

Scorecard Department of Transportation



Department of Transportation

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About the Department of Transportation (DOT)

The mission of the Department of Transportation (DOT) is to deliver the world's leading transportation system, serving the American people and economy through the safe, efficient, sustainable, and equitable movement of people and goods.

This page provides information on how **the Department of Transportation (DOT)** 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 Transportation (DOT)** 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 DOT's Justice40 covered programs, please contact Justice40@dot.gov.

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

- **39** Justice40 covered program(s)
- **16** funding announcement(s) covered under the Justice40 Initiative
- **\$23.4 billion** in funding made available from Justice40 covered programs¹
 - For example, DOT's Transit Oriented-Development Notice of Funding Opportunity (NOFO) promotes increased transportation access for disadvantaged communities, equity-focused community outreach, and adoption of equity-focused policies.
 - The Bipartisan Infrastructure Law (BIL) created the Reconnecting Communities Pilot Program (RCP) at DOT, the first-ever federal program dedicated to reconnecting communities that were previously cut off from economic opportunities by transportation infrastructure. DOT funding supports grants for planning and capital construction, technical assistance, and restoring community connectivity through the removal, retrofit, mitigation, or replacement of eligible transportation infrastructure.
 - DOT's new Thriving Communities Program (TCP) aims to ensure that disadvantaged communities adversely or disproportionately affected by environmental, climate, and human health policy outcomes have the technical tools and organizational capacity to compete for federal aid and deliver quality infrastructure projects that enable their communities and neighborhoods to thrive. TCP facilitates the planning and development of transportation and community revitalization activities and provides tools to ensure that disadvantaged communities can access the historic funding provided in BIL.
- Made program modifications for Justice40 covered programs such as:
 - DOT asked applicants to Justice40 covered program NOFOs to address how their project will include an equity assessment which evaluates whether a project will create proportional impacts and remove transportation-related disparities to all populations in a project area.
 - Demonstrate how meaningful public engagement will occur throughout a project's life cycle.
 - Address how project benefits will increase affordable transportation options, improve safety, connect Americans to good-paying jobs, fight climate change, and/or improve access to resources and quality of life.

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.

DOT's Highlights

Throughout its programs and policies, DOT is developing methods to calculate benefits and burdens; incorporating the Justice40 Initiative into NOFOs, guidance, and reporting requirements; providing additional technical assistance to disadvantaged communities; and conducting program evaluation and equitable program design.

DOT has created the Equitable Transportation Community (ETC) Explorer, an interactive dashboard. It is designed to complement the Climate & Economic Justice Screening Tool (CEJST) by assisting DOT with prioritizing particularly burdened transportation communities, within the list of disadvantaged communities. The purpose of the ETC Explorer is to provide users a deeper understanding into how a community is experiencing transportation insecurity to help ensure that the benefits of investments are addressing the transportation related causes of disadvantage.

Environmental and Civil Rights Protection

DOT's Highlights

The National Electric Vehicle Infrastructure guidance and standards include environmental justice and equity considerations through community engagement and outcomes reports. The data are to be incorporated into the annual State EV Infrastructure Deployment Plan updates.

At Federal Highway Administration (FHWA) each environmental document includes an environmental justice analysis consistent with FHWA Order 6640.23A. Within the reporting timeline, 130 environmental impact statements (EISs) and environmental assessments (EAs) were completed (this includes projects completed by states with NEPA assignment), some of

which included stakeholder working groups or technical advisory groups focusing on environmental justice.

Federal Transit Administration's (FTA) Regional offices conduct individual environmental justice analyses during the environmental review process to ensure that environmental justice populations have been identified, meaningful engagement has occurred and appropriate avoidance mitigation and minimization has been developed if needed. All FTA offices incorporate environmental justice policy and practices into all stakeholder funding outreach and application review. Regional offices encourage project sponsors to engage with environmental justice populations and refer project sponsors to each other for best practices. Environmental justice considerations are also part of FTA's joint Transportation Management Area Certification Reviews with FHWA. FTA also follows Section 106 of the National Historic Preservation Act and government-to-government Tribal consultation policies to consult with Tribal Nations. In 2022, highlighted DOT presentations on equity issues related to climate and sustainability include the following: Railroad Environmental Conference (Champlain, IL), the American Association of State Highway and Transportation Officials (AASHTO) Conference on Rail Transportation (Kansas City, OK), National Association of Environmental Professionals (Fort Lauderdale, FL), and the American Association of Railroads Research Conference (Pueblo, CO).

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 Transportation (DOT)** has done from January 2021 to September 2022.

For more information, please visit [DOT's Strategic Plan](#) .

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 Transportation (DOT)** has done from January 2021 to September 2022.

Phase One Scorecard metrics and highlights include:

- **Yes, DOT has** project modification(s) where environmental justice concerns were raised during the NEPA process
 - For example, during public circulation, the Federal Transit Administration (FTA) solicited comments on the Downtown Riverside Project about four historic properties significant to local African-American history, including visual changes in the community. Designs were modified to avoid adverse effects to two properties and aesthetic treatments were added to minimize visual impacts.
 - The FTA revised designs for the West Santa Ana Branch Transit Project tracks and sound wall to avoid adverse impacts to nearby areas of environmental justice concern. Changes maintained access to communities, minimized parking loss, limited traffic across certain streets, and maintained existing traffic flows for safety. Additionally, the entrance to the Maintenance and Storage facility was shifted for pedestrian safety.
 - Capital Metro's NEPA review of the Expo Bus Rapid Transit (BRT) Project and Pleasant Valley BRT Projects located in East Austin identified environmental justice populations during the planning and outreach process, and held 15 public meetings throughout Central Austin. Project information was distributed online, in newspapers, on radio ads, through social media, and via open houses, and through check-ins with neighborhood groups.
- **34** 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 Transportation (DOT)** on Title VI that are related to environmental justice.

Phase One Scorecard metrics and highlights include:

- DOT has updated its departmental Title VI Order, DOT Order 1000.12C. This order is advancing the understanding of and compliance with Title VI department-wide.
- **34** 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 Transportation (DOT)** 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:

- DOT considers collaboration and cooperation with governmental and non-governmental partners and stakeholders to be a vital part of our activities. As part of continuing efforts to improve partnerships, DOT is standing up the Reconnecting Communities Institute to provide technical assistance to build organizational and community capacity available to grant recipients and other eligible entities interested in reconnecting communities. DOT will prioritize recipients serving economically disadvantaged communities for technical assistance. The University Transportation Centers (UTC) Program continues to strengthen its partnerships and engage with Historically Black Colleges and Universities (HBCUs), Minority Serving Institutions (MSIs), and Tribal Colleges and Universities (TCUs) by increasing research opportunities for institutions and advancing economic and educational opportunities in transportation. Overall, there is a record number of HBCUs, MSIs, and Tribal colleges participating during the reporting period. Prairie View A&M University made history as the first HBCU to become a National UTC grantee. An additional four HBCUs lead a consortia of UTCs selected for an award, and another five consortia members are Hispanic-Serving Institutions/MSIs).
- **Yes, DOT conducted** technical assistance outreach event(s) in Fiscal Year 2022
 - The Federal Transit Administration's (FTA) Justice40 covered programs prioritized funding to disadvantaged communities and/or provided technical assistance to communities identified as disadvantaged within their Notice of Funding Opportunity, outreach, and webinars with the goal of improving access to resources in disadvantaged communities.
 - The Federal Highway Administration (FHWA) provided technical assistance to 17 Division offices on how to consider environmental justice and how to do an environmental justice analysis. OST hosted a number of webinars that walk potential applicants through BIL funded Justice40 programs such as – Reconnecting Communities (5,000+ attendees) and Safe Streets and Roads for All (3,000 + participants).
- **Yes, DOT conducted** public process(es) related to environmental justice, e.g., requests for information or listening sessions
 - For example, DOT conducted public listening sessions for the Justice40 Initiative, DOT's Equity Action Plan, and DOT's Rural Electric Vehicle (EV) Toolkit.
 - Environmental justice was included in a Request for Information developed for the FHWA National EV Infrastructure formula grant program which had more than 31,000 views.
 - The Federal Railroad Administration (FRA) has expanded webinars to include more office hours for each grant program. Additional times accommodate different time zones, and are recorded to be available on-demand. FRA set up an email for NOFO-related questions, to gather feedback from stakeholders and to be able to respond directly. Using this email, they have engaged with more than 3,500 members of the public, have observed both a greater number of applications, and better quality applications.

Consultation and Partnership with Tribal Nations

Phase One Scorecard metrics and highlights include:



- DOT is in the process of implementing new Tribal consultation policies. DOT, in cooperation with 16 other agencies in the Working Group Regarding Interagency Coordination and Collaboration for the Protection of Tribal Treaty and Reserved Rights, participated in the new report on Best Practices for Identifying and Protecting Tribal Treaty, Reserved Rights, and Other Similar Rights in Federal Regulatory Actions and Federal Decision-Making. Additionally, DOT has announced the following: an EV Initiative for Tribal Nations to ensure that Tribal Nations and Native communities are part of the EV future of the country; the first-ever Tribal Transit Symposium to be held in 2023; the second Tribal Aviation Symposium in 2023; the Maritime Administration's first-ever Tribal Maritime Roundtable; and participation in a Department of Energy-led interagency initiative to support Tribes transitioning from conventional to clean energy development. Additionally, the National Highway Traffic Safety Administration (NHTSA) is leading and expanding a multi-agency effort to address highway safety in Indian Country.
- **Yes, DOT has conducted** Tribal Consultation(s) related to environmental justice from January 2021 to September 2022
 - For example, the Great Lakes St. Lawrence Seaway Development Corporation (GLS) partnered with the Canadian St. Lawrence Seaway Management Corporation (SLSMC) to meet with the U.S. and Canadian Akwesasne Tribes prior to setting the Navigation Season opening date. As co-owners of the Seaway International Bridge, the GLS meets regularly throughout the year with Tribal and community officials to discuss all issues related to bridge crossing.
 - FTA's Region 9 conducted Tribal consultations for 17 projects. For the Orange County Streetcar, maintenance facility designs were revised in consultation with the Gabrieleno/Tongva San Gabriel Band of Mission Indians to accommodate a secured space for the reinternment of Native American remains. For the Union Station/Patsaouras Bus Plaza Project, fiber optic installation plans were modified to reduce soil disturbance and impact to cultural resources, after consultation with the Gabrieleño Band of Mission Indians – Kizh Nation and the Gabrielino/Tongva San Gabriel Band of Mission Indians.
 - In response to issues raised during a Tribal consultation on the Paducah-McCracken County Riverport Authority infrastructure improvement project, the Maritime Administration (MARAD) conducted additional field investigations to address the concerns.
- **Yes, DOT provides** 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 Transportation (DOT)** 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
 - DOT maintains an internal order on environmental justice at DOT Order 5610.2C, updated in May of 2021.
- **At least 15** tool(s) or resources to advance environmental justice
- **Nationwide, DOT has operations and project** staff that work on environmental justice, either in a full- or part-time capacity
- **34** internal training(s) for staff on environmental justice
- **Yes, DOT has a** new or strengthened office(s) on environmental justice
- **13** new or strengthened internal working group(s), steering committee(s), council(s) on environmental justice
- DOT serves as a member of the White House Environmental Justice Interagency Council (IAC), which was established in Executive Order 14008. DOT co-chaired the Justice40, NEPA, and Impacts from Commercial Transportation – Goods Movement Committees.

DOT's Highlights

DOT's Office of the Secretary (OST) and Operating Administrations, maintain working groups on environmental justice. For example, OST's Environmental Justice Working Group meets monthly. FHWA maintains an extensive library of resources on environmental justice. For example, FHWA expanded geographic information systems (GIS) maps related to equity analysis, and now includes maps displaying racial/ethnic, and foreign-born population data; income and poverty data; other vulnerable population data (e.g., people with disabilities, Limited English Proficiency, and households with no computer or internet access); journey to work trip data (e.g., households without car ownership and trips by transit); and economically distressed area data.

FHWA delivered four environmental justice trainings including FHWA-developed workshops and National Highway Institute (NHI) courses.

FTA Headquarters staff conducted internal meetings and external trainings and webinars specifically focused on environmental justice.

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