

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND ACCOUNTABILITY

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<https://oversight.house.gov>

February 27, 2023

The Honorable Michael S. Regan
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Ave, N.W.
Washington, D.C. 20460

Dear Administrator Reagan:

The Committee of Oversight and Accountability is conducting oversight of Environmental Protection Agency's (EPA) administration of environmental justice (EJ) grants. On January 10, 2023, the EPA published two Requests for Applications for approximately \$100 million in grant funding to support EJ initiatives—the largest allocation of its kind.¹ However, despite this “unprecedented level of funding,”² the EPA's own case studies for EJ grant programs demonstrate weak standards for grantees to practically address environmental concerns.³ To better understand the applications and disbursements of EJ grants, particularly those included in the \$60 billion dollars allocated to EJ initiatives under the Inflation Reduction Act (IRA), we request the EPA provide documents, information, and a staff-level briefing.

The IRA, which did nothing to reduce inflationary pressure on everyday Americans, allocated \$60 billion dollars “to accelerate environmental justice work...”⁴ A portion of these funds will be issued via grants through two different EPA programs. Approximately \$30 million is designated to the Environmental Justice Collaborative Problem-Solving Program (EJCPS) Cooperative Agreement Program and an estimated \$70 million is allotted through the Environmental Justice Government-to-Government (EJG2G) Program.⁵

Case studies of the EJCPS Program have already found that grantees failed to clearly define health or environmental concerns,⁶ articulate intended results,⁷ identify causes,⁸ and continued to engage in activities that “may not be effective” and did “not logically lead to the

¹ News Release, EPA, *Biden-Harris Administration Announces Availability of \$100 Million Through Inflation Reduction Act for Environmental Justice Grants* (Jan. 10, 2023).

² *Id.*

³ Office of Env'r. Justice, EPA, *Case Studies From the Environmental Justice Collaborative Problem-Solving Program* (2008), available at <https://www.epa.gov/system/files/documents/2021-12/ejcps-case-studies.pdf>.

⁴ EPA Perspectives, Michael Regan, *The Inflation Reduction Act: A Big Deal for People and the Planet* (Aug. 26, 2022), available at www.epa.gov/perspectives/inflation-reduction-act-big-deal-people-and-planet.

⁵ *Id.*

⁶ *Supra*, n. 3.

⁷ *Id.* at 11.

⁸ *Id.*

desired environmental and/or public health [result].”⁹ Oversight mechanisms in these programs are lacking, and adequate metrics for applicants must be imposed to avoid funneling money into vague projects that will enable a \$100 million slush fund for far-left organizations.

Along with ill-defined issuance metrics for grant programs, the sheer volume of money flowing through the EPA prompts review of the agency’s ability to properly manage its rapidly inflated budget. The EPA’s total budgetary resources in FY2021 were approximately \$17.2 billion, skyrocketing to \$76.5 billion in FY2022.¹⁰ The agency must account for its ability to effectively prevent waste, fraud, and abuse of funding that has more than quadrupled within the span of a year.¹¹

To assist the Committee in ensuring taxpayer dollars fund well-defined programs and to ensure that the EPA is mitigating risk of waste, fraud, and abuse of taxpayer resources, we request the following documents and information, covering the time period January 20, 2021 to the present unless otherwise indicated, as soon as possible but not later than March 13, 2023:

1. All documents submitted by EJCPs Cooperative Agreement Program case study grantees to the EPA;
2. All documents submitted by EJG2G Cooperative Agreement Program case study grantees to the EPA;
3. All documents and communications between or among EPA staff containing the term “environmental justice” or the initials “EJ”;
4. All documents and communications referring or relating to EJ grants between any individual or individuals within the EPA and any third party, including but not limited to any environmental advocacy groups;
5. All documents and communications regarding elements of the FY22 and FY23 EPA budget; and
6. All documents and communications between or among EPA staff and the White House Environmental Justice Advisory Council, referring or relating to EJ grants.

Additionally, please make arrangements to schedule a briefing with Committee staff on this matter as soon as possible, but no later than March 6, 2023.

To schedule the briefing, arrange for the delivery of responsive documents or ask any related follow-up questions, please contact Committee on Oversight and Accountability Majority

⁹ *Id.* at 12.

¹⁰ USA Spending, *EPA*, (last updated Nov. 29, 2022), available at <https://www.usaspending.gov/agency/environmental-protection-agency?fy=2023> (Numbers rounded to the nearest hundred million).

¹¹ *Id.*

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Staff at (202) 225-5074. Attached are instructions for producing the documents and information to the Committee. The Committee on Oversight and Accountability is the principal oversight committee of the U.S. House of Representatives and has broad authority to investigate “any matter” at “any time” under House Rule X. Thank you in advance for your cooperation with this inquiry.

Sincerely,



James Comer

Chairman

Committee on Oversight and Accountability



Pat Fallon

Chairman

Subcommittee on Economic Growth,
Energy Policy, and Regulatory Affairs

cc: The Honorable Jamie Raskin, Ranking Member
Committee on Oversight and Accountability

The Honorable Cori Bush, Ranking Member
Subcommittee on Economic Growth, Energy Policy,
and Regulatory Affairs