

117TH CONGRESS
1ST SESSION

H. R. 516

To establish the Environmental Justice Mapping Committee, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 28, 2021

Ms. BUSH (for herself, Mr. GARCÍA of Illinois, Mr. HASTINGS, Mr. KHANNA, Mr. ESPALLAT, Mr. THOMPSON of Mississippi, Mr. LOWENTHAL, Ms. BARRAGÁN, Ms. SEWELL, Ms. MOORE of Wisconsin, Ms. WASSERMAN SCHULTZ, Mr. NADLER, Mr. JONES, Ms. NORTON, Mr. DESAULNIER, Ms. OCASIO-CORTEZ, Ms. TLAIB, Mrs. NAPOLITANO, Mrs. WATSON COLEMAN, Mr. CLEAVER, Mr. BOWMAN, Mr. VARGAS, Ms. PINGREE, Mr. BLUMENAUER, Mr. TORRES of New York, Mr. CONNOLLY, Ms. BLUNT ROCHESTER, Ms. MATSUI, Mr. JOHNSON of Georgia, Mr. MCEACHIN, Ms. DEGETTE, Ms. PRESSLEY, and Mr. COOPER) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To establish the Environmental Justice Mapping Committee,
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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Environmental Justice
3 Mapping and Data Collection Act of 2021”.

4 **SEC. 2. FINDINGS.**

5 Congress finds that—

6 (1) environmental hazards causing adverse
7 health outcomes have disproportionately affected en-
8 vironmental justice communities as a result of sys-
9 temic injustices relating to factors that include race
10 and income;

11 (2) environmental justice communities have in-
12 creased vulnerability to the adverse effects of climate
13 change and need significant investment to face cur-
14 rent and future environmental hazards;

15 (3) the Federal Government has lacked a cohe-
16 sive and consistent strategy to carry out the respon-
17 sibilities of Federal agencies described in Executive
18 Order 12898 (42 U.S.C. 4321 note; relating to Fed-
19 eral actions to address environmental justice in mi-
20 nority populations and low-income populations);

21 (4) it is necessary that the Federal Government
22 meaningfully engage environmental justice commu-
23 nities in the process of developing a robust strategy
24 to address environmental justice, including high lev-
25 els of review, input, and consent;

1 (5) there is a lack of nationwide high-quality
2 data relating to environmental justice concerns, such
3 as socioeconomic factors, air pollution, water pollu-
4 tion, soil pollution, and public health, and a failure
5 to update the existing data with adequate frequency;

6 (6) there is no nationally consistent method to
7 identify environmental justice communities based on
8 the cumulative effects of socioeconomic factors, pol-
9 lution burden, and public health;

10 (7) a method described in paragraph (6) is
11 needed to correct for racist and unjust practices
12 leading to historical and current environmental in-
13 justices through the targeted investment in environ-
14 mental justice communities of at least 40 percent of
15 the funds provided for a clean energy transition and
16 other related investments, including transportation
17 infrastructure, housing infrastructure, and water
18 quality infrastructure;

19 (8) funds targeted for environmental justice
20 communities should include set-asides for technical
21 assistance and capacity building for environmental
22 justice communities to access the funds;

23 (9) particular oversight and care are necessary
24 when investing in environmental justice communities
25 to ensure that existing issues are not exacerbated

1 and new issues are not created, particularly issues
2 relating to pollution burden and the displacement of
3 residents;

4 (10) several States, academic institutions, and
5 nonprofit organizations have engaged in cumulative
6 impact environmental justice mapping efforts that
7 can serve as references for a Federal mapping effort;

8 (11) many environmental justice communities,
9 such as communities in “Cancer Alley” in the State
10 of Louisiana, have been clearly affected by extreme
11 environmental hazards such that the communities—

12 (A) are identifiable before the establish-
13 ment of the tool under subsection (b) of section
14 5 and the completion of the data gap audit
15 under subsection (d) of that section; and

16 (B) should be eligible for programs tar-
17 geted toward environmental justice communities
18 that have faced extreme environmental hazards
19 before the establishment of that tool and the
20 completion of that audit;

21 (12) in addition to investment in environmental
22 justice communities, pollution reduction is essential
23 to achieving equitable access to a healthy and clean
24 environment and an equitable energy system; and

1 (13) specific policy and permitting decisions
2 and investments may rely on different combinations
3 of data sets and indicators relating to environmental
4 justice, and race alone may be considered a criterion
5 when assessing the susceptibility of a community to
6 environmental injustice.

7 **SEC. 3. DEFINITIONS.**

8 In this Act:

9 (1) ADMINISTRATOR.—The term “Adminis-
10 trator” means the Administrator of the Environ-
11 mental Protection Agency.

12 (2) ADVISORY COUNCIL.—The term “advisory
13 council” means the advisory council established
14 under section 4(d)(2)(A).

15 (3) COMMITTEE.—The term “Committee”
16 means the Environmental Justice Mapping Com-
17 mittee established by section 4(a).

18 (4) ENVIRONMENTAL JUSTICE.—The term “en-
19 vironmental justice” means the fair treatment and
20 meaningful involvement of all people regardless of
21 race, color, culture, national origin, or income, with
22 respect to the development, implementation, and en-
23 forcement of environmental laws, regulations, and
24 policies to ensure that each person enjoys—

1 (A) the same degree of protection from en-
2 vironmental and health hazards; and

3 (B) equal access to any Federal agency ac-
4 tion relating to the development, implementa-
5 tion, and enforcement of environmental laws,
6 regulations, and policies for the purpose of hav-
7 ing a healthy environment in which to live,
8 learn, work, and recreate.

9 (5) ENVIRONMENTAL JUSTICE COMMUNITY.—

10 The term “environmental justice community” means
11 a community with significant representation of com-
12 munities of color, low-income communities, or Tribal
13 and indigenous communities, that experiences, or is
14 at risk of experiencing, higher or more adverse
15 human health or environmental effects, as compared
16 to other communities.

17 (6) GROUND-TRUTHING.—The term “ground-
18 truthing” means a community fact-finding process
19 by which residents of a community supplement tech-
20 nical information with local knowledge for the pur-
21 pose of better informing policy and project decisions.

22 (7) RELEVANT STAKEHOLDER.—The term “rel-
23 evant stakeholder” means—

24 (A) a representative of a regional, State,
25 Tribal, or local government agency;

1 (B) a representative of a nongovernmental
2 organization with experience in areas that may
3 include Tribal relations, environmental con-
4 servation, city and regional planning, and public
5 health;

6 (C) a representative of a labor union;

7 (D) a representative or member of—

8 (i) an environmental justice commu-
9 nity; or

10 (ii) a community-based organization
11 for an environmental justice community;

12 (E) an individual with expertise in cumu-
13 lative impacts, geospatial data, and environ-
14 mental justice, particularly such an individual
15 from an academic or research institution; and

16 (F) an advocate with experience in envi-
17 ronmental justice who represents an environ-
18 mental justice community.

19 **SEC. 4. ESTABLISHMENT OF COMMITTEE.**

20 (a) **IN GENERAL.**—There is established a committee,
21 to be known as the “Environmental Justice Mapping
22 Committee”.

23 (b) **MEMBERSHIP.**—

1 (1) IN GENERAL.—The Committee shall be
2 composed of not fewer than 1 representative of each
3 of the following:

4 (A) Of the Environmental Protection
5 Agency—

6 (i) the Office of Air and Radiation;

7 (ii) the Office of Chemical Safety and
8 Pollution Prevention;

9 (iii) the Office of International and
10 Tribal Affairs;

11 (iv) the Office of Land and Emer-
12 gency Management;

13 (v) the Office of Water;

14 (vi) the Office of Environmental Jus-
15 tice;

16 (vii) the Office of Research and Devel-
17 opment; and

18 (viii) the Office of Public Engagement
19 and Environmental Education.

20 (B) The Council on Environmental Qual-
21 ity.

22 (C) Of the Department of Commerce—

23 (i) the Office of Oceanic and Atmos-
24 pheric Research, including not fewer than

1 representative of the Climate Program
2 Office;

3 (ii) the Economics and Statistics Ad-
4 ministration, including not fewer than 1
5 representative of the Bureau of Economic
6 Analysis; and

7 (iii) the National Institute of Stand-
8 ards and Technology.

9 (D) Of the Department of Health and
10 Human Services—

11 (i) the Centers for Disease Control
12 and Prevention, not including the Agency
13 for Toxic Substances and Disease Registry;

14 (ii) the Agency for Toxic Substances
15 and Disease Registry;

16 (iii) the Administration for Children
17 and Families;

18 (iv) of the National Institutes of
19 Health—

20 (I) the National Institute of En-
21 vironmental Health Sciences;

22 (II) the National Institute of
23 Mental Health; and

1 (III) the National Institute on
2 Minority Health and Health Dispari-
3 ties; and

4 (v) the Office for Civil Rights.

5 (E) Of the Department of the Interior—

6 (i) the Bureau of Indian Affairs;

7 (ii) the Office of Civil Rights; and

8 (iii) the United States Geological Sur-
9 vey.

10 (F) The Forest Service.

11 (G) The Department of Housing and
12 Urban Development.

13 (H) The Department of Energy.

14 (I) The Department of Transportation.

15 (J) The Department of Justice.

16 (K) The Federal Energy Regulatory Com-
17 mission.

18 (L) The Department of the Treasury.

19 (M) Such other Federal departments,
20 agencies, and offices as the Administrator de-
21 termines to be appropriate, particularly offices
22 relating to public engagement.

23 (2) SELECTION OF REPRESENTATIVES.—The
24 head of a department or agency described in para-
25 graph (1) shall, in appointing to the Committee a

1 representative of the department or agency, select a
2 representative—

3 (A) of a component of the department or
4 agency that is among the components that are
5 the most relevant to the responsibilities of the
6 Committee; or

7 (B) who has expertise in areas relevant to
8 those responsibilities, such as demographic indi-
9 cators relating to socioeconomic hardship, envi-
10 ronmental justice, public engagement, public
11 health, exposure to pollution, future climate and
12 extreme weather mapping, affordable energy,
13 sustainable transportation, and access to water,
14 food, and green space.

15 (3) CO-CHAIRS.—

16 (A) IN GENERAL.—The members of the
17 Committee shall select 3 members to serve as
18 co-chairs of the Committee—

19 (i) 1 of whom shall be a representa-
20 tive of the Environmental Protection Agen-
21 cy;

22 (ii) 1 of whom shall be a representa-
23 tive of the Council on Environmental Qual-
24 ity; and

1 (iii) 1 of whom shall have substantial
2 experience in public engagement.

3 (B) TERMS.—Each co-chair shall serve for
4 a term of not more than 3 years.

5 (C) RESPONSIBILITIES OF CO-CHAIRS.—
6 The co-chairs of the Committee shall—

7 (i) determine the agenda of the Com-
8 mittee, in consultation with other members
9 of the Committee;

10 (ii) direct the work of the Committee,
11 including the oversight of a meaningful
12 public engagement process; and

13 (iii) convene meetings of the Com-
14 mittee not less frequently than once each
15 fiscal quarter.

16 (c) ADMINISTRATIVE SUPPORT.—

17 (1) IN GENERAL.—The Administrator shall pro-
18 vide technical and administrative support to the
19 Committee.

20 (2) FUNDING.—The Administrator may carry
21 out paragraph (1) using, in addition to any amounts
22 made available under section 7, amounts authorized
23 to be appropriated to the Administrator before the
24 date of enactment of this Act and available for obli-
25 gation as of that date of enactment.

1 (d) CONSULTATION.—

2 (1) IN GENERAL.—In carrying out the duties of
3 the Committee, the Committee shall consult with rel-
4 evant stakeholders.

5 (2) ADVISORY COUNCIL.—

6 (A) IN GENERAL.—The Committee shall
7 establish an advisory council composed of a bal-
8 anced proportion of relevant stakeholders, at
9 least ½ of whom shall represent environmental
10 justice communities.

11 (B) CHAIR.—The advisory council shall be
12 chaired by an environmental justice advocate or
13 other relevant stakeholder with substantial ex-
14 perience in environmental justice.

15 (C) REQUIREMENTS.—Consultation de-
16 scribed in paragraph (1) shall include—

17 (i) early and regular engagement with
18 the advisory council, including in carrying
19 out public engagement under paragraph
20 (3); and

21 (ii) consideration of the recommenda-
22 tions of the advisory council.

23 (D) RECOMMENDATIONS NOT USED.—If
24 the Committee does not use a recommendation
25 of the advisory council, not later than 60 days

1 after the date on which the Committee receives
2 notice of the recommendation, the Committee
3 shall—

4 (i) make available to the public on an
5 internet website of the Environmental Pro-
6 tection Agency a written report describing
7 the rationale of the Committee for not
8 using the recommendation; and

9 (ii) submit the report described in
10 clause (i) to the Committee on Environ-
11 ment and Public Works of the Senate and
12 the Committee on Energy and Commerce
13 of the House of Representatives.

14 (E) OUTREACH.—The advisory council
15 may carry out public outreach activities using
16 amounts made available under section 7 to sup-
17 plement public engagement carried out by the
18 Committee under paragraph (3).

19 (3) PUBLIC ENGAGEMENT.—

20 (A) IN GENERAL.—The Committee shall,
21 throughout the process of carrying out the du-
22 ties of the Committee described in section 5—

23 (i) meaningfully engage with relevant
24 stakeholders, particularly—

1 (I) members and representatives
2 of environmental justice communities;

3 (II) environmental justice advo-
4 cates; and

5 (III) individuals with expertise in
6 cumulative impacts and geospatial
7 data; and

8 (ii) ensure that the input of the stake-
9 holders described in clause (i) is central to
10 the activities of the Committee.

11 (B) PLAN.—

12 (i) IN GENERAL.—In carrying out
13 subparagraph (A), the Committee shall de-
14 velop a plan, in consultation with the advi-
15 sory council, for comprehensive public en-
16 gagement with, and incorporation of feed-
17 back from, environmental justice advocates
18 and members of environmental justice
19 communities.

20 (ii) STRATEGIES TO OVERCOME BAR-
21 RIERS TO PUBLIC ENGAGEMENT.—The
22 plan developed under clause (i) shall in-
23 clude strategies to overcome barriers to
24 public engagement, including—

25 (I) language barriers;

- 1 (II) transportation barriers;
2 (III) economic barriers; and
3 (IV) lack of internet access.

4 (iii) CONSIDERATION.—In developing
5 the plan under clause (i), the Committee
6 shall consider the diverse and varied expe-
7 riences of environmental justice commu-
8 nities relating to the scope and types of en-
9 vironmental hazards and socioeconomic in-
10 justices.

11 (C) CONSULTATION AND SOLICITATION OF
12 PUBLIC COMMENT.—

13 (i) IN GENERAL.—In carrying out
14 subparagraph (A), not less frequently than
15 once each fiscal quarter, the Committee
16 shall consult with the advisory council and
17 solicit meaningful public comment, particu-
18 larly from relevant stakeholders, on the ac-
19 tivities of the Committee.

20 (ii) REQUIREMENTS.—The Committee
21 shall carry out clause (i) through means
22 including—

23 (I) public notice of a meeting of
24 the Committee occurring during the

1 applicable fiscal quarter, which shall
2 include—

3 (aa) notice in publications
4 relevant to environmental justice
5 communities;

6 (bb) notification to environ-
7 mental justice communities
8 through direct means, such as
9 community centers and schools;
10 and

11 (cc) direct outreach to
12 known environmental justice
13 groups;

14 (II) public broadcast of that
15 meeting, including soliciting and re-
16 ceiving comments by virtual means;
17 and

18 (III) public availability of a tran-
19 script of that meeting through publi-
20 cation on an accessible website.

21 (iii) LANGUAGES.—The Committee
22 shall provide each notice, notification, di-
23 rect outreach, broadcast, and transcript
24 described in clause (ii) in each language
25 commonly used in the applicable environ-

1 mental justice community, including
2 through oral interpretation, if applicable.

3 (D) FUNDING.—Of amounts made avail-
4 able under section 7, the Administrator shall
5 make available to the Committee such sums as
6 are necessary for participation by relevant
7 stakeholders in public engagement under this
8 paragraph, as determined by the Administrator,
9 in consultation with the advisory council.

10 **SEC. 5. DUTIES OF COMMITTEE.**

11 (a) IN GENERAL.—The Committee shall—

12 (1) establish a tool described in subsection (b)
13 to identify environmental justice communities, in-
14 cluding the identification of—

15 (A) criteria to be used in the tool; and

16 (B) a methodology to determine the cumu-
17 lative impacts of those criteria;

18 (2) assess and address data gaps in accordance
19 with subsection (d); and

20 (3) collect data for the environmental justice
21 data repository established under section 6.

22 (b) ESTABLISHMENT OF TOOL.—

23 (1) IN GENERAL.—The Committee, in consulta-
24 tion with relevant stakeholders and the advisory
25 council, shall establish an interactive, transparent,

1 integrated, and Federal Government-wide tool for
2 assessing and mapping environmental justice com-
3 munities based on the cumulative impacts of all indi-
4 cators selected by the Committee to be integrated
5 into the tool.

6 (2) REQUIREMENTS.—In establishing the tool
7 under paragraph (1), the Committee shall—

8 (A) integrate into the tool multiple data
9 layers of indicators that fall into categories in-
10 cluding—

11 (i) demographics, particularly relating
12 to socioeconomic hardship and social
13 stressors, such as—

14 (I) race and ethnicity;

15 (II) low income;

16 (III) high unemployment;

17 (IV) low levels of home owner-
18 ship;

19 (V) high rent burden;

20 (VI) high transportation burden;

21 (VII) low levels of educational at-
22 tainment;

23 (VIII) linguistic isolation;

24 (IX) energy insecurity or high
25 utility rate burden;

- 1 (X) food insecurity;
- 2 (XI) health insurance status and
3 access to healthcare; and
- 4 (XII) membership in an Indian
5 Tribe;
- 6 (ii) public health, particularly data
7 that are indicative of sensitive populations,
8 such as—
- 9 (I) rates of asthma;
- 10 (II) rates of cardiovascular dis-
11 ease;
- 12 (III) child leukemia or other can-
13 cers that correlate with environmental
14 hazards;
- 15 (IV) low birth weight;
- 16 (V) maternal mortality;
- 17 (VI) rates of lead poisoning; and
- 18 (VII) rates of diabetes;
- 19 (iii) pollution burdens, such as pollu-
20 tion burdens created by—
- 21 (I) toxic chemicals;
- 22 (II) air pollutants;
- 23 (III) water pollutants;
- 24 (IV) soil contaminants; and

1 (V) perfluoroalkyl and polyfluoro-
2 alkyl substances; and

3 (iv) environmental effects, such as ef-
4 fects created by proximity to—

5 (I) risk management plan sites;

6 (II) hazardous waste facilities;

7 (III) sites on the National Prior-
8 ities List developed by the President
9 in accordance with section
10 105(a)(8)(B) of the Comprehensive
11 Environmental Response, Compensa-
12 tion, and Liability Act of 1980 (42
13 U.S.C. 9605(a)(8)(B)); and

14 (IV) fossil fuel infrastructure;

15 (B) investigate how further indicators of
16 vulnerability to the impacts of climate change
17 (including proximity and exposure to sea level
18 rise, wildfire smoke, flooding, drought, rising
19 average temperatures, extreme storms, and ex-
20 treme heat, and financial burdens from flood
21 and fire insurance) should be incorporated into
22 the tool as an additional set of layers;

23 (C) identify and consider the effects of
24 other indicators relating to environmental jus-

- 1 tice for integration into the tool as layers, in-
2 cluding—
- 3 (i) safe, sufficient, and affordable
4 drinking water, sanitation, and stormwater
5 services;
 - 6 (ii) access to and the quality of—
 - 7 (I) green space and tree canopy
8 cover;
 - 9 (II) healthy food;
 - 10 (III) affordable energy and
11 water;
 - 12 (IV) transportation;
 - 13 (V) reliable communication sys-
14 tems, such as broadband internet;
 - 15 (VI) child care;
 - 16 (VII) high-quality public schools,
17 early childhood education, and child
18 care; and
 - 19 (VIII) health care facilities;
 - 20 (iii) length of commute;
 - 21 (iv) indoor air quality in multiunit
22 dwellings;
 - 23 (v) mental health;
 - 24 (vi) labor market categories, particu-
25 larly relating to essential workers; and

1 (vii) each type of utility expense;

2 (D) consider the implementation of specific
3 regional indicators, with the potential—

4 (i) to create regionally and locally
5 downscaled maps in addition to a national
6 map;

7 (ii) to provide incentives for States to
8 collect data and conduct additional anal-
9 yses to capture conditions specific to their
10 localities;

11 (iii) to provide resources for and en-
12 gage in ground-truthing to identify and
13 verify important data with community
14 members; and

15 (iv) to develop companion resources
16 for, and provide technical support to, re-
17 gional, State, local, or Tribal governments
18 to create their own maps and environ-
19 mental justice scores with relevant re-
20 gional, State, local, and Tribal data;

21 (E) identify a methodology to account for
22 the cumulative impacts of all indicators selected
23 by the Committee under subparagraph (A), in
24 addition to other indicators as the Committee
25 determines to be necessary, to provide relative

1 environmental justice scores for regions that
2 are—

3 (i) as small as practicable to identify
4 communities; and

5 (ii) not larger than a census tract;

6 (F) ensure that the tool is capable of pro-
7 viding maps of environmental justice commu-
8 nities based on environmental justice scores de-
9 scribed in subparagraph (E);

10 (G) ensure that users of the tool are able
11 to map available layers together or independ-
12 ently as desired;

13 (H) implement a method for users of the
14 tool to generate a map and environmental jus-
15 tice score based on a subset of indicators, par-
16 ticularly for the purpose of using the tool in ad-
17 dressing various policy needs, permitting proc-
18 esses, and investment goals;

19 (I) make the tool customizable to address
20 specific policy needs, permitting processes, and
21 investment goals;

22 (J) account for conditions that are not
23 captured by the quantitative data used to de-
24 velop the 1 or more maps and environmental
25 justice scores comprising the tool, by—

1 (i) developing and executing a plan to
2 perform outreach to relevant communities;
3 and

4 (ii) establishing a mechanism by
5 which communities can self-identify as en-
6 vironmental justice communities to be in-
7 cluded in the tool, which may include cit-
8 ing qualitative data on conditions for which
9 quantitative data are lacking, such as cul-
10 tural loss in Tribal communities;

11 (K) consider that the tool—

12 (i) will be used across the Federal
13 Government in screening Federal policies,
14 permitting processes, and investments for
15 environmental and climate justice impacts;
16 and

17 (ii) may be used to assess commu-
18 nities for pollution reduction programs;
19 and

20 (L) carry out such other activities as the
21 Committee determines to be appropriate.

22 (c) TRANSPARENCY AND UPDATES.—

23 (1) IN GENERAL.—

24 (A) NOTICE AND COMMENT.—The Com-
25 mittee shall establish the tool described in sub-

1 section (b) after providing notice and an oppor-
2 tunity for public comment.

3 (B) HEARINGS.—In carrying out subpara-
4 graph (A), the Committee shall hold hearings,
5 which shall be time- and language-appropriate,
6 in communities affected by environmental jus-
7 tice issues in geographically disparate States
8 and Tribal areas.

9 (2) UPDATES.—

10 (A) ANNUAL UPDATES.—The Committee
11 shall update the tool described in subsection (b)
12 not less frequently than annually to account for
13 data sets that are updated annually.

14 (B) OTHER UPDATES.—Not less frequently
15 than once every 3 years, the Committee shall—

16 (i) update the indicators, method-
17 ology, or both for the tool described in sub-
18 section (b); and

19 (ii) reevaluate data submitted by Fed-
20 eral departments and agencies that is used
21 for the tool.

22 (C) REPORTS.—After the initial establish-
23 ment of the tool described in subsection (b) and
24 each update under subparagraph (A) or (B),

1 the Committee shall publish a report describ-
2 ing—

3 (i) the process for identifying indica-
4 tors relating to environmental justice in
5 the development of the tool;

6 (ii) the methodology described in sub-
7 section (b)(2)(E); and

8 (iii) the use of public input and com-
9 munity engagement in that process.

10 (3) TRAINING TUTORIALS AND SESSIONS.—

11 (A) IN GENERAL.—The Committee shall—

12 (i) develop virtual training tutorials
13 and sessions for environmental justice com-
14 munities for the use of the tool described
15 in subsection (b); and

16 (ii) where practicable, provide in-per-
17 son training sessions for environmental
18 justice communities for the use of that
19 tool.

20 (B) LANGUAGES.—The tutorials and ses-
21 sions under subparagraph (A) shall be made
22 available in each language commonly used in
23 the applicable environmental justice community.

24 (4) PUBLIC AVAILABILITY.—

1 (A) IN GENERAL.—The Committee shall
2 make available to the public on an internet
3 website of the Environmental Protection Agen-
4 cy—

5 (i) the tool described in subsection

6 (b);

7 (ii) each update under subparagraphs
8 (A) and (B) of paragraph (2);

9 (iii) each report under paragraph
10 (2)(C); and

11 (iv) the training tutorials and sessions
12 developed under paragraph (3)(A)(i).

13 (B) ACCESSIBILITY.—The Committee shall
14 make the tool, updates, and reports described in
15 subparagraph (A) accessible to the public by
16 publication in relevant languages and with ac-
17 cessibility functions, as appropriate.

18 (C) REQUIREMENT.—In carrying out sub-
19 paragraph (A)(i), the Committee shall take
20 measures to prevent the tool from being mis-
21 used to discriminate against environmental jus-
22 tice communities, such as by providing safe-
23 guards against the use of downscaled data that
24 may enable the identification of individuals.

25 (d) DATA GAP AUDIT.—

1 (1) IN GENERAL.—In establishing the tool de-
2 scribed in subsection (b), the Committee shall direct
3 relevant Federal departments and agencies to con-
4 duct an audit of data collected by the department or
5 agency to identify any data that are relevant to envi-
6 ronmental justice concerns, including data relating
7 to—

8 (A) public health metrics;

9 (B) toxic chemicals;

10 (C) socioeconomic demographics;

11 (D) air quality;

12 (E) water quality; and

13 (F) killings of individuals by law enforce-
14 ment officers.

15 (2) REQUIREMENTS.—An audit described in
16 paragraph (1) shall—

17 (A) examine the granularity and accessi-
18 bility of the data;

19 (B) address the need for improved air
20 quality monitoring; and

21 (C) include recommendations to other Fed-
22 eral departments and agencies on means to im-
23 prove the quality, granularity, and transparency
24 of, and public involvement in, data collection
25 and dissemination.

1 (3) IMPROVEMENTS.—The Committee shall di-
2 rect a Federal department or agency, in conducting
3 an audit under paragraph (1), to address gaps in ex-
4 isting data collection that will assist the Committee
5 in establishing and operating the tool described in
6 subsection (b), including by providing to the depart-
7 ment or agency—

8 (A) benchmarks to meet in addressing the
9 gaps;

10 (B) instructions for consistency in data
11 formatting that will allow for inclusion of data
12 in the environmental justice data repository de-
13 scribed in section 6; and

14 (C) best practices for collecting data in col-
15 laboration with local organizations and part-
16 ners, such as engaging in ground-truthing.

17 (4) REPORTS.—Not later than 180 days after a
18 Federal department or agency has conducted an
19 audit under paragraph (1), the Committee shall—

20 (A) make available to the public on an
21 internet website of the Environmental Protec-
22 tion Agency a report describing the findings
23 and conclusions of the audit, including the
24 progress made by the Federal department or

1 agency in addressing environmental justice data
2 gaps; and

3 (B) submit the report described in sub-
4 paragraph (A) to—

5 (i) the Committee on Environment
6 and Public Works of the Senate;

7 (ii) the Committee on Health, Edu-
8 cation, Labor, and Pensions of the Senate;

9 (iii) the Committee on Energy and
10 Commerce of the House of Representa-
11 tives; and

12 (iv) the Committee on Education and
13 Labor of the House of Representatives.

14 **SEC. 6. ENVIRONMENTAL JUSTICE DATA REPOSITORY.**

15 (a) IN GENERAL.—The Administrator shall establish
16 an environmental justice data repository to maintain—

17 (1) the data collected by the Committee
18 through the establishment of the tool described in
19 section 5(b) and the audits conducted under section
20 5(d)(1); and

21 (2) any subnational data collected under sub-
22 section (c)(2).

23 (b) UPDATES.—The Administrator shall update the
24 data in the data repository described in subsection (a) as

1 frequently as practicable, including every year if prac-
2 ticable, but not less frequently than once every 3 years.

3 (c) AVAILABILITY; INCLUSION OF SUBNATIONAL
4 DATA.—The Administrator—

5 (1) shall make the data repository described in
6 subsection (a) available to regional, State, local, and
7 Tribal governments; and

8 (2) may collaborate with the governments de-
9 scribed in paragraph (1) to include within that data
10 repository subnational data in existence before the
11 establishment of the tool described in section 5(b)
12 and the completion of the audits under section
13 5(d)(1).

14 (d) REQUIREMENT.—The Administrator shall take
15 measures to prevent the data in the data repository de-
16 scribed in subsection (a) from being misused to discrimi-
17 nate against environmental justice communities, such as
18 by providing safeguards against the use of downscaled
19 data that may enable the identification of individuals.

20 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

21 There are authorized to be appropriated to the Ad-
22 ministrator to carry out this Act, including any necessary
23 administrative costs of the Committee—

24 (1) \$20,000,000 for each of fiscal years 2021
25 and 2022; and

1 (2) \$18,000,000 for each of fiscal years 2023
2 through 2025.

3 **SEC. 8. EFFECT.**

4 Nothing in any provision of this Act relating to the
5 tool described in section 5(b) prohibits a State from devel-
6 oping a map relating to environmental justice or pollution
7 burden that relies on different data, or analyzes data dif-
8 ferently, than that tool.

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