

March 23, 2021

The Honorable Nancy Pelosi
Speaker of the House
U.S. House of Representatives
H-232, U.S. Capitol
Washington, D.C. 20515

The Honorable Charles Schumer
Majority Leader
U.S. Senate
S-221, U.S. Capitol
Washington, D.C. 20510

The Honorable Kevin McCarthy
Minority Leader
U.S. House of Representatives
H-204, U.S. Capitol
Washington, D.C. 20515

The Honorable Mitch McConnell
Minority Leader
U.S. Senate
S-230, U.S. Capitol
Washington, D.C. 20510

Dear Speaker Pelosi, Majority Leader Schumer, Minority Leader McCarthy, and Minority Leader McConnell:

Our country is currently facing the devastating impact of intersecting health, economic, racial justice, environmental justice and climate crises. Too many communities of color, low-income communities, Tribal communities and environmental justice communities have long faced a toxic legacy of pollution as a result of environmental racism and are now suffering disproportionate economic and health impacts as a result of the COVID-19 pandemic. And they are on the front lines of climate change, bearing the brunt of climate impacts and most at risk of being deprived of the benefits of a clean energy transformation. For these communities, the current challenges are deeply interconnected, and require immediate action. Congress now has an opportunity to meet these crises head on through bold leadership, a commitment to justice, and significant, sustained and equitable investments in recovery with a focus on these aforementioned communities.

During his first week in office, President Biden committed to achieve bold and concrete climate and environmental justice goals and launched an all-of-government approach to tackling climate change and addressing decades of environmental racism. With his Justice40 commitment, the President directed his Administration to take immediate steps toward delivering 40% of the overall benefits from federal investment in clean energy and climate-resilient infrastructure and affordable housing to disadvantaged communities. This commitment is central to the success of any significant investment package and must be met or exceeded by Congress through a long-term investment program that centers equity and justice.

We therefore urge Congress to advance transformative economic recovery legislation that confronts these ongoing crises by reducing pollution, tackling climate change and addressing environmental injustice while creating jobs in the hardest-hit communities. As described in our recommendations below, we urge Congress to support an investment package that improves public health and addresses health disparities, increases access to healthcare, and ensures uninterrupted access to potable water and reliable electricity for all households and communities. This investment package must also reduce pollution, create meaningful local job opportunities,

support pollution-free energy and transportation options, and invest in affordable and climate-ready housing and other equitable and just community development programs.

In addition, stimulus legislation must include safeguards to ensure that funds are spent in ways that comply with environmental regulations to avoid increasing public health and safety risks. Congress must ensure that projects supported by recovery legislation reduce locally harmful air pollution in communities coping with the cumulative impacts of multiple pollution sources, including low-income communities, Tribal communities, communities of color, and environmental justice communities. Congress must also direct companies receiving stimulus support with facilities located in or near low-income neighborhoods, Tribal communities and communities of color to significantly reduce locally harmful pollution, such as airborne particulate matter, in these communities. Finally, Congress must remove federal program cost-share requirements for environmental justice and other disadvantaged communities and, where needed, adjust existing funding allocation formulas to ensure that at least 40 percent of federal program investments go directly to environmental justice and disadvantaged communities.

We write today as a group of environmental justice organizations and national environmental groups working together to advance a bold and equitable national climate agenda.¹ On behalf of our members and supporters, we urge you to address environmental injustice, tackle climate change and build an equitable and just economic recovery. Specifically, we urge you to include the spending priorities recommended below in any economic stimulus legislation and to advance this critical legislation promptly.

WATER

Access to affordable clean water is critical, especially as households nationwide respond to the COVID-19 pandemic. Winter storms in Texas in February underscored the fragility of our nation's water systems when millions of people lost water access during the crisis. The below actions are long overdue. We recommend the following specific actions and funding:

Keep national moratorium on water shutoffs for all households in place.

Include \$100 million for immediate potable water distribution, filter installation and sanitation systems for homes without access to these necessities. Spending should prioritize urban, rural, and Tribal communities who currently lack access to safe drinking water and adequate water and sanitation systems.

Include \$45 billion in grants and technical assistance dollars for the replacement of both household plumbing and lead services lines. Spending should prioritize households' whose plumbing systems have been corroded by municipal drinking water systems, such as in Flint, Michigan. This should also allow for home water filters for contaminants including but not limited to lead and PFAS. Trust in municipal water systems must be rebuilt.

¹Equitable and Justice National Climate Platform available at: www.ajustclimate.org

\$1 billion over 5 years for School Drinking Fountain Replacement to help schools and daycare centers replace lead-bearing water fountains and faucets with water hydration stations with certified filters that meet the Q<1 standard.

Include \$150 million to establish three Community Water and Energy Resource Centers (CWERCs) in Michigan. CWERCs will resolve many ratepayer, infrastructure, and environmental issues to improve Michigan's essential freshwater resources through a decentralized approach to water treatment and infrastructure. Congress should make similar investments available to communities across the country without affordable access to safe drinking water and wastewater resources.

Fund \$100 billion for the Drinking Water and the Clean Water State Revolving Funds (SRFs), split evenly between the two SRFs, with at least 20 percent of funding distributed to disadvantaged communities as additional grants rather than loans and at least 20 percent of SRF funding set aside for investing in green infrastructure projects. These funds support investments in infrastructure and programs that are essential to providing safe and affordable drinking water to communities, protecting water systems, managing waste- and stormwater, building climate resilience and expanding economic opportunities for low-income communities and communities of color. The American Society of Civil Engineers gave U.S. drinking water and wastewater infrastructure "D" and "D+" grades, respectively, and estimates that the investment gap for these critical systems will reach \$105 billion by 2025.

\$3 billion for the Low-Income Household Drinking Water and Wastewater Emergency Assistance Program. This newly created program aims to increase water accessibility by helping low-income families pay their water bills and reducing their water utility rates. The program provides funds to owners or operators of public water systems or treatment works to reduce arrearages of and rates charged to low-income households. Congress should provide robust funding for this program and ensure the funds are properly directed to low-income households.

\$60 million annually for the Small & Disadvantaged Communities program, which assists public water systems in underserved, small and disadvantaged communities meet Safe Drinking Water Act requirements.

\$120 million annually for Alaska Native Villages and Rural Communities Water Grant program.

\$100 million annually for the U.S.-Mexico Border Water Infrastructure Program to provide drinking water and wastewater services to communities living on the border.

ENERGY

Households must have access to affordable, reliable and sustainable electricity to ensure public health and safety and support an inclusive, just and pollution-free energy economy with high-quality jobs. Winter storms in Texas in February underscore the need for significant investments to increase electric grid resilience and reliability. We recommend that Congress include funding for the following programs in economic stimulus legislation:

\$3.9 billion for the Energy Efficiency and Conservation Block Grant (EECBG) Program.

According to DOE's Office of Energy Efficiency and Renewable Energy, "Through the 2009 American Recovery and Reinvestment Act (Recovery Act), the U.S. Department of Energy's (DOE's) Energy Efficiency and Conservation Block Grant (EECBG) Program provided \$3.2 billion in block grants to cities, communities, states, U.S. territories, and Indian tribes to develop, promote, implement, and manage energy efficiency and conservation projects that ultimately created jobs." Congress must provide \$3.9 billion to the EECBG program through economic stimulus legislation and direct the DOE to prioritize program-spending in communities left behind by past and ongoing energy efficiency programs.

\$7 billion for the Low-Income Home Energy Assistance Program. LIHEAP assists families with energy costs related to energy bills and weatherization and energy-related home minor repairs. Stimulus legislation should include \$7 billion for LIHEAP.

\$7 billion for the Weatherization Assistance Program (WAP). WAP provides weatherization for low-income households, leading to \$238 or more in average savings on energy costs. WAP lowers energy bills for mid- and low-income families by supporting home energy efficiency improvements and supports clean energy jobs. Every year the requests for WAP support far exceed the funds available, leaving many households without the support they need to improve their energy efficiency and reduce energy costs. Congress should include \$7 billion for WAP in stimulus legislation and strengthen the program to better reach and serve low-income families.

\$2 billion for Department of Energy grants. DOE energy grants should be used to build pollution-free energy microgrids and other projects that improve the reliability and resilience of energy infrastructure in communities and cities in all regions of the country, such as renewable energy, battery storage, and community-owned solar or wind projects. These grants should prioritize investments in low-income and communities of color, as well as Tribal and environmental justice communities. These funds should also be made available for technical assistance to partner with communities to design and implement these projects that meet community priorities and needs.

POLLUTION FREE TRANSPORTATION AND GOODS MOVEMENT

Existing federal programs, with adequate funding, can substantially reduce air pollution from transportation and goods movement. These programs provide critical funds to shift fleets and equipment from diesel to zero emissions, while improving air quality and public health. We recommend that Congress support the following programs:

\$2.5 billion annually for Federal Transit Administration's Low or No Emissions Vehicle Program. Prioritize program spending in EJ communities confronted with the cumulative impacts of disproportionately high levels of pollution, particularly to reduce diesel pollution from medium- and heavy-duty vehicles and public transit fleets.

\$2.5 billion annually for the Diesel Emissions Reductions Act (DERA). Prioritize zero emissions replacement equipment and spending in communities confronted with the cumulative impacts of disproportionately high levels of pollution. These grants should be used to replace

high polluting drayage trucks, locomotives, and cargo handling equipment with pollution-free technology, and to reduce emissions from related non-road sources of diesel in the goods movement sector, such as ocean going vessels idling at berth, tugboats, and cranes.

SAFE, HEALTHY AND POLLUTION-FREE COMMUNITIES

To build safe and healthy communities and infrastructure, we recommend that Congress fund the following programs:

\$100 million for the National Institute of Environmental Health Science (NIEHS)

Environmental Career Worker Training. The NIEHS Environmental Career Worker Training Program (ECWTP) provides job and safety training for disadvantaged and underrepresented members of communities of color and low-income communities to secure jobs in environmental restoration, construction, handling hazardous materials and waste, and emergency response. A 2015 report assessing the program found that “an annual federal investment of \$3.5 million in the ECWTP generates a \$100 million return.” The report found that the program increases the earning potential of those trained, increases tax revenue, lowers workplace injury and hiring costs, and reduces crime.

\$16 billion annually for a Civilian Climate Corps. President Biden’s EO 14008 set up the process for creating a Civilian Climate Corps Initiative, inspired by the New Deal’s Civilian Conservation Corps, to mobilize the next generation of conservation and resilience workers and maximize the creation of accessible training opportunities and jobs. Not only will this program provide much-needed jobs for communities, but it will also restore public lands, and help reduce local pollution. Congress should appropriate additional funding for the Civilian Climate Corps to bolster the program and allow more communities to reap the benefits, including by prioritizing training for people living in low-income and communities of color, and Tribal and environmental justice communities.

\$100 million for EPA’s Superfund Job Training Initiative (SuperJTI) and the

Environmental Workforce Development and Job Training (EWDJT) program. SuperJTI is a job readiness program that provides training and employment opportunities for people living in communities affected by Superfund sites, which are often low-income and communities of color. Participants learn technical skills to work on a broad range of construction projects, environmental remediation projects, and cleanup projects at Superfund sites. The EWDJT program recruits, trains, and places local, unemployed and under-employed residents with the skills needed to secure full-time employment in the environmental field. Participants are trained in Brownfields assessment and cleanup, hazardous waste operations, and other training related to wastewater, Superfund cleanup, and solid waste management. Curricula is usually based on local labor market assessments and employers’ hiring needs. Congress should provide \$100 million for these programs to spur local job growth and support pollution cleanup.

\$6 billion for the EPA Environmental Justice Small Grants (EJSG) Program. This program provides grants to communities to address environmental risks associated with high concentrations of pollution, to prepare for climate change effects, and to improve public health. In 2019, the EJSG program provided roughly \$1.5 million for one-year grants of up to \$30,000 each. Given the disproportionate exposure to high levels of pollution, climate change effects and

other impacts of historic economic and racial inequality, these grants provide critical resources to low-income communities, tribal communities and communities of color to improve community health and support job creation. Congress should increase the annual funding for the EJSG program to \$6 billion, increase the grant size to up to \$500,000, and increase the grant period from one to three years. In addition, the program should be renamed the “Environmental Justice Grants Program.”

Provide robust funding for grants for environmental justice communities, including EPA’s Multipurpose Grants to States and Tribes, Environmental Justice Collaborative Problem-Solving (EJCPS) Cooperative Agreement Program, and the State Environmental Justice Cooperative Agreement (SEJCA) program. Multipurpose grants allow states and tribes flexibility to address their highest environmental priorities, especially PFAS cleanup. The EJCPS Program provides financial assistance to enable community-based organizations to partner with stakeholders from across industry, government, and academia to develop and implement solutions that will significantly address environmental and/or public health issues at the local level. The SEJCA program supports state activities that lead to measurable environmental or public health results in communities disproportionately burdened by environmental harms and risks. Congress should provide funding for these and other grants to empower communities and address environmental health risks.

\$1 billion for the EPA’s Office of Community Revitalization (OCR) to support community-driven economic development through grants and technical assistance programs, and locally-led efforts to improve public health and the environment. This program has a critical role to play in community-based revitalization by aiding small and minority businesses that would otherwise struggle to participate in larger loan and grant programs. This funding across these programs should be directed and prioritized for environmental justice communities who are facing facility closure, such as coal-fired generating units or other oil and gas supply chains, such as closure of supply lines.

\$20 billion for Superfund Site Cleanup to protect communities from toxic pollution. Hurricanes Harvey, Florence, and Maria spotlighted the elevated public health and safety risks that Superfund sites pose to communities. Superfund cleanup spending is crucial to protect the 53 million people living within three miles of the existing 1,836 Superfund sites. Congress should increase Superfund site cleanup funding to \$20 billion through economic stimulus legislation.

\$560 million for EPA to enforce environmental regulations. Industrial facilities and other companies must comply with environmental regulations to avoid increasing public health and safety risks, particularly at a time when public health is already threatened by the COVID-19 pandemic. To protect public health and safety and hold companies accountable when they violate environmental regulations, Congress should provide \$560 million for EPA to ensure compliance and enforcement with environmental regulations. Congress should direct EPA to prioritize enforcement in communities of color and low-income communities, especially those overburdened with pollution.

\$30 billion for Community Development Block Grants (CDBG). The Department of Housing

and Urban Development's (HUD's) CDBG program provides grants to states to support community development and address economic and public health challenges created by historic racial and economic inequality. CDBG grants support construction of affordable housing, programs to create economic opportunities and jobs, services for those in need, job creation, and improvement of community living conditions and quality of life. In light of ongoing public health and safety risks, Congress should provide \$30 billion for CDBG to support equitable and just community development and access to safe, affordable, resilient and energy efficient housing. HUD should track this funding according to the Justice40 commitment to ensure that community support and investments benefit the communities with the greatest needs.

\$2 billion for the Community Development Financial Institutions (CDFI) Fund. CDFIs mobilize investments in public health and social services to support communities in transition, environmental justice, and frontline communities in all 50 states and Washington, D.C. Since CDFIs are located in the communities they serve, they are well-equipped to respond to the specific needs of the community. CDFIs are a proven tool for increasing financing of affordable housing, local businesses, and spurring job growth. Congress should provide \$2 billion for the CDFI Fund to leverage roughly \$24 billion in capital to increase the energy efficiency of existing buildings and expand access to clean renewable energy, quality affordable housing, and improve other critical community infrastructure and services in underserved communities.

\$100 billion for a Clean Energy and Sustainability Accelerator. A Clean Energy and Sustainability Accelerator, based on the idea of a National Climate Bank, would mobilize massive new investment into clean energy and transportation and resilient infrastructure. It has the potential to create millions of good-paying, green jobs and significantly decrease greenhouse gas emissions and local pollution. Congress should mandate that at least 40% of the Accelerator's investments and benefits be directed to environmental justice communities, including low-income communities and communities of color, communities overburdened by pollution, tribal communities, and communities in transition. These investments should focus on pollution free renewable energy, transportation and resilience projects that have the support and input of local EJ communities.

\$2 billion for Brownfields Redevelopment and Brownfields Area-Wide Planning Grants. EPA's Brownfields Program supports economic redevelopment by helping states and communities safely clean up and sustainably reuse former industrial and contaminated sites. Congress should increase the FY 2019 annual appropriation of \$250 million for EPA's Brownfields redevelopment program to \$2 billion to support economic development and sustainable approaches to local land use. This program should be implemented through community-driven planning that protects against community displacement.

\$100 million for the Community Action for a Renewed Environment (CARE) Program. The CARE program was a competitive grant program that aimed to reduce releases of and minimize exposure to toxic pollutants. Through the program, non-profits, schools, community organizations, or businesses formed cooperative agreements with state, local, or tribal governments or EPA to work together to assess toxics risks and come up with innovative solutions for solving the problem. Congress should revitalize this program and fund it at \$100 million in the next economic recovery package.

\$10 million for USDA's Socially-Disadvantaged Groups Grant. This program helps provide technical assistance to socially-disadvantaged groups in rural areas through cooperatives and Cooperative Development Centers. Technical assistance can include feasibility studies, business plans, strategic planning, and leadership training.

\$100 million per year for USDA's Outreach and Assistance for Socially Disadvantaged Farmers and Ranchers and Veteran Farmers and Ranchers Program (The 2501 Program). This program helps provide outreach and technical assistance for underserved farmers, ranchers, and foresters, in owning and operating sustainable farms and ranches. The funds are used for conferences, workshops, and demonstrations on various farming techniques. The program has not only helped farmers and ranchers of color operate sustainable farms, but also fosters new partnerships and relationships with USDA.

\$5 billion for the Building Resilient Infrastructure and Communities and Flood Hazard Mitigation programs. These programs help create jobs and bolster community resilience by investing in measures to reduce extreme weather risks before disaster strikes, including natural infrastructure solutions like floodplain restoration, and accelerating flood mapping updates. Communities of color and low-income communities should be prioritized for this funding.

Fund \$10 billion for abandoned mine lands cleanup. These funds should be used to support the cleanup and restoration of abandoned coal mines on federal, state, Tribal, and private lands through the Abandoned Mine Lands program. This program spurs long-term, locally driven economic development opportunities, and helps address the problems created by old mine sites, including polluted streams, piles of coal waste, and hazardous erosion.

Fund \$10.02 billion to revitalize energy communities. Congress should fund at least \$4.6 billion for the Economic Development Administration, the Appalachian Regional Commission (ARC) POWER Initiative, ARC Broadband, ARC Workplace re-entry strategies, the Assistance to Coal Communities program, and the Department of Labor's Employment and Training Administration, and fund \$5.42 billion for National Dislocated Worker Grants. Congress should also hold coal companies liable for continued contributions to the Black Lung Disability Trust Fund by extending and increasing the coal excise tax for at least ten years. Congress must ensure energy communities are not left behind during the transition to a clean energy economy. Funding across these programs should be available for just transition for communities and workers who have been laid off as a result of facility closure.

Fund \$2 billion for orphan well cleanup. Congress should establish an orphan well cleanup fund to plug and reclaim dangerous and polluting abandoned oil and gas wells. Congress must also ensure the program is not an industry bailout and address both the existing orphan wells and the drivers of potential future orphan wells. This would help to create jobs and clean up pollution in communities that have long suffered at the hands of fossil fuel companies. This should be paired with bonding reform policy.

Fund \$500 million for the Urban & Community Forestry Program. Through diverse, innovative partnerships between municipalities and non-governmental organizations, this

program helps create jobs in establishing, restoring, and sustaining forest cover. Improved forest cover benefits all communities by improving air quality, reducing energy burdens and extreme heat-risks, and absorbing carbon.

Fund \$7.3 billion for Federally Qualified Health Centers. These facilities provide essential, affordable, and quality primary care in underserved areas, and are supported by the Health Resources and Services Administration.

\$38.5 billion for the Substance Abuse and Mental Health Services Administration. These funds are needed to provide mental health support and substance-use treatment during the pandemic, and to offer increased outreach. Many people have been hit hard by the pandemic, causing high rates of clinical anxiety and depression in communities across the country. Additional funding for this program is essential to ensuring that people in need have access to prevention, treatment, and recovery services.

Fund \$5 billion for the HOME Investment Partnerships program. HOME funds can be used to build energy efficient and climate climate-resilient affordable housing or provide direct rental assistance to low-income households, with a focus on electrification and access to transit. Congress should prioritize support for families in low-income communities and communities of color, including those overburdened by pollution.

\$500 million to expand air quality monitoring to protect fenceline communities. Lower income families and communities of color suffer and die disproportionately because of the long-term, cumulative health consequences and complications associated with toxic air pollution from facilities in their neighborhoods. Communities' need to know the pollution they are breathing is especially urgent because of research evaluating links between exposure to toxic air pollution and COVID-19 vulnerability. Unfortunately, in too many communities and at too many facilities, there is either inadequate air monitoring or it is missing altogether. An essential step in better protecting fenceline communities and Americans everywhere is identifying which pollutants are currently being emitted and how much, and making that data publicly available. Congress should allocate funds for EPA to: immediately implement fenceline monitoring for toxic air pollutants at facilities contributing to high local cancer risk and other health threats; ensure that fenceline monitoring and continuous emission monitoring are core components of national emission standards for chemical, petrochemical and other sources of fugitive toxic air pollution; rapidly expand the NAAQS or national ambient air monitoring network through the addition of new monitoring stations and report on the status of the entire network with a plan to address repair, replacement and maintenance needs at all broken or failing monitors.

Establish and fund programs to protect environmental justice communities from COVID-19 hazardous and medical waste. These programs are needed to improve monitoring, documentation, and reporting of medical waste disposal. Increased use of Personal Protective Equipment, including masks and gloves, has generated vast amounts of biomedical waste, endangering the health and safety of communities. This waste, including medical, nursing home, and testing waste, must be properly managed to reduce infection and environmental pollution.

Invest in programs that address social determinants of health. Assessing the social,

economic, and environmental factors that drive inequality, including poor housing conditions, food insecurity, and lack of mobility and educational opportunities, is critical to reducing the substantial and often deadly health disparities that have been spotlighted by COVID-19 but have long-existed for a number of chronic health conditions.

CUMULATIVE IMPACTS

Environmental regulations and investments in pollution cleanup do not guarantee healthy environments for all communities. Many communities suffer from the cumulative effects of multiple pollution sources. Economic recovery legislation must not abandon or diminish the important goal of reducing all forms of toxic pollution, particularly in communities that are overburdened by high concentrations of pollution near where people live, work, go to school, play and pray. The recovery package is an important opportunity to support an innovative and comprehensive approach to reducing the health, environmental and economic disparities created by systemic racism. Congress must design the recovery package intentionally to ensure that it improves the health, well-being and prosperity of communities hit hardest by the pandemic while not creating additional health and environmental risks. Congress can do this by ensuring that the programs noted above, as well as other programs included in the recovery package, prioritize support for communities that are the most vulnerable to economic downturns, systemic racism and environmental and public health threats.

Thank you for your consideration of these policies and programs.

Sincerely,

Alaska Wilderness League
Alliance of Nurses for Healthy Environments
As the Spirit Moves Us
Audubon Naturalist Society
Breast Cancer Prevention Partners
Center for American Progress
Center for Convention on Democratic Integrity Inc
Center for Earth, Energy, and Democracy
Clean Power Lake County
Clean Water Action
Climate Changemakers
Coming Clean
Conservation Voters of South Carolina
Deep South Center for Environmental Justice
Defenders of Wildlife
EARTHDAY.ORG
Earthjustice
Ecology Center
Endangered Species Coalition
Environmental & Public Health Consulting
Environmental Defense Fund
Environmental Justice Health Alliance for Chemical Policy Reform

Farmworker Association of Florida
Friends of the Earth
Generation Progress
Green Door Initiative
Green Education and Legal Fund
Greenpeace USA
GRID Alternatives
Harambee House, Inc.
Hispanic Access Foundation
Inner City Green Team
Kinetic Communities Consulting
League of Conservation Voters (LCV)
Los Jardines Institute
Mainers for Accountable Leadership
Michigan Environmental Justice Coalition
Midwest Environmental Justice Network
National Audubon Society
Natural Resources Defense Council
New Jersey Environmental Justice Alliance
Nuclear Information and Resource Service
Population Connection
RE-AMP Network
ReGenesis Community Development Corporation
Riverkeeper
Sierra Club
The CLEO Institute
The Nature Conservancy
The Tishman Environment and Design Center
The Wilderness Society
Union of Concerned Scientists
Urban Systems Lab, The New School
WE ACT for Environmental Justice
Women's Voices for the Earth