U.S. Department of Justice

Climate Adaptation Plan
2022 Progress Report

Prepared by:

U.S. Department of Justice
Justice Management Division
Facilities and Administrative Services Staff
Environmental and Sustainability Services

30 June 2022

TABLE OF CONTENTS

1. UPDATES ON PRIORITY ACTIONS 1
   1.1 Priority Action Progress Summary 1
   1.2 Priority Action Progress Examples 3

2. UPDATES ON OTHER INITIAL PLAN TOPICS 4
   2.1 Climate Risk Reduction 4
   2.2 Climate Vulnerability Assessments 5
   2.3 Climate Literacy 6
   2.4 Tribal Engagement 7
   2.5 Environmental Justice 7
   2.6 Partnerships 7

3. NEW TOPICS FROM EO 14057 8
   3.1 Policy Review 8
   3.2 Climate Scenario Analysis 8

Agency:	U.S. Department of Justice
Climate Adaptation Official:	Jolene A. Lauria Acting Assistant Attorney General for Administration Acting Chief Sustainability Officer
Agency Climate Adaptation Webpage:	Services and Initiatives (justice.gov)

JOLENE LAURIA

Digitally signed by JOLENE LAURIA
Date: 2022.06.30 11:56:41 -04'00'

Jolene A. Lauria
Acting Assistant Attorney General for Administration
Acting Chief Sustainability Officer
U.S. Department of Justice

1. UPDATES ON PRIORITY ACTIONS

1.1 Priority Action Progress Summary

Priority Action Progress			
Action	**Current Status**	**Estimated Date of Completion**	**Brief Description of Progress**
Incorporate Climate Adaptation and Resilience Principles and Best Practices into Existing Buildings/Assets and Real Property Actions	In progress	December 2022	Department of Justice (DOJ or Department) has coordinated with components to systematically identify, and document facilities designated as mission critical and developed and deployed the Department's Excel-based Facility Climate Hazard Assessment Tool (F-CHAT) for components to assess and document the exposure of their real property portfolio to a range of climate hazards. DOJ also initiated the development of an internal geographic information system tool that will enable Department staff to dynamically assess the potential climate hazard exposure for their real property assets by incorporating publicly available geospatial climate hazard data sets.
Revisit and Update DOJ's Vulnerability Assessment of its Most Mission Critical Supplies and Services	In progress	December 2022	DOJ participated in a meeting with the General Services Administration (GSA) to discuss GSA's Supply Chain Risk Management Framework to better understand GSA's plans for the tool and the suitability for its use to help DOJ assess supply chain risk. DOJ performed a quantitative assessment of the Department's total FY 2021 spending to identify the most often procured categories of goods and services by component. In addition, one-on-one meetings were conducted with bureau stakeholders to collect additional information about supply chain vulnerability concerns including recent supply chain challenges encountered during the global COVID-19 pandemic and following climate hazards and acute severe weather events. Finally, best practices and

Priority Action Progress			
Action	**Current Status**	**Estimated Date of Completion**	**Brief Description of Progress**
			lessons learned were collected for future compilation into an internal DOJ summary document.
Comprehensively Consider Environmental Justice in DOJ's Climate Adaptation Efforts	In progress	September 2023	In response to Section 222 (c) (iii) of Executive Order (EO) 14008, on May 5, 2022, DOJ formally established a new Office of Environmental Justice (OEJ) which will be a key organizational unit providing intra-departmental coordination, as well as necessary interagency coordination, in carrying out the Environmental Justice (EJ) mandates of EO 14008. OEJ will support the efforts of the Department's component(s) that work to increase the availability of legal services following climate-related disasters, ensuring that underserved communities can access legal protections, public benefits, and mechanisms for obtaining available remedies.
Complete Study to Determine the Potential for Electrification of DOJ's Vehicle Fleet	In progress	July 2022	DOJ's Fleet Management Office has completed numerous activities to understand the potential more fully and initiate implementation of the electrification of the Department-wide fleet. DOJ staff have continued to regularly attend meetings of the Federal Electric Vehicle Agency Roundtable, convened ongoing meetings of DOJ's internal Fleet Management Working Group to review bureau-specific acquisition goals for zero emission vehicles (ZEVs) and electric vehicle supply equipment, submitted the Department's draft and final ZEV Planning and Charging Tool to the Federal Energy Management Program (FEMP) and the White House Council on Environmental Quality, attended FedFleet 2022, and continue to meet with Fleet Managers to compile

Priority Action Progress			
Action	**Current Status**	**Estimated Date of Completion**	**Brief Description of Progress**
			information for DOJ's FY 2022 Zero Emission Fleet Strategic Plan.
Incorporate Climate Adaptation Considerations into DOJ's Strategic Planning and Risk Profile Processes	In progress	October 2022	With input and approval from DOJ's Enterprise Risk Management Working Group and Senior Leadership in the Office of the Deputy Attorney General, DOJ's FY 2022-2026 Strategic Plan prominently includes climate risk themes, which the Department will also include in subsequent annual DOJ Risk Profiles.

1.2 Priority Action Progress Examples

Systematic identification of mission critical facilities: To help the Department strategically prioritize efforts to enhance the climate resilience of its more than 71 million square feet of real property assets, DOJ coordinated with all Department components having real property ownership/operational control, or oversight of real property leases, to systematically identify and document real property considered to be mission critical using a single, Department-wide process and criteria. DOJ anticipates this process will help components more strategically utilize resources to enhance the resilience of their most mission critical owned and leased facilities.

Tool to support assessment of climate hazard exposure: In 2022, DOJ developed and deployed the Facility Climate Hazard Assessment Tool—a customized Microsoft Excel-based tool—to component-level staff to facilitate a standardized approach for evaluating the potential exposure of DOJ real property assets to a range of current and future climate hazards. The tool strategically guides users through the use of numerous publicly-available climate hazard projection mapping tools (including the National Oceanic and Atmospheric Administration's [NOAA's] Coastal Flood Exposure Mapper[1] and Climate Explorer,[2] and the Federal Emergency Management Agency's [FEMA] National Risk Index[3]) and provides a framework that applies standardized criteria for interpreting the output from the tools in a manner that enables components to characterize the likelihood of exposure to individual hazards as low, medium, or high.

Meeting the call for increased emphasis on environmental justice: DOJ fulfilled President Biden's call for DOJ to ensure comprehensive attention to environmental justice throughout the Department by formally establishing a new OEJ on May 5, 2022.[4] As part of its core mission, this new office will

[1] https://coast.noaa.gov/digitalcoast/tools/flood-exposure.html

[2] https://crt-climate-explorer.nemac.org/

[3] https://hazards.fema.gov/nri/

[4] https://www.justice.gov/opa/pr/justice-department-launches-comprehensive-environmental-justice-strategy

engage with DOJ components in the collective pursuit of environmental justice for all communities. The office will work in collaboration with the Civil Rights Division, the Office of Tribal Justice, and other partners to coordinate environmental justice activities among Department components and United States Attorneys' Offices nationwide. This includes supporting the efforts of DOJ components and offices to consider environmental justice in the Department's internal and external climate adaptation and resilience efforts.

2. UPDATES ON OTHER INITIAL PLAN TOPICS

2.1 Climate Risk Reduction

DOJ has developed and deployed the Department's Facility Climate Hazard Assessment Tool (F-CHAT) to assess the exposure of its real property portfolio to a range of climate hazards to reduce the potential climate risk and established the strategies to enhance facility resiliency. While DOJ develops policies, guidance, tools, and best practices for consideration at the component level, each bureau identifies and applies the methods that work most effectively given their unique mission, operating budgets, available resources, and organizational structure. Most of the bureaus have or are working on their own internal structure for addressing climate risk reduction. For example, the Drug Enforcement Administration (DEA) considers climate change impacts to buildings and infrastructure as part of its regular facility operations and development planning by evaluating the locations of its facilities on a continuous basis. DEA recently relocated one of its existing facilities in East Asia from its previous site on the coast (where it was exposed to typhoons) to a location further inland, which will reduce the risk of property damage from extreme weather. For more than five years, the Federal Bureau of Investigation (FBI) has utilized its *Sustainable Design and Construction Specification* to prompt its architecture and engineering contractors to assess and design for anticipated climate change impacts on new construction and major renovation projects. The FBI Academy has nearly completed participation in FEMP's Technical Resilience Navigator (TRN) to identify facility climate vulnerabilities and corresponding mitigation strategies. FBI expects to pilot another FBI facility in either the TRN or the Department of Homeland Security's (DHS's) Resilience Baseline Assessment Scoring (RBAS) Tool to determine which approach is better suited to understand climate resilience across the FBI portfolio in a continued effort to operationalize a structured method for assessing a facility's exposure to climate-related hazards.

The assessment of fiscal risk exposure due to climate change is very broad and significant barriers exist because of the number of variables involved, limitations and uncertainty. In several critical areas, quantitative projections of specific climate impacts to related Federal program expenditures are not yet available. However, DOJ is aware of some of the financial risks associated with climate change, including the costs to repair and remediate facilities damaged by hurricanes, tornadoes, and flooding; the cost of burying utility lines underground following local wildfires; expenses associated with employees' temporary housing to relocate outside of the path of a hurricane; and expenses associated with personal protective equipment, bottled water, portable emergency generators, fuel, and other supplies required for response to a range of climate hazards.

Since October 2021, DOJ has made progress toward developing resources, such as F-CHAT and a GIS tool, that can be used to help bureaus assess their facilities' exposure to climate hazards and support financial planning. Additionally, Justice Management Division (JMD) held meetings with each of the bureaus to discuss their supply chain vulnerabilities and brief them on GSA's Supply Chain Climate Risk Management Framework. These tools and resources assist the bureaus in preparing for climate-

related financial risks. FBI's Facilities and Finance Division has been focusing on natural disaster preparedness at FBI facilities and has developed a fact sheet for facilities managers for hurricane preparedness, researched additional purchasing needs in preparation for future hurricanes, and explored options for an agreement with the Defense Logistics Agency that will ensure the availability of fuel for FBI's emergency response needs following a climate hazard event. Bureau of Prisons (BOP) continues to prepare for natural disasters by maintaining facility-specific contingency plans and monitoring its inventory of equipment across all BOP institutions. JMD plans to prepare a strategy for systematically integrating climate adaptation and resilience considerations into Department-wide project planning, budgeting, and funding request processes, especially those related to infrastructure and facilities.

2.2 Climate Vulnerability Assessments

While DOJ has not fully completed the assessment of the Department's five vulnerabilities tied to management functions and decision points for handling procurement, real property, and financial programs as outlined in its July 2021 Climate Adaptation Plan, DOJ has made notable progress, including the following:

- Vulnerability #1 - Availability of Workforce: DOJ has initiated a review of internal processes and templates used for the development and implementation of component-level and organizational continuity of operations plans and conducted preliminary research about best practices for enhancing the adaptive capacity of personnel as it relates to climate and acute severe weather hazards. The Department still intends to utilize its internal Climate Adaptation Team stakeholders to solicit, compile, and document information about components' experiences related to vulnerabilities of their workforces relative to a changing climate and best practices utilized to mitigate vulnerabilities. DOJ anticipates completing the assessment of this vulnerability by the end of FY 2022.
- Vulnerability #2 - Continued Operation of Mission Critical Facilities: As noted above in Section 1.2, DOJ has developed and deployed F-CHAT to enable DOJ component staff to systematically assess the degree to which its facilities are exposed to current and future climate hazards. Use of this tool, supplemented by additional guidance and resources, will increase awareness of DOJ real property that is potentially vulnerable to climate hazards and will enable components to identify, plan, and implement adaptation strategies that will mitigate both operational and financial risks associated with climate hazards. DOJ anticipates that components will comprehensively assess the exposure of their respective facilities to climate hazards using F-CHAT by the end of December 2022.
- Vulnerability #3 - Supply Chain Disruptions: DOJ performed an analysis of all FY 2021 contract actions across all components to identify the top 10 categories of procured goods and services in terms of annual expenditures. Following this analysis, DOJ participated in individual working meetings with component-level procurement, sustainability, climate adaptation, and emergency response staff to collect additional qualitative and anecdotal information about past experiences, lessons learned, and best practices for managing mission critical supply chains following climate hazards. DOJ anticipates preparing a consolidated collection of best practices and lessons learned related to enhancing supply chain resiliency for distribution to all DOJ components by the end of December 2022.

- Vulnerability #4 - Limited Knowledge and Understanding of Climate Adaptation Concepts and Best Practices for Enhancing Adaptive Capacity: As detailed below in Section 2.3, numerous DOJ components have initiated efforts to increase employee awareness of climate change impacts on the Department's mission and the need for enhancing DOJ's adaptive capacity. DOJ is still in the process of preparing Department-wide fact sheets and other outreach and educational resources and anticipates needing into FY 2023 to address this identified vulnerability more comprehensively.
- Vulnerability #5 - Need to Enhance Systematic and Formalized Internal Processes and Guidance: DOJ is developing an internal guidance document tailored to component-level staff involved with infrastructure and facilities projects that would help to ensure that all DOJ components are systematically and consistently considering and incorporating climate resilience into real property actions, including the design and construction of new buildings, major renovations, and leasing actions. In addition to contributing to the enhanced climate resilience of the Department's real property portfolio, this guidance will support the Department's annual budget planning to appropriately account for costs associated with the incorporation of resilience measures. DOJ anticipates completing this guidance document by the end of FY 2022.

2.3 Climate Literacy

DOJ is in the process of preparing Department-wide fact sheets and other resource documents covering general climate adaptation information and resources, best practices for enhancing supply chain resiliency, and flood mitigation for distribution to component-level staff. Additionally, DOJ is considering creating required training for employees to increase their understanding of climate change adaptation and its potential impacts to their work.

BOP actively addresses climate change through its robust Environmental Management System (EMS), which provides training and education to staff in identifying, developing, initiating, and maintaining environmental training programs. DEA holds Earth Day activities and promotes Bike to Work Day and Energy Action Month. These initiatives bring awareness to the importance of conserving energy and reducing emissions to mitigate climate change impacts. DEA's Environmental Management Section routinely distributes all-hands emails about current environmental topics and manages a designated email inbox to respond to questions and comments from employees. FBI has facilitated cross-collaboration between program offices—such as the Occupational Safety and Environmental Programs (OSEP) Unit, Architectural and Engineering Services Unit (AESU), and the Facilities and Operations Support Services (FOSS)—about sustainable design and construction and general sustainability and environmental requirements. In April 2022, FBI hosted an hour-long "FBI: Mission Earth" climate literacy event covering the anticipated impacts of climate change on the FBI. The U.S. Marshals Service's (USMS's) Environmental, Occupational Safety, and Health (EOSH) staff work closely with USMS's Office of Construction Management to communicate sustainability and environmental design and construction requirements. Additionally, USMS's EOSH staff holds Earth Day activities to educate USMS staff on the importance of preparing for climate change.

As a result of these efforts to enhance awareness and literacy surrounding climate adaptation, DOJ's employees have been able to transfer this knowledge into practice. For example, FBI's AESU and FOSS have worked to operationalize climate adaptation into their work processes and regularly engage with OSEP personnel to understand current requirements for construction and operations.

Additionally, the "FBI: Mission Earth" climate literacy event has already initiated conversations and increased FBI's awareness of its role in dealing with the impacts of climate change.

2.4 Tribal Engagement

DOJ's implementation of its Climate Adaptation Plan has not thus far included consideration of Tribal Treaty Rights or Indigenous Traditional Ecological Knowledge (ITEK). DOJ and bureau-level National Environmental Policy Act (NEPA) processes are, however, well suited to address tribal considerations via consultation and public outreach. As one of 17 signatory agencies that entered the 2021 *Memorandum of Understanding (MOU) Regarding Interagency Coordination and Collaboration for the Protection of Tribal Treaty Rights and Reserved Rights*[5], signed on October 29, 2021, DOJ will participate in meetings of the interagency working group established by Section 7 of the MOU to coordinate and collaborate with other MOU signatory agencies. DOJ will also integrate staff from DOJ's Office of Tribal Justice to ensure that the Department is appropriately considering Tribal Treaty Rights and ITEK as it continues to advance implementation of DOJ's Climate Adaptation Plan.

2.5 Environmental Justice

In May 2022, DOJ established the new OEJ, which will be a critical resource for all Department components as they implement the Department's Comprehensive Environmental Justice Enforcement Strategy.[6] This strategy will prioritize cases that will reduce public health and environmental harms to overburdened and underserved communities, make strategic use of all available legal tools to address environmental justice concerns, ensure meaningful engagement with impacted communities, and promote transparency regarding environmental justice enforcement efforts and their results. DOJ's OEJ and Office of Tribal Justice will serve as a resource to components on DOJ's cross-functional Climate Adaptation Team as the team develops strategies for integrating environmental justice into future climate adaptation initiatives.

2.6 Partnerships

Since October 2021, DOJ has expanded existing and established new interagency partnerships on climate adaptation. Staff in the Department's Facilities and Administrative Services Section (FASS), Environmental and Sustainability Services (ESS) met with the organizations within GSA to discuss climate adaptation considerations in DOJ's GSA-leased properties and the use of GSA's Supply Chain Climate Risk Management Framework. DOJ staff from FASS/ESS participated in a working meeting with staff from NOAA about NOAA's Coastal Flood Exposure Mapper tool as DOJ was evaluating publicly available national data sets to incorporate into DOJ's F-CHAT. FBI is actively collaborating with the DHS to discuss its approach to climate adaptation and resilience planning best practices and is also engaged with the U.S. Immigration and Customs Enforcement to better understand how DHS's RBAS Tool was operationalized by DHS components.

The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) serves as the lead agency managing federal support for Emergency Support Function (ESF) #13—Public Safety and Security.[7] ESF #13 is one of 15 ESFs that form the structure for coordinated interagency federal incident response and

[5] https://www.doi.gov/sites/doi.gov/files/interagency-mou-protecting-tribal-treaty-and-reserved-rights-11-15-2021.pdf

[6] https://www.justice.gov/oej/page/file/1499336/download

[7] https://www.fema.gov/sites/default/files/2020-07/fema_ESF_13_Public-Safety-Security.pdf

provides federal public safety and security assistance to local, state, tribal, territorial, and federal organizations overwhelmed by a natural disaster or act of terrorism. In its lead role, ATF coordinates with numerous federal agencies, including FEMA, the Department of Defense, DHS, Department of State, Department of Interior, and Department of Treasury.

3. NEW TOPICS FROM EO 14057

3.1 Policy Review

DOJ develops and routinely updates a collection of Department-wide policies, plans, guidance documents and orders with which DOJ requires all components to comply and incorporate into their respective component-level operations, policies, and guidance. Many of DOJ's components review and incorporate updates to their respective policies on an established frequency or when there are new statues or EO requirements that need to be formally incorporated into operations. DOJ plans to update the Department Policy after the White House Council on Environmental Quality issues EO 14057 Implementing Instructions.

3.2 Climate Scenario Analysis

While DOJ does not currently utilize a single resource for climate projections, component offices are incorporating future climate scenarios into their decision-making. For example, BOP staff obtain relevant energy-related climate information from FEMP, and climate information is already being incorporated into decision making by Facilities Management Branch (FMB); EMS; and the Office of General Council, Real Estate and Environmental Law Branch. BOP uses climate projections for climate hazards, such as flooding and heat, when evaluating sites for new construction. DEA's Environmental Management Section reviews climate science research from resources such as the National Climate Assessment and Intergovernmental Panel on Climate Change reports and communicates relevant information to facilities managers. FBI's *Sustainable Design and Construction Specification* requires design-build companies to project the impacts of climate change to the site location and incorporate resilience best practices into the facility design.

As noted in Section 1.2, DOJ is currently leveraging several sources of climate data from NOAA and FEMA in its F-CHAT to enable component staff to systematically assess the exposure of their real property assets to a range of current and future climate hazards.

DOJ Climate Adaptation Team: Justice Management Division, Environmental and Natural Resources Division and Bureaus (ATF, BOP, DEA, FBI, and USMS), are incorporating climate information into decision-making with various levels of effort based on available resources.