

WHITE HOUSE ENVIRONMENTAL JUSTICE ADVISORY COUNCIL

Members:

*Richard Moore,
Co-Chair*

*Peggy Shepard,
Co-Chair*

*Catherine Coleman
Flowers,
Vice Chair*

*Carletta Tilousi,
Vice Chair*

LaTricea Adams

Susana Almanza

Jade Begay

Maria Belen Power

Dr. Robert Bullard

Tom Cormons

Andera Delgado

Jerome Foster II

Kim Havey

Angelo Logan

Maria Lopez-Nunez

Harold Mitchell

*Dr. Rachel Morello-
Frosch*

Juan Parras

Michele Roberts

Ruth Santiago

Dr. Nicky Sheats

Viola Waghiyi

Dr. Kyle Whyte

Dr. Beverly Wright

Hli Xyooj

Miya Yoshaitani

May 21, 2021

The Honorable Ms. Brenda Mallory, Chair
The Council on Environmental Quality
Executive Office of the President
Washington, DC 20500

Dear Chair Mallory:

The White House Environmental Justice Advisory Council (WHEJAC) enthusiastically submits its final report to you and President Biden. This report is in response to a charge issued in March 2021, from The Council on Environmental Quality to provide recommendations on Justice40, Climate and Economic Justice Screening Tool, and Executive Order 12898 Revisions. Over the next few months, the WHEJAC will also consider and submit recommendations on the Scorecard, the administration and implementation of Justice40, and final recommendations on the Climate and Economic Justice Screening Tool.

The WHEJAC urges President Biden, Vice President Harris and the CEQ to consider the following requests:

- The careful administration of Justice40 is paramount to the effectiveness of the Biden Administration's signature Environmental Justice initiative. WHEJAC members strongly believe that there must be a transformative and accountable process developed for the fair and just distribution of 40% or more of the benefits to be invested in frontline communities. Otherwise, the investment will not reach frontline communities, given the bias and ambivalence of many state and local governments, and the systemic racial bias, inertia, and resistance to change that we must never underestimate. In order to avoid primarily helping those communities that already have the advantage, transformative investments must be made in capacity building, technical assistance, and consultation, and creating a user-friendly federal process for the administration of funding and other support.
- Justice40 must start today. All local investments from energy benefits (such as through The American Jobs Plan) must utilize a Justice40 framework as outlined in the WHEJAC recommendations.

- Begin regular meetings between the WHEJAC and the White House Environmental Justice Interagency Council (WHEJIC), and that the WHEJAC receive a copy of the Interim Guidance to the relevant agencies. We will follow up on this request by letter.
- Environmental Justice advisors should immediately begin working with relevant federal agencies as they develop their budget data requests to identify programs for Justice40.
- Justice40 must ensure that 100% of the investments do no harm to frontline communities. Using funds to add to cumulative pollution only to use other funds to mitigate the impacts is a losing proposition for our communities.
- Justice40 must include taking bold action to sunset investment by 2030 in fossil fuels, plastics, dangerous chemicals and nuclear energy and to set requirements for 100% renewable electricity by 2030.
- Justice40 must ensure safe drinking water by replacing all lead water pipes in frontline communities across America by 2030.
- The Executive Order must include compliance by several federal agencies that have not been named in the current order: The Federal Emergency Management Agency, The Federal Energy Regulatory Commission, The Appalachian Regional Commission, The U.S. Department of Education, The U.S. Department of Homeland Security, The U.S. Department of State, The Tennessee Valley Authority, and The U.S. Department of Veteran Affairs.

The WHEJAC looks forward to submitting its recommendations on these issues that are crucial to an effective Justice40 and Executive Order. We expect to meet with several key administration officials in the coming weeks to consult with us on the fair and just administration of Justice40. We look forward also to a discussion of the recommendations that the CEQ and National Climate Advisor accepts and to learn about the protocols, processes, and procedures regarding implementation of

Justice40. Insight at this level is critical to ensure that our recommendations will be executed effectively. We are encouraged by this new beginning and the Biden Administration's commitments to frontline/EJ and Indigenous communities.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard Moore".

Richard Moore, WHEJAC Co-chair

A handwritten signature in black ink, appearing to read "Peggy M. Shepard".

Peggy M. Shepard, WHEJAC Co-chair

cc: Members of the WHEJAC
Michael S. Regan, EPA Administrator
Cecilia Martinez, PhD, Senior Director for Environmental Justice, CEQ
Corey Solow, Deputy Director for Environmental Justice, CEQ
White House Environmental Justice Interagency Council
Karen L. Martin, Designated Federal Officer



