

119TH CONGRESS 1ST SESSION

H. R. 1553

To establish an Office of Environmental Justice within the Department of Justice, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

February 25, 2025

Ms. Barragán (for herself, Mrs. McIver, Ms. Tlaib, Ms. Bonamici, Ms. Norton, Mr. Krishnamoorthi, Ms. Crockett, Mr. Kennedy of New York, Ms. Titus, Ms. Matsui, Ms. Degette, and Ms. Ansari) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To establish an Office of Environmental Justice within the Department of Justice, and for other purposes.

- 1 Be it enacted by the Senate and House of Representa-
- 2 tives of the United States of America in Congress assembled,
- 3 SECTION 1. SHORT TITLE.
- 4 This Act may be cited as the "Empowering and En-
- 5 forcing Environmental Justice Act of 2025".
- 6 SEC. 2. OFFICE OF ENVIRONMENTAL JUSTICE.
- 7 (a) IN GENERAL.—Chapter 31 of title 28, United
- 8 States Code, is amended by adding at the end the fol-
- 9 lowing:

1 "§ 530E. Environmental Justice

2	"(a) Definitions.—In this section:
3	"(1) COUNCIL.—The term 'Council' means the
4	Senior Advisory Council established under subsection
5	(e).
6	"(2) Department.—The term 'Department'
7	means the Department of Justice.
8	"(3) Environmental justice.—The term
9	'environmental justice' means the just treatment and
0	meaningful involvement of all people, regardless of
1	income, race, color, national origin, Tribal affiliation,
2	or disability in agency decision-making and other
3	Federal activities that affect human health and the
4	environment so that individuals—
5	"(A) are fully protected from dispropor-
6	tionate and adverse human health and environ-
7	mental effects (including risks) and hazards, in-
8	cluding those related to climate change, the cu-
9	mulative impacts of environmental and other
20	burdens, and the legacy of racism or other
21	structural or systemic barriers; and
22	"(B) have equitable access to a healthy,
23	sustainable, and resilient environment in which
24	to live, play, work, learn, grow, worship, and
25	engage in cultural and subsistence practices.

1	"(4) Environmental Justice Matter.—The
2	term 'environmental justice matter' includes any
3	civil or criminal matter in which the conduct or ac-
4	tion at issue may involve a disproportionate and ad-
5	verse environmental or human health effect on—
6	"(A) an identifiable low-income, Tribal, or
7	Indigenous population or community in the
8	United States; or
9	"(B) a community in the United States
10	with environmental justice concerns.
11	"(5) Indigenous population or commu-
12	NITY.—The term 'Indigenous population or commu-
13	nity' includes populations or communities of Amer-
14	ican Indians, Alaska Natives, and Native Hawaiians.
15	"(6) Low-income community.—The term
16	'low-income community' means any census block
17	group in which 30 percent or more of the population
18	are individuals with an annual household income
19	equal to, or less than, the greater of—
20	"(A) an amount equal to 80 percent of the
21	median income of the area in which the house-
22	hold is located, as reported by the Department
23	of Housing and Urban Development; and
24	"(B) 200 percent of the Federal poverty
25	line.

1	"(7) Office.—The term 'Office' means the Of-
2	fice of Environmental Justice established under sub-
3	section $(b)(1)$.
4	"(8) State.—The term 'State' means any
5	State of the United States, the District of Columbia,
6	the Commonwealth of Puerto Rico, the Virgin Is-
7	lands, Guam, American Samoa, and the Common-
8	wealth of the Northern Mariana Islands.
9	"(b) Office of Environmental Justice.—
10	"(1) Establishment.—There is established
11	the Office of Environmental Justice within the Envi-
12	ronment and Natural Resources Division of the De-
13	partment.
14	"(2) Personnel and funding.—The Attor-
15	ney General shall provide to the Office such per-
16	sonnel and funds as are necessary to establish the
17	Office under paragraph (1) and to carry out the du-
18	ties of the Office under paragraph (4).
19	"(3) Leadership.—The Office shall be headed
20	by a Director, who shall be appointed by the Attor-
21	ney General.
22	"(4) Duties.—The Director shall:
23	"(A) Develop, and update every 5 years
24	thereafter, the environmental justice strategy

for the Department relating to Federal actions to address environmental justice.

- "(B) Coordinate environmental justice matters that arise at the Department and United States Attorneys' offices, including building outreach and engagement capacity and competency among the Department's personnel.
- "(C) Administer the grant program established under section 3 of the Empowering and Enforcing Environmental Justice Act of 2025.
- "(D) Promote and protect the right of the public to participate meaningfully in the decision-making process on environmental justice matters and design communications efforts with the goal of maximizing community understanding of how to participate in environmental justice matters, including how to file administrative complaints with Federal agencies.
- "(E) Counsel and assist State, local, and Tribal governments on how to coordinate their actions with the Federal Government with respect to environmental justice matters and counsel and assist State, local, and Tribal governments and Indigenous populations or com-

1	munities in providing equal environmental pro-
2	tection for all individuals.
3	"(F) Provide support for State and local
4	environmental enforcement training in commu-
5	nities with environmental justice concerns.
6	"(G) Work with the Community Relations
7	Service to facilitate a working relationship be-
8	tween parties involved in environmental justice
9	matters, including regulated industry, State,
10	local, and Tribal decision-makers, nonprofits,
11	low-income communities, and Indigenous popu-
12	lations or communities.
13	"(H) Organize, at minimum, bimonthly
14	calls or meetings with environmental justice or-
15	ganizations and communities with environ-
16	mental justice concerns.
17	"(I) Manage the Council.
18	"(J) Make recommendations to Federal
19	agencies on community participation in the de-
20	velopment of administrative settlement agree-
21	ments relating to environmental justice matters.
22	"(K) Develop—
23	"(i) instructional videos and other ma-
24	terials for Department personnel to provide
25	an overview of the scope of environmental

1	justice matters and procedures for identi-
2	fying and reporting such matters;
3	"(ii) education programs for environ-
4	mental attorneys about criminal, civil, and
5	civil rights laws;
6	"(iii) education programs for civil,
7	criminal, and civil rights attorneys about
8	environmental laws for the purpose of
9	identifying and effectively addressing envi-
10	ronmental justice matters;
11	"(iv) an email address that Depart-
12	ment attorneys and other Department per-
13	sonnel may contact that enables Depart-
14	ment attorneys and other Department per-
15	sonnel to seek information and guidance
16	on environmental justice matters;
17	"(v) joint education and training ac-
18	tivities, where appropriate, with Federal
19	agencies and State, local, and Tribal legal
20	offices;
21	"(vi) a continuing legal education
22	course on environmental justice matters,
23	developed in coordination with the Office
24	of Legal Education and the Environmental
25	Protection Agency; and

1	"(vii) training programs with respect
2	to environmental justice for individuals
3	participating in the Attorney General's
4	Honors Program.
5	"(L) Coordinate with all relevant compo-
6	nents within the Department to develop and
7	maintain an appropriate system for tracking
8	and assessing cases that raise environmental
9	justice matters.
10	"(c) Senior Advisory Council.—
11	"(1) Establishment.—There is established a
12	Senior Advisory Council to advise the Assistant At-
13	torney General of the Environment and Natural Re-
14	sources Division on matters of environmental justice
15	and recommend policy and initiatives with respect to
16	environmental justice matters.
17	"(2) CO-CHAIR.—The Co-chairs of the Council
18	shall be the Assistant Attorney General of the Envi-
19	ronment and Natural Resources Division and the
20	Director of the Office.
21	"(3) Members.—The Council shall be com-
22	posed of:
23	"(A) The Assistant Attorney General of
24	the Environment and Natural Resources Divi-
25	sion

1	"(B) The Director of the Office.
2	"(C) One representative of the Office of
3	the Deputy Attorney General.
4	"(D) One representative of the Office of
5	the Associate Attorney General.
6	"(E) One representative from the Environ-
7	mental Enforcement Section of the Environ-
8	mental and Natural Resources Division.
9	"(F) One representative from the Environ-
10	mental Defense Section of the Environment and
11	Natural Resources Division.
12	"(G) One representative of the Civil Rights
13	Division.
14	"(H) One representative of the Civil Divi-
15	sion.
16	"(I) One representative of the Federal Bu-
17	reau of Investigation.
18	"(J) One representative of the Bureau of
19	Prisons.
20	"(K) One representative of the Community
21	Relations Service.
22	"(L) One representative of the Office for
23	Access to Justice.
24	"(M) One representative of the Office of
25	Legal Policy.

1	"(N) One representative of the Office of
2	Legislative Affairs.
3	"(O) One representative of the Office of
4	Tribal Justice.
5	"(P) Two representatives from the Execu-
6	tive Office for United States Attorneys.
7	"(Q) The Section Chief of the Environ-
8	mental Justice Section.
9	"(R) Not fewer than 2 representatives
10	from United States Attorneys' offices.
11	"(4) Reporting requirement.—
12	"(A) In general.—Not later than 180
13	days after the date of enactment of the Empow-
14	ering and Enforcing Environmental Justice Act
15	of 2025, and annually thereafter, each member
16	of the Council shall submit to the Director a re-
17	port on the implementation of the progress of
18	the component of which the member is a rep-
19	resentative in implementing the environmental
20	justice strategy of the Department and any pro-
21	posed revisions to the environmental justice
22	strategy of that component.
23	"(B) OTHER REPORTS AND BRIEFINGS.—
24	In addition to the reports required under sub-
25	paragraph (A), the Director may also request a

report or briefing from the head of any component not a member of the Council explaining how the component may facilitate the efforts of the Department in meeting the obligations of the Department under the environmental justice strategy.

> "(5) ADMINISTRATION.—The Director shall coordinate and support the work of the Council. The Director shall convene the Council not later than 90 days after the date of enactment of the Empowering and Enforcing Environmental Justice Act of 2025 and shall convene the Council not less than 4 times annually thereafter.

"(6) Guidance for Department.—

"(A) IN GENERAL.—Not later than 180 days after the date of enactment of the Empowering and Enforcing Environmental Justice Act of 2025, the Council shall develop guidance with respect to environmental justice and provide such guidance to Department personnel, including provisions for identifying, tracking, and addressing environmental justice matters.

"(B) REVIEW AND UPDATE.—Not later than 3 years after the development of the guidance under subparagraph (A), and every 3

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1	years thereafter, the Department shall review
2	and update such guidance.".
3	(b) Technical Amendment.—The table of sections
4	for chapter 31 of title 28, United States Code, is amended
5	by adding at the end the following:
	"530E. Environmental justice.".
6	SEC. 3. ENVIRONMENTAL JUSTICE MATTERS ENFORCE-
7	MENT GRANTS.
8	(a) Definitions.—In this section:
9	(1) Certain congressional committees.—
10	The term "certain congressional committees"
11	means—
12	(A) the Committees on Environment and
13	Public Works and the Judiciary of the Senate;
14	and
15	(B) the Committees on Energy and Com-
16	merce and the Judiciary of the House of Rep-
17	resentatives.
18	(2) Environmental justice.—The term "en-
19	vironmental justice" means the just treatment and
20	meaningful involvement of all people, regardless of
21	income, race, color, national origin, Tribal affiliation,
22	or disability in agency decision-making and other
23	Federal activities that affect human health and the
24	environment so that individuals—

- 1 (A) are fully protected from dispropor2 tionate and adverse human health and environ3 mental effects (including risks) and hazards, in4 cluding those related to climate change, the cu5 mulative impacts of environmental and other
 6 burdens, and the legacy of racism or other
 7 structural or systemic barriers; and
 - (B) have equitable access to a healthy, sustainable, and resilient environment in which to live, play, work, learn, grow, worship, and engage in cultural and subsistence practices.
 - (3) Environmental justice matter" includes any civil or criminal matter where the conduct or action at issue may involve a disproportionate and adverse environmental or human health effect on an identifiable low-income, minority, Tribal, or Indigenous population or community in the United States.
 - (4) Indigenous population or community" includes populations or communities of American Indians, Alaska Natives, and Native Hawaiians.
 - (5) Low-income community.—The term "low-income community" means any census block group in which 30 percent or more of the population are

- individuals with an annual household income equal to, or less than, the greater of—
- 3 (A) an amount equal to 80 percent of the 4 median income of the area in which the house-5 hold is located, as reported by the Department 6 of Housing and Urban Development; and
- 7 (B) 200 percent of the Federal poverty 8 line.
- 9 (6) STATE.—The term "State" means any 10 State of the United States, the District of Columbia, 11 the Commonwealth of Puerto Rico, the Virgin Is-12 lands, Guam, American Samoa, and the Common-13 wealth of the Northern Mariana Islands.
- 14 (b) In General.—Not later than 180 days after the
 15 date of enactment of this Act, the Attorney General shall
 16 establish a grant program (in this section referred to as
 17 the "Program") within the Office of Environmental Jus18 tice to improve the capacity of State, local, and Tribal gov19 ernments to enforce environmental laws involving environ20 mental justice matters.
- 21 (c) Grant Authority.—In carrying out the Pro-22 gram, the Assistant Attorney General may award grants 23 on a competitive basis to eligible recipients, except that 24 no eligible recipient may be awarded more than 1 grant.

- 1 (d) Eligible Recipients.—The Assistant Attorney
- 2 General may award a grant under the Program to a State,
- 3 local, or Tribal government determined by the Assistant
- 4 Attorney General to be capable of carrying out a project
- 5 pursuant to subsection (e).
- 6 (e) Grant Funds.—Grant funds awarded under the
- 7 Program, shall only be used to—
- 8 (1) train State, local, and Tribal agencies re-
- 9 sponsible for prosecuting and enforcing laws involv-
- ing environmental justice matters;
- 11 (2) hire staff to assist in the investigation,
- prosecution, and enforcement of laws involving envi-
- 13 ronmental justice matters; or
- 14 (3) establish collaborative programs to provide
- technical and legal assistance, outreach, and engage-
- ment to help communities with environmental justice
- 17 concerns participate in decisions impacting the envi-
- 18 ronment, health, and safety of those communities
- 19 with environmental justice concerns.
- 20 (f) APPLICATIONS.—To be eligible for a grant under
- 21 the Program, an eligible recipient shall submit to the As-
- 22 sistant Attorney General an application in such form, at
- 23 such time, and containing such information as the Assist-
- 24 ant Attorney General determines to be appropriate.

- 1 (g) Limitations on Grant Amounts.—Subject to
- 2 the availability of appropriations under subsection (j),
- 3 each grant made under this section shall be for an amount
- 4 not less than \$50,000 and not greater than \$1,000,000.
- 5 (h) Federal Share.—The Federal share of a
- 6 project under the Program shall not exceed 80 percent,
- 7 unless the Attorney General waives, wholly or in part, this
- 8 requirement.
- 9 (i) Report.—Not later than 18 months after the
- 10 date of enactment of this Act, and every 2 years there-
- 11 after, the Attorney General shall submit a report to cer-
- 12 tain congressional committees on the grant program es-
- 13 tablished under this section, including a description of the
- 14 grantees and activities for which grantees used grants
- 15 awarded under this section.
- 16 (j) AUTHORIZATION OF APPROPRIATIONS.—There is
- 17 authorized to be appropriated to carry out this section
- 18 \$50,000,000 for each of the fiscal years 2026 through
- 19 2035.

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