct, and manage Land Ports of Entry (LPOE)—also known as border stations. LPOEs serve as critical points of commercial transportation infrastructure—designed to ensure safe, secure, and legal trade, travel, and immigration. Second, GSA annually manages government consumption of goods and services worth nearly \$95 billion and manages a fleet of over 220,000 vehicles and guides the acquisition of an additional 200,000. So, while GSA does not build highways, runways, or railways, it depends heavily on the use of

them by its own fleet as well as by the 18,000 vendors that supply goods and services to the Federal government.

D. GSA Environmental Justice Vision Statement

In accordance with *E.O. 12898*, GSA will incorporate environmental justice into its management infrastructure to promote environmental justice for all stakeholders through:

- Effective and efficient goals and strategies
- Engaging public participation and trust
- Ensuring accountability through action tracking

GSA seeks to be a federal leader in environmental justice as it addresses its building and acquisition needs and those of its customer agencies.

E. Guiding Environmental Justice Principles

The following are GSA's guiding environmental justice principles, which reflect the direction of the MOU on Environmental Justice:

- GSA will continue to ensure meaningful opportunities exist for the public and impacted communities to participate in the formulation, design and execution of its programs, policies, and activities.
- GSA will engage in environmental justice activities in a transparent and accountable manner.

2012 GSA ENVIRONMENTAL JUSTICE STRATEGY GOALS, EFFORTS, AND ACTION STEPS

A. Environmental Justice Strategy Goals

GSA has established three overarching goals for Environmental Justice:

Goal 1: GSA will identify and address programs, policies, and activities of the agency that may have the potential of having disproportionately high and adverse human health and/or environmental effects on minority and low-income populations.

Goal 2: GSA will improve research and data collection methods related to determining the environmental and social impact of its activities on minority and low-income populations, both in terms of impact on human health and the environment.²

Goal 3: GSA will improve social impact analyses and provide guidance for social impact analyses to be carried out with implementation at various levels of NEPA compliance.³

² This is inclusive of Federally-recognized Tribes, per the MOU.

³ Levels to include Categorical Exclusions, Environmental Assessments, and Environmental Impact Statements.

B. Agency-Wide Efforts that Advance Environmental Justice

1. GSA Environmental Justice Working Group

GSA formally established the internal Environmental Justice Working Group (Working Group). The working group will be responsible for working across the agency to identify and address programs, policies, and activities of GSA that may have disproportionately high and adverse human health or environmental effects on minority and low-income populations. It will drive the development and implementation of the strategy and will include appropriate representatives from across the agency. The Working Group is chaired by the senior GSA representative for environmental justice—Madeline Caliendo, Associate Administrator for Civil Rights. Given the nexus between environmental justice and GSA’s sustainability efforts, representatives from the Working Group will meet with members of GSA’s Sustainability Steering Committee regularly.

Action: GSA’s Environmental Justice Working Group will, at a minimum, hold quarterly meetings.

Action: GSA will provide an opportunity for public comment on its strategy and annual implementation progress reports.

2. National Environmental Policy Act (NEPA) Implementation

GSA leases, acquires, develops, manages, and disposes of real property for the Federal Government. In so doing, GSA has significant responsibilities for implementing the National Environmental Policy Act and its associated regulations. Broadly speaking, NEPA requires federal agencies to integrate environmental values into their decision making processes by considering the environmental impacts of their proposed actions and reasonable alternatives to those actions. More specifically, NEPA articulates the Federal policy that:

- Favors protecting the quality of the human environment⁴
- Requires Federal agencies to consider the impacts of their proposed activities, programs, and projects on the quality of the human environment
- Affords opportunities for the public to learn about and influence an agency’s decision making
- Requires analysis and documentation on the potential environmental impact of a proposed action, as well as methods of mitigating such impacts.
- In support of all of the above, these NEPA studies are conducted by way of Environmental Impact Statement (EIS), Environmental Assessment (EA), or a Categorical Exclusion (CATEX).

⁴ “Human environment” shall be interpreted comprehensively to include the natural and physical environment and the relationship of people with that environment (40 CFR 1508.14).

GSA, through its [NEPA Desk Guide](#), has outlined guidance for the agency to carry out the requirements of NEPA in accordance with federal regulations. Included within the *NEPA Desk Guide* is a section dedicated to Environmental Justice. Because GSA's actions take place in urban as well as rural areas, there is potential for effects (beneficial or adverse) on minority and low-income populations. An agency must consider the impacts on the natural, social, and cultural environments, including environmental justice, through the NEPA process for all proposed GSA actions. Some proposed actions may occur in situations where an EIS, EA or a CATEX might be the operative level of NEPA analysis. Thus consideration must be given to conducting some level of environmental justice review as part of each GSA NEPA review.

The NEPA process also requires the inclusion of public participation. Agencies shall make diligent efforts to involve the public in preparing and implementing their NEPA procedures and provide public notice of NEPA-related hearings, public meetings, and the availability of environmental documents so as to inform those persons and agencies who may be interested or affected.

Action: GSA will review the current *NEPA Desk Guide* and will develop guidance specific to environmental justice that incorporates relevant regulations and policies and ensures that some level of environmental justice study is performed as part of each GSA NEPA review.

Action: GSA will establish curriculum and training for NEPA implementation and ensure that environmental justice analyses are a portion of the curriculum.

Action: GSA will annually track, commencing in 2013, NEPA implementation of environmental justice for all projects, whether the NEPA study is an EIS, EA, or a CATEX.

3. Sustainability

The GSA Strategic Plan and its [Strategic Sustainability Performance Plan](#) outline key goals and commitments that drive the agency toward reducing its environmental footprint. Ultimately, GSA is driving towards a vision of achieving a "Zero Environmental Footprint." By reducing GSA's impact on the environment at large, GSA will also reduce its impact on minority and low-income populations⁵. GSA has set eight aggressive goals in the following areas to reduce that impact on the environment at large:

- Scope 1 and 2 Greenhouse Gas (GHG) Reduction
- Scope 3 GHG Reduction and Agency GHG Inventory
- Sustainable Design, Green Buildings, and Local Planning
- Water Use Efficiency and Management

⁵ This is inclusive, as appropriate, of Federally-recognized Tribes per the MOU and E.O.

- Pollution Prevention and Waste Reduction
- Sustainable Acquisition
- Electronic Stewardship and Data Centers
- Agency Innovation and Government-Wide Support

Action: GSA will meet the targets and goals outlined in the *Strategic Sustainability Performance Plan*.

Action: GSA will consider augmenting its *Strategic Sustainability Performance Plan* with economic and social metrics using the Global Reporting Initiative⁶ framework.

4. **Electronic Stewardship**

From computers and cell phones, to portable communication and music devices -- the United States of America is, and will continue to be, a global leader in designing and developing new and improved electronic technologies. These technologies have become critical to our way of life and to our growing economy. With these technologies, however, comes the increasing challenge of protecting human health and the environment from the potentially harmful effects associated with the improper handling and disposal of these products. Currently, most discarded consumer electronics end up in our landfills. While accurate data on the amount of e-waste being exported from the US are not available, the Federal Government is concerned that these exports may be mismanaged abroad, causing serious public health and environmental hazards.

GSA, the U.S. Environmental Protection Agency (EPA) and the Council on Environmental Quality (CEQ) are co-chairing an interagency task force that has prepared a [National Strategy for Electronics Stewardship](#). By implementing the recommendations presented in this strategy, the federal government will lay the groundwork for improving the design of electronic products and enhancing America's management of used or discarded electronics.

The new strategy creates a roadmap of how the federal government can use its authority and leverage resources to meet the increasing challenge of protecting human health and the environment from harmful effects associated with the unsafe handling and disposal of computers, cell phones, music devices and other electronics products. The strategy provides an innovative, flexible, pragmatic approach that allows Americans to manage the electronics we use today more sustainably.

GSA is playing a leading role in implementing the strategy and has committed to actions to advance the following goals:

⁶ The Global Reporting Initiative (GRI) is a non-profit organization that promotes economic, environmental and social sustainability. GRI provides all companies and organizations with a comprehensive sustainability reporting framework that is widely used around the world.

- Build incentives for design of greener electronics, and enhance science, research, and technology development in the United States;
- Ensure the Federal Government leads by example in responsible consumption and disposition of electronics;
- Increase safe and effective management and handling of used electronics in the United States; and
- Reduce harm from U.S. exports of e-waste and improve safe handling of used electronics in developing countries.

A set of benchmarks identify action items and projects associated with the strategy, as well as agencies responsible for meeting goals and target dates for completing the work. The benchmarks associated with each goal can be found here:

http://www.gsa.gov/graphics/admin/National_Strategy_Electronics_Stewardship_benchmarks_2011.pdf

5. **Transportation Policy**

The *MOU on Environmental Justice* called specific attention to focusing on the impacts of commercial transportation and supporting infrastructure (“goods movement”). Research indicates that the demand for commercial transportation will continually increase over the next several years. The current infrastructure is aging and will not support growing transportation requirements, without substantial improvements. Maintaining and upgrading the infrastructure is costly, which will have impacts on all populations, including minority and low income populations. Some of the adverse effects of the increasing demand for commercial transportation on minority and low income populations will be:

- Increased fuel taxes
- Increased airline taxes
- Increased transit (bus, trains) prices
- Increased congestion on city freeways (often low income households reside close to these areas), and
- Increased emissions from commercial vehicles

One of GSA’s mission areas is to help improve the government’s management of its transportation services for freight and household goods. GSA is committed to increasing the efficiency of these transportation services. Through this strategy, GSA also commits to creating greater awareness of the potential impacts of transportation services on environmental justice.

Action: GSA will consider and incorporate, as appropriate, environmental justice principles in the acquisition of transportation services, including assessing the impacts of distribution networks.

6. Impacts from Climate Change

The *MOU on Environmental Justice* included direction for incorporating impacts from climate change within the scope of the environmental justice strategy. GSA, at the direction of *Executive Order (E.O.) 13514, Federal Leadership in Environmental, Energy, and Economic Performance* and subsequent implementation instructions issued by the White House Council on Environmental Quality, has established an agency policy statement on climate change adaptation. The policy commits GSA to considering potential climate change impacts when undertaking long-term planning and making decisions affecting resources, programs, policies, and operations. GSA will develop and publish an agency-wide Climate Adaptation Plan by June 2012 and update it regularly. The Plan will identify and prioritize actions and establish a mechanism to evaluate progress and continue to improve GSA's capacity to effectively adapt to current and future changes in the climate. In constructing the Plan, GSA will review programs, operations, policies and authorities to identify potential long term impacts of climate change and prioritize investments that will increase operational resiliency in the face of greater climate risk. In so doing, GSA will also incorporate considerations of environmental justice in its planning efforts.

Action: GSA will consider and incorporate, as appropriate, environmental justice principles in its agency-wide Climate Adaptation Plan.

7. GSA Guidance and Training on EJ

In order to ensure that GSA managers are fully aware of their responsibilities under E.O. 12898 and preexisting statutory mandates, guidance and training is needed.

Action: GSA will create guidance, training, and curriculum to advance environmental justice principles agency-wide. Such training can be conducted in concert with other training, such as the NEPA training outlined above, and other environmental training sessions. GSA will also consult with the Environmental Protection Agency (EPA) about obtaining existing EJ training.

8. Public Participation and Engagement

Public engagement and participation in decision making is a fundamental principle of EJ, and is critical to achieving outcomes that reflect the needs of all affected stakeholders to the greatest extent possible. Low-income and minority communities have historically borne disproportionately high and adverse human health or environmental effects of building and infrastructure projects. Active participation of all affected communities will help ensure that site and design planning for federal facilities avoid, minimize, or mitigate the impacts on low-income and minority populations. Sections C.1 and C.2 further discuss this process. Further, the production and transport of goods and services by industry that are ultimately procured and consumed by GSA and the Federal Government have impacts on the environment and have the potential to have impacts on low-income and minority populations. As such, GSA is taking steps to consider the full supply chain lifecycle and looking at

economic, social, and environmental impacts in its procurement decisions and policies. Continued engagement with the public and industry will continue to help GSA further understand those impacts. For this reason, GSA is committed to developing and using public engagement to encourage environmental justice populations to participate during the planning and implementation of programs, policies, and activities. In December 2011, GSA made a draft of its strategy available for public review and comment. Future iterations and implementation reports will also be made available.

Action: As GSA develops and implements its environmental justice strategy and considers actions that have the potential of impacting low-income and minority populations, it will continue to provide meaningful opportunities for the public to provide input.

9. **Commitment to Civil Rights**

GSA's Office of Civil Rights administers programs related to the application of various federal civil rights laws and regulations, including the following, which pertain to the *MOU on Environmental Justice*:

- The Nondiscrimination in Federally Conducted Programs and Activities program for federal tenants (and their employees) and members of the general public seeking access to programs and activities conducted by GSA; and
- The Nondiscrimination in Federally Assisted Programs and Activities program for persons eligible to participate in programs or activities that receive federal financial assistance from GSA.

GSA administers two major federal financial assistance programs: the Federal Surplus Personal Property Donation Program and the Disposal of Federal Surplus Real Property for public use. Federal laws prohibit discrimination on the basis of race, color, national origin, disability, age, sex, and, in some instances, religion, in programs or activities receiving federal financial assistance. The Office of Civil Rights is responsible for ensuring compliance with applicable federal laws.

Action: As GSA considers and implements its environmental justice strategies, the Office of Civil Rights will provide technical support, training and outreach needed to ensure nondiscrimination in the implementation of Federal Civil Rights Laws and Regulations, including but not limited to Executive Order 12898, regarding GSA's Federal Financial Assistance Programs and Activities and GSA's Federal Conducted Programs and Activities.

C. **Program Efforts that Advance Environmental Justice**

1. **Sustainable Locations for Federal Facilities**

GSA and federal agencies partner in the development of a delineated area for any real property procurement. GSA requires compliance with E.O. 12072,

E.O. 13006, and the Rural Development Act of 1972 in all property acquisitions, including leases. GSA is developing new additional internal guidance and tools for greater implementation of sustainable practices as stated in E.O. 13514.

- Stakeholder Involvement
 - In accordance with E.O. 12072 and 13514, GSA will inform regional and local municipalities prior to initiating new property actions. GSA will work with state and local preservation organizations to identify available historic properties and undeveloped sites in historic districts that may meet government needs.
 - GSA works closely with the requesting agency and regional and local municipalities to pursue alternatives consistent with existing planning efforts.
 - GSA is pursuing a community engagement strategy through planning and outreach meetings in metro areas in every region. In FY 2011, twenty-three of these engagement meetings occurred, with another round slated for FY 2012.

- Sustainability
 - GSA is developing a Geographic Information System (GIS) tool to better identify location factors—such as proximity to transit, amenities, and walkability—in an effort to analyze locations, help advise client agencies, and make better decisions.
 - GSA is developing internal guidance in coordination with the Office of Management and Budget’s (OMB) “Implementing Instructions – Sustainable Locations for Federal Facilities” issued on September 15, 2011.
 - In a Memorandum of Understanding between GSA and EPA signed May 23, 2003, GSA aids in identifying vacant or underused federal properties whose remediation and reuse can bolster community revitalization efforts. In addition, brownfield (land previously used for industrial or commercial purposes) redevelopment serves as a catalyst for development projects to provide jobs, contributes to the local tax base, promotes economic development, and enhances public spaces.

- Location
 - GSA gives first consideration in property decisions to offerors located within Central Business Districts or Rural Town Centers, including historic buildings and sites within town and city center historic districts, in accordance with E.O. 12072, E.O. 13006, E.O. 13514, and the Rural Development Act of 1972, and as such, promotes the vitality and economic viability of Town and City centers.

- GSA requires identification of any vacant Federally-owned properties available for reuse that may be utilized to meet an agency requirement prior to initiating a new space action.
- GSA encourages the acquisition of property accessible by public transportation and existing infrastructure to allow accessibility to all employees, including those in minority and low-income populations.

Action: GSA will complete development of a GIS tool, to better identify location factors—such as proximity to transit, amenities, and walkability—in an effort to analyze locations, help advise client agencies, and make better decisions.

Action: GSA will complete internal guidance to support the “Implementing Instructions – Sustainable Locations for Federal Facilities.”

2. **Urban Development/Good Neighbor Program**

GSA facilities are located in more than 2,000 urban communities nationwide. As a federal agency, GSA has the responsibility to leverage its federal real estate actions in ways that support community development goals, while also meeting client agency needs. This responsibility derives from legal mandate, including federal law and executive orders, as well as sound business practices.

The core mission of the Urban Development/Good Neighbor Program is to provide GSA regional offices and their stakeholders with the technical, training, and outreach resources they need to implement good neighbor principles in the business practices of the Public Buildings Service. Those principles are:

- Locate new, owned, and leased federal facilities in places that support local plans;
- Design new facilities to create outstanding federal workplaces and support neighborhood urban design goals;
- Renovate existing federal properties to improve their public spaces, create positive first impressions, and encourage stakeholders to improve neighborhood conditions;
- Manage federal properties to encourage public use and openness; and
- Participate in neighborhood physical and management improvement efforts around federal properties.

Outside the agency, the program develops positive long-term partnerships with national constituent organizations and serves as an initial point of contact for citizens who wish to discuss a federal project or issue with GSA.

Action: The Urban Development/Good Neighbor Program will incorporate environmental justice principles into existing program principles and into

community outreach planning and implementation, and continue to support the development of GIS location efficiency tools.

3. Real Property Disposal

GSA is responsible for promoting effective use of federal real property assets, as well as the disposal of real property that is no longer mission-critical to federal agencies.

With thousands of properties in the federal portfolio, disposing of underused federal property is a considerable task. GSA—while working together with partner federal agencies, state and local governments, non-profit organizations, business groups, and citizens—leaves a lasting positive impact on communities by making valuable government real estate available for numerous public purposes. If it is determined that a property is suitable for homeless use, for example, GSA must first consider transferring the property as a homeless conveyance before any other public conveyance can be considered. If, as another example, property becomes a public benefit conveyance (PBC), the property can be substantially discounted in price (up to 100 percent reduction in fair market value) if it is used for a specific public use that qualifies for a PBC through a partner federal agency's determination.

Unneeded or underutilized federal property can vary widely in type and value, and may include:

- Undeveloped land;
- Office buildings;
- Warehouses;
- Commercial and industrial facilities;
- Military holdings; and
- Single- and multi-family residences.

These former federal properties can contribute to a community's vitality by providing benefits such as:

- Expanded employment opportunities;
- Housing for the homeless; and
- Establishment of educational centers, parks, and open spaces.

Property may be located in any of the 50 states, the District of Columbia, Puerto Rico, the U.S. Virgin Islands, and the U.S. Pacific Territories. Since 1987, GSA has conveyed over \$3 billion worth of property across the United States. Of this, about one third has been conveyed to state or local governments and non-profit organizations at a substantial discount in price.

Action: As GSA disposes of real property, it will continue to consider and incorporate the principles of environmental justice into its decision making process in accordance with established laws and regulations.

4. **Federal Surplus Personal Property Donation Program**

The Federal Surplus Personal Property Donation Program enables certain nonfederal organizations to obtain personal property that the federal government no longer needs. Surplus personal property includes all types and categories of property except:

- Land or other real property
- Certain naval vessels
- Records of the federal government

Not every state and local government agency or public organization conducting certain activities qualifies to receive surplus federal personal property. The States Agencies for Surplus Properties (SASP) maintain a list of organizations that are eligible for surplus personal property through the SASPs.

Organizations eligible to receive surplus personal property include:

- Public agencies
- Nonprofit educational and public health agencies
- Nonprofit and public programs for the elderly
- Educational agencies of special interest to the armed services

Action: As GSA disposes of surplus personal property, it will consider and incorporate the principles of environmental justice into its decision making process in accordance with established laws and regulations. Associated policies will reflect this goal.

5. **Brownfields Redevelopment Initiative**

A brownfield is defined as a “real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant,” according to the Small Business Liability Relief and Brownfields Revitalization Act of 2001. Brownfields can be anywhere—cities and suburbs, rural and tribal communities, and along the coastlines.

As a founding member of the Brownfields National Partnership, which encompasses 28 organizations, including more than 15 federal agencies, GSA demonstrates its commitment to brownfield redevelopment in the following ways:

- Identifies vacant or underused federal properties whose remediation and reuse can bolster community revitalization efforts.
- Understands real estate transactions and some of the key players in the insurance, finance, and development industries.
- Knows federal disposal authorities and regulations. As an honest broker, GSA works with the EPA in better focusing its brownfield assessment and cleanup efforts to support final reuse and redevelopment of federal properties.

- Saves tax dollars when it disposes of or sells vacant or underutilized federal properties and represents the Federal Government as a good neighbor to the communities where these buildings reside.

Brownfields redevelopment presents an opportunity to help the environment, boost local economies, and increase the overall quality of life. This program receives broad support among local communities for the following reasons:

- Serves as a catalyst for development projects to provide jobs, contributes to the local tax base, promotes economic development, and enhances public spaces.
- Makes efficient use of existing infrastructure while providing an alternative to developing green fields of open space and contributing to suburban sprawl.

Action: As GSA continues its work in the brownfields redevelopment initiative, it will incorporate environmental justice principles as applicable.

6. Capital Projects Planning

In GSA's lifecycle of delivering capital projects, the potential to have an effect on environmental justice is greatest at the project planning phase. GSA's Capital Projects program presents an opportunity to address environmental justice through project planning and project prioritization.

Action: The GSA environmental justice working group will develop recommendations for policy updates that support environmental justice for GSA's Capital Investment Leasing Program (CILP).

Action: The GSA Environmental Justice Working Group will develop recommendations for policy updates that support environmental justice at the project inception and planning levels.

INTERAGENCY COLLABORATIONS

GSA will participate in the various interagency areas of focus identified in the August 4, 2011 MOU, which affirmed GSA's commitment to environmental justice efforts. Given the nexus between environmental justice and sustainability, GSA will continue its aggressive implementation of its *Strategic Sustainability Performance Plan* and its active role in the Interagency Steering Committee on Federal Sustainability.

IMPLEMENTATION PLAN

Program/Initiative	Action	Agency Lead	Action Date
GSA Environmental Justice Working Group	GSA established its environmental Justice Working Group by December 15, 2011 and will, at a minimum, hold quarterly meetings.	Associate Administrator Office of Civil Rights	December 15, 2011 and quarterly thereafter
GSA Environmental Justice Working Group	GSA will provide an opportunity for public comment on its strategy and annual implementation progress reports	Associate Administrator Office of Civil Rights	September 30, 2012 and annually thereafter
GSA Environmental Justice Working Group	GSA will publish its Environmental Justice Strategy and annual implementation progress reports	Associate Administrator Office of Civil Rights	February 11, 2012 and annually thereafter
NEPA Implementation	GSA will review the current <i>NEPA Desk Guide</i> and will develop guidance specific to environmental justice that incorporates relevant regulations and policies and ensures that some level of environmental justice study is performed as part of each GSA NEPA review.	Public Buildings Service	June 2012
NEPA Implementation	GSA will establish curriculum and training for NEPA implementation and insure that environmental justice analyses are a portion of the curriculum.	Public Buildings Service	November 2012
NEPA Implementation	GSA will annually track, commencing in 2013, NEPA implementation of environmental justice for all projects, whether the NEPA study is an EIS, EA, or a CATEX.	Public Buildings Service	January 2013
Sustainability	GSA will meet the targets and goals outlined in the Strategic Sustainability Performance Plan.	Sustainability Steering Committee	September 2012
Sustainability	GSA will consider augmenting its Strategic Sustainability Performance Plan with economic and social metrics using the Global Initiative Reporting Framework	Sustainability Steering Committee	January 2013
Transportation Policy	GSA will consider and incorporate, as appropriate, environmental justice principles in the acquisition of transportation services, including assessing the impacts of distribution networks.	Office of Governmentwide Policy	September 2012
Climate Change	GSA will consider and incorporate, as appropriate, environmental justice principles in its agency-wide Climate Adaptation Plan.	Office of Governmentwide Policy	September 2012
Guidance and Training	GSA will create guidance, training, and curriculum to advance environmental justice principles agency-wide.	Associate Administrator Office	September 2012

		of Civil Rights	
Public Participation and Engagement	As GSA develops and implements its environmental justice strategy and considers actions that have the potential of impacting low-income and minority populations, it will continue to provide meaningful opportunities for the public to provide input.	Associate Administrator Office of Civil Rights	Ongoing

Program/Initiative	Action	Agency Lead	Action Date
Civil Rights	As GSA considers and implements its environmental justice strategies, the Office of Civil Rights will provide technical support, training and outreach needed to ensure nondiscrimination in the implementation of Federal Civil Rights Laws and Regulations, including but not limited to Executive Order 12898, regarding GSA’s Federal Financial Assistance Programs and Activities and GSA’s Federal Conducted Programs and Activities.	Associate Administrator Office of Civil Rights	Ongoing
Sustainable Siting of Federal Facilities	GSA will complete development of a GIS tool, to better identify location factors—such as proximity to transit, amenities, and walkability—in an effort to analyze locations, help advise client agencies, and make better decisions.	Public Buildings Service	Date to be determined
Sustainable Siting of Federal Facilities	GSA will complete internal guidance to support the “Implementing Instructions – Sustainable Locations for Federal Facilities”	Public Buildings Service	Date to be determined
Urban Development/Good Neighbor Program	The Urban Development/Good Neighbor Program will incorporate environmental justice principles into existing program principles and into community outreach planning and implementation, and continue to support the development of GIS location efficiency tools.	Public Buildings Service	Ongoing
Real Property Disposal	As GSA disposes of real property, it will continue to consider and incorporate the principles of environmental justice into its decisionmaking process in accordance with established laws and regulations.	Public Buildings Service	Ongoing
Federal Surplus Personal Property Disposal	As GSA disposes of surplus personal property, it will consider and incorporate the principles of environmental justice into its decisionmaking process in accordance with established laws and regulations. Associated policies will reflect this goal.	Federal Acquisition Service and Office of Governmentwide Policy	Ongoing
Brownfields Redevelopment	As GSA continues its work in the brownfields redevelopment initiative, it will incorporate environmental justice principles as applicable.	Public Buildings Service	Ongoing

Capital Projects Planning	The GSA environmental justice working group will develop recommendations for policy updates that support environmental justice for GSA's Capital Investment Leasing Program (CILP).	Environmental Justice Working Group	September 2012
Capital Projects Planning	The GSA Environmental Justice Working Group will develop recommendations for policy updates that support environmental justice at the project inception and planning levels.	Environmental Justice Working Group	September 2012

Appendix: Supplemental Information

Title VI of the Civil Rights Act of 1964

Title VI of the Civil Rights Act of 1964 (“Title VI”) prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving federal financial assistance. See 42 U.S.C. § 2000d. Title VI is also the model for several subsequent statutes that prohibit discrimination on other grounds in federally assisted programs or activities, including Title IX (discrimination in education programs prohibited on the basis of sex) and Section 504 of the Rehabilitation Act of 1973, as amended (discrimination prohibited on the basis of disability). Under Title VI, Federal assistance is not just limited to an award or grant of money. It may occur in nonmonetary forms such as, the use or rent of federal land or property at below market value, federal training, a loan of Federal personnel, subsidies, and other arrangements with the intention of providing assistance. Title VI provides that if a recipient of Federal assistance is found to have discriminated, and voluntary compliance cannot be achieved, the federal agency providing the assistance should either initiate fund termination proceedings or refer the matter to the Department of Justice (Civil Rights Division) for appropriate legal action. Aggrieved individuals may file administrative complaints with the federal agency that provides assistance to a recipient. Title VI itself prohibits intentional discrimination. However, most funding agencies have implementing regulations for Title VI that prohibit recipient practices that have the effect of discrimination on the basis of race, color, or national origin.

In 1994, E.O. 12898 was born out of a need to address concerns that the high and adverse environmental impacts of private or governmental actions were falling disproportionately on populations protected by laws such as Title VI (a.k.a. “Environmental Justice” concerns). In a Presidential memorandum accompanying E.O. 12898, President Clinton identified Title VI as one of several federal laws already in existence that can help "to prevent minority communities and low-income communities from being subject to disproportionately high and adverse environmental effects." President’s Memorandum for the Heads of All Departments and Agencies, 30 WEEKLY COMP. PRES. DOC. 279, 280 (Feb. 11, 1994). E.O. 12898 amplifies Title VI by providing that each federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority and low-income populations. Although not all Title VI complaints involve environmental justice and not all Environmental Justice complaints involve violations of Title VI, there is typically a body of environmental justice issues that are raised in the context of complaints alleging Title VI violations. Federal agencies need to be aware of this intersection and appropriately incorporate it into their environmental justice strategies.

Memorandum of Understanding on Environmental Justice and Executive Order 12898

MEMORANDUM OF UNDERSTANDING ON ENVIRONMENTAL JUSTICE AND EXECUTIVE ORDER 12898

WHEREAS, on February 11, 1994, the President signed Executive Order 12898, “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations” (“Executive Order 12898” or “Order”), and issued an accompanying Presidential Memorandum (references to this Order herein also generally include this Memorandum), and

WHEREAS, Executive Order 12898 applies to the following agencies: the Department of Agriculture, Department of Commerce, Department of Defense, Department of Energy, Department of Health and Human Services, Department of Housing and Urban Development, Department of the Interior, Department of Justice, Department of Labor, Department of Transportation, and the Environmental Protection Agency. The Order applies to the following offices in the Executive Office of the President: Office of Management and Budget, Office of Science and Technology Policy, Office of the Deputy Assistant to the President for Environmental Policy, Office of the Assistant to the President for Domestic Policy, National Economic Council, and Council of Economic Advisers. The Order also applies to other agencies and offices as the President may designate, Executive Order 12898, sec. 1-102, 6-604 (Feb. 11, 1994). The agencies and offices that are listed in section 1-102 or designated by the President under section 6-604 of the Order are referred to herein as “covered agencies” and “covered offices,” respectively, and

WHEREAS, Executive Order 12898 requires each covered agency to “make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations,” *id.*, sec. 1-101, and

WHEREAS, each responsibility of a covered agency under Executive Order 12898 “shall apply equally to Native American programs,” *id.*, sec. 6-606, and

WHEREAS, Executive Order 12898 establishes an Interagency Working Group on Environmental Justice (“Interagency Working Group”) consisting of the heads of the agencies and offices listed above and any other officials designated by the President, or their designees, *id.*, sec. 1-102(a), and

WHEREAS, Executive Order 12898 directs the Interagency Working Group to assist the covered agencies by providing guidance and serving as a clearinghouse, *id.*, sec. 1-102(b), and

WHEREAS, Executive Order 12898, as amended, required that the then-covered agencies submit to the Interagency Working Group by March 24, 1995 an agencywide environmental justice strategy to carry out the Order, *id.*, sec. 1-103(e), as amended by Executive Order 12948 (Jan. 30, 1995), and

WHEREAS, Executive Order 12898 further required, within two years of issuance, that the then-covered agencies provide to the Interagency Working Group a progress report on implementation of the agency's environmental justice strategy, Executive Order 12898, sec. 1-103(f), and

WHEREAS, Executive Order 12898 requires that covered agencies conduct internal reviews and take such other steps as may be necessary to monitor compliance with the Executive Order, *id.*, sec. 6-601, and provide additional periodic reports to the Interagency Working Group as requested by the Group, *id.*, sec. 1-103(g), and

WHEREAS, Executive Order 12898 provides that a member of the public may submit comments and recommendations to a covered agency relating to the incorporation of environmental justice principles into the agency's programs or policies and provides that the agency must convey such recommendations to the Interagency Working Group, *id.*, sec. 5-5(a), and

WHEREAS, the covered agencies and the Interagency Working Group remain committed to full ongoing compliance with Executive Order 12898, and

WHEREAS, Executive Order 12898 does not preclude other agencies from agreeing to carry out the Order and to participate in the activities of the Interagency Working Group as appropriate, and as consistent with their respective statutory authorities and the Order;

NOW THEREFORE, the undersigned agencies (referred to herein as "Federal agencies") hereby agree:

I. Purposes

- A. To declare the continued importance of identifying and addressing environmental justice considerations in agency programs, policies, and activities as provided in Executive Order 12898, including as to agencies not already covered by the Order.
- B. To renew the process under Executive Order 12898 for agencies to provide environmental justice strategies and implementation progress reports.
- C. To establish structures and procedures to ensure that the Interagency Working Group operates effectively and efficiently.

- D. To identify particular areas of focus to be included in agency environmental justice efforts.

II. Authorities

This Memorandum of Understanding on Environmental Justice and Executive Order 12898 (“Memorandum of Understanding” or “MOU”) is in furtherance of the Order including the authorities cited therein. Federal agencies shall implement this Memorandum of Understanding in compliance with, and to the extent permitted by, applicable law.

III. Actions and Responsibilities

- A. Adoption of Charter.** This Memorandum of Understanding adopts the Charter for Interagency Working Group on Environmental Justice (“Charter”) set forth in Attachment A. Each Federal agency agrees to the framework, procedures, and responsibilities identified in the Charter and agrees to provide the Interagency Working Group with the agency’s designated Senior Leadership Representative and Senior Staff Representative by September 30, 2011.
- B. Participation of Other Federal Agencies.** While Executive Order 12898 applies to covered agencies, the Order does not preclude other agencies from agreeing to undertake the commitments in the Order. Likewise, while the Executive Order identifies the composition of the Interagency Working Group, other agencies may, to the extent consistent with the Order, participate in activities of the Interagency Working Group as appropriate. An agency that is either not a covered agency or not represented on the Interagency Working Group, or both, may become a “Participating Agency” by signing this Memorandum of Understanding. To the extent it is not already a covered agency, a Participating Agency agrees to carry out this Memorandum of Understanding as well as Executive Order 12898, and to the extent it is not already represented on the Interagency Working Group, a Participating Agency agrees to participate in activities of the Interagency Working Group as appropriate. The term “Federal agency” herein refers to covered agencies that sign this MOU and to Participating Agencies that sign this MOU.
- C. Federal Agency Environmental Justice Strategies; Public Input; Annual Reporting.**
 - a. **Environmental Justice Strategy.** By September 30, 2011, after reviewing and updating an existing environmental justice strategy where applicable and as the agency deems appropriate, each Federal agency will post its current “Environmental Justice Strategy” on its public webpage and provide the Interagency Working Group with a link to the webpage. If the agency posts and provides a draft Environmental Justice Strategy, then it will post and provide its

final Environmental Justice Strategy by February 11, 2012. Thereafter, each Federal agency will periodically review and update its Environmental Justice Strategy as it deems appropriate and will keep its current Environmental Justice Strategy posted with a link provided to the Interagency Working Group.

- b. **Public Input.** Consistent with Executive Order 12898, section 5-5, each Federal agency will ensure that meaningful opportunities exist for the public to submit comments and recommendations relating to the agency's Environmental Justice Strategy, Annual Implementation Progress Reports, and ongoing efforts to incorporate environmental justice principles into its programs, policies and activities.
- c. **Annual Implementation Progress Report.** By the February 11 anniversary of Executive Order 12898 each year, beginning in 2012, each Federal agency will provide a concise report on progress during the previous fiscal year in carrying out the agency's Environmental Justice Strategy and Executive Order 12898. This "Annual Implementation Progress Report" will include performance measures as deemed appropriate by the agency. The report will describe participation in interagency collaboration. It will include responses to recommendations submitted by members of the public to the agency concerning the agency's Environmental Justice Strategy and its implementation of the Executive Order. It will include any updates or revisions to the agency's Environmental Justice Strategy, including those resulting from public comment. The agency will post its Annual Implementation Progress Report on its public webpage and provide the Interagency Working Group with a link to the webpage.

D. Areas of Focus. In its Environmental Justice Strategy, Annual Implementation Progress Reports and other efforts, each Federal agency will identify and address, as appropriate, any disproportionately high and adverse human health or environmental effects of its programs, policies and activities on minority populations and low-income populations, including but not limited to, as appropriate for its mission, in the following areas: (1) implementation of the National Environmental Policy Act; (2) implementation of Title V of the Civil Rights Act of 1964, as amended; (3) impacts from climate change; and (4) impacts from commercial transportation and supporting infrastructure ("goods movement"). These efforts will include interagency collaboration. At least every three (3) years, the Interagency Working Group will, based in part on public recommendations identified in Annual Implementation Progress Reports, identify important areas for Federal agencies to consider and address, as appropriate, in environmental justice strategies, annual implementation progress reports and other efforts.

IV. Miscellaneous

- A. Parties, Effective Date, Amendment.** This MOU becomes effective for a Federal agency when it signs the MOU. An agency may sign the MOU at any time. The MOU may be amended by written agreement of the then-current signatory Federal agencies.
- B. Applicable Law.** Nothing in this MOU shall be construed to impair or otherwise affect authority granted by law to, or responsibility imposed by law upon, an agency, or the head thereof, or the status of that agency within the Federal Government. This MOU shall be implemented consistent with applicable law and subject to the availability of appropriations.
- C. Fiscal.** This MOU is not a fiscal or financial obligation. It does not obligate a Federal agency to expend, exchange or reimburse funds, services or supplies, or to transfer or receive anything of financial or other value.
- D. Internal Management.** This MOU and activities under it relate only to internal procedures and management of the Federal agencies and the Interagency Working Group. They do not create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its agencies or other entities, its officers, employees or agents, or any other person.

V. Signatures

A. Covered Agencies.

B. Participating Agencies and Offices.

M



CHARTER FOR
INTERAGENCY WORKING GROUP ON ENVIRONMENTAL JUSTICE

On February 11, 1994, the President signed Executive Order 12898, “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations” (“Executive Order 12898” or “Order”), and issued an accompanying Presidential Memorandum. The Order requires each agency that is covered by the Order to “make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations.” Executive Order 12898, sec. 1-101 (Feb. 11, 1994); *see also id.*, sec. 1-102 and 6-604. The Order establishes an Interagency Working Group on Environmental Justice (“Interagency Working Group”) comprised of the heads of the agencies and offices that are listed in section 1-102 of the Order, and any other government officials designated by the President, or their designees. *Id.*, sec. 1-102. References to the Order herein also generally include the accompanying Presidential Memorandum.

The Memorandum of Understanding on Environmental Justice and Executive Order 12898 issued in 2011 (“MOU”) adopted this Charter for Interagency Working Group on Environmental Justice (“Charter”).

1. Covered Agencies and Covered Offices in Executive Order 12898

Executive Order 12898 provides that the Interagency Working Group includes the heads of the following agencies or their designees: the Department of Agriculture, Department of Commerce, Department of Defense, Department of Energy, Department of Health and Human Services, Department of Housing and Urban Development, Department of the Interior, Department of Justice, Department of Labor, Department of Transportation, and the Environmental Protection Agency. The Interagency Working Group includes the heads of the following offices in the Executive Office of the President or their designees: Office of Management and Budget, Office of Science and Technology Policy; Office of the Deputy Assistant to the President for Environmental Policy, Office of the Assistant to the President for Domestic Policy, National Economic Council, and Council of Economic Advisers. The Interagency Working Group also includes such other Government officials as the President may designate or their designees. *Id.*, sec. 1-102 (Feb. 11, 1994).

The requirements of Executive Order 12898 apply to the above-listed agencies as well as to any other agency designated by the President. *Id.*, sec. 6-604. All such agencies are referred to herein as “covered agencies.” The above-listed offices are referred to herein as “covered offices.”

2. Chair

The Administrator of the U.S. Environmental Protection Agency or designee will serve as convener of the Interagency Working Group (“IWG Chair”) pursuant to section 1-102(a) of the Executive Order.

3. Participating Agencies and Participating Offices

An agency that is not a covered agency can become a “Participating Agency” by signing the MOU and notifying the IWG Chair. The term “Federal agencies” herein refers to covered agencies that sign the MOU and to Participating Agencies that sign the MOU. An office in the Executive Office of the President that is not a covered office can become a “Participating Office” by notifying the IWG Chair. To the extent they are not otherwise represented on the Interagency Working Group, Participating Agencies and Participating Offices participate in the activities of the Interagency Working Group as appropriate and as consistent with Executive Order 12898. To the extent they were not already covered agencies before signing the MOU, Participating Agencies agreed in the MOU to carry out the requirements of Executive Order 12898, to the extent consistent with their statutory authorities, as if they were covered agencies.

4. Council on Environmental Quality

The Council on Environmental Quality is an office in the Executive Office of the President that has notified the IWG Chair of its role as a Participating Office.

5. Agency Representatives

Each Federal agency whose head is listed in section 1-102 as on the Interagency Working Group and each agency represented on the Interagency Working Group by an official designated by the President under section 1-102 will designate a Senior Leadership Representative and Senior Staff Representative to serve as its representatives to the Interagency Working Group in the absence of the agency head or official or other designee of the agency head or official. Each Participating Agency that is not already represented on the Interagency Working Group will also designate a Senior Leadership Representative and Senior Staff Representative to participate in activities of the Interagency Working Group as appropriate and consistent with Executive Order 12898. The

these designated Representatives to the IWG Chair and subsequently notify the IWG Chair as changes occur. The role of the Senior Leadership Representative will include conveying input from the agency's head leadership to the Interagency Working Group.

6. Meeting

The Interagency Working Group will meet monthly or as otherwise convened by the IWG Chair. The meetings will generally be held at the offices of the Federal agencies.

7. Public Meetings

The Interagency Working Group will hold a public meeting at least once a year consistent with section 5-5(d) of the Executive Order.

8. Environmental Justice Strategies, Annual Implementation Progress Reports, and Other Material

The IWG Chair will receive Environmental Justice Strategies and Annual Implementation Progress Reports from Federal agencies, and provide public access to them through a public webpage and other means. The IWG Chair will similarly provide public access to the current list of Federal agencies, covered offices, and Participating Offices under the MOU, as well as to other information relevant to the Interagency Working Group.

9. Interagency Collaboration

The Interagency Working Group will serve as a clearinghouse to help identify opportunities for targeted interagency collaboration on environmental justice, and will help facilitate interagency coordination including for research, data collection, and analysis consistent with sections 3-3 and 4-4 of the Executive Order, and for access to information consistent with section 5-5 of the Order. The interagency coordination should include regional and branch offices of Federal agencies. The Interagency Working Group will facilitate development of interagency model projects consistent with section 1-1 of the Order.

10. Committees

The Interagency Working Group will create standing and select committees to help carry out its responsibilities under the Executive Order. The members of the committees will consist of Senior Leadership Representatives, Senior Staff Representatives, and other persons put forth by an agency. The Interagency Working Group will create, revise, or terminate Select Committees as appropriate. The Interagency Working Group will maintain permanent Standing Committees including:

a. Public Participation Committee

This committee will develop listening sessions and other similar opportunities for the Interagency Working Group, federally-recognized tribes, and other members of the public. It will propose venues and agendas, and facilitate participation by Federal agencies and members of the public. The committee will also help coordinate responses to public input.

b. Strategy and Implementation Progress Report Committee

This committee will be available as a resource for a Federal agency as it reviews, updates, or develops its environmental justice strategy, and as it develops its annual implementation progress reports. It will work with agencies to help coordinate programs, policies, and activities.

c. Title VI Committee

Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. §§ 2000d - 2000d-4a, prohibits recipients of Federal financial assistance from discriminating on the basis of race, color, or national origin in programs or activities that receive federal assistance. This committee will be a resource available to help agencies connect their civil rights enforcement responsibilities with their other efforts to achieve environmental justice.

11. Areas of Focus

Consistent with the MOU, at least every three (3) years, the Interagency Working Group will, based in part on public recommendations identified in annual implementation progress reports, identify important areas for Federal agencies to consider and address, as appropriate, in environmental justice strategies, annual implementation progress reports, and other efforts.

12. Amendment

The Interagency Working Group may amend this Charter in a manner not inconsistent with Executive Order 12898 and the MOU.