



March, 2021

## ENVIRONMENTAL JUSTICE FOR ALL ACT

CHAIR RAÚL M. GRIJALVA AND REPRESENTATIVE A. DONALD MCEACHIN

Over the past two and a half years, Chair Grijalva and Representative McEachin collaborated with communities impacted by environmental racism and oppression to craft comprehensive environmental justice legislation. The result is their landmark environmental justice bill, the *Environmental Justice for All Act*, which incorporates extensive community feedback, including 350 written comments from members of the public and leaders in the environmental justice movement. The Senate companion of the *Environmental Justice for All Act* was led by now-Vice President Kamala Harris during the 116th Congress and is now being led by Senator Tammy Duckworth during the 117th Congress.

The legislation is rooted in the moral principle that all people have the right to pure air, clean water, and an environment that enriches life. It is informed by the belief that federal policy can and should seek to achieve environmental justice, health equity, and climate justice for all underserved communities.

## KEY FEATURES OF THE ENVIRONMENTAL JUSTICE FOR ALL ACT

**Civil Rights Act of 1964** – Amends and strengthens Title VI of the Act to prohibit discrimination based on disparate impact and overturn the Supreme Court decision in *Alexander v. Sandoval* to permit private citizens, residents, and organizations to seek legal remedy when faced with discrimination.

**Cumulative Impacts** – Requires consideration of cumulative impacts in permitting decisions under the Clean Water Act and the Clean Air Act and ensures that permits will not be issued if the project cannot demonstrate a reasonable certainty of no harm to human health.

**Executive Order 12898** – Codifies and bolsters President Clinton's 1994 Executive Order by directing federal agencies to develop environmental justice strategies and regularly report on implementation and progress. It also ensures that federal agencies include diverse communities in public health research, data collection, and analysis.

**National Environmental Policy Act (NEPA)** – Requires federal agencies to provide early and meaningful community involvement opportunities under NEPA when proposing an action affecting an environmental justice community. Ensures robust Tribal representation throughout the NEPA process for an activity that could impact an Indian Tribe, including activities impacting off-reservation lands and sacred sites.

**Health Equity** – Funds research grant programs to investigate personal and childcare products containing chemicals linked to adverse health impacts and supports research to identify safer alternatives for cosmetic products marketed specifically towards women and girls of color. It also requires accurate labeling of professional cosmetic products and menstrual products.

**Outdoor Access for All** – Supports more equitable access to parks and recreational opportunities, prioritizing projects and recreational opportunities that benefit underserved urban communities.

**Environmental Justice Grant Programs** – Authorizes \$75 million annually for grants to support research, education, outreach, development, and implementation of projects to address environmental and public health issues in environmental justice communities.

**Fair and Just Transition** – Establishes a Federal Energy Transition Economic Development Assistance Fund using revenues from new fees on the oil, gas, and coal industries to support communities and workers as they transition away from greenhouse gas-dependent economies.