

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.

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## 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

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## 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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