

THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
MEMORANDUM OF UNDERSTANDING
WITH
THE LEAGUE OF UNITED LATIN AMERICAN CITIZENS (LULAC)

OCTOBER 15, 2014

District of Columbia



**MEMORANDUM OF UNDERSTANDING
BETWEEN
THE U.S. ENVIRONMENTAL PROTECTION AGENCY
AND
THE LEAGUE OF UNITED LATIN AMERICAN CITIZENS**

Adelante Juntos (Forward Together)

PURPOSE

The purpose this memorandum of understanding (MOU) is to facilitate cooperation between the U.S. Environmental Protection Agency and the League of United Latin American Citizens (LULAC) in areas of mutual outreach and education efforts. Such efforts include: 1) assisting families in evaluating and reducing environmental-health risks to children; and 2) increasing the awareness and interests in the EPA's training and employment opportunities.

Since the EPA's establishment in 1970, the agency's mission has been to protect human health and the environment. The EPA's mission directs the agency to pay special attention to the vulnerabilities of children, minorities and those in underserved communities who are disproportionately affected by health challenges. During the past 44 years the EPA has made progress in these areas but much more work and challenges remain.

The EPA has a growing number of senior managers and employees who are eligible for retirement. The departure of highly talented, creative employees with invaluable technical skills and knowledge could have a significant impact on how the agency accomplishes its mission. Now more than ever, the EPA's success depends on its ability to recruit, develop and sustain a highly skilled and results-oriented work force. Moreover, the changing American demographic landscape suggests the need for the EPA to assess and refine its communication strategies to ensure that all segments of the nation, including Hispanics and others who may not have previously participated in the environmental conversation, are aware of employment and training opportunities at the EPA. LULAC, founded in 1929, is the largest and oldest Hispanic organization in the U.S. With a mission dedicated to education, employment and civil rights, LULAC provides educational counseling services to more than 18,000 Hispanic students each year. Hispanics now represent 17 percent of the American population, far outpacing the U.S. Census Bureau's previous population estimates for the largest and fastest-growing diversity group in America.¹ Projections released by the U.S. Census Bureau suggest that the Hispanic population will more than double by the year 2060, with nearly one in three U.S.

¹ U.S. Census Bureau, Profile America Facts for Features,

residents being of Hispanic descent.² Establishing a partnership between LULAC and the EPA can help both organizations increase awareness of employment, career development and environmental-health education opportunities among underserved minority communities.

THE GOALS OF THE MEMORANDUM OF UNDERSTANDING

The MOU's first goal is to facilitate outreach and educational efforts to Hispanic and other minority populations in efforts to address the children's environmental-health issues impacting these communities. The latest trends in public health and environmental research reveal that minorities, especially those of Hispanic descent, are disproportionately affected by unhealthy environmental conditions and chronic disease outcomes.³ Through this MOU, LULAC and the EPA express their intention to work together to enhance environmental-health outreach and education efforts to various segments of the nation to encourage progress in reducing exposure to environmental hazards that children encounter in their daily lives.

The MOU's second goal is to provide timely and credible information on public-service opportunities to promote federal public service by all people, including America's Hispanic communities. The EPA places special emphasis on outreach activities to ensure that a diverse group of candidates from all segments of the nation, including Hispanic Americans, are available to enter and remain competitively qualified for environmental fields. In working with LULAC, the EPA intends to provide information, advice and assistance to the extent authorized by applicable laws, regulations and agency policies for use in outreach activities designed to attract high-quality candidates for positions at the EPA. As a result, EPA employment opportunities, public-service benefits and training opportunities may be shared through LULAC's outreach channels.

LULAC and the EPA recognize that there are many possible areas and goals in which enhanced cooperation could be beneficial, including but not limited to those listed above. LULAC and the EPA may agree to work to enhance cooperation in other areas without amending this MOU.

AUTHORITIES

Statutory authorities that allow the EPA to enter this MOU are as follows: Clean Air Act, Section 103; Solid Waste Disposal Act, Section 1442; Federal Insecticide, Fungicide, and Rodenticide Act, Section 20; Clean Water Act, Section 104; Toxic Substances Control Act, Section 10; Solid Waste Disposal Act, Section 8001.

Executive orders that can be used for the purposes of outreach and recruitment are as follows:

Executive Order 13045 – dated April 13, 1997, titled, "Protection of Children from Environmental Health Risks and Safety Risks," ensures that federal agencies address disproportionate risks in all actions. This executive order also encourages federal collaboration by establishing two interagency working groups.

² U.S. Bureau of Census, 2012 National Population Projections Press Release, <http://www.census.gov/population/projections/data/national/2012.html>

³ U.S. Environmental Protection Agency. (2013). America's children and the environment (3rd ed.). U.S. EPA.

Executive Order 11478 – amended May, 28, 1998, titled “Equal Employment Opportunity in the Federal Government,” provides provisions to ensure that each federal department and agency establishes and maintains an equal-opportunity-employment program that offers “...the maximum feasible opportunity to employees to enhance their skills so they may perform at their highest potential and advance in accordance with their abilities.”

Executive Order 13171 – dated October 12, 2000, titled, “Hispanic Employment in the Federal Government,” encourages the recruitment of qualified individuals from appropriate sources in an effort to achieve a work force drawn from all segments of society. This executive order affirms ongoing policies and recommends additional policies to eliminate the under representation of Hispanics in the federal work force.

Executive Order 13230 – dated October 12, 2001, titled, “President’s Advisory Commission on Educational Excellence for Hispanic Americans,” advances the development of human potential, strengthens the nation’s capacity to provide high-quality education and increases opportunities for Hispanic Americans to participate in and benefit from federal education programs.

ACTIVITIES

Through this MOU, LULAC and the EPA intend to work together to enhance cooperation during the next two years. The parties recognize that there are many possible areas in which enhanced collaboration could be beneficial.

These areas for the EPA may include, but are not limited to:

- a) Establishing an ongoing exchange of training information and materials on the EPA’s internship and employment opportunities;
- b) Providing training materials available through the EPA’s programs and initiatives to educate LULAC chapter members on environmental topics;
- c) Promoting participation, as appropriate, of the Hispanic-American communities in EPA training activities, workshops and conferences or other programs of mutual benefit to the parties;
- d) Working to develop activities that will be sponsored jointly by LULAC and the EPA on Earth Day and other important dates during the year as appropriate;
- e) Working with LULAC to ensure enhanced collaboration around LULAC’s youth and scholarship programs, including the provision of information about the federal employment application process, voluntary internship opportunities and, as appropriate, feedback to interested individuals in accordance with applicable laws, regulations and agency policies;
- f) Engaging, at LULAC’s expense or through donations from sources other than EPA, local ambassadors through the Latinos Living Healthy initiative to assess the children’s environmental health needs of every region;
- g) Developing or distributing existing children’s environmental-health material (topics from regional needs assessments) focused on increasing awareness for use in LULAC’s channels of community communications and outreach;

- h) Distributing LULAC's Federal Training Institute program announcements to the EPA's human-resources managers to use within their respective oversight areas;
- i) Notifying LULAC of agency webinars on such topics as grants management, including how to find and apply for grant opportunities and preparing a proper detailed budget; and
- j) Establishing an ongoing exchange of information and materials in regards to public information related to the agency's diversity and outreach activities, including an annual meeting to discuss ways to partner on diversity and outreach activities.

Likewise, these areas for LULAC may include, but are not limited to:

- a) Providing information on LULAC career-development training, workshops and other professional education opportunities;
- b) Using the efforts of the LULAC National Educational Service Centers Inc. (LNESEC) to promote literacy and college access to help develop future professional leaders with management potential within the federal work force;
- c) Providing information about national development assignment opportunities for Intergovernmental Personnel Act (IPA) assignments to promote federal public service where the opportunity for mutual exchange is identified in the Hispanic community;
- d) Disseminating public-service announcements to promote public service;
- e) Assessing needs and disseminating children's environmental-health material;
- f) Cooperating with the EPA in developing appropriate children's environmental-health messages tailored to the Hispanic community; and
- g) Cooperating with the EPA in conducting outreach to qualified candidates for employment, including those from Hispanic and other minority communities.

ADMINISTRATION

The parties have established points of contact to manage the implementation of this MOU consisting of appropriate representatives from both LULAC and the EPA. The representatives are expected to meet at least quarterly, either in person or by phone, unless agreed otherwise. The LULAC Director of Federal Affairs has been designated to administer this MOU on behalf of LULAC, working with other LULAC departments and programs, as appropriate. The EPA Office of Children's Health Protection's Program Implementation and Coordination Division has been designated to administer this MOU on behalf of the EPA in collaboration with the Administrator's Office of Public Engagement, working with other EPA offices, regions and programs, as appropriate.

LIMITATIONS

The EPA's capacity to act in furtherance of this MOU is subject to the availability of appropriated funds and the agency's budget priorities. Nothing in this MOU, in and of itself, obligates the EPA to expend appropriations to enter into any contract, assistance agreement, interagency agreement or other financial obligations. LULAC agrees not to submit a claim for compensation for services rendered to

the EPA for activities it undertakes in furtherance of this MOU. Financial or other transactions between the EPA and LULAC are subject to separate agreements entered into under applicable laws, regulations and agency policies, including grant and employment policies, relating to full, fair and open competition.

Under federal ethics rules the EPA may not endorse products and services provided by LULAC or private organizations that become partners in this effort. Neither party shall construe any part of this MOU as an endorsement of the products or services of the other. Nothing in this agreement shall be construed as an endorsement of the fundraising activities of either party. Neither party shall make statements pursuant to this MOU that imply such endorsements.

This MOU is a voluntary agreement that expresses the good-faith intentions of the parties, is not intended to be legally binding, does not create any contractual obligations, and is not enforceable by any party. It does not create any right or benefit, substantive or procedural, enforceable by law or equity, by persons who are not party to this agreement, against the EPA or LULAC, their officers or employees, or any other person. This MOU does not apply to any person outside the EPA or LULAC.

POINTS OF CONTACT

For the EPA:

Khesha Reed, Office of Children's Health Protection

Amanda Aguirre, Office of Public Engagement

Tex Gomez, Office of Human Resources

Michael Nieves, Office of Diversity, Advisory Committee Management and Outreach

For LULAC:

Sara E. Clemente Sosa, Director of Federal Affairs

EFFECTIVE DATE, MODIFICATION AND TERMINATION

This MOU becomes effective when signed by both parties and will remain in effect for two years. This MOU may be modified or extended at any time through mutual written consent of the parties. Either party may terminate its participation in the MOU by providing 60 days written notice to the other party in advance of the desired termination date.

SIGNATURES



Gina McCarthy
Administrator

U.S. Environmental Protection Agency



Brent A. Wilkes
Executive Director

League of United Latin American Citizens

Date: 10/15/2014

Date: 10/15/14