

108TH CONGRESS
1ST SESSION

H. R. 654

To require the head of each Federal agency in the Department of the Interior to consider whether actions of the agency have any disparate impact on any member of a racial, ethnic, or religious minority.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 7, 2003

Mr. ANDREWS introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To require the head of each Federal agency in the Department of the Interior to consider whether actions of the agency have any disparate impact on any member of a racial, ethnic, or religious minority.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Environmental Justice
5 Act”.

1 **SEC. 2. REQUIREMENT TO CONSIDER DISPARATE IMPACTS**
2 **OF FEDERAL AGENCY ACTIONS.**

3 The head of each Federal agency in the Department
4 of the Interior shall—

5 (1) before authorizing, funding, or carrying out
6 any action under any Federal law, consider whether
7 the action will have any disparate impact on any
8 member of a racial, ethnic, or religious minority; and

9 (2) in authorizing, funding, or carrying out any
10 action under any Federal law, seek to limit such dis-
11 parate impacts to the extent possible consistent with
12 such law.

13 **SEC. 3. ENFORCEMENT.**

14 A violation of section 2 with respect to any individual
15 who is a member of a racial, ethnic, or religious minority
16 shall be treated as a deprivation of a right of the indi-
17 vidual for purposes of section 1979 of the Revised Statutes
18 (42 U.S.C. 1983).

19 **SEC. 4. AGENCY DEFINED.**

20 In this Act the term “agency” has the meaning given
21 that term by section 551 of title 5, United States Code.

22 **SEC. 5. APPLICATION.**

23 (a) IN GENERAL.—Except as provided in subsection
24 (b), this Act applies to any agency action taken on or after
25 the date of the enactment of this Act.

1 (b) LIMITATION.—This Act does not apply to an
2 agency action to the extent that there is involved a matter
3 relating to agency management or personnel.

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