

CALIFORNIA ENVIRONMENTAL JUSTICE ALLIANCE

Asian Pacific Environmental Network • Center for Community Action & Environmental Justice • Center on Race, Poverty & the Environment
Communities for a Better Environment • Environmental Health Coalition • People Organizing to Demand Environmental & Economic Rights

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January 31, 2012

Eric H. Holder, Jr.
Attorney General of the United States
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

VIA ELECTRONIC MAIL to EJStrategy@usdoj.gov

RE: Comments on the Outdated Department of Justice *Environmental Justice Strategy and Guidance Concerning Environmental Justice*

Dear Attorney General Holder:

The California Environmental Justice Alliance (“CEJA”) and Center on Race, Poverty & the Environment submit the following comments on the Department’s sixteen-year-old Environmental Justice Strategy and Guidance Concerning Environmental Justice.

CEJA represents six grassroots, base-building environmental justice organizations located throughout California, including the Asian Pacific Environmental Network, the Center for Community Action and Environmental Justice, the Center on Race, Poverty & the Environment, Communities for a Better Environment, Environmental Health Coalition, and People Organizing to Demand Environmental and Economic Rights (PODER). The Center on Race, Poverty & the Environment is a national environmental justice organization that represents hundreds of residents in California’s rural San Joaquin Valley, as well as other low-income communities of color across the nation.

Our nation’s history of racism, as well as its ongoing and subversive racial inequality and environmental injustice, undermines the survival, vitality, and health of low-income communities of color and tribal nations. In Executive Order (“EO”) 12898, President Clinton charged federal agencies with identifying and addressing disproportionately high and adverse human health and environmental impacts stemming from their programs, policies, and activities. President Clinton described this charge as vital to fulfilling the promise of Title VI of the Civil Rights Act of 1964. To address these persistent inequalities, the Department of Justice (“DOJ” or “Department”) must proactively address and ameliorate the extreme environmental harm forced

upon low-income communities, communities of color, and tribal nations, as well as the denial of environmental benefits to those same communities.¹

We encourage DOJ to re-affirm and deepen its commitment to advancing the inclusion of disproportionately impacted communities by updating its Strategy and Guidance. Not only is it critical that DOJ update its Strategy and Guidance to appropriately address environmental justice (“EJ”) in the twenty-first century, but it must do so in order to address the deficiencies of the original strategy and demonstrate that its commitment to the principles and achievement of environmental justice is sincere.

Summary of Recommendations:

- ***DOJ must update its Strategy to reflect persistent environmental racism.*** DOJ’s 1995 Strategy for Environmental Justice fails to capture significant changes in scientific literature and similarly does not address the changing environmental harms facing environmental justice communities. To enable public input and participation, at a minimum the Department must revise its Strategy and Guidance to exhibit a commitment to carrying through the mandate captured in Executive Order 12898.
- ***The Department must work proactively with other federal agencies to ensure that enforcement efforts further the mandate of Executive Order 12898.*** Because DOJ may only bring environmental justice enforcement actions through referrals from other agencies, the Department should work with other agencies to ensure clear lines of communication and adequate training in how to identify and refer environmental justice cases to DOJ.
- ***DOJ must take a stronger leadership role in ensuring the timely adjudication of Title VI complaints related to environmental justice.*** Across the federal government, agencies have failed to adequately and timely process Title VI complaints, particularly in the environmental justice context. DOJ must ensure that agency staff receive rigorous training and are held accountable for ensuring that Title VI cases are properly investigated.

Detailed Comments on DOJ’s Environmental Justice Strategy and Guidance:

I. “Republication” of Outdated Documents is Insufficient to Address Persistent Environmental Racism

Through the August 4, 2011, Memorandum of Understanding on Environmental Justice and Executive Order 12898 (“EJ MOU”), DOJ specifically committed that “[b]y September 30, 2011, after reviewing and updating an existing environmental justice strategy, where applicable, and as the agency deems appropriate, each Federal [sic] agency will post its current ‘Environmental Justice Strategy’ on its public webpage . . . [t]hereafter, each Federal [sic] agency will periodically review and update its Environmental Justice Strategy.” EJ MOU Section III(C)(1). While DOJ’s documents are posted on a public webpage, there is no evidence of any review or update since original publication in 1995. A modest review would find that not only

1. Throughout this letter, we identify “environmental justice communities” as low-income communities, communities of color, and tribal nations (including Native Alaskan and Hawaiian communities) that face severe socioeconomic, public health, environmental, and land-use burdens.

are the documents themselves out of date and prepared in an outdated format, but the dates, references, and examples are similarly behind the times. A deeper review combined with a demonstrated assessment of the 1995 Strategy's success, could reveal programmatic deficiencies due for revision.

In addition, the EJ MOU committed the Department to “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.” EJ MOU Section III(C)(2). Posting sixteen-year-old documents on a webpage (which requires technological access) does little to ensure meaningful opportunities for public comment. In fact, the message received by the public is that DOJ is unwilling to make the minimum effort outlined in the EJ MOU, and therefore the public should not expect much in return for any comments submitted. This effort and accompanying message fall short of “meaningful opportunities.”

DOJ’s republication of its sixteen-year-old EJ Strategy and Guidance documents—absent meaningful review, revision, or opportunity for a public dialogue—falls short of the commitments made in the EJ MOU, accompanying Charter, and original EO. Most importantly, it demonstrates to struggling EJ communities across the country that DOJ is satisfied with the status quo and is uninterested in making any effort to update its environmental justice advocacy. We are especially frustrated because Assistant Attorneys General Moreno and Perez had previously informed environmental justice advocates during a 2010 meeting in Washington D.C. that DOJ was going to prioritize environmental justice in its civil rights and environmental work.

II. The Department’s Guidance on Implementation Must be Updated to Address EJ in the 21st Century.

Section IV of the Guidance Concerning Environmental Justice outlines the Department’s process for EJ strategy implementation, including departmental coordination, identification, and responses. It is necessary to update the Department’s Guidance on identification of EJ issues given the significant events of the past decade and a half, which include the recognition of global warming, as evidenced by Nobel Peace Prize awardees Al Gore and the Intergovernmental Panel on Climate Change, the emergence of climate justice as a subsequent and evolving concern especially in light of natural disasters such as hurricanes Katrina and Ike and the Indonesia and Japan tsunamis, and significant advances in the scientific understanding of “environmental health.”

Specifically, the DOJ Guidance identifies three factors to be considered in determining whether a particular situation raises an EJ issue: (1) disproportionate adverse health or environmental effects from pollution or other environmental hazards; (2) disproportionate risks or exposure to environmental hazards, or disproportionate suffering from the effects of past underenforcement of health or environmental laws, and (3) the denial of an equal opportunity for meaningful involvement in governmental decision making relating to the distribution of environmental benefits or burdens. While the Guidance recognizes that assessments must be made on a case-by-case basis and evaluated considering the totality of the circumstances, the

factors specifically described and the accompanying examples are overly limiting and do not reflect many of today's environmental injustices.

The detailed list of factors should be expanded to reflect the reality of 2012, as should the list of examples. For example, the scientific community's definition of "environmental health" has changed significantly in recent years from a narrow understanding of chemical toxicants and their relationship to illnesses, such as cancer and asthma, to a broader understanding of the effects caused by urban and rural development, land use, pesticide use, public transportation systems, and industrial development.² Even the Department of Health and Human Services has adopted the following definition to incorporate the "built environment":

In its broadest sense, environmental health comprises those aspects of human health, disease, and injury that are determined or influenced by factors in the environment. This includes not only the study of the direct pathological effects of various chemical, physical, and biological agents, but also the effects on health of the broad physical and social environment, which includes housing, urban development, land-use and transportation, industry, and agriculture.³

DOJ's list of examples and factors should be updated to reflect the most up to date understanding EJ.

III. The Department must work proactively with other federal agencies to ensure that enforcement efforts further the mandate of Executive Order 12898.

Because most environmental justice enforcement actions originate through other federal agencies, DOJ must take an active role in ensuring that cases are identified and referred to the Department for enforcement. Within its strategy, DOJ should allocate resources towards working with other agencies to train agency staff to understand and identify environmental justice cases. Further, the Department should partner with other agencies to explain its role in environmental justice enforcement and to highlight the skills and resources it brings to provide technical support to other agencies. Most importantly, DOJ must ensure that other federal agencies know who to contact to share information on potential environmental justice cases.

During the 2010 meeting referenced above, Assistant Attorney General Perez said that DOJ wanted referrals from agencies and would bring civil actions to enforce Title VI of the Civil Rights Act. Such actions are critical because in 2001, the U.S. Supreme Court in *Alexander v. Sandoval* held that EJ communities do not have a private right of action to enforce Title VI, meaning that they are now dependent on federal agencies to enforce Title VI. Since that meeting, and to the best of our knowledge, the DOJ has not filed any enforcement actions and the U.S. Environmental Protection Agency has not referred any matters to DOJ. This is

2. Olden K., *The complex interaction of poverty, pollution, and health status*, THE SCIENTIST, Feb. 16, 1998.

3. U.S. Dept. of Health and Human Services, *Healthy People 2010: Understanding and Improving Health* (2001), available at: <http://health.gov/healthypeople/document>.

especially troubling when last year, EPA made a preliminary finding in the Title VI complaint *Angelita C. v. California Department of Pesticide Regulation* that the Department violated Title VI by disproportionately exposing Latino school children to unhealthy levels of methyl bromide, a highly toxic fumigant. EPA then settled that administrative complaint without referral to DOJ in a manner that denied the complainants any remedy.

DOJ can also serve a mediating role in enabling federal agencies to partner effectively with members of environmental justice communities. Oftentimes discussions on the fate of EJ communities occur behind closed doors without taking into account the concerns of impacted communities. DOJ can help bridge that gap by adopting best practices for community engagement in enforcement actions, and it can share this information with its client sister agencies.

DOJ can also play a unique problem-solving role as the agency charged with defending the federal government and its agencies against legal claims. If the Department is able to work with and engage other federal agencies in its EJ efforts, it may be able to prevent actions taken on behalf of the federal government that exacerbate inequality or cause irreparable damage to EJ communities. DOJ could help transform extremely polarizing and adversary relationships into productive conversations that seek to advance justice for all. To date, DOJ has made minimal efforts (made public to EJ advocates) to help the struggling EPA implement and enforce Title VI in a meaningful way. As recently demonstrated by the Deloitte Report commissioned by EPA and the *Angelita C.* settlement, EPA is struggling to implement and enforce Title VI.

IV. DOJ must take a stronger leadership role in ensuring the timely adjudication of Title VI complaints related to environmental justice.

As the chief agency charged with implementing and enforcing the Civil Rights Act of 1964, DOJ must exhibit leadership in ensuring other agencies receive adequate training and staffing to effectuate the Act.

DOJ's own Title VI efforts focus on entities that receive funding from the Department (e.g., police departments, prosecutors, and prisons). However, this narrow conceptualization prevents the Department from taking an active role in ensuring that other federal agencies understand how to properly investigate and adjudicate Title VI complaints.

EJ communities have waited years for an initial review of their complaint, let alone an investigation and adjudication. The current Title VI delay time at the EPA, Department of Agriculture, and Department of the Interior ranges from two to seven years.⁴ These delays are unconscionable and represent a widespread failure to address invidious racial discrimination in the nation's most vulnerable communities. For communities faced with overwhelming and life-threatening environmental harm, justice delayed is truly justice denied.

4. Deloitte Consulting LLC, *Final Report Evaluation of the EPA Office of Civil Rights* (2011). See also U.S. Commission on Civil Rights (Office of Civil Rights Evaluation), *Ten-Year Check -Up: Have Federal Agencies Responded to Civil Rights Recommendations?* (2004).

Sincerely,

/ss/

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MEMORANDUM

TO: U.S. Department of Justice: Environmental Justice Working Group
FR: Dylan Kesti
RE: DOJ Environmental Justice Strategy Commentary
DATE: May 16, 2012

In regard to the actions of President Clinton signing Executive Order 12898 on February 11, 1994, it was mandated that all federal agencies make achieving environmental justice (EJ) part of their mission. The agencies were charged with identifying and addressing, as appropriate, the disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations in the United States and its territories and possessions. In accordance with Executive Order 12898 the Department of Justice (DOJ) created a Strategy on Environmental Justice on February 16, 1994 to fulfill this Executive Order. Recently, DOJ was a key developer of a Memorandum of Understanding (MOU) to update and enforce EJ strategies and increase interagency communication and cooperation. On August 4, 2011 DOJ and 16 other federal agencies signed onto the MOU to build the Federal Interagency Working Group on Environmental Justice (EJ IWG). The 2011 EJ MOU builds upon the critical foundations built by Executive Order 12898 and developed a federal unified commitment to environmental justice. The MOU that DOJ was a key player in developing promotes interagency collaboration and increased public access to EJ information. The 2011 EJ MOU specifically charges each signatory agency to publish an environmental justice strategy, allow for public comment on these strategies, and to publish annual implementation progress reports.

As DOJ was a major actor in the development of the 2011 EJ MOU, DOJ has continued to be a leader in its implementation and continued efficacy. In order to comply with the MOU in September 2011 DOJ reviewed and carefully re-evaluated its Strategy and Guidance to reflect on the renewed commitments on realizing the goals of environmental justice. As DOJ believes the initial Environmental Justice Strategy and Guidance continue to fully reflect the goals and commitments of the Department of Justice on September 30, 2011 DOJ shared and continues to share its Environmental Justice Strategy and Guidance with the public and accept comments for improvement.

The department has been active in working to define, enforce, and increase the availability of resources for all agencies and citizens regarding EJ since 1994. Since 2011 with the development and implementation of the MOU the DOJ has increased its efforts substantially and shown to be an effective advocate and mediator for environmental justice with its active pursuit of its EJ strategy. The DOJ has since 2011 been actively engaged with communities around the nation in rural and urban communities and on tribal lands to discuss and mitigate EJ issues. Further, DOJ has achieved meaningful results for communities in its cases since 2011 regarding the Safe Drinking Water Act and the Clean Air Act. According to the department, DOJ fully embraces the goals of environmental justice – which is integral as one of the framers and coordinating agencies of the MOU. However, while the DOJ's Environmental Justice Strategy and Guidance are both strong and well thought out documents that have brought some successes to

communities regarding EJ issues there is still room for improvement to fully promote EJ for every community.

According to the DOJ Guidance Concerning Environmental Justice the Department has delineated five main goals as the provisions for identifying, tracking, and addressing environmental justice matters. The goals are multifaceted and interconnected and appear in different forms in the DOJ 2011 Implementation Progress Report on Environmental Justice. But, the same goals of the 1994 DOJ's Environmental Justice Strategy and Guidance are, as established, the current aims and goals of DOJ to identify, track, and address environmental justice matters.

The DOJ aims to protect environmental quality and human health in all communities as objective one. This objective can be noted in the substantial efforts by DOJ to reach out to an immense amount of EJ impacted communities across the US as articulated in the DOJ 2011 Implementation Progress Report on Environmental Justice. Further as seen in the attached logic model the DOJ has held meetings, trainings, and listening sessions in over 15 states to address EJ issues and train DOJ attorneys and staff. Through these education, training, and listening sessions community stockholders and DOJ has become more informed and active in addressing EJ issues to protect environmental quality and human health in all communities. While this is an impressive improvement and this work has educated the actions of DOJ there is far more outreach and community engagement needed to address the acute environmental justice issues that exist across the US and are rising due to the increased pressure on energy extraction and consumption.

In order to more effectively meet goal one it is recommended that DOJ hold regional listening sessions that are accessible to the disabled and Limited English Proficient (LEP) populations in all 93 state Attorney General offices in the US and in all tribal territories by December 2013. These town hall style listening sessions shall be used to inform DOJ and the community of EJ priorities and the appropriate avenues of action by both parties to mitigate, mediate, and address EJ issues in communities.

Through the work of objective one the DOJ has become more efficient in the use of environmental, civil rights, criminal, and civil laws to achieve fair environmental protection. It is again evident in the attached logic model and noted in the DOJ 2011 Implementation Progress Report on Environmental Justice that currently thirteen cases litigated by the DOJ have had positive EJ outcomes that would seem to be informed and impacted through the increased efforts of DOJ since the 2011 MOU. This is an impressive and substantial increase, but still is an acute failure to address the urgent needs for environmental justice in many urban, rural, and tribal communities.

While DOJ has held more listening sessions and is training all DOJ attorneys and staff on EJ and how to enforce the necessary laws and mediate conflict, there is a need for improvement. This training shall be coupled with action. With the results of the 93 state Attorney General offices meetings across the US and in all tribal territories to be completed by December 2013, DOJ shall appoint sessions to a member of the Department's Environment and Natural Resources Division

(ENRD). As a point person and liaison for each listening session, the ENRD representative is responsible for documenting the critical EJ information from and to the community (for all community members including ELP populations) and work with the Civil Rights Division (CRT) to pursue litigation or mediation using all appropriate environmental, civil rights, criminal, and civil laws to achieve fair environmental protection to be initiated by January 2014.

Since the 2011 MOU DOJ has worked impressively to promote and protect community members' rights to participate meaningfully in environmental decision-making that may affect them. Through the easily accessible and transparent website and the sheer number of community listening sessions already undertaken, and the efforts DOJ has taken to reach out to LEP communities, DOJ has been actively pursuing the goal to promote and protect community members' rights to participate meaningfully in environmental decision making that may affect them. However, this goal of the DOJ EJ strategy will only increase in effectiveness and transparency through the recommended regional listening sessions that are accessible to disabled (LEP) populations. Through the recommended listening sessions there will be increased citizen participation in the process and increased government accountability through the ENRD liaisons and further actions through CRT.

The DOJ intends to analyze data that will assist the Department in law enforcement, mediation, and counseling efforts involving environmental justice matters. Currently as articulated in the DOJ 2011 Implementation Progress Report on Environmental Justice, thirteen cases litigated by the DOJ have had positive EJ outcomes that would seem to be informed and impacted through the increased efforts of DOJ since the 2011 MOU. While the efforts of DOJ attorneys and staff are currently retuning positive outcome to EJ affected communities, though the work of the recommended 93 regional listening session and vis-à-vis actions of the ENRD liaisons- the research and effectiveness of DOJ EJ litigations of CRT will increase aiding to meet other DOJ aims and goals.

Finally, DOJ intends to promote full and fair enforcement of the laws, increase opportunity for access to environmental benefits, and minimize activities that result in a disproportionate distribution of environmental burdens. This final goal is the crux and culmination of the DOJ strategy. Further, this is the task DOJ is charged with and is the mission of ENRD and CRT. Through ENRD and CRT fulfilling their requirements, upholding Title VI of the Civil rights Act, and always working for sound solutions considering EJ this goal can actively be pursued. Through the effectiveness of DOJ to work with all impacted communities and promote the full and fair enforcement of the laws, more communities will have increased access to enjoy environmental benefits and the disproportionate distribution of environmental burdens will be reduced. Again, through the recommended 93 regional listening sessions and vis-à-vis actions of the ENRD liaisons- the research and effectiveness of DOJ EJ litigations of CRT will increase aiding to meet other DOJ aims and goals.

Currently the DOJ is a major stakeholder and leader in the federal agencies working to achieve EJ through the 2011 MOU. Through the work of DOJ the MOU was created and the Interagency Working Group (IWG) has increased dialoged and awareness among and across federal agencies. DOJ has increased participation in community outreach and has had effective outcomes for these EJ affected communes on civil rights and environmental issue cases. Further DOJ has increased

EJ listening session and trainings and awareness of EJ and has already effectively integrated EJ principals into litigation and case outcomes. These impressive actions of DOJ for EJ will be increased through improved public participation and reforming and adapting policies to address the vast amount of urgent EJ issues across the US in urban, rural, and tribal communities. Therefore it is recommended that DOJ adopt the recommended 93 regional listening sessions to be completed by December 2013 and the vis-à-vis actions of the ENRD liaisons to be initiated by January 2014 will increase the research and effectiveness of DOJ EJ litigations of CRT to further environmental justice within the US government and across the US in all communities.

Further it is recommended that DOJ revisit the Supreme Court decision of *Alexander v. Sandoval* (2001). Due to the Supreme Court ruling of *Alexander v. Sandoval* (2001), plaintiffs no longer have access to the implied private right of action to enforce the disparate impact regulations of Title VI (Core, 2002, p.193). While this had historically been an avenue of justice in environmental justice cases, this gate has now been closed. While some authors believe the search is on for another enforcement mechanism and some relief may be provided by 42 U.S.C. §1983, it is obvious that due to the acute nature of many environmental justice problems and conflicts impacting marginalized communities - there is an urgent need to have a clear and effective enforcement and litigation toolbox (Core, 2002, p. 193). It is recommended that DOJ give effective tools for CRT to quantitatively and qualitatively improve the situation of community's impacted by environmental injustice in the US.

Finally, the above recommendations all must be pursued with an operational understanding and established baseline data set. The liaisons in ENRD assigned to the 93 listening sessions will aggregate the information to inform a baseline on environmental justice issues in the US. These issues should see a 25 percent impact rate through December 2014. The impact rate is an outcome as a positive dispute resolution and/or a positive change to improve the lives and livelihoods of communities and increasing access to environmental benefits to impacted stakeholders. It is recommended that this 25 percent benchmark be met by 2014 and increased by 25 percent every year through 2018.

The work of DOJ regarding environmental justice issues has been impressive considering the short timeframe it has been a priority. It is commendable that DOJ has taken it as a priority in all environmental justice issues to increase access and information to LEP populations. While there have been improvements to DOJ regarding environmental justice – these recommendations, as noted above, can work within the guidelines and strategy to meet the aims and goals of the agency and the Executive Order.

References:

Lisa S. Core, *Alexander v. Sandoval*: Why a Supreme Court Case About Driver's Licenses Matters to Environmental Justice Advocates, 30 B.C. Env'tl. Aff. L. Rev. 191 (2002), <http://lawdigitalcommons.bc.edu/ealr/vol30/iss1/9>

U.S. Department of Justice (1994) DOJ Environmental Justice Strategy. Retrieved from: http://www.justice.gov/ej/docs/DOJ_Environmental_Justice_Strategy.pdf [April 22, 2012]

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US DOJ: 2012 Environmental Justice Strategy Logic Model

Strategic Element	Resources/Inputs	Activities (completion date)	Outputs	Outcomes
Interagency Collaboration	<p>DOJ employee time and travel</p> <p>Event planners</p> <p>Locations for events</p> <p>EJ trainers and trainings</p> <p>Increased EJ caseload</p> <p>Web developers</p> <p>Writers and Editors: Public education materials</p> <p>OMB clearance on new language</p> <p>Engagement with community members</p> <p>Development and assessment/evaluation of committees and materials</p> <p>Program Evaluation</p> <p>Increased transparency and public participation</p>	<p>Reviewed and Reaffirmed the Departments Environmental Justice Strategy (2010)</p> <p>Reviewed and Reaffirmed the Departments Environmental Justice Documents (2010)</p> <p>Attending IWG Meeting (9/2010)</p> <p>Attending IWG EJ White House forum Meeting Dec. 15, 2010</p> <p>Attending IWG Meetings</p> <p>MOU: Interagency EJ Strategy (August, 2011)</p> <p>Increasing dialogue and awareness among federal agencies</p> <p>Participation in Community Outreach</p> <p>DOJ Implementation Progress Report on EJ (2011)</p>	<p>DOJ, Attorney General Holder</p> <p>DOJ, Attorney General Holder</p> <p>DOJ: Environment and Natural Resources Division (ENRD), Civil Rights Division (CRT)</p> <p>Interagency trainings on EJ through ENRD (DOE, DOI)</p> <p>Community Meeting Listening Sessions: New Orleans, LA; Brooklyn, NY; Anchorage, AK; Tulsa, OK; Newark, NJ; Birmingham, AL; Atlanta, GA; Bismarck, ND; MT, AZ, NC, SC, KY, TN, FL, MS, WI,</p> <p>Reviewed and Reaffirmed the Departments Environmental Justice Strategy</p> <p>Reviewed and Reaffirmed the Departments Environmental Justice Documents</p> <p>Public EJ Website (September, 2011)</p> <p>Town Hall Meetings and Trainings for Attorneys and Staff (December, 2010)</p> <p>Increased engagement and awareness of EJ at state offices led by U.S Attorney Mike Cotter (December 2010)</p>	<p>Principal Meeting followed by White house Forum</p> <p>Development and Commitment to IWG</p> <p>MOU: adopted Charter, and included new agencies (16 federal agencies)</p> <p>Public Website</p> <p>National Public meetings and trainings</p> <p>Increased collaboration and communication across and within agencies</p>
Civil Rights	<p>DOJ employee time and travel</p> <p>Event planners</p> <p>Locations for events</p> <p>EJ trainers and trainings</p> <p>Increased EJ caseload</p> <p>Web developers</p> <p>Writers and Editors: Public education materials</p> <p>OMB clearance on new</p>	<p>CRT is committed to upholding and enforcing EJ under Title VI of the Civil rights Act of 1964</p> <p>CRT is working with Title VI compliance for EJ at EPA</p> <p>Addressing Limited English Proficient (LEP) Discrimination CRT is working with Title VI compliance for EJ at DHS</p>	<p>In 2010 CRT work in The Gulf with federal governments oil spill response teams to ensure non-discrimination through Title VI and ensure that critical information was transmitted to LEP communities.</p> <p>CRT continues to work with DHS for advocacy of LEP population sin disaster planning, response, and recovery.</p> <p>Continue to work with EJ-IWG to enforce EJ through Title VI</p>	<p>Increased concern and advocacy for critical information and materials to be understood and developed to and for LEP populations</p> <p>Continued collaboration with EJ-IWG for Title VI enforcement</p> <p>National EJ Title VI enforcement</p>

	<p>language</p> <p>Engagement with community members</p> <p>Development and assessment/evaluation of committees and materials</p> <p>Program Evaluation</p> <p>Increased transparency and public participation</p>	<p>CRT is working with Title VI compliance for EJ at DOT</p> <p>CRT is working with Title VI compliance for EJ at HHS</p> <p>CRT leads the Title VI Committee on the EJ-IWG</p> <p>CRT and ENRD outreach with stakeholders and advocates (2010, 2011)</p> <p>CRT and ENRD outreach with stakeholders and advocates at regional meetings (2010, 2011)</p> <p>Increase transparency on DOJ- EJ website CRT through the VI committee of the EJ-IWG will use a public website (2012)</p> <p>CRT will work for increased and appropriate enforcement of the Fair Housing Act and any other civil rights statutes to enforce EJ (2012)</p>		
Environmental Issues	<p>DOJ employee time and travel</p> <p>Event planners</p> <p>Locations for events</p> <p>EJ trainers and trainings</p> <p>Increased EJ caseload</p> <p>Web developers</p> <p>Writers and Editors: Public education materials</p>	<p>Increased knowledge and enforcement all national environmental and natural resource laws through ENRD with an EJ focus.</p> <p>Enforcement of civil and criminal environmental and natural resource laws</p> <p>ENRD regional and tribal stockholder</p>	<p>ENRD regional and tribal meetings (2010, 2011)</p> <p>ENRD internal working group (2010)</p> <p>ENRD- EES EJ focus outcomes in cases (2010, 2011, 2012)</p>	<p>ENRD- EES EJ focus outcomes:</p> <p><i>US v. Massachusetts Bay Transportation Authority, et al</i> (D. Mass); <i>US v. DeKalb county, Georgia</i> (N.D. Ga.); <i>US v. Northeast Ohio Regional Sewer District</i> (N.D., Ohio); <i>US v. Northern Indian Public Service Co.</i> (N.D. Ind); <i>US v. Newmont USA Limited and Dawn Mining Co., LLC</i> (E.D.</p>

	<p>OMB clearance on new language</p> <p>Engagement with community members</p> <p>Development and assessment/evaluation of committees and materials</p> <p>Program Evaluation</p> <p>Increased transparency and public participation</p>	<p>meetings</p> <p>ENRD outreach to the corporate community</p> <p>Training and awareness</p> <p>Integration of EJ Principals into litigation and Outcomes (2010, 2011, 2012)</p> <p>Increased activity of ENRD's Environmental enforcement Section (EES)</p>		<p>Wash.); <i>US v. Orval Kent Food Co., Inc.</i> (D. Kan); <i>US v. Jersey City Municipal utilities Authority</i> (D. N.J.); <i>US v. Metropolitan St. Louis Sere District</i> (E.D. Mo.); <i>US v. City of Kansas City, Missouri</i> (W.D. Mo.); <i>US v. Southern Union Company</i> (D. R.I.); <i>US v. Citgo Petroleum Corporation</i> (S.D. Tex.); <i>Conejos County Clean Water, Inc. v. US DoE</i> (D. Colo); <i>Barrio De Colores v. US Customs and Borders Protection</i></p>
<p>Mediation and Conciliation Assistance</p>	<p>DOJ employee time and travel</p> <p>Event planners</p> <p>Locations for events</p> <p>EJ trainers and trainings</p> <p>Increased EJ caseload</p> <p>Web developers</p> <p>Writers and Editors: Public education materials</p> <p>OMB clearance on new language</p> <p>Engagement with community members</p> <p>Development and assessment/evaluation of committees and materials</p> <p>Program Evaluation</p> <p>Increased transparency and public participation</p>	<p>CRS facilitated case work with Indian Tribes</p> <p>CRS as mediated conflict in EJ impacted communities</p> <p>CRS facilitated meetings and mediation dialogues</p> <p>CRS worked active on EJ issues during the Gulf Oil Spill</p> <p>CRS facilitated meetings and mediation dialogues during the Gulf Oil Spill</p>	<p>CRS regional and tribal meetings (2010, 2011, 2012)</p> <p>CRS mediation and dialogues (2010, 2011, 2012)</p>	<p>Increased conflict Resolution on EJ Issues</p> <p>Increased Mediation and Conciliation Assistance</p>