



## White House Issues Executive Order Revitalizing Commitment To Environmental Justice

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On April 21, the eve of Earth Day, President Biden signed a new [Executive Order on Revitalizing Our Nation's Commitment to Environmental Justice for All](#). This comes nearly three decades after the issuance of Executive Order 12898 by President Bill Clinton, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, on Feb. 11, 1994, which aimed to build upon and strengthen the commitment of the federal government to deliver environmental justice to all communities across America.

The Biden executive order is intended to deepen the administration's policy to pursue a whole-of-government approach to environmental justice and directs that the pursuit of environmental justice "is a duty of all executive branch agencies and should be incorporated into their missions." The scope includes the following:

"Our Nation needs an ambitious approach to environmental justice that is informed by scientific research, high-quality data, and meaningful Federal engagement with communities with environmental justice concerns and that uses the tools available to the Federal Government, including enforcement of civil rights and environmental laws. Our Nation must also take further steps to

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dismantle racial discrimination and institutional bias that disproportionately affect the health, environment, safety, and resiliency of communities with environmental justice concerns.”

According to the [fact sheet](#) issued by the White House, the new executive order will:

- Better protect overburdened communities from pollution and environmental harms
- Strengthen engagement with communities and mobilize federal agencies to confront existing and legacy barriers and injustices
- Promote the latest science, data, and research, including on cumulative impacts
- Expand interagency coordination and launch a new Office of Environmental Justice within the White House Council on Environmental Quality (CEQ)
- Increase accountability and transparency in federal environmental justice policy
- Honor and build on the foundation of ongoing environmental justice work

The new executive order also is intended to facilitate and build on federal efforts to advance environmental justice over the past two years that include:

- Delivering on the Justice40 Initiative: Providing 40 percent of the overall benefits of federal climate, clean energy, affordable and sustainable housing, clean water, and other investments to disadvantaged communities
- Making historic investments in environmental justice: The \$27 billion Greenhouse Gas Reduction Fund (GGRF) will leverage public investment with private capital to finance clean energy projects that reduce pollution and energy costs, increase energy security, and create jobs, with priority to low-income and disadvantaged communities. Most recently, the EPA proposed an [Implementation Framework for the GGRF](#), with comments due May 12, 2023, and plans to begin formally soliciting applications for three GGRF grant competitions in June 2023. The [Bipartisan Infrastructure Law](#) and the [Inflation Reduction Act](#) also provide for substantial investments to reduce air and water pollution and cleanup Superfund and Brownfield sites in burdened communities.
- Strengthening enforcement of environmental laws to implement environmental justice: Including [a comprehensive environmental justice enforcement strategy](#) that the U.S. Department of Justice (DOJ) is implementing via a new Office of Environmental Justice to accelerate and prioritize civil and criminal enforcement of environmental violations in overburdened communities. The DOJ has also issued an [Interim Final Rule](#) that will restore the use of supplemental environmental projects in appropriate circumstances and prioritizes their use as tools for advancing environmental justice.
- Increasing technical assistance and capacity building: Including

investment of \$177 million for 17 new technical assistance centers to help communities access grant funding to advance environmental justice

- Respecting and elevating indigenous knowledge: Including development, with the assistance of individuals, organizations, and tribal nations, [guidance on elevating indigenous knowledge](#) in federal research, policy, and decision-making

At the same time that the new order was signed, the White House also launched its Campaign for Environmental Justice to ensure that people nationwide are seeing and experiencing the effects of the president's environmental justice agenda in their communities. The CEQ, working with other agencies, has already published [Phase One of the Environmental Justice Scorecard](#), the first government-wide assessment of federal agencies' efforts to advance environmental justice; and will continue to monitor progress on a regular basis.

This latest move has garnered [praise from governmental leaders and environmental justice advocates](#) across the country. The [reservations expressed thus far](#) have focused on the use of cumulative risk analysis for purposes of environmental justice screening, and requests by industry and other regulated parties to have an opportunity to engage with the government and other stakeholders as the policies are implemented.