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White House Council on Environmental Quality
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Washington, DC 20503

Response to Request for Information Docket #CEQ-2023-005: Council on Environmental Quality feedback on Phase One of the Environmental Justice Scorecard

January 19, 2024

To whom it may concern,

On behalf of World Resources Institute (WRI) and the Environmental Policy Innovation Center (EPIC), we appreciate this opportunity to provide comments on the Council of Environmental Quality's (CEQ) Phase One of the Environmental Justice Scorecard. As stated in Executive Order 14008, Tackling Climate Change at Home and Abroad, the Environmental Justice Scorecard (the Scorecard) offers the public yearly updates on "agency environmental justice performance measures."¹ We applaud the administration for its commitment to addressing environmental injustices through a comprehensive, government-wide strategy, and in particular, we appreciate CEQ and OMB for creating the Scorecard with the explicit objective of assessing the progress of federal efforts to advance environmental justice.

WRI's mission is to move human society to live in ways that protect Earth's environment and its capacity to provide for the needs and aspirations of current and future generations. WRI's reputation for practical solutions and global impact is based on our rigorous analysis and deep, long-term engagement with governments, corporations, city leaders, and communities to solve major challenges at the intersection of environment and human development including the equitable transition to a zero-carbon economy and transition to a clean energy future.

Working at the intersection of the environmental movement, technology, and government, the mission of EPIC's Technology Program is to advance technology policy and strategies that improve environmental stewardship—including through conservation, restoration, and data/technology practices that enhance ecosystem resilience and environmental justice. As researchers, advocates, and data scientists, we are dedicated to bolstering work in and around government that supports our national environmental justice goals.

We commend CEQ and OMB for developing the Phase One Environmental Justice Scorecard, with the core objective of presenting a baseline assessment of actions taken by federal agencies in 2021 and 2022. In our view, the next iteration of the Scorecard is an important opportunity to

¹ Executive Order 14008, Section 223 (d). [Executive Order on Tackling the Climate Crisis at Home and Abroad | The White House](#)

deliver on the Scorecard's goals of assessing the government's progress in advancing environmental justice, providing transparency for the public, and increasing meaningful accountability across federal agencies. In submitting our comments, we ask that CEQ offer more organizations an opportunity to add their voice to this process by granting a deadline extension. Below, we provide considerations and recommendations that can support transitioning the Scorecard into an interactive, transparent, and user-friendly tool aligned with specific questions outlined in CEQ's Request for Information. We are eager to clarify or elaborate on any of these recommendations, as well as other topics that might be of interest to this work.

1.0 Improvements to Environmental Justice Scorecard presentation of data and organization

Scorecard Homepage

1. The Scorecard homepage should be a dashboard to present an aggregation of agency progress data from all federal Scorecard reports.

At present, the Phase One homepage only allows users to navigate to individual agency reports. However, by transitioning the homepage into a dashboard that provides a comprehensive overview of the collective progress and assessment of activities across the federal landscape, CEQ can significantly improve transparency and provide a clearer understanding of the government's progress. A dashboard can provide an overview of key agency Scorecard metrics and performance data in a single, easy-to-read interface. This change would enable users to gain a more constructive and holistic view of the government's efforts and enhance transparency in the process.

This recommendation is in line with a set of March 2022 WHEJAC Phase One Scorecard recommendations to CEQ, including that "the 'Environmental Justice Scorecard' should refer to all combined scorecards that agencies specify in combination with any cross-agency and whole-of-government scorecard metrics." The dashboard layout can mimic the format of the agency Scorecard reports to include all Scorecard areas (currently, the Justice40 Initiative, environmental and civil rights laws, and efforts to embed environmental justice throughout the federal government). Additionally, the homepage report should present other relevant metrics or serve as a hub for links to other federal government resources related to environmental justice, such as relevant Executive Orders or OMB Justice40 guidance memos, for example.

Another way to enhance the Scorecard homepage dashboard is by developing an interactive database tool that tracks federal Justice40 covered program funding. Since each agency Scorecard already includes funding data points in the Justice40 section, this tool can be an excellent opportunity for OMB to provide a user-friendly format to display information about funding across the federal landscape. Doing so will help users better understand the funding allocation towards Justice40 covered programs.

Agency Scorecard Pages

1. Include links to Agency Environmental Justice Goals and Equity Plans in the "About" section of each Agency page. Making all agency plans related to environmental justice and equity easily accessible to Scorecard visitors can significantly enhance their understanding of the agency's intentions to tackle environmental justice issues *comprehensively*. Currently, some agencies have included hyperlinks to web pages

with some of these resources, but they are not consistently located in one area of the Scorecard, which can be confusing for visitors.

For example, DOE's Phase One Scorecard report currently links to an agency environmental [document and publications page](#), which includes links to DOE's related strategies, their Environmental Justice Five-Year Implementation Plans, and other strategies or reports. However, that information is buried in the Environmental and Civil Rights Protection section of their Scorecard. EPA's Scorecard report mentions the environmental justice goals of the [FY2022-2026 Strategic Plan](#) in the Institutionalizing Environmental Justice section and provides a link to the strategy in the Environmental and Civil Rights Protection section of their Scorecard. However, explicitly listing these goals enhances transparency for the public. While this information should be required for each agency page, if plans or goals are incomplete, the Scorecard report should *indicate the level of completeness*. Agency Scorecard pages should display an email address and phone number for an agency point of contact instead of a general number. This would allow users to easily connect with the specific person or team responsible for the scorecard and get their queries addressed more effectively.

Moreover, to understand the degree to which progress is being made toward environmental justice goals, it is important to establish those goals and related objectives clearly such that they can guide agencies in identifying effective actions and establish measurable metrics to track progress toward those goals.

2. **Include Key Performance Indicators (KPIs) for each agency and the methodology for determining those KPIs.** In a recent [DOT Justice40 Update newsletter](#), the agency shared several resources detailing methodologies used to calculate KPIs for an FY 2022-2026 Strategic Plan and Equity Action Plan, including its [Justice40 KPIs](#). DOT's KPI document includes information on the status of the indicators, the methodology for the KPI development, how DOT calculated a baseline assessment to understand how investments flow to disadvantaged communities, the framework for measuring and estimating the distribution of DOT investment benefits, and how it plans to advance the KPIs. We see this example of methodological transparency and clarity as a model to be replicated.
3. **Provide information on program modifications.** Agency Scorecards include program modification notes in the Justice40 Initiative and the Environmental and Civil Rights Protection sections. Providing both the *total number of modifications* and a *summary of each* of the modifications made gives more insight into improvements to programs. For example, [EPA](#) notes that program modifications were made to Justice 40 covered programs, and while two summaries are provided, there is no indication as to how many other modifications were made. We also suggest that summaries include specific information on modification purposes and goals, which could be hyperlinked to memos, agency statements, etc.
4. **Visualize Scorecard data.** To improve the effectiveness of Scorecard pages and make the data more accessible, we recommend incorporating data visualization elements. While the Phase One Scorecards contain valuable qualitative and quantitative data, the

large amounts of text can be overwhelming—and make it difficult for readers to quickly understand the progress being presented. By including charts, graphs, and other visual aids, an agency’s progress can be presented in a more visually appealing and easy-to-understand manner, and thus help readers to easily grasp the key details.

5. **Provide the ability to compare data year-to-year.** To enhance transparency and accountability, the Scorecard should provide users with the ability to compare agency progress annually. This can be achieved by incorporating functionality into the Scorecard that allows users to view and compare how agency Scorecard metrics track year-by-year. To ensure that the assessment of activities is accurate, we also suggest decoupling the 2021 and 2022 combined data from the Phase One Scorecard. Doing so will enable a more precise representation of a baseline assessment of activities.
6. **Increase transparency on Justice40 program funding.** More than [\\$118 billion](#) in federal funds will flow to the more than [500 Justice40 covered programs](#). Agency Scorecard reports offer very little insight into funding for Justice40 programs. In fact, they only provide a single data point, which is the total amount of funding made available from these programs. For the public to better understand the level of program investment, we strongly recommend that future iterations of the Scorecard include a funding breakdown by Justice40 covered program within each agency to present, at minimum, the amount of funding made available for each program, the total amount that is supposed to be delivered, and the key programs through which funding has been made available. Consistent with our recommendation above, visitors should be able to compare program funding annually.

2.0 Recommendations of additional metrics

1. **Add scoring metrics and score agency progress.** The Scorecard should develop scoring metrics to compare progress across all agencies. A useful scorecard requires two quantitative components; a value representing *work accomplished* and another representing *goals*. In other words, a numerator and a denominator for deducing a performance measure. While the current iteration of the Scorecard contains the former, it lacks the latter. For example, when conveying how much an agency has spent on Justice40 programs, that number is only useful when it's adjacent to the amount the agency should have spent on Justice40 programs. The same is true for qualitative metrics, such as how long an agency has gone without updating its strategic plan—it's helpful to know how often they are supposed to be updating it. Without this key component, the Scorecard becomes a status report rather than a true scorecard.

Furthermore, to compare progress across agencies, expenditures need to be normalized by the overall budget and size. Lacking context, comparisons will be “apples to oranges,” leaving the general public in the dark about which agencies are making progress compared to others. We recommend the next iteration of the Scorecard include these goal metrics to ensure the project moves from a reporting system to a scoring system. It's important to note the 'Highlights' section for some agencies, which includes tangible

measures of progress like the EPA’s “increasing inspections in environmental justice communities by 29% from 2021 - 2022.”²

Such facts are powerful and should provide a roadmap for how to accomplish generic metrics like overall expenditure. And while we recognize it requires significant work for agencies and the federal government at-large to establish programmatic and measurable goals, until this occurs, the statistics reported in the Scorecard will continue to have limited value in terms of measuring progress without the necessary context.

3.0 Additional Scorecard categories or sections

1. **Include a section for scoring methodology and data collection processes.** To enhance transparency regarding CEQ’s efforts to track and evaluate environmental justice activities across the federal government, it would be beneficial to provide a detailed explanation of the Scorecard’s scoring methodology (once created), the process for gathering agency information on each scorecard section, and which department is responsible for collecting that data.
2. **Add section for agency Environmental Justice Strategic Plan and Environmental Justice Assessments.** Executive Order 14096, “Revitalizing Our Nation’s Commitment to Environmental Justice for All,” mandates that agencies incorporate environmental justice into their missions. It directs all executive branch agencies to develop Environmental Justice Strategic Plans, tie those plans to specific performance and accountability measures, and include them in the Scorecard. In October 2023, [CEQ issued guidance](#) on developing Environmental Justice plans. According to Executive Order 14096, Environmental Justice Strategies are to be completed no later than 18 months after the date of the Executive Order, which means no later than October 2024. We strongly recommend that the next iteration of the Scorecard include a status update on the development of—and, to the extent possible, the implementation status—of the Environmental Justice Strategy, including (at minimum) providing updates on the agency’s development of their environmental justice goals, objectives, strategies, and any related metrics or performance indicators.
3. **Increase transparency on benefits.** Executive Order 14008, Section 223 (a) states that “40 percent of the overall benefits” of federal investments from Justice40 covered programs should flow to disadvantaged communities. While OMB provided initial interim guidance to agencies on a process to calculate benefits in June 2021, Phase One of the Scorecard is silent on this matter.³ Moreover, some agencies have also provided agency-specific implementation guidance on the Justice40 Initiative that includes suggested processes to determine benefits, metrics for those benefits, and examples of benefits for program investments.⁴ In July 2022, DOE issued “General Guidance for

² Environmental Protection Agency Environmental Justice Scorecard, Phase One, Highlights, Environmental and Civil Rights Protection section, [Environmental Protection Agency Environmental Justice Scorecard \(geoplatform.gov\)](#)

³ Office of Management and Budget, M-21-28, Interim Implementation Guidance for the Justice40 Initiative, Section IV Calculation of Benefits [M-21-28 \(whitehouse.gov\)](#)

⁴ DOE General Guidance for Justice40 Implementation [Final DOE Justice40 General Guidance 072522.pdf \(energy.gov\)](#)

Justice40 Implementation,”⁵ which includes a section on DOE’s criteria for benefits that may flow to disadvantaged communities; however, *this is not incorporated into the DOE Scorecard report*. The next iteration of the Scorecard is an opportunity to provide information on an integral part of the administration’s environmental justice policy and associated goals. To enhance transparency for the Scorecard, agency reports should include a section that presents the methodology for calculating “benefits” for Justice40 covered programs, a list of those benefits, and the programs associated with each of those benefits.

Lastly, the [OMB Interim Guidance](#) also suggested what information agencies should report to OMB on benefits, including types of targeted benefits, percent directed to disadvantaged communities, percent not directed to disadvantaged communities, percent with unknown direction, line item data for geographic distribution of benefits and program funding, and the amount of dollars received by a grant or loan recipient in a disadvantaged community. We encourage CEQ and OMB to work with agencies to provide, at minimum, this level of detail on benefits in the next—and all future iterations—of the Scorecard.

4.0 Additional Feedback

1. **Align timing of Environmental Justice Assessments (“Assessments”) with annual updates of the Scorecard.** Moving forward, the Scorecard will include agency Environmental Justice Assessments, as mandated by Executive Order 14096.⁶ Assessments will evaluate the agency’s progress in implementing its Environmental Justice Strategic Plan, highlight any obstacles encountered, and detail the corrective measures taken to overcome them. CEQ will receive the first Environmental Justice Assessments by October 2026, two years after agencies submit their Environmental Justice Strategic Plans. To enhance transparency and provide the most current information on federal environmental justice activities, the Assessment should be *conducted and reported annually* as a central component of the annual update of the Environmental Justice Scorecard.

Conclusion

It is our hope that these recommendations are useful for developing the next iteration of the Environmental Justice Scorecard, and we can’t emphasize enough that such revisions constitute a vital opportunity; not only to deliver on the Scorecard’s objectives around assessing the government’s *progress* toward environmental justice goals—but also for providing transparency and accountability across federal agencies. In our view, to the extent that the Environmental Justice Scorecard can be *made into a tool* that is truly interactive, comprehensive, transparent, and user-friendly, chances for success in meeting federal environmental justice priorities will

⁵ DOE General Guidance for Justice40 Implementation [Final DOE Justice40 General Guidance 072522.pdf \(energy.gov\)](#)

⁶ Executive Order 14096, Sec 4 (d), <https://www.federalregister.gov/documents/2023/04/26/2023-08955/revitalizing-our-nations-commitment-to-environmental-justice-for-all>

continue to improve. Again, we appreciate your consideration of these recommendations and are eager to answer any questions related to them.

Respectfully submitted,

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