



Texas Environmental Justice Advocacy Services

+ Follow

[OFFICIAL WEBSITE](#)

About

t.e.j.a.s. is dedicated to providing community members with the tools necessary to create sustainable, environmentally healthy communities by educating individuals on health concerns and implications arising from environmental pollution, empowering individuals with an understanding of applicable environmental laws and regulations and promoting their enforcement, and offering community building skills and resources for effective community action and greater public participation.

[Posts](#)

[Legislation](#)



[Texas Environmental Justice Advocacy Services](#)

Endorsed

7 months ago

[H.R. 5986 To restore, reaffirm, and reconcile environmental justice and civil rights, provide for the establishment of the Interagency Working Group on Environmental Justice Compliance and Enforcement, and for other purposes.](#)

“An Executive Order on Environmental Justice was issued in 1994; today 26 years later, a House Bill is being introduced by Congressman Raul M. Grijalva and Representative McEachin. Environmental Justice Communities throughout our Country will be elated and overjoyed to finally have legislative support in addressing their environmental concerns. For too long we have struggled with and unjust system that complicated the efforts of addressing environmental issues in low-come and Communities of Color. We firmly believe this is a huge step forward in addressing the needs of communities who have a history of being dumped on. We feel confident that this legislation will surely benefit all of us in the future.”- Juan Parras, Director and Ana Parras, Co-Director, Texas Environmental Justice Advocacy Services (t.e.j.a.s.)

♥ Like ↪ Share



[Texas Environmental Justice Advocacy Services](#)

Neutral

a year ago

[Principles for Environmental Justice Legislation](#)

Additions to text shown in CAPS

Statement of Principles for Environmental Justice Legislation

All people have the right to pure air, clean water, and AN ENVIRONMENT THAT ENRICHES LIFE RATHER THAN PLACING IT IN DANGER [all the richness and wonder nature can provide]. For too many, THESE [those] rights are [still] unrealized, and the injustice of that CREATES A PATTERN OF CONTINUOUS SUFFERING TO LOW RESOURCED, VULNERABLE COMMUNITIES [reality takes a daily toll]. Across THE [our] nation, our air and water are being polluted with [impunity, at] great consequence to our health and environment. [And] too often, our government has turned a blind eye—more so in some communities than in others. To help address these long-standing wrongs and promote justice, Congress must advance bold environmental justice legislation.

At a minimum, this legislation must:

Strengthen the Civil Rights Act to ensure that citizens CAN RELY ON A MORE EQUITABLE PROCESS TO PROTECT THEIR RIGHT TO A CLEAN ENVIRONMENT AS A MEANS OF ADDRESSING ENVIRONMENTAL DISCRIMINATION.[can enforce their rights against environmental discrimination].

Low-income communities, communities of color, indigenous communities, and other vulnerable populations are disproportionately burdened by environmental hazards in the United States. Too often, landfills, waste sites, and other harmful projects are placed in these communities and are operated in a manner that causes disproportionate environmental harm and risks to human health [within them]. This disproportionate impact discrimination is illegal under Title 6 [VI] of the Civil Rights Act. Unfortunately, in the Alexander v. Sandoval decision, the Supreme Court overturned decades of precedent in order to prohibit private citizens from filing suit to enforce their Title VI rights in the face of disparate impact discrimination.

Environmental justice legislation must strengthen Title VI to ensure that citizens [can]HAVE A MEANS TO SEEK LEGAL REMEDY [their day in

court]when faced with ENVIRONMENTAL DISCRIMINATION [disparate impact].

Ensure that project decisions fully reflect on-the-ground realities and cumulative impacts. Currently, federal and state governments often regulate pollution at the individual project level, and as a result, permitting decisions, including under the Clean Air Act and the Clean Water Act, do not necessarily contemplate an area's cumulative pollution levels- THIS results in dangerous environmental and health IMPACTS [outcomes]. Congress should seek to require that federal and state decision-making consider proposed projects' impacts in [the] full, [real-world] ASSESSING THE HOLISTIC OUTCOMES OF A PROJECT ON AFFECTED COMMUNITIES IF [context in which they would actually be constructed or]carried out.

Codify and Bolster Executive Order 12898 on Environmental Justice. The 1994 Executive Order on Environmental Justice directed each federal agency to identify and address the "disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations" to the greatest extent practicable and permitted by law. The Executive Order must be strengthened and codified into law so that the current and future administrations cannot weaken or rescind it.

Strengthen the National Environmental Policy Act to promote environmental justice. The National Environmental Policy Act (NEPA) requires federal agencies to analyze the potential environmental consequences of major federal actions and consider public input OF EACHbefore any major actions are taken. When used effectively, NEPA can help prevent a disproportionate share of polluting projects from being sited in vulnerable communities. The existing NEPA process should be strengthened to expand opportunities for public involvement in the federal decision-making process BY INCREASING THE VISIBILITY AND ACCESSIBILITY OF THE PUBLIC HEARING PROCESS AND OTHER OPPORTUNITIES FOR INPUT. THIS INCLUDES ACCESS TO TRANSPORTATION OR VENUE EASE OF ACCESS. LANGUAGE ACCESS, COMMUNITY SENSITIVE SCHEDULING, AND INCREASING PUBLIC INPUT PERIOD. THIS ALSO INCLUDES PERMITS BEING READILY ACCESSIBLE IN ALL RELEVANT COMMUNITY POINTS-OF-INTEREST (EG. COMMUNITY CENTERS, PARKS). [Federal agencies must be required to increase public comment periods, conduct public hearings, and translate information about proposed projects into languages other than English when major polluting projects are being contemplated in these communities.] Direct federal agencies to develop and enact [a]comprehensive agency-wide environmental justice strategies. All federal agencies must be required to develop effective environmental justice strategies that identify and address any disproportionately high or adverse environmental effects of their programs [and practices]on low-income communities, communities of color, indigenous communities, and other vulnerable populations. Furthermore, incentives and enforcement measures must be robust in order to ensure MORE EQUITABLE OUTCOMES TO A JUST TRANSITION.

Establish a Working Group on Environmental Justice Compliance and Enforcement. An Environmental Justice Compliance and Enforcement Working Group should advise and assist federal agencies in identifying and addressing environmental justice issues[,]providING direct guidance and technical

assistance to local communities and environmental justice organizations, and engage with state, tribal, and local governments to address pollution and public health burdens in FENCE-LINE AND FRONT-LINE COMMUNITIES / OR IN DISPROPORTIONATELY AFFECTED COMMUNITIES [affected communities].

Help environmental justice organizations build capacity through federal community grants. Robust federal community grants should be available to help environmental justice groups identify and implement projects to address environmental and public health concerns. Grants should also help provide scientific and technical assistance, PRIORITIZING COLLABORATIVE PARTNERSHIPS WITH COMMUNITY STAKEHOLDERS IN ORDER TO PROVIDE [so that]vulnerable communities WITH [have] a detailed understanding of the potential environmental and public health threats they face when federal, state, and local decisions are being made. THIS INCLUDES DECISIONS about whether to permit a dangerous ACTIVITY, [activity or where to] site a hazardous project OR DISTURB A SENSITIVE SITE WITH THE POTENTIAL TO INCREASE PUBLIC HARM.

Direct federal agencies to offer training in environmental justice to the federal workforce. A federal training program should ensure that agency staff are best prepared to incorporate environmental justice concepts into their WORK. SUCH TRAINING SHOULD FOCUS ON EDUCATING OFFICIALS AND STAFF ON THE DISPROPORTIONATE IMPACTS FACED BY VULNERABLE COMMUNITIES AND STRESS THE NEED TO MINIMIZE HARM TO THESE POPULATIONS.

ASSURE THAT GOVERNMENTAL ENTITIES COMMUNICATE TO ENVIRONMENTAL JUSTICE COMMUNITIES THE RIGHTS AND SAFEGUARDS CURRENTLY AFFORDED TO THEM THROUGH VARIOUS POLICIES AND LAWS. INFORMING AND EDUCATING COMMUNITIES, AND RELEVANT STAKEHOLDERS (EG. UNIONS, SCHOOLS), THROUGH INFORMATIONAL SESSIONS OF THE TOOLS AND LAWS IN PLACE THAT ARE AVAILABLE IN ORDER TO MAINTAIN EQUITABLE OUTCOMES MUST BE UNDERTAKEN BY ALL FEDERAL BODIES.

ADDITIONAL RECOMMENDATIONS TO CONSIDER:

Reason for additional 6th bullet point. Training should be offered to communities as well as Federal agency staff and officials. Training that offers a better understanding of current protections offered by the Clean Air/Water Act as well as protections like it, so that communities better understand legal protections.

Assure that governmental entities communicate to environmental justice communities the rights and safeguards currently afforded to them through various policies and laws. Informing and educating communities, and relevant stakeholders, through community outreach and informational sessions of the tools and laws in place that are available in order to maintain equitable outcomes must be undertaken by all federal bodies.

Reflecting on Executive Order 12898: These principles should continue to support pieces from the EO such as data collection, consumption, and publish guidance reflecting the latest scientific material available.

Comments provided by:

Texas Environmental Justice Advocacy Services, drafted by: Yvette Arellano and team advisor Shiv Srivastava approved by Juan and Ana Parras.

We appreciate the opportunity for inclusion in such a vital document,

Juan & Ana Parras

Texas Environmental Justice Advocacy Service, Houston, Texas

(Statement provided to POPVOX by Congressional office.)

