

Scorecard Department of Health & Human Ser...



Department of Health & Human Services

200 Independence Avenue,
S.W.
Washington, D.C. 20201
[\(877\) 696-6775](tel:(877)696-6775)
hhs.gov

About the Department of Health & Human Services (HHS)

The mission of the U.S. Department of Health and Human Services (HHS) is to enhance the health and well-being of all Americans, by providing for effective health and human services and by fostering sound, sustained advances in the sciences underlying medicine, public health, and social services.

This page provides information on how **the Department of Health & Human Services (HHS)** is working to advance environmental justice for communities across America. It is part of Phase One of the Biden-Harris Administration's Environmental Justice Scorecard.

Justice40 Initiative

As part of President Biden's [Justice40 Initiative](#), the federal government is working toward the goal that 40 percent of the overall benefits of certain federal investments reach disadvantaged communities that are marginalized and overburdened by pollution and underinvestment. In particular, the President's Justice40 Initiative applies to federal investments that address climate change, clean energy and energy efficiency, clean transit, affordable and sustainable housing, training and workforce development, remediation and reduction of legacy pollution, and the development of critical water and wastewater infrastructure.

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This Phase One Scorecard provides an update on initial progress made by **the Department of Health & Human Services (HHS)** in implementing the Justice40 Initiative. Future versions of the Environmental Justice Scorecard will provide additional information and updates on the benefits of Justice40 covered programs.

For more information on HHS's Justice40 covered programs, please contact OEJ@hhs.gov.

Phase One Scorecard metrics and highlights in Fiscal Year 2022 include:

- **13** Justice40 covered program(s)
- **18** funding announcement(s) covered under the Justice40 Initiative
- **\$4.7 billion** in funding made available from Justice40 covered programs¹
 - For example, the Low-Income Home Energy Assistance Program (LIHEAP) helps keep households safe and healthy through initiatives that assist households with energy costs. In FY2022, Congress authorized a total of \$3.9 billion in annual formula block grant funding and the Bipartisan Infrastructure Law. Funds were distributed to all 50 states, 150 Tribes or Tribal organizations and 5 territories to provide home energy assistance (heating, cooling, and crisis), weatherization, and case management services to promote energy self-sufficiency.
 - The Centers for Disease Control and Prevention's National Center for Environmental Health and the Agency for Toxic Substances and Disease Registry Climate-Ready States and Cities Initiative (CRSCI) provides funding and technical assistance to 11 state and local health departments. Recipient communities develop and implement plans to address gaps in critical public health functions and services using the 5-step Building Resilience Against Climate Effects framework. All recipients must directly address health equity and serve disadvantaged communities. Currently, the Climate and Health Program Cooperative Agreement provides \$4 million in support of CRCSI implementation.
 - The National Institute of Environmental Health Sciences Worker Training Program and the Environmental Career Worker Training Program provided \$713,766 to 5 grantees, according to the NIH Research Performance Progress Report. Total funding for ECWTP for this period was \$4,258,886. Funding was used by grantees to expand training to new sites such as Puerto Rico and St. Louis and to train additional students.
- Made program modifications for Justice40 covered programs such as:
 - For example, the Administration for Children and Families' (ACF) Office of Community Services issued guidance on the allowability and flexibilities of using Community Services Block Grant (CSBG) funding to mitigate heat stress for vulnerable populations. During a single week in July 2022, more than 100 million people across the country—almost one-third of the U.S. population—were under excessive heat warnings or heat advisories. One example from this guidance described how CSBG funds could be used to provide necessary services (e.g., bill payment support, provision of cooling equipment, etc.) for households just over the eligibility threshold for LIHEAP.
 - ACF's Low Income Household Water Assistance Program (LIHWAP) maximized flexibilities related to serving eligible household members living with ineligible members. The guidance issued by ACF's Office of Community

Services established that it is permissible to pay the full amount of an arrearage to reconnect water services or prevent the disconnection of water services for eligible household members who reside with 1 or more ineligible member.

- ACF's LIHWAP program established a minimum award for Tribal grantees. As a result, no Tribe received less than \$10,000 to administer the program.

¹ This funding amount describes examples of the funding that was made available in Fiscal Year 2022 through Justice40 covered programs. The amount does not represent the total funding that benefits disadvantaged communities. The funding was made available through grants, notices of funding opportunity, and other funding announcements. These funding announcements were from Justice40 covered programs that were funded through discretionary and mandatory appropriations, as well as supplemental appropriations, such as those enacted under the Bipartisan Infrastructure Law (Pub. L. 117-58). The Justice40 Initiative sets a goal that 40 percent of overall benefits from certain federal investments flow to disadvantaged communities.

HHS' Highlights

The Assistant Secretary for Administration's Federal Real Property Assistance Program (FRPAP) updated its Environmental Information Documentation checklist for grantees to address environmental justice concerns with their application. It also reconfigured its information system to include the county, census tract, and disadvantaged community status for surplus federal real property utilized for public health benefit or homelessness into its data input forms. FRPAP has developed queries for annual environmental justice reporting on FRPAP's benefits and investments for disadvantaged communities.

ACF's Community Services Block Grant program provided funding to the Detroit-based Wayne Metropolitan Community Action Agency to identify and provide training for green jobs in the post-COVID-19 economy, including high-demand utility-efficiency construction. The initiative targets individuals disproportionately affected by the pandemic.

The Indian Health Service (IHS) Sanitation Facilities Construction Program builds the infrastructure necessary to ensure a safe supply of drinking water, reliable sewage systems, and solid waste disposal facilities in Tribal communities throughout Indian Country. The Bipartisan Infrastructure Law appropriated \$700 million to IHS for this program in FY 2022.

The Centers for Disease Control and Prevention (CDC) funded a grant to Michigan State University to implement an innovative, one-of-a kind Lead

Exposure Registry in Flint, MI, contributing to the creation of a model framework and toolkit for lead-free communities. CDC worked with the local health department to monitor blood lead levels in children under 6 years of age and connecting lead-exposed children to follow-up health services. Medicaid expansion increased access to screening, health care, education, and social services for children affected by the water crisis in Flint.

Environmental and Civil Rights Protection

Federal agencies are advancing environmental justice by carrying out their responsibilities under the law to identify and address disproportionate and adverse public health and environmental, climate-related, and cumulative impacts on communities with environmental justice concerns. Agencies are working to ensure that all communities experience the protection of our country's bedrock environmental laws. The following information reflects some of the environmental and civil rights work **the Department of Health & Human Services (HHS)** has done from January 2021 to September 2022.

For more information, please visit [HHS' Office of Environmental Justice](#) .

National Environmental Policy Act

The National Environmental Policy Act (NEPA) requires federal agencies to consider and disclose the environmental, health, and community impacts of certain decisions or actions before taking them. Environmental reviews help ensure the public is informed about potential actions, and give communities an opportunity to participate in the government's decision-making process. Environmental reviews also ensure that federal agencies consider ways to protect and enhance public health and the environment, and advance environmental justice in their decision-making. The following information highlights some work **the Department of Health & Human Services (HHS)** has done from January 2021 to September 2022.

Phase One Scorecard metrics and highlights include:

- The Federal Real Property Assistance Program updated its environmental information documentation checklist to include aspects of greenhouse gas accounting and mitigation and addressing climate change hazards that pose a risk to surplus federal real property used for public health or homelessness. The Indian Health Service Environmental Review Manual, last updated in 2007 (Part II, Section 10) addresses environmental justice by summarizing Executive Order 12898 and the relationship between NEPA and environmental justice.
- **1** project modification(s) where environmental justice concerns were raised during the NEPA process
- **1** training(s) on environmental justice considerations during NEPA reviews

Title VI of the Civil Rights Act of 1964 and Environmental Justice



Title VI of the Civil Rights Act of 1964 requires that no person be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving federal financial assistance on account of race, color, or national origin. Title VI requires federal agencies to ensure that programs or activities receiving federal funding, including those that affect human health or the environment, do not use discriminatory criteria, methods, or practices. The following information includes updates from January 2021 to September 2022 from **the Department of Health & Human Services (HHS)** on Title VI that are related to environmental justice.

Phase One Scorecard metrics and highlights include:

- Relevant to Title VI of the Civil Rights Act of 1964, the HHS Climate Action Plan is an essential component of HHS's efforts to achieve equitable health outcomes for all. In addition to Title VI, HHS's Office for Civil Rights enforces Section 1557 of the Patient Protection and Affordable Care Act (Section 1557). Section 1557 is the civil rights provision of the Affordable Care Act and it prohibits discrimination on the basis of race, color, national origin, sex, disability, or age in a vast range of health programs and activities that receive federal financial assistance. Section 1557 serves as an additional tool that HHS can use to advance environmental justice, and the Department has proposed implementing regulations that, if finalized as proposed, would provide additional affirmative requirements that covered entities must comply with regarding language access and other important environmental justice considerations.
- **1** open Title VI investigation(s) or compliance review(s) related to environmental justice
- **2** internal training(s) on Title VI civil rights and environmental justice

Centering Environmental Justice in Decision-Making

Federal agencies work to ensure that the voices, perspectives, and lived experiences of communities are heard and reflected in the priorities, policies, and decision-making of the federal government. Agencies also take steps to respect Tribal sovereignty and ensure government-to-government consultation on federal policies. The following information highlights work **the Department of Health & Human Services (HHS)** has done from January 2021 to September 2022 to center environmental justice in its decision-making.

Community Input and Engagement

Phase One Scorecard metrics and highlights include:

- **11** technical assistance outreach event(s) in Fiscal Year 2022
 - For example, Administration for Children and Families' (ACF) Office of Community Services supported continued activities of 8 Rural Community Development grant recipients, providing technical assistance to ensure safe water and wastewater systems in disadvantaged rural communities.
 - ACF's Office of Community Services established a training and technical assistance provider to ensure disadvantaged Tribal communities had support in administering the Low Income Household Water Assistance Program. The technical assistance included webinars, office hours, and creating guidance documents for implementation.

- **14** public process(es) related to environmental justice, e.g., requests for information or listening sessions
 - For example, the Office of the Assistant Secretary for Health's Office of Environmental Justice issued a request for information (RFI) in April 2022: "2022 HHS Environmental Justice Strategy and Implementation Plan Draft Outline" to seek input from the public on the agency's draft outline to further the development of the HHS Environmental Justice Strategy and Implementation Plan.
 - The Agency for Healthcare Research and Quality (AHRQ) issued an RFI in October 2021: "AHRQ's Role in Climate Change and Environmental Justice" to inform its planning on climate change and environmental justice issues.
 - The National Institute of Environmental Health Sciences sought to ensure that the voices, perspectives and lived experiences of regional and local environmental justice community organizations were included in the development and implementation of a workshop that took place in December 2021. The workshop engaged regional and local community leaders involved in environmental justice advocacy networks to discuss best practices for community engagement when addressing racism as a public health issue through the lens of environmental health disparities and environmental justice.

Consultation and Partnership with Tribal Nations

Phase One Scorecard metrics and highlights include:

- The Food and Drug Administration (FDA) began preliminary, collaborative work with local archeological experts and ancestral Tribes with ties to an FDA-owned national registered historic site, in order to form partnerships to strengthen protection of the site as part of an ongoing NEPA and National Historic Preservation Act Section 106 process.
 - Continued work with Tribes on environmental justice through the National Institute of Environmental Health Sciences Worker Training Program, providing training and resources to Tribal governments, Emergency Medical Services, Emergency Medical Technicians, Fire, Police, and individuals seeking employment in construction and environmental work.
 - Also, the Indian Health Service (IHS) has a Tribal Advisory Board called the Facilities Appropriation Advisory Board, which informs IHS leadership on policy matters and is established under Indian Health Service Circular No. 2015-04.
- **1** internal training(s) on Tribal Consultation or working with Tribes and Indigenous Peoples to advance environmental justice

Institutionalizing Environmental Justice

Since the start of the Biden-Harris Administration, federal agencies have been working to embed environmental justice into all aspects of their work, including by implementing [Executive Order 12898](#) and [Executive Order 14008](#) . The following information shares



some of the work **the Department of Health & Human Services (HHS)** has done from January 2021 to September 2022 to institutionalize environmental justice.

Phase One Scorecard metrics and highlights include:

- **Has** an environmental justice strategic plan that **has not been** updated in the past 5 years
 - The Office of the Assistant Secretary for Health reconvened the HHS environmental justice working group in 2021. This group is leading the update of the HHS Environmental Justice Strategy and Implementation Plan, which was last updated in 2012.
- **25** tool(s) or resources to advance environmental justice
- **Across all HHS divisions, the total equivalent of 22** staff that work on environmental justice, either in a full- or part-time capacity
- **8** internal training(s) for staff on environmental justice
- **Yes, HHS has a** new or strengthened office(s) on environmental justice
- **5** new or strengthened internal working group(s), steering committee(s), council(s) on environmental justice

HHS' Highlights

HHS established the Office of Environmental Justice within the Office of the Assistant Secretary for Health's Office of Climate Change and Health Equity. In addition, leadership at the National Center for Environmental Health and Agency for Toxic Substances and Disease Registry added environmental justice to the name of the Office of Priority Projects and Innovation—now the Office of Priority Projects, Innovation, and Environmental Justice. This group established an environmental justice community of practice that meets monthly and hosts webinars to promote environmental justice. In addition, the Assistant Secretary for Planning and Evaluation started an environmental justice working group. The National Institute of Environmental Health Sciences also established a workgroup focused on environmental justice and environmental health disparities.

In August 2022, the Centers for Disease Control and Prevention's National Center for Environmental Health and the Agency for Toxic Substances and Disease Registry, in partnership with the HHS Office of Environmental Justice, released the Environmental Justice Index. It is the first national, geographic-driven tool designed to measure the cumulative impacts of environmental burden through the lenses of human health and health equity. The Environmental Justice Index delivers a single score for each community. Agency for Toxic Substances and Disease Registry (ATSDR) is

developing guidance on incorporating health equity and environmental justice in all of their future public health assessment work, including work conducted by ATSDR's Partnership to Promote Local Efforts to Reduce Environmental Exposure cooperative agreement partners. Guidance contains a section that outlines potential activities and techniques for enhanced engagement with communities experiencing disproportionate health and exposure burdens.

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Contact

Council on Environmental Quality
730 Jackson Pl NW
Washington, D.C. 20506
(202) 395-5750

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