



Rural Development

Office of the
Under Secretary

1400 Independence Ave, SW
Washington, D.C. 20250

TO: All RD Employees

ATTN: National Office Officials
Agency Administrators
State Directors

FROM: Joe Gilson
Chief of Staff
Deputy Under Secretary Rural
Development

JOSEPH
GILSON

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JOSEPH GILSON
Date: 2025.05.27
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SUBJECT: Required Removal of Environmental Justice from Environmental
Documentation and Review

PURPOSE

The purpose of this Unnumbered Letter (UL) is to clarify the required level of documentation to support Categorical Exclusions (CE) (7 CFR [1970.53s](#) and [1970.54s](#)), Environmental Assessments (EA) and Environmental Impact Statements (EIS). This Unnumbered Letter (UL) provides clarity on the analysis that the agency will initiate in its CEs, EAs, and EISs, under Rural Development (RD) National Environmental Policy Act (NEPA) regulation, [7 CFR 1970](#). This UL provides the policy until the regulation and Staff Instructions can be updated to reflect this information and indicates it rescinds this UL. This procedural change will reduce Agency and administrative burdens while maintain compliance with issued Executive Orders.

BACKGROUND

On January 20, 2025, [Executive Order 14148, Initial Rescissions of Harmful Executive Orders and Actions](#), revoked E.O. 14096, Revitalizing Our Nation's Commitment to Environmental Justice for All. On January 21, 2025, Executive Order 14173, Ending Illegal Discrimination and Restoring Merit-Based Opportunity, revoked Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations. Along with issuance of this UL, RD Instruction 1970-E will be rescinded.

EXPIRATION DATE:
September 30, 2027

FILING INSTRUCTIONS:
Administrative/Other Program

IMPLEMENTATION

This update supplements the UL issued on September 30, 2024, and applies to all NEPA documents including CEs, (1970.53 and 1970.54), EAs and EISs. RD has determined that all projects that are submitted and reviewed by RD Staff will no longer consider the effects of Environmental Justice to the extent permitted by law. This change to the environmental documentation and administrative record requirements are effective as of January 21, 2025.

Any unsigned Finding of No Significant Impact (FONSI) or Record of Decisions (ROD), Notice of Availability (NOA), EAs and/or EIS that include Environmental Justice analysis should have the analysis removed by RD Staff before being submitted for review and signature. Questions about specific documents can be submitted to RD management. Consideration of or reference to environmental justice will not be included in any Letter of Conditions or Conditional Commitment.

Previously, the Certifying Official for most loans and grant approvals were required to sign Form RD 2006-38 “Civil Rights Impact Analysis Certification.” This form is now obsolete and is no longer a requirement. Given that RD 2006-38 has been removed, RD staff will no longer need to utilize RD Instruction 1970-E and all requirements previously required in accordance with RD Instruction 1970-E will be obsolete.

If you have any questions regarding the guidance in this UL, please contact Joseph Ranson, Director Environmental and Historic Preservation Division, (Joseph.Ranson@usda.gov) or Zaur Atnilov, Director, Program Support Staff (Zaur.Atnilov@usda.gov).