

Justice40 Initiative Covered Programs List for the
U.S. Army Corps of Engineers

August 18th, 2022

Version 1.0

A note on this initial Justice40 Covered Programs list

This is an inaugural list of programs covered under the Justice40 Initiative. The Justice40 Initiative was established by President Biden in Executive Order 14008 on *Tackling the Climate Crisis at Home and Abroad*,¹ and last year, formal guidance, M-21-28,² *Interim Implementation Guidance for the Justice40 Initiative*, was issued. The M-21-28 guidance memo provided further direction to Federal agencies on the Initiative, while also identifying twenty-one pilot programs.

As detailed in the M-21-28 guidance memo, Justice40 covered programs are Federal programs that make covered investments in any one of the following seven categories: climate change, clean energy and energy efficiency, clean transit, affordable and sustainable housing, training and workforce development, remediation and reduction of legacy pollution, and the development of critical clean water and wastewater infrastructure. Existing and new programs, including those created by the Bipartisan Infrastructure Law, that make covered investments in any of these categories are considered Justice40 covered programs in line with current statute. As such, we expect this list to evolve over time as new Federal programs are created or existing Federal programs sunset.

Since the release of the Justice40 Initiative in the EO and subsequent M-21-28 guidance memo, the Federal government has been diligently applying the interim guidance and reviewing programs for inclusion into the Justice40 Initiative. With an eye toward transparency and marking the progress made thus far, we are releasing Justice40 covered programs list for the U.S. Army Corps of Engineers.

¹ Please see <https://www.federalregister.gov/documents/2021/02/01/2021-02177/tackling-the-climate-crisis-at-home-and-abroad>

² Please see <https://www.whitehouse.gov/wp-content/uploads/2021/07/M-21-28.pdf>

U.S. Army Corps of Engineers (Army Corps)

The Army Corps has 11 covered programs.

Covered programs list for the Army Corps

1. Aquatic Ecosystem Restoration – Construction *
2. Aquatic Ecosystem Restoration – Investigations *
3. Flood and Storm Damage Reduction Program – Construction *
4. Flood and Storm Damage Reduction Program – Investigations *
5. Continuing Authorities Program *
6. Floodplain Management Services *
7. Planning Assistance to States *
8. Tribal Partnership Program (Section 203 of WRDA 2000, as amended) †
9. Pilot Programs on the Formulation of Corps of Engineers Projects in Rural Communities and Economically Disadvantaged Communities* (Section 118 of WRDA 2020) §
10. Pilot Program for Continuing Authority Projects in Small or Disadvantaged Communities (Section 165 of WRDA 2020) §
11. Formerly Utilized Sites Remedial Action Program (FUSRAP) **

* Denotes programs that received funding from the Bipartisan Infrastructure Law, P.L. 117-58

† Water Resources Development Act of 2000, P.L. 106-541

§ Water Resources Development Act of 2020, P.L. 116-260

** The Army Corps administers FUSRAP in consultation with the Department of Energy Office of Legacy Management.