

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
OVERVIEW TO FISCAL YEAR 2023-2024 NATIONAL PROGRAM GUIDANCES

Publication Number: 190B22001

This Overview provides general context for the EPA’s FY 2023-2024 National Program Guidances (NPGs) and considerations for grants management, including flexibilities for agency Tribal, state, and territorial partners and civil rights obligations of grant applicants and recipients.

The FY 2023-2024 NPGs are the first issued under the *FY 2022-2026 EPA Strategic Plan* and support implementation of the EPA’s *FY 2023 President’s Budget* priorities. The NPGs build on work underway to support President Biden’s Executive Orders¹ and chart a course where tackling climate change and advancing environmental justice (EJ) and civil rights are integral to achieving EPA’s mission. Where applicable, NPGs also provide initial steps for implementing the American Rescue Plan and the Infrastructure Investment and Jobs Act, also referred to as the Bipartisan Infrastructure Law.

NPGs are issued by the EPA’s five major national program offices—Air and Radiation; Water; Land and Emergency Management; Chemical Safety and Pollution Prevention; and Enforcement and Compliance Assurance—along with the Office of Congressional and Intergovernmental Relations (OCIR) and the Office of International and Tribal Affairs (OITA). These NPGs communicate operational planning priorities, strategies, and key activities for advancing EPA’s Strategic Plan and guide grant work planning with states, tribes, and territories.

For the first time, an NPG is being issued by the Office of Policy’s Office of Environmental Justice (OEJ) and the Office of General Counsel’s External Civil Rights Compliance Office (ECRCO) on EJ and civil rights. This NPG supports the agency-wide implementation of the EPA Strategic Plan’s Goal 2 on advancing EJ and civil rights and provides EPA programs and regions with a framework to develop their own EJ and Civil Rights implementation plans. To this end, EJ and civil rights considerations are reflected throughout the FY 2023-2024 NPGs and programs’ work.

The FY 2023-2024 NPGs also include important changes regarding Tribal work. Each program’s NPG reaffirms EPA’s commitment to carrying out the federal trust responsibility to Tribes, actively engaging with Tribes, and respecting Tribal treaty rights. The NPGs also include a section focused on program-specific priorities for Tribes. In addition, OITA’s FY 2023-2024 NPG references Tribal work identified in each of the other NPGs. In this way, the OITA NPG serves as a primary resource for Tribes.

¹ 13985: Advancing Racial Equity and Support for Underserved Communities Through the Federal Government, available at: <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/20/executive-order-advancing-racial-equity-and-support-for-underserved-communities-through-the-federal-government/> and 14008: Tackling the Climate Crisis at Home and Abroad, available at: <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/27/executive-order-on-tackling-the-climate-crisis-at-home-and-abroad/>

CONSIDERATION FOR GRANTS MANGEMENT

Pursuing Flexibilities through the National Environmental Partnership Performance System

The National Environmental Performance Partnership System (NEPPS) provides programmatic and administrative flexibilities to Tribes, states, and territories to help address environmental and health priorities. The NEPPS approach includes Performance Partnership Agreements (PPAs), Performance Partnership Grants (PPGs), and EPA-Tribal Environmental Plans (ETEPs) as the primary tools with which EPA, Tribes, and states collaborate and apply flexibilities to identify and meet agreed-upon environmental commitments. These allow grant recipients to direct resources to where they are needed most, shift work across programs, and use a single grant application, including a blended budget, that reduces reporting requirements and administrative burden.

NPGs include, as appropriate, a section that identifies the flexibilities made available to recipients for program funds in their respective [PPG-eligible grants](#).² These sections also provide links to program grant guidances or pertinent information on EPA's website to ensure compliance with the PPG regulations. Additional information about NEPPS and ETEPs can be found respectively in OCIR's and OITA's FY 2023-2024 NPGs.

Civil Rights Obligations of Grant Applicants and Recipients

EPA is charged with ensuring that the programs or activities of applicants for and recipients of EPA financial assistance comply with applicable laws prohibiting discrimination on the basis of race, color, national origin, sex, age, and disability. As implemented by EPA's regulation, these prohibitions include intentional discrimination as well as practices, including permitting practices, that have a discriminatory effect on the basis of race, color, national origin, sex, age, and disability.

In addition, [EPA's General Terms and Conditions](#)³ pertinent to applicants for and recipients of EPA financial assistance include detailed procedural requirements for complying with applicable Title VI and other federal civil rights laws and EPA's nondiscrimination regulation. These include requirements to provide meaningful access to persons with limited English proficiency (LEP) and persons with disabilities, collect and maintain demographic and other data about the populations they serve, an agreement for permitting programs to use EPA's Title VI Public Involvement Guidance as a guide, and a provision requiring that recipients acknowledge their obligation to implement procedural safeguards required by regulation for implementing effective civil rights compliance programs.

² Available at: <https://www.epa.gov/ocir/nepps-implementing-performance-partnerships>

³ Available at: https://www.epa.gov/system/files/documents/2021-09/fy_2022_epa_general_terms_and_conditions_effective_october_1_2021.pdf