

FACT SHEET: Department of Homeland Security (DHS) Environmental Justice Meaningful Engagement

Note: This is an external resource. Additional information on DHS resources available for employees and contractors may be found in the internal version of this fact sheet.

The Environmental Justice program within DHS is co-led by the [Office for Civil Rights and Civil Liberties](#) (CRCL) and the Office of the Chief Readiness Support Officer's [Sustainability and Environmental Programs](#). More information about the DHS Environmental Justice program and strategy may be found at: www.dhs.gov/dhs-and-environmental-justice.

Audience and Purpose:

This is a resource for the public to provide transparency on how DHS is implementing part of [Executive Order 14096, Revitalizing Our Nation's Commitment to Environmental Justice for All](#) (EO 14096). Specifically, this factsheet outlines ways DHS employees and contractors can meaningfully engage with persons and communities with environmental justice concerns who may be affected by Department activities and programs related to human health and the environment.¹

What is Environmental Justice, also known as EJ?

EO 14096, signed April 21, 2023, defines “environmental justice” as the ***just treatment*** and ***meaningful involvement*** of all people, regardless of income, race, color, national origin, Tribal affiliation, or disability, in agency decision-making and other federal activities that affect human health and the environment so that people are fully protected from disproportionate and adverse human health and environmental effects and have equitable access to a healthy, sustainable, and resilient environment.

How do federal agencies support environmental justice?

EO 14096 requires federal agencies to provide opportunities for the meaningful engagement of persons and communities with environmental justice concerns who are potentially affected by federal activities related to human health and the environment, including by:

1. **Providing timely opportunities** to them to share information or concerns and participate in agency decision-making processes,
2. **Fully considering public input** provided as part of agency decision-making processes, and

¹ Examples of Department activities and programs that may impact persons and communities with environmental justice concerns include, but are not limited to, the location of temporary and permanent facilities, infrastructure construction or repair projects, disaster response and recovery activities, supply chain management and distribution sites, hazardous waste transportation and disposal, environmental remediation, and cargo inspection.

3. **Seeking out and encouraging involvement** of persons and communities in federal activities that affect human health and the environment through:
 - a. Ensuring language and disability access,
 - b. Expanding notice and outreach to broader audiences,
 - c. Identifying and addressing barriers to access, and
 - d. Providing technical assistance, tools, and resources.

How can DHS employees and contractors support the meaningful involvement of persons and communities with environmental justice concerns in agency decision-making?

EO 14096 requires federal agencies to “continue to **remove barriers** to the meaningful involvement of the public in decision-making around projects that may have adverse human health and environmental effects, particularly those barriers that affect members of communities with environmental justice concerns, including those related to **disability, language access, and lack of resources.**” Also, EO 14096, requires federal agencies to “continue to respect Tribal sovereignty and support self-governance by ensuring that **Tribal Nations are consulted** on Federal policies that have Tribal implications.”

Resources and Leading Practices to Support Disability Access

- The Employment Assistance and Resource Network on Disability Inclusion created a list with information on what steps to take before, during, and after a public-facing event so that these events (whether virtual, hybrid, or in-person) are accessible for all participants: [Planning an Accessible Meeting or Event](#).
- Another useful resource for planning inclusive and accessible meetings and events is the Web Accessibility Initiative’s: [Making Events Accessible](#).
- Ensure conference materials, including the invitation and registration material, are compliant with Section 508 of the Rehabilitation Act (which covers electronic and information technology accessibility).
- CRCL has developed the [DHS Guide to Interacting with People Who Have Disabilities](#).

Resources and Leading Practices to Support Language Access

- Review demographic data and conduct outreach to limited English proficient (LEP) communities to inform them about opportunities to engage with DHS. *See* Title VI Interagency Working Group’s [LEP Data Resources and Instructions Guide: Methods for Determining the Concentration and Characteristics of Limited English Proficient Communities](#).
- Translate outreach and meeting materials in top languages spoken by LEP persons in the U.S. or in the potentially impacted area (among the languages most frequently spoken by individuals who are limited English proficient in the United States are Spanish, Chinese,

Tagalog, Vietnamese, and Arabic). See U.S. Census Bureau's [What Languages Do We Speak in the United States?](#).

- During meetings or outreach events, provide in-person, remote, or telephonic interpretation.
- On event registration form(s), include translated taglines that inform the reader how limited English proficient persons can request language services to participate in the event.
- Obtain language services through vendors that have qualified linguists.
- Access CRCL's [Language Access webpage](#) which includes the DHS Language Access Plan and related resources.

Considerations for those with a Lack of Resources

In addition to experiencing disability and language access barriers, individuals and communities with environmental justice concerns may lack access to resources that support full participation in decision-making processes. Accordingly, as practicable and consistent with agency resources and authorities, additional consideration should be given to individual and community access to:

- Meeting location(s)
- Meeting timing that supports participants located in many different time zones
- Opportunities to submit feedback through multiple means and formats
- Information about the issues/decision-making process -- suggest plain language summaries, accessible infographics, and short videos
- Transportation
- Economic opportunity
- Technology, social media, and the internet
- Childcare
- Time off work
- Community or tribal government capacity and dedicated staff
- Community-based and voluntary organizations
- Interagency, regional, tribal, state, and local coordination
- Knowledge of and experience with government programs
- Compensation for participation

Resources and Leading Practices to Support Tribal Consultation

Tribal consultation is proactively engaging with tribal leaders and representatives to directly receive and incorporate their perspectives and feedback into Federal agency actions. DHS uses this process to give Tribal Nations meaningful opportunities to influence how the Department assists and serves Tribal Nations.

Tribal consultation differs from other engagement efforts by leveraging methods and approaches that reflect the unique government-to-government relationship between Tribal Nations and the

Federal Government, the Federal trust responsibility to Tribal Nations, and the sovereignty and self-governance of each Tribal Nation. In addition, Tribal Nations have rich, diverse histories and cultures that have federal legal protections, which require federal agencies to be flexible and inclusive of unique tribal considerations.

More information on the Department’s responsibilities, requirements, and procedures for consultations with Tribal Nations and Alaska Native Corporations may be found in [DHS Directive 071-04](#), “Consultation and Coordination with Tribal Nations,” and its accompanying [DHS Instruction 071-04-001](#) “Implementing Consultation and Coordination with Tribal Nations.”

Additional Resources

Environmental justice concerns or questions may be sent to both offices responsible for the DHS EJ program at: sep-ephp@hq.dhs.gov and CRCL@hq.dhs.gov.

For language services, including written translation or oral interpretation of a publicly available DHS CRCL document, or to request documents in alternate formats such as Braille or large print, please contact us at crcl@hq.dhs.gov.