



January 19, 2024

The Honorable Brenda Mallory
Chair
Council on Environmental Quality
730 Jackson Place NW
Washington, DC 20503

Submitted electronically via regulations.gov

Re: Council on Environmental Quality Request for Information Titled “Environmental Justice Scorecard”

Docket Number: CEQ—2023—0005

Dear Chair Mallory,

These comments are provided by the League of Women Voters of the United States (The League), in response to the Council on Environmental Quality’s (CEQ’s) request for information on Phase One of the Environmental Justice Scorecard. We speak to the scorecard as a whole in its reporting on the progress of federal agencies in advancing the President’s Justice40 Initiative, implementing and enforcing environmental and civil rights laws, and embedding environmental justice throughout the federal government.¹

Our comments are intended to help the Environmental Justice Scorecard better achieve its goals of (1) assessing the federal government’s progress on advancing environmental justice, (2) providing transparency for the public, and (3) increasing accountability for federal agencies. Ensuring that the data are appropriately assessed, and that this information is made accessible to the public is critical to improving the American people’s ability to hold the federal government accountable for making progress toward and delivering results in advancing environmental justice.

The League is a 103-year-old nonpartisan, nonprofit organization committed to ensuring that everyone is represented in our democracy. We are a grassroots group comprised of more than 500,000 members and supporters across more than 750 local and state Leagues nationwide. The League focuses on advocacy, education, litigation, and organizing to achieve our mission to empower voters and defend democracy.

The League believes that climate change is a serious threat to our nation and planet and that governments must continue to address this issue while considering the ramifications of their decisions at local, state, regional, national, and global levels.

¹ <https://www.whitehouse.gov/environmentaljustice/justice40/>



The League also believes that the public has a right to know about dangers to health and the environment, pollution levels, and proposed resource management policies and options, and to participate in related decision-making. Officials should make a special effort to ensure that the public has adequate information to participate effectively.

The League offers the following comments in response to the Council's Key Questions for Input:

1. How can the Environmental Justice Scorecard improve the way it organizes, displays, or presents data to be more accessible, understandable, and useful for the public, including for communities with environmental justice concerns? Please feel free to provide any examples of scorecards or other publicly accessible tools that Tribal, state, or local governments or private entities use to measure and convey progress that may be helpful to review.

- A) In the United States, there is a prolific use of cell phones. In 2021, 85% of Americans owned a smartphone, and 15% of Americans had a smartphone but not traditional home broadband service, making them dependent on cell phones for Internet access.² The latter category disproportionately consists of people with lower incomes, those with a high school education or less, Hispanic and Black individuals, and younger adults.³ To ensure that the Environmental Justice Scorecard is accessible to as many individuals and communities as possible, particularly people who are disproportionately impacted by the effects of environmental change, it should be formatted to include a mobile-friendly display in addition to one for a desktop or laptop computer. Of note, sidebars and footnotes can be particularly difficult to view on mobile devices.
- B) The scorecard format and language should be consistent across agencies to make progress comparable and key information readily identifiable. Additionally, it would be helpful if each agency page highlighted agency-specific language among the boilerplate language.
- C) For transparency and ease of use, enumerated information, like the number of Justice40 Initiative covered programs that a federal agency has implemented, should be explicitly named in a hyperlink embedded in the bolded numbers presented.
- D) The following are examples of other well-designed environmental justice scorecards.
 - I. The 2021 Justice in 100 Scorecard from Initiative for Energy Justice has readability in its table format and usability in its guidance for filling out the scorecard.⁴ Significant in targeting environmental justice, its metrics largely focus on the impact on, and engagement of, the public (e.g. communities who have been historically marginalized) rather than the institution being scored.
 - II. The ParkScore (R) scorecard from Trust for Public Land provides clear, simple, concise explanations of its metrics.⁵ It also provides comparisons to national averages for context and is visually appealing to engage users.

2. What additional metric or metrics of Federal agency action or progress in advancing environmental justice might be relevant and helpful to consider including in future versions of the Environmental Justice Scorecard, such as any metric that may help further reflect the needs and priorities of communities with

² <https://www.pewresearch.org/internet/fact-sheet/mobile/>

³ *id.*

⁴ <https://iejusa.org/wp-content/uploads/2021/04/Justice-in-100-Scorecard-Interactive-PDF.pdf>

⁵ <https://www.tpl.org/parkscore>



environmental justice concerns or show how certain Federal investments are benefiting disadvantaged communities, including benefits from Justice40 covered programs? The public is welcome to offer any potential metric or metrics in any of the categories of the Phase One Scorecard (listed above), or any potential new categories.

- A) The scorecard metrics seem to emphasize what ongoing or completed programs, activities, or grants should or will address environmental justice issues, but they do not measure or report on whether the item was successfully completed or achieved its goals. **In order to achieve the Environmental Justice Scorecard's first goal of assessing federal agencies' progress toward advancing environmental justice**, the scorecard should also include agency-reported outcomes of projects, processes, and grants. Not all metrics will be relevant for all agencies.
- B) The scorecard should also include an indication of whether a program, activity, or grant was new or ongoing.
- C) To assess a federal agency's progress in embedding environmental justice throughout the government (one of the scorecard's three reported categories), the scorecard should include measurements of this work in the context of an agency's total work. For example, the scorecard could present what percentage of an agency's grants requiring public input have addressed environmental justice.

3. What kind of qualitative information (such as updates on federal agency work or milestones that may not be possible to summarize with numbers or data alone) does the public consider most valuable to include or add to a future scorecard, in addition to quantitative metrics or data?

- A) **To achieve the Environmental Justice Scorecard's second goal of providing transparency for the public**, the scorecard for each agency should include information about changes in an agency's practices to address environmental justice issues. For example, it could report what new practices an agency has put into place to better reach communities who have been historically marginalized, who are heavily impacted by pollution and underinvestment.

4. Please feel free to share any additional feedback relevant to Phase One of the Environmental Justice Scorecard or any aspect of a future version of the Environmental Justice Scorecard.

- A) **To achieve the Environmental Justice Scorecard's third goal of increasing accountability for federal agencies**, there should be additional mechanisms to ensure the integrity of the information presented. This includes additional processes to engage with the public, especially communities disproportionately impacted by environmental change, in challenging an agency's scorecard information and its underlying data with respect to its accuracy and fulfillment of the goals of the Justice40 Initiative.

The League applauds the pro-democracy goals of the Environmental Justice Scorecard and appreciates the opportunity to submit comments on CEQ's RFI on Phase One of this assessment. We believe that the suggestions outlined in our comments will improve the public's ability to monitor federal progress and hold the government accountable on advancing environmental justice for all.