

**BUILDING BACK WITH JUSTICE:  
ENVIRONMENTAL JUSTICE IS CENTRAL  
TO THE AMERICAN JOBS PLAN**

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**HEARING**  
BEFORE THE  
**COMMITTEE ON  
OVERSIGHT AND REFORM**  
**HOUSE OF REPRESENTATIVES**  
ONE HUNDRED SEVENTEENTH CONGRESS  
FIRST SESSION

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JULY 21, 2021  
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**Wednesday, July 21, 2021**

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON OVERSIGHT AND REFORM,  
*Washington, D.C.*

The committee met, pursuant to notice, at 10:13 a.m., in room 2154, Rayburn House Office Building, Hon. Carolyn Maloney [chairwoman of the committee] presiding.

Present: Representatives Maloney, Norton, Lynch, Connolly, Krishnamoorthi, Raskin, Khanna, Mfume, Ocasio-Cortez, Tlaib, Porter, Bush, Davis, Wasserman Schultz, Johnson, Sarbanes, Kelly, DeSaulnier, Gomez, Pressley, Comer, Gosar, Foxx, Hice, Grothman, Cloud, Norman, Keller, Sessions, Donalds, Herrell, LaTurner, Fallon, and Franklin.

CHAIRWOMAN MALONEY. [Presiding.] The committee will come to order.

Without objection, the chair is authorized to declare a recess of the committee at any time.

I now recognize myself for an opening statement.

On January 27, President Biden issued an executive order expressing his resolve to tackle climate change by creating good jobs and ensuring all agencies' decisions consider climate impacts. Executive Order 14008 contained a groundbreaking new policy with the potential to transform how we measure environmental harm and how we share economic opportunity across our country. Known as the Justice40 Initiative, President Biden has committed to ensuring that the communities most impacted by pollution receive at least 40 percent of the benefits of the Administration's ambitious infrastructure investments. President Biden made this goal a key part of the Build Back Better Plan in order to ensure that climate investments advance racial and economic justice.

And getting this done right will be a key part of this committee's agenda because, for the many communities that have waited far too long for progress, this is a matter of life and death. This is life and death for people in Congresswoman Tlaib's district in Detroit, where heavy industry and thick congestion have increased asthma hospitalization rates, including in young children. This is a life and death for hundreds of thousands of people in Congresswoman Cori Bush's district in Missouri, who live with confirmed or suspected exposure to radioactive waste. According to the Government Accountability Office, her constituents may be "the tip of the iceberg."

This is also life and death for my constituents who are plagued by dirty power plants, including the massive Ravenswood Generation Station, which sits right next door to the largest public housing development in North America. And polluting sites surround Baruch Houses, StuyTown and Peter Cooper Village, and NRG's fossil gas proposal near the Astoria houses in Ocasio-Cortez's district.

Today's witnesses are environmental justice leaders appointed to the White House Environmental Justice Advisory Council, which released an excellent list of implementation—implementation recommendations in May. Among them was a very important piece of common sense. In addition to ensuring 40 percent of our climate and infrastructure investments go to hard hit communities, we need to make sure that none of these investments hurt these communities. Using some investments to cause pollution and other funds to stop it falls far short of what our hardest hit communities need. Children are getting sick. People are dying. We must get this right. Now it's up to the White House, Federal agencies, and Congress to make Justice40 a reality.

Yesterday, the White House released its interim implementation guidance, directing agencies to immediately begin work with OMB to implement Justice40 over the next 150 days. Agencies are required to deliver clean methodologies for calculating and targeting benefits, as well as reports on the percentage of benefits that actually go to impacted communities. These reports will convey agencies' progress on tangible improvements, like new wastewater systems in impacted communities. Importantly, the guidance also establishes a pilot effort that directs 21 programs to go beyond the 40 percent target and work to maximize the benefits directed to impacted communities. In other words, 40 percent is a floor, not a ceiling. The Oversight Committee has a key role to play in this and stands ready to work with the White House and community partners to ensure Justice40 is fully implemented in the Build Back Better Climate Plan.

As chairwoman, I will be focusing on several key priorities. First, Justice40 cannot be isolated in just one agency. We need a whole-of-government approach like the one put forward by President Biden and the White House Environmental Justice Advisory Council. Second, this approach must be guided by frontline voices. Innovative efforts in New York, California, and Delaware, South Carolina, and elsewhere provide a roadmap of what is possible. Third, we need robust Federal data about the full extent or impact of climate change and pollution on our communities. Many of our committee members are leading the way with legislation to create cutting-edge environmental justice and data collection tools to incorporate climate risk and frontline impact into agency planning and congressional projections and to foster good paying jobs. Let me also note that environmental justice should not be a partisan issue. Americans in both red and blue states and in both urban and rural communities are struggling with the rising impacts of climate change and pollution, and I am hopeful that my colleagues on both sides of the aisle will join together to address this crisis together.

I want to thank the remarkable panel for being here today, and I now recognize the distinguished ranking member, Mr. Comer, for an opening statement.

Mr. COMER. Thank you, Chairwoman Maloney. I want to thank the witnesses for their willingness to appear before the committee today. We are here today for a hearing on the Biden Administration's American Jobs Plan that calls for billions of dollars in new spending on climate change. The premise of today's hearing is to discuss the Justice40 Initiative, which directs 40 percent of the benefits and climate and clean infrastructure investments to economically disadvantaged communities. Ironically, there is no witness from the Biden Administration here to answer our questions. It is no wonder the Lugar Center recently gave Democrats on this committee an F in congressional oversight of the Biden Administration.

We have repeatedly asked Chairwoman Maloney to hold hearings on waste, fraud, abuse, and mismanagement, but, unfortunately, she has refused. Most recently we asked the chairwoman to hold a hearing on the backlog of veterans' records at the National Archives and Records Administration. Some veterans are sadly waiting almost a year to receive their records so they can receive their benefits. In fact, we just learned this week that the Agency is still not returning to work at full capacity, so records will continue to be delayed. This is unacceptable—unacceptable treatment for those that served our country and a worthy hearing topic for this committee.

Instead, we have had hearings on increasing work perks for Federal employees and proposals to spend billions of dollars on radical environmental policies that will increase energy prices for Americans. Meanwhile, inflation and gas prices are surging. Americans all over the country are dealing with the realities of the Biden Administration's policies. According to a recently released report by AAA, the average price of gas nationwide has climbed to \$3.13, a high for the year, and up 40 percent since January 1. The increase in gas prices alone is costing American consumers billions of dollars. This is not the American energy dominance that we had seen over the prior four years, and it's just one of the many factors driving up consumer prices, also referred to as "inflation," in this flailing Biden economy.

The Biden Administration's out-of-control spending is causing inflation to skyrocket. Americans are now paying more for goods and services while taking home less money in their paychecks. Inflation has risen every single month President Biden has been in office. The price of milk and fruit are up, rental car prices have increased 87 percent, if you can even get a rental car, and washing machines are up nearly 30 percent. Instead of examining ways to strengthen our economy, stop the Biden border crisis, or fix the backlog affecting our veterans getting benefits, Democrats want to continue spending billions of dollars on government projects and progressive pipe dreams, like the American Jobs Plan.

The Committee on Oversight and Reform used to question how the government spends money, and now we are here having hearings to try to find new ways to spend taxpayer money, often with no strings attached. If Democrats want to address the needs of economically disadvantaged communities, they should be looking for solutions to encourage investment from the private sector instead of massive tax increases that only have negligible climate impact.

Over the past year, the world's economy was essentially shut down due to the COVID-19 pandemic. However, even with this halt in activity, a recent National Oceanic and Atmospheric Administration report from last month shows that it barely made an impact on the amount of carbon dioxide in the atmosphere. If the most unparalleled shutdown in human activity that closed schools and businesses around the world barely impacted carbon dioxide levels, it raises serious questions about whether spending massive amounts of U.S. taxpayer money will actually affect the climate, especially while countries like China and India continue to pollute at record levels.

I fear that a premature move away from fossil fuels, particularly from poorer areas, means that they will continue to have little access to the type of affordable, reliable energy that enables economic growth and allows for the provision of clean water and sanitation, widespread vaccination, and preventative child health services. As I have said before, coal mining is a way of life in many parts of America, including my district. Kentucky coal remains an important component of the Commonwealth's economy and America's energy portfolio. Until we have replacements for those jobs and that energy, we cannot in good conscience move forward with these radical policies. I am eager to hear from Mr. Shay Hawkins today to learn more about the work he is doing to help promote opportunity fund investments in economically troubled rural and urban communities.

Thank you, Madam Chairwoman, and, again, I thank the witnesses for being here today. I yield back.

CHAIRWOMAN MALONEY. The gentleman yields back. I recognize myself to briefly respond to the claims from my Republican colleague and good friend, that we should be holding a hearing on something other than environmental justice. Our Nation is in a climate emergency. There is no doubt about it. Just this summer, we have seen shocking floods in some parts of our country, severe drought and a wildfire in Oregon that is so huge and so hot, that according to experts, it is changing the weather. It was reported in New York that we could see the environmental changes in New York, they're saying that the wildfire is the largest and damaging—most damaging we have seen, and the impacts of this extreme weather often falls the hardest on the poorest communities, many of which are already facing severe health impacts from industrial waste, pollution.

This issue demands action. What's more important than our planet's health, than our children's health? Republicans may prefer to change the subject, but I am proud that the Oversight Committee is seeking real, urgent solutions to this climate emergency we're confronting in our Nation.

My good friend mentioned the veterans' records. I ask unanimous consent to place in the record a letter we just sent out initiating an investigation and calling for documents and oversight of the Veterans Administration.

CHAIRWOMAN MALONEY. The Subcommittee on Coronavirus has issued many reports on waste, fraud, and abuse and our actions in that area, and I ask unanimous consent to place into the record that also.



CHAIRWOMAN MALONEY. He mentioned the economy. According to the Kiplinger Report, the GDP actually is the highest that I have ever seen since I have been in office, seven percent GDP, Gross National Product, and we are employing more people every month, every day, more people are employed. And, thanks to the American Rescue Plan that was put forward by the Democrats without one single Republican vote, hundreds of billions of dollars have flown out of Washington into the pockets of individual citizens with unemployment, direct payments, all kinds of help for them, and also to our cities and our counties, our tribes, our territories, our states directly to help them survive and build back after the worst health crisis in my life, probably in the period of the country. The Coronavirus-19 claimed many, many lives, and we were not prepared, because we had cut services in the CDC and all of our services to get ready for crises.

I applaud President Biden for centralizing the response of vaccines, getting them out quickly, demanding a 70-percent success rate, which we're almost at, we are at in my district because we all worked hard to get everybody vaccinated. Twenty billion dollars was put into the American Rescue Plan to get vaccines out across the country to everyone who needs it. And we now are trying to get those who do not want to get vaccinated, vaccinated, because it is for their good health and the health of the Nation. But I don't want to be sidetracked into other items. The purpose of this hearing is the climate emergency. It is the climate crisis that we're confronting and what is this Nation going to do about it.

I would now like to call on and recognize the chairman—the distinguished chairman of the Environment Subcommittee, Mr. Ro Khanna, for his opening statement. Mr. Ro Khanna, you are now recognized, and then we will hear from our very distinguished group of panelists that are here today. I am just very thrilled about what they have been able to accomplish on their own in other areas in our country and hope we can do the same on a national level. Mr. Ro Khanna, you are now recognized.

Mr. KHANNA. Thank you, Madam Chair, and thank you for your incredible leadership with the climate crisis. There is no one in Congress who cares more about the climate crisis than you in taking bold action, and it's a sign of your commitment to the issue that you are really elevating it in your role as chair. And I also want to thank Russ and the Oversight staff for their commitment to this issue. Thank you to the panelists.

Let me start by praising President Biden for his vision that the solution to the climate crisis means jobs and economic growth in communities left behind. We have all seen the economic disparity. In my district in Silicon Valley, \$11 trillion of market cap. When you go to rural communities, storefronts are vacant. You see people having to leave. You see churches dwindling. You go to black and brown communities, and a lot of the same challenges of economic de-industrialization.

President Biden wants to close that gap. He wants to say that it is not fair that people in rural America may have flooding or breathe air that is not as clean, or people in black and brown communities may live in a different and substandard way than the rest of us. He believes that they all should have jobs of the future, the

manufacturing jobs, the small business jobs, that those shouldn't just be isolated on the coast. They need to go into the heartland. They need to go into left-behind communities. There needs to be racial, gender equity, geographic equity in the job creation of the future.

That is what Justice40 is about. It's not just about tackling the environmental crisis that is so severe. It's not just about making sure kids don't grow up with asthma, that people drink water that isn't poisoned with lead, that people don't have to deal with flooding. It's about making sure that we finally have new manufacturing jobs in communities that have been left behind, new economic wealth generation in communities that have been left behind, the future in communities that are so desperate for new jobs and new opportunity, and that is what this President does. He cares about those left-behind communities. That's the whole vision behind a lot of his economic policies.

The distinguished ranking chair said China, and I share the view that we need to win on China, but China is actually marching ahead on a lot of these technologies, and I want to make sure they don't win, that we do. China just announced a week ago that they are going to have an emissions system where they are going to actually have trading in carbon emissions to try to get to carbon neutrality by 2060, and they're leading—right now they are beating us, unfortunately, in electric vehicles. They are putting more money in solar. They are putting more money in wind. America needs to lead the 21st century, not China. I don't want the world saying China is outdoing us in fighting the climate crisis. I don't want the jobs going to China. I would rather the jobs go to West Virginia or in the middle of the country or down South. I don't want them going to China. That is what the President is saying. He is saying the Justice40 Initiative is making sure America wins, not China and not other countries, when it comes to tackling the climate crisis.

So, I applaud the President's leadership. I'm looking forward to hearing from our distinguished panel. And, Chairwoman Maloney, thank you again for elevating the environment and climate crisis in your leadership.

CHAIRWOMAN MALONEY. The gentleman yields back. Now I would like to introduce the witnesses. Our first witness today is Richard Moore, who is the co-coordinator of the Los Jardines Institute, the national coordinator of the Environmental Justice Health Alliance, and the co-chair of the White House Environmental Justice Advisory Council. Then we will hear from Nicole Lee Ndumele, who is the vice president for racial equity and justice at the Center for American Progress. Next, we will hear from Harold Mitchell, who is the founder and executive director of the ReGenesis Community Development Corporation, and is a member of the White House Environmental Justice Advisory Council from South Carolina. Next, we will hear from Raya Salter, who is a member of the New York State Climate Action Council and has led some very significant advances in legislation in New York. Next, we will hear from Michael Leon Guerrero, who is executive director of the Labor Network for Sustainability. Finally, we will hear from Shay Hawkins, who is the chairman and CEO of the Opportunity Funds Association.

The witnesses will be unmuted so we can swear them in. Please raise your right hands.

Do you swear or affirm that the testimony you are about to give is the truth, the whole truth, and nothing but the truth, so help you God?

[A chorus of ayes.]

CHAIRWOMAN MALONEY. Let the record show that the witnesses answered in the affirmative. Thank you.

Without objection, your written statement will be made part of the record.

With that, Mr. Moore, you are now recognized for your testimony. Mr. Moore?

**STATEMENT OF RICHARD MOORE, CO-COORDINATOR, LOS JARDINES INSTITUTE, NATIONAL CO-COORDINATOR, ENVIRONMENTAL JUSTICE HEALTH ALLIANCE; AND CO-CHAIR, WHITE HOUSE ENVIRONMENTAL JUSTICE ADVISORY COUNCIL**

Mr. MOORE. Good morning, Madam Chairwoman. Thank you, Madam Maloney, Ranking Member Comer, and the rest of the members of the committee for this invitation to give testimony before you today on the Justice40 Initiative and Build Back Better with environmental justice. I do have to say to the committee and to the ranking member that we are not a special interest group. We are those from grassroots communities that live around, and in, and surrounded by many of the facilities that have been spoken to already. I offer this testimony on behalf of Los Jardines Institute, the Gardens Institute, in Albuquerque, New Mexico, and the Environmental Justice Health Alliance.

More than ever before, the Biden Administration has put environmental justice on the national agenda. He has done so through executive orders and with his Justice40 Initiative, and I will say “our Justice40 Initiative,” which directs 40 percent of the benefits of sustainable economy to marginalized communities, such as the ones we work with in Albuquerque and the communities that we live in. In the South Valley of Albuquerque, we have been fighting against community impact burdens of pollution and social inequity for decades.

South Valley is home to a thriving Hispanic and immigrant community, rooted in rich culture, traditions, and agricultural history. However, our community has been subjected to environmental racism that has left a legacy of contaminated groundwater through Superfund sites and high levels of toxic air pollution. Our drinking water has been consistently plagued by radon and arsenic contamination. We are surrounded by railyards and industrial facilities, and home to the city’s only landfill contributing to high levels of toxic pollution. With unsafe water, unclean air, and inadequate access to health, the community deals with compounding health risks, which we only saw exacerbated through the COVID–19 pandemic. Unfortunately, the South Valley is not unique. For many years communities of color, low-income communities, tribal communities, and rural communities across the United States have experienced disproportionate harm from environmental contaminants and now face disproportionate risk for—from climate change.

Several points I want to share. Our nation's environmental laws are sometimes inconsistently applied and often are more slowly enforced in our communities. Historically, the Federal Government, through public policies such as residential segregation, has perpetrated, institutionalized, or defended injustices that have resulted in environmental injustice and communities being exposed to hazardous substances. In order to address these harms arising from environmental racism and to build a better future, Congress must ensure that at least 40 percent of the Federal investments, including in Federal legislation, go to programs that deliver real benefits to low-income communities and communities of color most in need.

New programs should cleanup legacy pollution and create greater access to renewable energy, energy efficiency, clean transportation, affordable housing, flood and heat protections, and other projects that benefit environmental justice communities. The Federal Government also should find creative pilot projects that support jobs and job training in environmentally sustainable industries. Furthermore, Congress should not add cumulative pollution, which will only reinforce environmental injustices and violate the spirit of Justice40. Finally, state governments shouldn't be allowed to divert Federal funds simply to fill state budget gaps.

We feel strongly that the White House Council on Environmental Quality, which has interagency coordinating responsibility, should be adequately resourced and charged with lead responsibility for the oversight of Justice40 implementation. Also, CEQ and the White House Office of Management and Budget should receive resources needed to monitor and clearly track the gaps in Federal investments that must be filled to meet Justice40 goals. Last, I urge respected members of this committee to look toward building comprehensive legislation, such as the Environmental Justice for All Act, that deals with many of the challenges environmental justice communities face.

Thank you very much, Madam Chair, and thank you, Committee Members, for allowing me to give this testimony.

CHAIRWOMAN MALONEY. Well, I want to thank you for your very moving testimony. And to really underscore, we have two panelists that have worked very closely with President Biden on formulating this policy that we are looking at today, which literally came from the community up, so we do have two people from the Administration here. Their ideas became the Justice40 Initiative.

Our next panelist will be Ms. Ndumele. You are now recognized for your testimony.

**STATEMENT OF NICOLE LEE NDUMELE, VICE PRESIDENT, RACIAL EQUITY AND JUSTICE, CENTER FOR AMERICAN PROGRESS**

Ms. NDUMELE. Thank you very much. Good morning, Chairwoman Maloney, Ranking Member Comer, and members of the committee. I am very pleased to discuss President Biden's Justice40 Initiative. My name is Nicole Lee Ndumele. I am the Vice President for Racial Equity and Justice at the Center for American Progress. CAP is an independent, nonpartisan think tank committed to improving the lives of all Americans through

bold, progressive ideas, as well as strong leadership and concerted action.

Justice40 is a historic step in the fight for environmental, economic, and racial justice. Longstanding discrimination in environmental, housing, infrastructure, and economic policies have forced too many black, brown, and indigenous communities to endure high levels of pollution. It has limited economic mobility within these communities and stymied equitable and climate resilient housing and community development opportunities. For many black, brown, and indigenous communities, exposure to dangerous toxic pollutants is a hazard of daily life. The cumulative impact of exposure to high concentrations of pollution leads to higher rates of cancer, asthma, and other serious health problems, which undermine these communities' ability to participate equally in the economy and live safe, healthy, and prosperous lives.

Systemic and institutional racism have facilitated and exacerbated the concentration of dangerous pollutants in black, brown, and indigenous communities. Structural inequalities have led to high levels of racial segregation, significant environmental and economic injustices, and a persistent and widening racial wealth gap. This racial wealth gap hinders black, brown, and indigenous people from accumulating wealth, and locks them into disadvantaged neighborhoods where they experience disproportionate environmental harms. We now have a critical opportunity to turn the tide, not only against climate change, but also environmental, economic, and racial injustice. Tireless environmental and racial justice advocates, some of whom are on this panel today, have been on the front lines of the fight for a pollution-free environment for decades.

President Biden's (inaudible) commitment to deliver 40 percent of the climate clean energy and infrastructure investment benefits to disadvantaged communities has the potential to direct billions of dollars to the communities most in need, communities who are long overdue for investments in pollution-free energy and transportation, work force and community development, affordable and energy efficient housing, and clean water. Overall, these funds have the potential to fight climate change, address public health risks, reconnect neighborhoods that were deliberately segregated, and create good jobs.

Congress and the Biden Administration must ensure Justice40 implementation delivers on its promise and delivers tangible benefits to disadvantaged communities, because all too often, Federal funds intended to benefit disadvantaged communities either fail to reach these communities, or inadvertently cause harm. There are many hurdles for disadvantaged communities trying to receive grants and Federal funds, such as weak program criteria, lack of protections against community displacement, cumbersome application and reporting requirements, technical assistance gaps in communities, and capacity restraints at Federal agencies. Just yesterday, the White House released interim guidance for implementing the Justice40 Initiative, which includes many of the recommendations made by the Equitable and Just National Climate Platform, the White House Environmental Justice Advocacy Council, and CAP to support transparency and accountability and maximize the benefits delivered to disadvantaged communities.

Congress, and this committee especially, has an important role to play to ensure that Justice40 delivers real and measurable benefits to disadvantaged communities to right the wrongs of environmental and systemic racism. This committee can require that the climate and economic justice screening tool to identify disadvantaged communities is designed well and developed in collaboration with environmental justice advocates and academics. It can ensure that the environmental justice scorecard, created to track agency progress, accurately measures the Administration's performance. It can make sure that the Administration takes into account recommendations and lessons learned from State Justice40 implementation and oversight in places like South Carolina, led by fellow panelist, Harold Mitchell, and others in other states. The Administration can also take the time—Congress can also make sure that the Administration takes the time necessary to conduct an inclusive and deliberative implementation project—process.

This committee must use its oversight authority to make certain that equity in environmental, racial, and economic justice remain the core goals of Justice40 implementation and protect the fundamental rights of all communities to breathe clean air, drink clean water, and have access to economic opportunities and safe and affordable housing so they can live healthy and prosperous lives. Thank you very much.

CHAIRWOMAN MALONEY. Thank you. Mr. Mitchell, you are now recognized for your testimony.

**STATEMENT OF HAROLD MITCHELL, FOUNDER AND EXECUTIVE DIRECTOR, REGENESIS COMMUNITY DEVELOPMENT CORPORATION; AND MEMBER, WHITE HOUSE ENVIRONMENTAL JUSTICE ADVISORY COUNCIL**

Mr. MITCHELL. Thank you. Good morning, Chairwoman Maloney, Ranking Member Comer, and members of this distinguished committee. Thank you for holding this hearing today on this very important topic about the opportunity and the necessity to put environmental justice at the heart of a true economic recovery for our Nation. I am Harold Mitchell, Jr., the founder and executive director of the ReGenesis Community Development Corporation based in Spartanburg, South Carolina, and a former state legislator. I am pleased to appear before you today to discuss the critical investments in environmental justice and equitable economic opportunity that President Biden has proposed, and how Congress must seize this moment to advance legislation providing solutions that meet these challenges facing our communities, because our communities are suffering.

They suffer disproportionately and systematically from the worst toxic, hazardous air pollution, so much of which is associated with burning of fossil fuels. We are also suffering from economic disinvestment, lack of opportunity, and from climate change. But first, let me tell you a little bit more about the story of ReGenesis. I am here today to show you what is possible when we work together.

From the first time when I was growing up in Spartanburg, people were always getting sick and dying. I had a fertilizer plant located in front of the house and a landfill in back. We had two EPA-designated Superfund sites and four brownfield sites polluting our

community and poisoning our people, and preventing the types of economic opportunity that would allow our community to thrive. In 1998, I created ReGenesis. I began working with other community residents to identify solutions and build a healthier community. We had philanthropic partners and Federal partners, too. We took a \$20,000 EPA small grant and leveraged that into \$300 hundred million. We worked with the Department of Energy on planning charettes; Health and Human Services on establishing our first federally qualified health center that expanded into seven sites and two pharmacies in three different counties, one which is with Congressman Ralph Norman, which he was able to visit and see how that impact has turned around the behavioral health and the issues they are facing in his community; the Department of Labor and Department of Commerce on investing in jobs and economic opportunities, like a new grocery store complex in a once food desert. A \$7 million green recreational facility was also built. We built energy efficient affordable housing, and solar that was attached too, with the investment from the Department of Housing and Urban Development and a \$20 million HOPE VI grant.

The Department of Justice's Weed and Seed reduced crime by 92 percent in that community, and EPA helped us with the cleanup of the legacy of toxic pollution, from where the brownfields and Superfund sites are ready for reuse as designated opportunity zones. And as an example for one of those Superfund sites that was an opportunity zone designation, now we are looking to use that landfill, converting it to a community solar project with Solvay Chemicals and Duke Energy. All of these solutions were built from the ground up by our community, but none of this would have happened without the willing partner in the Federal Government. And if that can be done in a red state like Spartanburg, South Carolina, it could be done anywhere in the country.

Now, as you turn to advancing legislation that meets or exceeds the commitments by President Biden in his American Jobs Plan, I encourage you, be bold and deliver on environmental justice and equitable economic opportunity. President Biden's Justice40 Initiative targeting 40 percent of the benefits of climate and clean energy infrastructure investments to disadvantaged communities should permeate every Federal investment and, in some areas, like Superfunds, should exceed the 40 percent. Our communities must be ready to receive these investments. That is why this year, I have worked with state Representative Gilda Cobb-Hunter to advance a bill that's in the South Carolina legislature to establish the State's Justice40 oversight committee. This is to help identify and ensure that disadvantaged communities derive the full benefit of these Federal investments. Other states are using the South Carolina legislation as a model. The Delaware legislature recently passed a joint resolution establishing a Justice40 oversight committee. We are now working with other states, Governors, and legislatures, too.

You all in Congress have a historic opportunity this year to pass legislation that confronts systemic environmental injustice, and helps avoid the worst impacts of climate change, and that builds a more just, inclusive, and thriving clean energy. I hope that you will seize this moment. I appreciate the opportunity to testify be-

fore you today, and I, with others, stand ready to work with you to build a more just and equitable future for all Americans.

CHAIRWOMAN MALONEY. Thank you very much. Ms. Salter, you are now recognized for your testimony.

**STATEMENT OF RAYA SALTER, ESQUIRE, MEMBER, NEW YORK STATE CLIMATE ACTION COUNCIL**

Ms. SALTER. Good morning, Chairwoman Maloney, Ranking Member Comer, and distinguished members. Thank you for this opportunity to testify today. My name is Raya Salter. I am an energy attorney based in New Rochelle, New York, Lenape land. I am a member of the New York State Climate Action Council, which is developing the scoping plan for New York to achieve its statewide greenhouse gas emissions goals. I am also the policy organizer for New York Renews, a coalition of over 280 environmental justice, labor, and community groups, and the force behind the 2019 New York Climate Leadership and Community Protection Act, the Nation's most progressive climate law, and we are very proud to say the state precedent and example for the Justice40. Since the passage of the law, I have been working with the State Climate Action Council and New York Renews to ensure the implementation of New York's Justice40.

I started my legal career as an energy associate with the Law Firm of Dewey & LeBoeuf in New York City. In prior roles, I was a regulatory attorney with the Environmental Defense Fund, and a senior attorney with the Natural Resources Defense Council. I have worked with activists, community stakeholders, utilities, and other thought leaders from New York to Hawaii to promote the just integration of clean and renewable energy onto electric grids. I am an adjunct professor of law at Cardozo Law School, and my book, *Energy Justice*, was published in 2018. Before becoming a lawyer, I worked for community-based organizations in both Yonkers and Brooklyn, New York. I am a deep believer in popular and public education on these issues, so I invite all of you to consider me your climate auntie, and that is actually where you can find me on both IG and TikTok.

First, I want to thank you again for this important investigation into the need for the American Jobs Plan to comprehensively address climate and environmental justice. This means that as we build energy and related infrastructure at the scale needed to address the climate crisis, we must also change the trajectory of harm that many infrastructure projects have historically caused communities of color. It's important to know that in New York law, the 40 percent investment mandate sits within a broader justice framework that is critical for its success. So, yes, New York law mandates that a goal of 40 percent of the benefits must be realized by disadvantaged communities, and New York law is very broad in what those investments mean: all energy and energy efficiency investments. Please make sure the American Jobs Plan is broad, too.

But New York law goes further. It provides significant do no harm protections in statute for frontline communities as infrastructure is permitted, planned for, and built, and requires, among other things, that all state agencies in their permit approvals and licenses must not disproportionately harm frontline communities.



Projects requiring major permits must demonstrate that future climate risk has been considered, including impacts on disadvantaged communities, and very important, early action must be taken to prioritize reductions of co-pollutants and greenhouse gases in disadvantaged communities. Make sure to require co-pollutant tracking and accounting and demand cumulative impact analysis. Demand early action. If you fail to do this, the projects will rush forth with no way to understand if they are achieving the Justice40 goals. These provisions in New York provide guardrails for environmental justice communities, and the American Jobs Plan should also incorporate these types of express controls into agency decision-making.

In addition, I advise that you to make the language explicit now and get ready to build in oversight later, or, I emphasize again, when the money flows, the community-led coffers will remain dry. So first, measure benefits to disadvantaged communities in dollars spent. When the standard has been used in New York, we have seen success. Include funded mechanisms for procedural and participatory justice designed to include frontline communities in all aspects of infrastructure investment decisions. Fund and develop community-based infrastructure for community-controlled investments. Make sure the money goes to community-led projects. Build new financing structures to ensure that the money goes where it is supposed to go. I also fully support the WHEJAC recommendations for Justice40, which include important protocols with regard to indigenous nations and communities, equity mapping, and other matters.

Thank you again so much for this opportunity to testify before you. It has been an honor.

CHAIRWOMAN MALONEY. Thank you. Mr. Guerrero, you are now recognized for your testimony.

**STATEMENT OF MICHAEL LEON GUERRERO, EXECUTIVE DIRECTOR, LABOR NETWORK FOR SUSTAINABILITY**

Mr. GUERRERO. Chairwoman Maloney, Ranking Member Comer, members of the committee, thank you so much for the opportunity to testify today. My name is Michael Leon Guerrero. I am the executive director of the Labor Network for Sustainability. We are a national network of worker, climate, and environmental justice organizations working for an ecologically sustainable and economically just future. We affirm that environmental justice is central to the American Jobs Plan, as are the voices of workers and communities in the process. My remarks will be brief, but I refer you to my written comments for greater detail.

These are troubling and turbulent times that require bold and creative action. They compel us to ensure that the goals of creating good jobs and protecting our environment are not incompatible. We commend President Biden for centering job creation, the rights of workers, and environmental justice in his climate protection strategy. Earlier this year, LNS published a report, “Workers and Communities in Transition,” based on a national year-long Just Transition Listening Project. These were in-depth interviews with people across the country who experienced major job loss in their communities due to factory closures, the pandemic, and other causes.

Many interviewees described the economic devastation and personal trauma in the wake of plant closures and support systems that were wholly inadequate. Without healthcare, insufficient unemployment benefits, and a lack of good new jobs, people just couldn't make ends meet. Many lost loved ones to suicide, alcoholism, or drug addiction.

The principal finding was that transitions are inevitable and constantly happening across the economy. Workers in fossil fuel industries are already losing their jobs, not due to climate change policies, but to market forces or the pandemic. As a country, we are just not well prepared for these changes, but the Listening Project also tells a story of innovative community and labor-led solutions to navigate these transitions. A set of recommendations is included in the Listening Project report, and we offer four overarching recommendations that are described in detail in my written testimony.

First, we must create family sustaining jobs that address equity and communities in need. The full range of programs promised by the American Jobs Plan and American Families Plan would be a vital first step in creating millions of jobs in repairing and upgrading our Nation's infrastructure. For instance, electrifying transportation and expanding our public transit systems can create thousands of good jobs in manufacturing, operations, and maintenance, and address environmental justice for communities overburdened by pollution and underserved by transit options. The Invest Act and the Stronger Communities Through Better Transit Act offer vital measures in this direction. The Orphaned Wells Cleanup and Jobs Act of 2021 can help to protect and restore our environment. With the addition of strong labor standards, it can create thousands of long-term, good-paying jobs in urban and rural communities.

Second, job creation must be paired with high road labor standards to help ensure that workers who experience job loss in the new economy can transition to a good job. These include prevailing wages and benefits, targeted and local hiring for underserved communities and displaced fossil fuel workers, apprenticeship and pre-apprenticeship hiring, project labor and community work force agreements, and organizing rights, including passing the Protecting the Right to Organize Act.

Third, we must expand and strengthen social safety nets. The Federal Government should dedicate significant funding to support transition efforts. You can do this by establishing a national just transition or worker and community protection fund; providing financial support to communities that lose tax revenue as a result of facility closures; increasing and extending benefits, like unemployment, healthcare, and childcare; expanding the Trade Adjustment Assistance Program to apply to other major economic trends, like the transition to a clean energy economy; and fully funding state rapid response programs that provide critical peer-to-peer support for workers to access financial resources, social services, and more.

Our fourth recommendation is to support active community and worker engagement. The state of Colorado's Just Transition Program, for instance, was crafted by a broad-based coalition of labor,

environmental justice, and other organizations. It establishes a just transition fund that invests initially in coal workers and communities by providing wage replacement for workers who transition to lower-paying jobs, investing in economic development, and other support. Colorado's program is a fully bipartisan effort supported by state legislators across the political spectrum. However, without the support of the Federal Government, Colorado and other states will struggle to fully implement groundbreaking programs like this.

Record heat and intense wildfires in the U.S. and raging floods in Europe are reminding us that we are way behind in a transition from fossil fuels to a clean energy future. Action must be swift, but thoughtful, with a managed transition that is just, and will not treat workers and communities as stranded assets. Waiting, though, is no longer an option. We strongly urge you to take action now to pass the strongest version of the American Jobs Plan possible.

Thank you so much for your consideration and attention to these issues.

CHAIRWOMAN MALONEY. Thank you very much. And, Mr. Hawkins, you are now recognized for your testimony.

**STATEMENT OF SHAY HAWKINS, CHAIRMAN AND CEO,  
OPPORTUNITY FUNDS ASSOCIATION**

Mr. HAWKINS. Well, thank you, Chairwoman Maloney, Ranking Member Comer, and members of the committee. It is a pleasure to be with you today. This will be my 5th time testifying before Congress, but my first time testifying before the full Oversight and Reform Committee, so I thank you so much for having me.

I am the co-founder and president of the Opportunity Funds Association, and this morning I would like to discuss how opportunity zones are targeting private investment in areas of the country that have been de-industrialized and historically disadvantaged, and how opportunity zones can be expanded in ways to help provide cleaner, more affordable, more secure energy. Further, I would like to emphasize the importance of pursuing an infrastructure program that makes significant investments in traditional infrastructure without crippling tax increases on small businesses and workers that would undermine the historic progress made prior to the pandemic in minimizing minority unemployment and raising minority incomes.

So, prior to founding the Opportunity Fund Association, I served as majority staff director for the Senate Finance Subcommittee on Energy, Natural Resources, and Infrastructure, and as tax counsel to Senator Tim Scott, where I helped champion the Investing in Opportunity Act legislation authored by Senators Tim Scott and Cory Booker from New Jersey. That ultimately became opportunity zones. IRS data shows that \$24 billion has been raised for investment so far, with billions of that having actually been raised during the pandemic. And an August report from the Council of Economic Advisers estimates that opportunity zones will lift 1 million Americans from poverty and reduce poverty in designated opportunity zones by 11 percent.

We are also seeing operating businesses taking root in opportunity zones in critical energy—critical industries, such as clean

energy. There are 475 solar energy installations producing more than 1 megawatt of activity in opportunity zones, as well as about 127 wind farms and 15 battery plants of at least the same capacity. So, more specifically, Hoosier Solar Holdings is embarking on a large-scale solar build-out project in Indiana using opportunity zone financing. They are operating under \$20 million in opportunity zone capital, and have plans for six utility-scale solar projects across four counties.

In a lot of cases, the greatest and greenest building is the one that is already built. So, America's legacy communities are full of vibrant, historic buildings that fell into sort of severe disrepair when jobs and industry left the urban core. So, in Philadelphia, for instance, real estate developers, Sterling Wilson and Southwood Partners, have partnered with PNC Bank to redevelop a defunct creamery, Harbisons Dairy. You have seen this kind of like 10,000-gallon milk bottle that is kind of historic landmark. So, they redeveloped this to create 50 units of work force housing. They built a new headquarters for Pop! Promos, one of the city's fastest-growing companies. And this team's next collaboration is going to be to develop an affordable food manufacturing space for minority-owned businesses there.

So, Congress can really help by, first of all, pursuing an infrastructure plan without tax increases. So, current inflation rates are above 12 percent. We have seen inflation increase in every month of this year. And so, Congress imposing additional taxes on small business and workers will essentially, you know, double the existing pain that we are seeing from inflation, so that is going to be critical. And I look forward to discussing other ways that Congress and this committee can get more capital into minority communities and distressed communities, and secure cleaner, more affordable energy for all Americans. Thank you so much.

CHAIRWOMAN MALONEY. Thank you so much, and I thank all of the panelists. I now recognize myself for questions.

We are here today because the status quo is not working. In 1994, President Clinton issued an executive order directing each Federal agency to make environmental justice part of their mission. Seven years later, a wave of 10 dirty power plants, nearly all of them in communities already facing structural inequality, went up and in around my district in New York City. They were so dirty and dangerous to public health that residents were promised they would close in just three years, but 20 years later, they are still burning the dirtiest oil and gas in some of our densest neighborhoods.

Two plants in Long Island City pollute alongside the Ravenswood Generation Station, one of the largest power plants in the country, right next to Queensbridge Houses, the largest public housing development on the continent. Four plants in the Port Morris section of the Bronx contribute to some of the worst air quality in the country, with tens of thousands of truck trips spewing smog along the streets. It is so bad that areas, represented by myself and Congresswoman Ocasio-Cortez, are called "Asthma Alley." In one Manhattan neighborhood I represent, there are tens of thousands of people, including some in public housing, who live within a few blocks of a power plant, and they are planning to build two more

polluting facilities. So, my first question is to Mrs. Salter. How would implementing Justice40 at the Federal level help address these environmental harms?

Ms. SALTER. Thank you, Chairman Maloney, for asking that critical question, and you are exactly right. We know that PM 2.5 in New York City causes more than 3,000 deaths each year, 2,000 hospital admissions, 6,000 emergency department visits for asthma, and a lot of it is due exactly to those peaker plants that you are talking about. And by the way, we spend \$4.5 billion on capacity payments to keep those aging, dirty peakers open.

And so, what can Justice40 help do? We need to work to close those peakers and replace them with local, community-led, renewable solutions, like what We Act for Environmental Justice can do with energy efficiency and solar on buildings, like what we can do by closing Rikers Island and turning it into a hub for clean energy, like what the Point CDC is doing with green infrastructure. So, there is a tremendous amount of good that can be done by the Justice40.

CHAIRWOMAN MALONEY. Well, it is clear we need a plan, and we need action. Mr. Moore, in your personal assessment, would you say that all Federal agencies have made environmental justice a top focus since 1994, and is it a focus for all agencies today? And what are some of the most immediate steps we can take to make sure that we close these polluting sites that are taking years off our constituents' lives? Mr. Moore?

Mr. MOORE. Thank you, Madam Chairwoman. I would say, based on our experience throughout all these years, that in previous years, one, that this is the first Administration that has not only spoke to environmental justice, but listened to environmental justice communities, and so this is crucial with the 40 Justice framework. Additionally, I would say in response to your question, Madam Chair, that it is important for this committee to understand that, one, I am not here representing the WHEJAC today, but those WHEJAC members in many cases are volunteers. And so, I have to give credit to the tremendous amount of work that the WHEJAC Council has done in terms of engaging with communities, bringing these experiences to the table as life and death issues.

Very clearly, within the Justice40, and, as you said, that was released yesterday. Then based upon that, it calls upon all Federal agencies to create and lay a guideline for all Federal agencies to be able to—to look at the 40-percent investment and to make sure that that 40 percent is largely put in not only legacy communities and historical environmental justice communities, but that it is put in rural communities and so on. So, there are over 20 agencies that have addressed the interim guidance that was released yesterday and is very important to this. Thank you. Thank you, Madam Chair.

CHAIRWOMAN MALONEY. Thank you. And, Mr. Mitchell, very briefly, your leadership in South Carolina is at the cutting edge of environmental justice legislation. What do you think effective implementation of the Federal Environmental Justice Initiative looks like, and then my time has expired. Thank you all. I wish I had an hour to ask more questions to all of you, but we have everybody waiting to talk. Mr. Mitchell?

Mr. MITCHELL. What that would look like is having what President Biden, when he was then candidate Biden, did, was listen to those on the ground, the frontline, fence-line members from around the country. And he asked us what could the government do to help fix these problems. And he actually put a plan together, listening to many of these folks from around the country, and didn't put it out until listening and talking, and wanting to make sure to get it right, because just like in South Carolina, Senator Fritz Hollings and Strom Thurmond in Spartanburg, on paper it was shown that the fertilizer plant was closed properly, but we found later that there was hazardous waste from Atlantic Station in Georgia that was shipped to Spartanburg, South Carolina for disposal. And this, as far as the release, had traumatic impacts within the community.

Now, until you listen, and you get out of the beltway, and go into these communities and find out what those problems are to find the solutions, and this is exactly what President Biden did and influenced the Justice40 Initiative. So, I think once we're able to get on the ground, put these resources, find the needs, look at, as Ranking Member Comer stated, you know, we were in a pandemic. And the good thing about it, it showed us how we kicked the can down the road, and we didn't properly invest in healthcare, because when we look at the disproportionate impact of those that were affected, were many of the states that chose not to expand Medicaid. And these are people that didn't have medical coverage, underlying conditions, and those are the ones that we saw that tested positive and died.

So, I think with this whole push right now with the Justice40 Initiative, being able to get it right and invest rightly in these communities with the proper oversight, I think we can turn around not only the black and brown, but the tribal and the entire country to move in the right direction of building back better.

CHAIRWOMAN MALONEY. Thank you. Just very briefly, and I am going to recognize Mr. Comer as much time as he needs. I just want to say in the weeks ahead, I plan to advance an All of the Benefits, None of the Harm Environmental Justice platform. Your testimony today from all of you will be invaluable in preparing this. And next month I hope to plan and hold a field hearing on the peaker power plants that Ms. Salter talked about that are polluting my district, Congresswoman Ocasio-Cortez's, and many other districts in New York City. And as chair of the Oversight Committee, I will be doing everything in my power to ensure that the Federal dollars get to the communities that need them, and that agencies incorporate environmental justice into their agendas. Thank you for your inspiring testimony.

I recognize, at the request of Mr. Comer, the gentleman from Arizona, Mr. Gosar, for as much time as he may consume. Mr. Gosar.

Mr. GOSAR. Thank you, Madam Chair. I would like to first comment on the repetition of this hearing topic from the Environmental Subcommittee, yet we still have not held a hearing on the ongoing crisis at the southern border. I was just down in Casa Grande cleaning up and exploring a known superhighway of smuggling of drugs, human and sex trafficking in through Arizona, and can assure you there is a crisis occurring which we have yet to in-

investigate. But I guess that is why we gave the majority an F for oversight recently.

Mr. Biden, through his American Jobs Plan and other related climate Presidential actions, has committed an environmental injustice, putting climate at the forefront of national security and allegedly leading us into a new green future that will create American jobs and economic growth. Yet the reality of his policy proposals actually undermines those very stated goals. What do I mean by that? Let's begin with American Jobs Plan: \$174 billion investment in electric vehicles. We can take it even higher from there because the entire electrified future has a similar issue: reliance on mining and processing of minerals.

Outside of just electric vehicles, the IEA recently reported that the energy sector's need for minerals could rise as much as six times by 2040. Even though the American Jobs Plan calls for battery production, securing supply chains, and more, Mr. Biden and radical environmentalists have attacked and worked to shut down mines across the country, which produce cobalt, lithium, nickel, and more, all things needed for electric vehicles, batteries, turbines, solar panels, and more.

So, while we increase our demand—so, while we increase demand but reduce American supply, we must look abroad from minerals in nations which lack labor and environmental rules we abide by here in the United States. We then get minerals mined in Congo by child labor to make our electric vehicles and solar panels for the electric grid that they want to get these vehicles to from slave labor in China. Does this sound like justice to any of you?

Let's look at this from another direction. In the majority's memo for this hearing, they cite Mr. Biden's Executive Order 14008, which put the climate crisis at the forefront of the Nation's foreign policy and national security planning. Yet one of Mr. Biden's first actions was an attempt to ban oil and gas drilling or really any production or product which is connected to fossil fuels. In fact, the chairwoman highlighted this dirty oil and stuff coming out of Russia for the most part. However, just because we cut domestic production does not mean domestic consumption decreases. Why do you think the American people are so worried about inflation and skyrocketing gas prices? Because banning gas and oil production does not correlate with less trips to the pump for the American people, just more American oil and gas workers and companies out of business.

So then, what do we do for energy sources, turn to foreign nations which produced these resources, like Russia, Venezuela, adversarial authoritarian nations? Does that sound like strong American national security? These nations not only hurt our national energy security, but they have much less strict environmental regulations. Because of the lax regulations and aging energy infrastructure, unlike in the U.S., we are importing energy from nations whose pipelines emit more methane than ours and are at risk of catastrophic accidents. Does higher emissions and higher risk of pollution from foreign energy sources sound like putting the climate crisis first in foreign policy? When our environmental rules drive American companies out, we don't stop using these resources. In fact, many of these resources are fundamental to the majority's

plan for an electrified future. These globalist policies actually create more injustices around the world, have little impact on the actual pursuit of a green future, and sends the job and economic growth promise to foreign nations as we ban every domestic industry required to sustain America's energy needs for the future.

The American Jobs Plan addresses none of these underlying issues, and, in fact, lies to the American people by suggesting it is accomplishing these issues—goals when, in reality, it is shipping these human rights and environmental issues overseas out of sight, out of mind. That is a dichotomy. Thank you, Madam Chair, and with that, I yield back.

CHAIRWOMAN MALONEY. The gentleman yields back. The gentlelady from the District of Columbia, Ms. Norton, is now recognized. Ms. Norton?

Ms. NORTON. Thank you, Madam Chair, for this important hearing, notwithstanding what we just heard from the other side. The witnesses that you have invited today have just the kind of extensive background working at the grassroots level that we need, and particularly in the spirit of the President's Justice40 Initiative. I want to start with Ms. Salter because I am interested in enfranchisement and procedural justice, which are so important to the process of designing programs that actually work for the communities that they are meant to serve. Ms. Salter, you recommend that the American Jobs Plan include what you say are mechanisms for procedural and participatory justice designed to include frontline communities in all aspects of infrastructure investment decisions, so I would be very interested in examples of how this has been implemented at the state level.

Ms. SALTER. Thank you so much. That is an excellent question, and I will give you an example from New York State. So, I mentioned that it was activists who pushed for the 2019 Climate and Community Protection Act and baked into the act were several procedural justice matters. One was the creation of a Climate Action Council, which is developing the state scoping plan that includes community members, including myself. Another key part of that process is a Climate Justice Working Group that the statute required be appointed and include environmental justice, frontline communities, and others. Now, they are the ones who are deciding who is a disadvantaged community under New York's Justice40. So, those are just a few examples of the type of, you know, procedural justice pieces where you actually get frontline leadership at the helm of decision-making.

Ms. NORTON. You have also pointed out that the—the funds directed at frontline communities are provided for community leadership. You indicate a number of things that they provide for, so I really want to get to how the Federal Government can best provide technical assistance.

Ms. SALTER. Yes. This is—sorry, ma'am. This is just one of those critically important areas, and I don't think that New York state is doing enough in this area, but that, really, frontline communities need a host of technical assistance if folks are to actually participate in these proceedings. And that means in some states, they have intervener compensation, which gives actual funds to participate in hearings and administrative dockets. I mean, that is just



the beginning. There needs to be help so that communities can process applications, can access their own—

Ms. NORTON. From the Federal Government? From the Federal Government?

Ms. SALTER. Yes, ma'am, so that when a community group wants to apply, they can actually have assistance from an engineer or a grant writer to help them fill out application. That is one example.

Ms. NORTON. Thank you. Mr. Mitchell, let me turn to you. I think I have a little time left. Which existing Federal programs have been most important in serving the needs of the environmental justice community, and, at the same time, what Federal programs are actually missing the mark, and why do you think that's happening?

Mr. MITCHELL. I would say Health and Human Services, HUD, EPA for their cleanups of many of these legacy sites. Who is missing from the table, I would say, is the Department of Commerce and Department of Treasury. And as our witness, Mr. Hawkins, stated, that is a very important piece when you are talking about the opportunity zones and the opportunities to redevelop some of these sites where we can put into productive reuse once they are cleaned up and put into productive opportunities for job creation. And I would also add the Department of Labor, as witness Salter stated. You know, this is one of the things that the Department of Labor's work force investment and what we see from our technical colleges in our communities, that they could actually do the training and provide resources to nonprofits directly for their operations.

Ms. NORTON. Well, that's very important information that this committee should receive and make sure that those agencies are doing what you say is necessary. Thank you very much, Madam Chair.

CHAIRWOMAN MALONEY. Thank you. The gentlewoman from North Carolina, Dr. Foxx, is now recognized for five minutes.

Ms. FOXX. Thank you very much, Madam Chairman, and I want to thank our witnesses for being here today. Mr. Hawkins, can you discuss how, in your opinion, the Green New Deal would impact communities that are economically disadvantaged?

Mr. HAWKINS. And so, thank you, Dr. Foxx. When we are looking at the Green New Deal, for instance, it's the combination of the problems and the potential negative impact on distressed communities come in two forms: one, in a regulatory environment that undermines job creation in these communities, and then, two, in the potential costs. So, right now, every month of 2021, we have seen an increase in inflation, so it's not something that is deliberate, but you could almost look at it as if—as if Congress imposed a deliberate 12 percent tax on the poorest Americans in the country. And so, we can't impose anything that would then add additional taxes onto the workers and onto the residents of these communities.

Ms. FOXX. And we know the American people, all of them, are beginning to understand this, that the Biden Administration has brought an inflation, almost crisis, on the heads of Americans, and you are right, that always impacts the poorest in the Nation. Can you talk a little bit more about how it would impact, particularly, opportunity zones?

Mr. HAWKINS. Yes. So, opportunity zones are areas that Governors were able to designate for a specific type of tax-advantaged investment, and these are areas that have a poverty rate of at least 20 percent and an average income within a state that is less than 80 percent of the state average, so it is the poorest areas of any given state or territory. Thirty-seven percent of these areas are what we call hyper-distressed zones, and these are areas that have even more severe statistics in these areas. So, these areas are typically the first to be crammed down in a recession, and they are the last to recover when an economy is picking back up. And so, anything that would impose a more severe burden on these communities is going to be devastating.

Ms. FOXX. Well, I think this is a pretty simple answer. I think we have seen it in the past, and I believe we will see it in the future, but you alluded to it in your first answer. Would you say that increased government regulations and bureaucratic red tape actually decrease jobs and economic opportunities and decrease it in disadvantaged communities? I think you have already said that, but I will let you say it again.

Mr. HAWKINS. Yes, it's problematic.

Ms. FOXX. Right.

Mr. HAWKINS. The regulations should be limited to things that directly impact public safety within these communities. Anything else is just going to undermine job creation in those communities, and the lack of economic opportunity is the primary driver of distress in these communities.

Ms. FOXX. Right. Well, we know that CO2 emissions in China, India, and other nations are increasing while the same emissions are decreasing here in America. Do you believe that the Democrats' current proposal to curb emissions here, when they are already going down, will put us at an economic disadvantage compared to these other countries?

Mr. HAWKINS. I think the current proposals would put us at an economic disadvantage. You know, it is kind of like having, you know, one hand handcuffed behind your back in a fight. What we can say is that there are bipartisan proposals out there that make significant investments in traditional infrastructure, and, you know, clean energy that doesn't require severe tax increases that would come on top of the inflation tax that we are seeing on the poorest Americans.

Ms. FOXX. Right. I think we need to continue to call it an inflation tax. I want to reiterate very quickly—I have a little time left—that reducing mandates and red tape will alleviate small communities, particularly economically disadvantaged communities. I think you and I agree on that, don't we?

Mr. HAWKINS. We do.

Ms. FOXX. All right. Thank you very much, Madam Chair. I yield back.

CHAIRWOMAN MALONEY. Thank you. The gentleman from Massachusetts, Mr. Lynch, is recognized for five minutes. Mr. Lynch?

Mr. LYNCH. Yes, thank you, Madam Chair. To begin with, it gives me no pleasure at all to remind my colleagues on the other side of the aisle who are complaining about which topics that we bring up for oversight investigation. I just want to remind them of

what happened on January 6, and I watched my colleagues run for their lives in the face of the attacks on the Capitol. And then after the attacks on the Capitol, and the loss of life, and the damage to the very building that we sit in, I watched my colleagues on the other side of the aisle run again, away from any investigation of the attacks on the Capitol. So, please spare me these arguments about the choice of things to investigate. If you want to investigate something, investigate your oath of office. Investigate your oath of office. Go look at it, when you solemnly swore to protect and defend the Constitution of the United States and give true faith and allegiance for all that it stands for, so help me God. And then revisit your actions on that day and thereafter, OK?

Now, I will turn to the subject. First of all, I want to thank all these wonderful witnesses that have engaged on this issue. I happen to represent the city of Brockton, which is a minority-majority city. We have got elevated asthma. They have had a very, very tough time dealing with this pandemic. We have had a lot of loss of life and a lot of cases of COVID. And I want to thank the chairwoman, Mrs. Maloney, for helping me. We got an amendment through on the postal bill that would actually convert all of the postal vehicles, post office vehicles, 237,000 vehicles, to zero emission vehicles in a very short period of time, and I am very happy to say in the transportation bill, I also got a bill called the Green Buses for Every City Act. A lot of these smaller communities really rely on the bus service, and they have got these old diesel buses that are causing great havoc with the air quality in these cities.

And I just want to ask Attorney Salter, you sort of hit on this in your opening remarks. We're trying 100 different things to address, you know, the environmental justice issue in black and brown communities, but I'm worried about how we measure that if we are trying all these different responses. Do we have accurate tools that allow us to determine what are the best practices? What are we doing that is of the greatest benefit to these communities? Do we have those tools, do we still need to develop them, and is there a clearinghouse or a group that is tracking the improvement, because it may be incremental over a certain period of time? But I would like to get your thoughts on that, please.

Ms. SALTER. Thank you so much. So, we do have tools, and we also need to develop more, and part of this is sort of resources to fund the full investigations of the infrastructure that we already have. For instance, New York law, the CLCPA, requires a full accounting and pilot programs to begin actually going through areas and measuring—specifically measuring co-pollutants and greenhouse gas emissions so we can actually develop that baseline that we need, and then implement these case studies and these scalable solutions, and then actually track and see how we do as we go. And so, we need the support of the Federal Government and others to fund these types of projects so that we can know what we are dealing with, bring in the solutions that will work, and measure and track it. And that's something also we truly hope this committee will continue to do in oversight.

Mr. LYNCH. OK. Thank you very much. Madam Chair, I see my time has just about expired, so I will yield back. Thank you very much.

CHAIRWOMAN MALONEY. Thank you, and the gentleman from Georgia, Mr. Hice, is now recognized for five minutes. Mr. Hice?

Mr. HICE. Thank you, Madam Chair, and I would just remind my colleague that we have had multiple hearings on January 6, and we don't really need the self-righteous preaching from him when there were 574 other declared riots, and I don't recall him or any of my colleagues on the left trying to do anything about those, or address BLM or Antifa, or any such thing.

I have heard a lot of talk today about equality and equity, which, of course, equity for my Democratic colleagues is just another code word for "socialism," taking from one and giving to another. This is not how America operates. But Madam Chair, I would just say yet again today, there is not equality and equity in this committee room. We have five witnesses from the majority side, only one for the minority. There is no equity, there is no equality in that, and yet another one was added even today or yesterday, and we didn't even know anything about it. Coming to this hearing today, I think this is yet just another example of a massive attempt of distraction from the majority party to hide the devastation that is happening in our country today, and we need real oversight. It's time for us to do our job as a committee.

There is a lot of talk praising President Biden today. But look, this committee ought to be discussing things like the surge of immigrants that are crossing our border right now, and, in light of that, let's give credit where credit is due, and let's tag this one on President Biden's shoulders as well. We just had an announcement by Customs and Border Protection of over 888,000 enforcement encounters at our southern border in June, last month, a 450 percent increase over June of last year. Four hundred and fifty percent increase. It is unbelievable. We have seen disturbing footage coming from our southern border. The Rio Grande Valley sector chief agent tweeted that they apprehended over 15,000 migrants in just one week.

Simultaneously, this committee ought to be dealing with things like skyrocketing cost of living costs. Americans are paying more for goods and services because of out-of-control Democratic-led spending. And now we are watching the development of potentially of a \$3-and-a-half trillion, possibly \$5 trillion package of more spending coming from our Democratic colleagues. This is going to be devastating to the American families who are already struggling to get by. And speaking of spending, the government spent trillions of dollars on COVID relief in the past year, but in recent months, we have found that there has been a lot of fraud in all of that. In fact, an NBC article stated that the Labor Department Inspector General estimates over \$63 billion of fraudulent disbursements. This is unbelievable. In fact, they are saying that it could be much higher than that, well in excess of \$100 billion. Madam Chair, I want to know, are we going to have any hearings about this to investigate the fraud and abuse of the COVID relief money that they went out? It would seem that this is the type of waste, fraud, and abuse that this committee ought to be looking into.

And rather than justice for the environment, why aren't we talking about justice for people who are living in violent cities? We are seeing crime has risen 23 percent overall. This past year, according

to the National Fraternal Order of Police, they recently put out that homicides and shootings have increased exponentially since President Trump left office. Homicides are up to 58 percent in Atlanta, in my home state, 533 percent up in Portland, 37 percent up in Philadelphia. Shootings are up 54 percent in New York City, in Los Angeles, in Chicago. Listen, there are more people being harmed by the rise of crime than there are from the environment in these cities, I can assure you.

And finally, we have bills like the Green New Deal that is ultimately really not even about the environment. The Green New Deal ultimately, fundamentally is about changing our country into being more socialist. We have a since deleted fact sheet circulated from the representative who introduced the Green New Deal, and they said that the real attempt, it is a “massive transformation of our society.” They also said that it was hopefully going to provide “economic security for all who are unable or unwilling to work.” Stunning. So, this is what the Green New Deal is. In fact, the former chief of staff of this same member said, “The interesting thing about the Green New Deal is that it wasn’t originally a climate change thing at all. It was really a thing of how do you change the entire economy thing.” It is because of statements like this that we know that this hearing, in itself, is a fraud.

It is time for us to do our job, stop the show, do real oversight, Madam Chair. And I realize that will probably be very uncomfortable if we actually did our job of oversight in this committee, dealing with specifically the devastation happening in our country due to out-of-control spending and policies of the Democratic Party and the incoherent leadership coming from the White House. But, nonetheless, that is our job, our task to do oversight, and I urge us to get on with the business that we are supposed to do.

CHAIRWOMAN MALONEY. Your time has expired. The gentleman’s time has expired, and the gentleman from Virginia, Mr. Connolly, is now recognized for five minutes. Mr. Connolly, you are now recognized.

Mr. CONNOLLY. Thank you, Madam Chairwoman, but I am willing to yield my time, and then be recognized next round, to Mr. Gomez, who I believe has a scheduling conflict. Mr. Gomez, do you still wish me to yield?

Mr. GOMEZ. Yes, please.

Mr. CONNOLLY. Absolutely.

Mr. GOMEZ. Thank you so much, Mr. Connolly. First, Chairwoman Maloney, thank you so much for having this important discussion on climate change. It is very important. But at the same time, also discussing the fact that disadvantaged communities, people of color, rural areas are also hit disproportionately by climate change, especially when it comes to pollution, when it comes to just a variety of factors, and this impacts Democrats and Republicans, right, in rural areas and in urban areas. So, we have to do—take extra steps to make sure that when we combat climate change, it has a direct impact on those people who are having the disproportionate impact of climate change.

And that’s one of the things that, in California, we have focused on when before I got to the California State Assembly, where I served starting in 2013 to 2017. And there we passed a bill called

S.B. 535 by Kevin de Leon that created the CalEnviro Screen, on where we would target the greenhouse gas reduction funds that we got from cap and trade and in what communities. But when I got there, we discovered that that law didn't work as intended because one of the things that it said, is it said the money from the greenhouse gas reduction funding would go—should benefit disadvantaged people, 25 percent.

So, one of the things that they ended up doing is, you know, they would say that this project way over here, if it is a train that passes a disadvantaged community that was hoping to get cars off the road, that was cleaning up the air, that was good enough, and that was benefiting. But you know what? A train going by my communities doesn't benefit my communities. It doesn't benefit the rural areas. So, I passed a bill called A.B. 1550 that increased the amount to 35 percent of all cap-and-trade dollars that must go to disadvantaged communities, but directly in disadvantaged communities, not next door, not somebody who is just driving a Tesla in my community that says, you know, because it's not polluting, it is cleaning up my communities. No, I wanted the benefits to be directly in the communities I represent.

It passed. It is law. It is having a profound impact when it comes to making sure those benefits, right, and the co-benefits of reducing pollution, reducing poverty are all added in. It's a huge deal. It passed with bipartisan support, with Republicans voting in the affirmative, and it also went up to 35 percent in targeted low-income areas, including Republican areas. That is how we actually bridge the green divide that exists, making everybody—making sure that everybody benefits from this kind of program. And that is what we have to continue doing is focusing those resources to the communities that have been left behind. So, I am proud of that bill.

And guess what? To my Republican colleagues, there was a plant that opened up. It was an electric bus plant in Bakersfield, and it was opening up an assembly plant that was to provide electric buses for a lot of California. And who was there at the ribbon-cutting? Kevin McCarthy, the leader of the Republicans who was just attacking the cap-and-trade program a few months earlier. So, for me, sometimes the Republicans like to talk trash about what we are doing, but they love to try to take the credit for what we are doing, everything from climate change or to the American Rescue Plan.

So, we are going to keep moving forward because we know this is going to benefit everybody, not just Democrats, not just urban areas, but rural areas as well. And I know that there was a release of the Justice40 Initiative, the implementation guideline, by this White House. I want to ask some of our panel what you guys thought about it. Mr. Moore, let's start with you. What did you think of the Initiative, the guidance, first blush?

Mr. MOORE. Thank you, Committee Member. You know, as I stated earlier, you know, in this process, I think that we need to understand that much of what has been recommended in the Justice40 at this moment, interim guidance, is issues that have been expressed by environmental and economic justice communities for many, many years. So, what I will say, again, to commend the work of the WHEJAC Council, but additionally, that much of what

is in that interim guidance is what was recommended by our communities and what was reinforced by the WHEJAC members. So, I feel very positive about the interim guidance at this point. Last is to say it is an interim guidance. There will be more opportunity for engagement around the guidance, and so we totally support and will continue to support that at the same time.

Mr. GOMEZ. Well, thank you. One of the things—I am going to take a close look at it because words do matter.

CHAIRWOMAN MALONEY. The gentleman's time has expired.

Mr. GOMEZ. Words do matter. Directing benefits can lead to just the same old, same old, or actually lead to a transformative effect for these communities. So, with that, Chairwoman Maloney, thank you so much for letting me go out of order. Thank you so much, and I yield back.

CHAIRWOMAN MALONEY. OK. Thank you. Thank you. The gentleman from Texas, Mr. Cloud, is recognized for five minutes. Mr. Cloud?

Mr. CLOUD. Thank you, Chair, and thank you all for being here to share your perspectives. As with many of the issues we talk about, I think it is important to look at them in context because many of the issues we face, we don't approach them properly if they aren't in the proper context. Now, the chair made the comment that the Nation is in a climate emergency, and I found that interesting considering that the environment does not stop at our borders. And so, it is important that we look at a global environment from a global perspective, and the truth is, is that the world's demand on energy is growing. That is actually a good thing. That is people coming out of poverty. That is people being able to heat their homes for the first time or find mobility.

The question then comes, who will meet that demand, and I am under the belief that it is better for U.S. companies to meet that demand than nations certainly that are adversarial to us. We began to see this as we made a transition from an energy-dominant, or—energy-dependent to an energy-dominant nation in the last few years. That led to us having strength at the negotiating table for better trade deals, for even Middle East peace deals. And when we are talking about the environment, it is important to note that war is bad for the environment. It is bad for the human condition, but it is also bad for the environment. And so, the answer then, what we see when we look at U.S. companies and U.S. industry versus industry in other nations is that, by and large, while we have room to improve, with every single generation, technology should advance. We should get better, that—that U.S. companies are doing this better than most of the world.

And so, the answer really here should be, let's look at U.S. exports. Let's look at us having a larger share of the world's energy production, and then let's look at what we can do because the truth is, the greatest reduction in carbon emissions right now has been led by the U.S. oil and gas industry. And so, we can look at new technologies. We all want clean air and water. There are new technologies that are coming to bear even in the oil and gas industry with carbon capture and the like, so this really should be an all-encompassing discussion. We want clean air and water for our com-

munities, we want people to thrive and prosper, but we do need to look at that.

And just to put it in context, you know, there is almost a move, especially with the extreme interpretations of the Green New Deal, to have us, in a sense, run back from the industrial age as if that was a bad thing. But the truth is it was a good thing. It had some, like every advancement in technology, cost benefits. You know, there were some costs. There were some benefits. We should look at the costs and figure out, like I said, what the next generation had improved, but the truth is that this is the life expectancy over the last bit.

And so, you can see the U.S. leads the world, but we have been improving with each generation. The thing we don't need to do is to draw back from that. Right now, this is U.S. access to electricity versus the rest of the world, the U.S. virtually almost 100 percent. Now, if people can't afford it, then that's different, and what we have seen over the last few months is a—is an effort to undermine energy production in the United States. And so, we have inflation going up, we have costs going up, and that puts a disproportionate burden on the disadvantaged. What we need to do is get back to policies that bring access, reduced costs to communities, so people can afford their energy and have good jobs, and we can look to companies and we should hold bad companies and bad actors accountable. For sure we should, but there is a broader perspective to be brought to this.

I think it is important to point out, too, and maybe, Mr. Mitchell, do you know—the Administration—when we talk about green energy, we have to talk about rare earth minerals. Every discussion needs to start with that. Is the Administration looking to domestically source the minerals that are needed for transition? To—do you know? Are you aware? I wish we had an Administration official here to ask, but you are the closest we have so far, so.

Mr. MITCHELL. No, sir, I will not speak on that.

Mr. CLOUD. I am sorry?

Mr. MITCHELL. I said, no, sir, I do not know the answer to that.

Mr. CLOUD. You don't know? OK. Right now, the U.S. is reliant 100 percent on rare earth minerals from other countries, and so the leading producer of rare earth minerals right now is China. And so, we need to strongly consider, as we look at this, if the world is a better place with the U.S. being a dominant producer of energy or China being the predominant producer and holder of U.S. energy exports and resources. So, you know, if we are going to have a discussion on green energy, it has to start with us having U.S. access to rare earth minerals, and until we are willing to have that discussion, we need to continue along the course that has led to relative peace and prosperity for American families. Thank you, and I yield back.

CHAIRWOMAN MALONEY. The gentleman yields back. The gentleman from Virginia, Mr. Connolly, is now recognized. Mr. Connolly?

Mr. CONNOLLY. Thank you, Madam Chairwoman, and thank you for holding this hearing. I think we kind of maybe lost sight of what it is we are discussing today, and maybe we could try to get back to that. I got to admit I was kind of shocked by the gentleman



from Georgia and his long statement dismissing, among other things, the whole concept of environmental justice, that there are communities that are disproportionately impacted by adverse environmental impacts, and they tend to be disproportionately low-income communities, communities of color. That is a historic fact, and that needs to be redressed.

Mr. Mitchell, speaking of that redress, you talked about if we are going to go forward with plans to address this subject, we have got to have, you said, a willing partner in the Federal Government. Do you believe that the Administration's Justice40 Initiative sets the table to be that willing partner you are seeking?

Mr. MITCHELL. Yes, sir, I feel that we—the Administration, we have the tools. We just need to commitment. And I think for the first time, being able to listen to those that are on the ground and find out what those needs are, to plug into some of the problems that we see, like the 100-plus-year-old lead pipes that are in the ground, replacing those. You know, that's job creation there as far as being able to create jobs and train folks in those communities to be able to remove those 100-plus-year-old lead pipes, and especially to water infrastructure issues that we see facing a lot of our communities, especially in the Black Belt. This would help spur development when you remove things of that nature and begin to invest back into communities.

And I think this is the positive side of what we see out of Justice40, is being able to springboard back into these disadvantaged communities. And I will say, troubling, like I am hearing here today, the comments back and forth, but I would like to do something even, like, with our witness, Mr. Hawkins, being able to bring in these opportunity zone opportunities to communities where we often have heard it being opportunist zones because where those opportunities zones were designated, as was stated earlier, from our Governors and developers, many of these opportunities zones were not designated and looked at, you know, into these communities that we are talking about. And this is not coming from me. This is coming from Ja'Ron Smith, who headed up that from the Trump Administration, who stated, yes, we missed the mark on not identifying and being able to locate in those communities of color, as we have heard.

I saw the testimony and hearing on the opportunity zones, but I have failed to hear and see where those designations were and the impacts. Of what—I have heard the rhetoric about how it has pushed the needle. Yes, it has pushed it, but I would like to get those capital investments of what has worked, as Mr. Hawkins stated, into a lot of these communities that we're talking about now. And if we take that kind of an effort to move forward, we can turn and make this a more prosperous country.

Madam Chairwoman, I would say that Nikki Haley, Mick Mulvaney, and Congressman Norman, who is here today, supported my environmental justice bill in South Carolina because they saw the economic impact, not the rhetoric of blue and red states. You know, when they took their oath, they said that they were serving everybody, and that is—

Mr. CONNOLLY. Mr. Mitchell. Mr. Mitchell, you are actually addressing me, Mr. Connolly, not the chairwoman, and I really appre-

ciate your comments and your insights, but I am running out of time, and I would like to get in one other question to another panelist, Mr. Guerrero. You also—you talked about, Mr. Guerrero, Colorado's Just Transition Program, and you said that, again, you would need the Federal Government if that is going to be ultimately implemented and successful. Could you elaborate on that Federal Government role you were referring to?

Mr. GUERRERO. Yes. Thank you, Representative Connolly. So, what we understand is that the program could cost as much as \$100 million a year to fully implement. The state of Colorado actually used American Rescue Plan funds for its initial investment into those programs, but it is going to require sustained investment over time for it to actually work. And this is an absolute necessity if we really want to do this transition correctly, both in terms of investing in environmental justice and the transition of workers and communities that are going to be impacted.

Mr. CONNOLLY. Thank you so much, and Madam Chairwoman, thank you again for accommodating the switch with Mr. Gomez. I appreciate it.

CHAIRWOMAN MALONEY. Thank you. The gentleman from Texas, Mr. Sessions, is recognized for five minutes.

Mr. SESSIONS. Madam Chairwoman, thank you very much, and I appreciate this hearing today. I, too, like our ranking member and also Mr. Cloud, I believe that there is no one here to answer questions because, in fact, I don't believe the Administration has the answers to the questions that we bring. But with that said, I would like to engage Mrs. Salter, or Ms. Salter, the gentlewoman from New York who is a lawyer, who has offered her fine testimony today. And I would like to engage her off the issue of LIHEAP and have her tell me what the plans are for LIHEAP, because she talked about the New York plans being really models for the country. And I would like for her to describe LIHEAP and the pieces of home heating fuel that they accomplish each year in New York City.

Ms. SALTER. Thank you for that question. So, he is referring to the energy assistance program in New York, and that is something that is absolutely a fact. All throughout this country, customers are facing utility shutoffs. They are holding onto energy burdens that they cannot afford, and the need for energy assistance far outstrips the resources available, and that is something that will be critical for the American Jobs Plan to address.

Mr. SESSIONS. OK. Could you talk to me about what kind of energy and fuel you use in New York City related to that home heating fuel plan that New York City utilizes?

Ms. SALTER. Well, the heating program is a statewide energy assistance program, and so there are several types of fuel that are used, and what we want to do is move to clean energy.

Mr. SESSIONS. OK. So, you have had a chance in the state of New York to move, a number of years ago, to natural gas, and there was huge and widespread disagreement by labor as well as other environmental rights people. And yet you continue to use diesel and dump diesel directly into your LIHEAP plan to fuel New York City, and then there is a complaint that you have got all these sick peo-

ple. Can you talk to me about what the plan is then that you—that you talked about, the early action plan?

Ms. SALTER. We need to take early action to reduce those co-pollutants and reduce greenhouse gas emissions in New York City and throughout New York state, and that is exactly what we are planning to do is move to clean electrification of buildings, move away from fossil fuels throughout the state, and that is indeed the plan.

Mr. SESSIONS. Yes, ma'am. I heard mention, you know, that you would use cellular, you know, the new technologies. Will that work during the winter in New York City?

Ms. SALTER. I am not sure what new technologies that you are—

Mr. SESSIONS. Well, there's—one would be a reliant base, as I understand it, of having a grid system, that you would rely on the sun.

Ms. SALTER. Grid modernization and addressing the issues of updating our grid infrastructure is absolutely critical, and that is what we need to move forward on in New York. As we know the Federal—Fed of Dallas estimated that just the outage due to the natural gas interruption because of weather in Texas cost between \$80 and \$130 billion. So, that is the challenge that we want to take up in New York is to address—modernize our infrastructure so that we do not see those type of short-term interruptions devastate our entire state economy.

Mr. SESSIONS. Yes, ma'am. So, would that include natural gas that you are speaking about, or would that be nuclear power then?

Ms. SALTER. The Climate Leadership and Community Protection Act says there will be clean electricity and not natural gas.

Mr. SESSIONS. And with that clean electricity, what would the source be?

Ms. SALTER. We are looking at deep investments in energy efficiency. We are looking at solar, offshore wind, increasing transmission so we can also have local renewables of similar types, and also hydropower.

Mr. SESSIONS. So, you now went to solar, which is what I had wanted the gentlewoman to address. Does solar work during—could that be a reliable source for New York City in the winter-time?

Ms. SALTER. Solar—the combination of large-scale storage and solar can indeed handle the intermittency and get us to where we need to go.

Mr. SESSIONS. OK. Well, Madam Chairman, I would suggest that this is an important hearing and would bring us really closer to understanding, but I believe it is kind of like the Amazon 25,000 jobs that were offered to New York City from Amazon that they turned down. Well, so they are also turning down natural gas, to begin building that today as opposed to dumping home heating fuel, which is diesel, which is causing these people to be sick. And so, it's my hope that New York City or that this investigation would reveal that we would encourage them immediately to go to natural gas because we have supplies that would be available. I yield back my time.

CHAIRWOMAN MALONEY. The gentleman yields back. The gentleman from Illinois, Mr. Davis, is now recognized for five minutes.

Mr. DAVIS. Thank you, Madam Chairman, and I certainly want to thank you for holding this very informative and important hearing. We have witnessed firsthand the impact of carbon emissions, which have caused stronger storm patterns and catastrophic weather events all over the world, but not all communities are impacted equally. Unfortunately, communities of color and low-income communities often pay a higher price for our collective failure to address climate change. According to a study by the University of Michigan, when Hurricane Katrina struck Louisiana in 2005, the damage was most concentrated in low-income African-American communities. In Chicago, from 2007 to 2016, 87 percent of flood insurance claims were made by communities of color, and in 2017, Hurricane Harvey devastated low-income minority neighborhoods in Houston. Ms. Salter, I thank you for your testimony, as I do all of the witnesses. You were living in New York when Superstorm Sandy caused over \$19 billion in damage. Is that correct?

Ms. SALTER. Yes, sir.

Mr. DAVIS. Which communities were hit the hardest?

Ms. SALTER. It won't surprise you that low-income communities of color were hit the hardest, sir. In fact, I know many folks who lived in public housing, one friend in particular, whose entire apartment was flooded, and she was houseless until she was able to resettle. It was a devastating event. Many recall that famous picture from Hurricane Sandy where the entire of Manhattan was black, except for Goldman Sachs. They had resilient backup power at the bottom of Manhattan. So, yes, sir, low-income communities of color were indeed the hardest hit.

Mr. DAVIS. Well, let me ask you, what can we expect the economic impact to be in 50 years if we do not start prioritizing climate change considerations in new energy and community development projects now?

Ms. SALTER. Sir, that is exactly the question of the day because the costs of inaction far outweigh the cost to take action. We mentioned \$130 billion of value lost in Texas in just that recent gas interruption, \$63 billion from Hurricane Sandy, \$125 billion from Hurricane Harvey, Hurricane Katrina, on and on and on. So, that is—we use some of those baselines in New York but think about what we are looking at even from flooding, and the costs are astronomical. So, it is about survival, and it is about making those investments now.

Mr. DAVIS. Thank you. Given this urgency, I really want to commend you and the great work of many of your fellow colleagues, community leaders, and activists for the progress you have made on New York's Climate Leadership and Community Protection Act, or the CLCPA. You mentioned in your written statement that the law's 40 percent spending mandate has been incorporated into some major spending programs so far, like the Regional Greenhouse Gas Initiative and the New York Clean Energy Fund. Can you give some examples of the differences these redirected resources have made so far?

Ms. SALTER. Yes, sir, and we are—we have been working very hard to see that these funds get redirected in what we are looking at, and that is where I can also emphasize that we need to really think about this metric as dollars spent because that is where we

have seen the success. We have seen in the Clean Energy Fund just recently, in the next five years, hundreds of millions of dollars will be directed directly, in particular from the Newark to Green Bank, to disadvantaged communities, in particular energy efficiency and building electrification, getting off the dirty fuels that I spoke about before. So, that is one example of how, when you talk about it in terms of dollars spent and that you see the funds redirected, you can actually get funds flowing to the communities that need it.

Mr. DAVIS. Thank you very much and let me quickly turn to Mr. Moore. Mr. Moore, do you anticipate facing similar challenges with Federal implementation?

Mr. MOORE. Thank you, Committee Member. I think, as we said, in terms of the interim guidance, I think very clearly that the guidance is providing the type of guidance that is necessary with the Federal agencies, so I think as an interim, moving toward a full guidance, I think we are all right. I just want to say, Committee Member, also the comments that the honorable Harold Mitchell has made, that then we have the challenge of when those funds go to the state, then what is the accountability and the responsibility, but the accountability on the part of the state, to make sure that those resources are put back in the hands that are the most highly needed in grassroots communities, communities of color, and native indigenous communities. Thank you, Committee Member.

Mr. DAVIS. Thank you both very much, and I want to thank all of the witnesses. Again, I thank you, Madam Chairman, for holding this hearing, and I yield back.

CHAIRWOMAN MALONEY. The gentleman yields back. The gentleman from South Carolina, Mr. Norman, is recognized.

Mr. NORMAN. Thank you, Chairwoman Maloney. I want to welcome Harold Mitchell. We go way back in the state General Assembly. Thank you for coming. And, Shay, thank you for coming again. Great witness before. Ms. Salter, let me just follow-up on what Congressman Sessions asked. Is natural gas a dirty fuel?

Ms. SALTER. Yes, sir, it is a fossil fuel, and certainly pursuant to the New York law.

Mr. NORMAN. And what percentage of New York is dependent now on natural gas and other fossil fuels?

Ms. SALTER. We are working on our plan for building electrification that will not need to use fossil fuel, and that is the movement in New York away from fossil fuel to clean energy.

Mr. NORMAN. And did I hear you say that solar panels, passive solar is a reliable alternative to the current fossil fuels that are used in New York?

Ms. SALTER. Solar paired with long-term storage and a deep energy efficiency can be a solution to peak energy, yes.

Mr. NORMAN. Ms. Salter, I am one that is in the development world. We have looked closely at passive solar, particularly for water, heating water. It is not a reliable source. We looked on it as a—it could be an alternative source, but not reliable. When you look at, you know, providing hot water, you cannot use that. And I don't know—who is paying for this electrification and change over, which is a massive change over? Who is footing the bill for that, in your opinion, or who do you want to foot the bill for it?

Ms. SALTER. There are many examples throughout the country and throughout the world of how clean energy can address the heating and cooling needs of urban areas, of suburban areas, of the exurbs. It can include things like geothermal, and, yes, it can include things like long-term battery storage—

Mr. NORMAN. Who is paying for that? I get that, but to make the transition, can you tell me who is going to bear the brunt? Who are you suggesting get involved and make this massive transition?

Ms. SALTER. We need to have the transition. We need—in New York we have pursued legislation, for instance, the Climate and Community Investment Act, where we can actually put a fee on carbon so that the polluters are the ones who pay for the transition. But we do need—

Mr. NORMAN. OK. So, you are saying the taxpayers pick up the tab.

Ms. SALTER. What I said was that the polluters themselves would be the ones who would need to pay polluter damage.

Mr. NORMAN. Well, let me—

Ms. SALTER. That is—that is one solution.

Mr. NORMAN. Those companies that are currently on fossil fuels that you say are so dirty pay taxes to New York. They are the ones who foot the bill for whatever taxes that now have been greatly reduced, but you put that kind of carbon tax on them to force them without the private sector being involved. And like Harold mentioned, on opportunity zones, that is a perfect example. In South Carolina, and I was just at one with Senator Scott this weekend, they were put in disadvantaged areas based on a census tract, and companies are coming in because it is advantageous from a 5-year and 10-year tax plan, which is a good thing. They were put in property that would not be used, Kershaw County, dense county. It has income ranges of all sizes, but this opportunity zones were in areas that would not be developed without this. That is a good thing. It is private investment involved, but it is a massive undertaking.

For you to say—basically, you are saying you are going to tax the companies to make them change when they are struggling right now. They have been shut down for a year and a half. Mr. Connolly mentioned the inequality that is going on in this country. The biggest inequality that is going on is the—is the gas prices that we are paying due to this administration cutting off the pipelines for producing gas in the United States and giving it to countries that are not our friends. That is the most ludicrous plan I could ever think of. And the jobs that have been cut and permanently put out business, it is an injustice. And that is one of the biggest inequalities because everybody uses gas now, right, wrong, or indifferent, and it is not just filling up your car. It is the food that you buy at the grocery stores. It is the airplanes that you fly on. If you are going to have a massive transition, it is going to come a tremendous cost, but you are going to have to have the private sector lead the way, not government. I yield back.

Ms. SALTER. Well, I can assure you, sir, that the injustice to the oil and gas and fossil fuel industry is not the primary injustice that is happening. And it is well known that opportunity zones provide opportunity to new businesses and to hedge funds, and not to local small businesses.

Mr. NORMAN. Who is paying the price on gasoline now? Is it one particular segment now?

Ms. SALTER. I am not sure what you mean by “paying the price on gasoline,” but—

Mr. NORMAN. When you fill up—

Ms. SALTER [continuing]. But I can tell you with absolute certainty, sir, that the damage caused by polluters to communities, to individuals, far outweighs any perceived injustice. They have done very well and they continue to do very well.

Mr. NORMAN. And we are not putting any restrictions on China, who is the biggest polluter of greenhouse gases.

CHAIRWOMAN MALONEY. The gentleman’s time has expired. The gentleman’s time has expired. The gentleman from Maryland, Mr. Raskin, is now recognized for five minutes.

Mr. RASKIN. Madam Chair, thank you very much, and I move to strike the last word. We are in a global civilizational emergency with climate change right now. A hundred and seventy-one Germans were just killed in Dresden and in other eastern regions of the country in unprecedented flooding that will cost upwards of \$6 billion for the German government to try to repair. We have seen shocking and unprecedented heat waves throughout the western part of the United States, affecting people in California, Idaho, Nevada, Washington, Oregon, 115-degree weather, 120-degree weather. This heat wave at the end of June was made 150 times more likely by climate change. This was described by meteorologists as a 1 in 1,000 chance event, and now these kinds of heatwaves are becoming regular and have sparked out-of-control wildfires, some spreading distances of more than hundreds of square miles.

The fossil fuel companies knew about the link between carbon emissions and climate change for many decades, and yet suppressed the evidence of it and, in fact, funded climate denial campaigns that they understood were a direct attempt to mislead the public, also that they could continue to build more oil and gas pipelines. And in the process, they took advantage of discriminatory land use policies to buy up cheap land and push through hazardous projects, leaving especially communities of color vulnerable to dangerous environmental toxins. These practices have led to the devastating health issues that we heard from witnesses today. And in some cases, residents were even harassed to sell their land as the companies worked to clear property for their projects in African-American communities, Native-American communities, and communities of color, without real consent from the residents. And when they resisted, the companies often got eminent domain permits that allowed them to acquire the private property and simply trampled rights of the residents.

One example of this is the Eastern Maryland Shore pipeline project, which cuts through Somerset County, which is the poorest county in my state, in Maryland. A Chesapeake Climate Action Network study found, “The majority of the census tracts in the pipeline’s path include large numbers of people of color and low-income people,” but the project was approved despite the efforts of environmental and civil rights groups. It is clear that we need to work to protect our communities against corporate interests that have no concern whatsoever for the public health, much less the

health and well-being of specific communities in the pathway of the pipelines. Ms. Salter, do you believe that communities should have a meaningful say in which corporations are able to buy up property and take property for the purposes of constructing pipelines?

Ms. SALTER. Absolutely. Well, we would like to see the end of fossil fuel pipelines for sure, and, absolutely, communities should have decision-making power and involvement in all of these infrastructure decisions. And, certainly, the types of companies that you are talking about, the companies that have long known the damage they are causing, can hardly be trusted to lead a clean pathway forward. But yes, the idea of community engagement, and leadership, and consultation through methods like participatory budgeting, I believe are essential for just energy outcomes.

Mr. RASKIN. Well, why do you think that FERC is so dominated and captured by the industries it's supposed to be regulating? Why don't the regulatory agencies serve the public interest rather than the interest of the corporations?

Ms. SALTER. Well, it is certainly the mission of most energy regulatory bodies to serve the public interest. That is absolutely what they should be doing, and if they are not, I would encourage great oversight into that. We know that the politics are awash with money from the fossil fuel industry. We know that is happening.

Mr. RASKIN. Alright. Thank you that. Mr. Mitchell, what measures should be taken to ensure that enforcement agencies at all levels are working to protect communities against these kinds of predatory environmental harms?

Mr. MITCHELL. The harms, I think, of the oversight, that if folks would just do their jobs, if they would actually enforce the enforcement and do their jobs, I think we will come to resolve and reverse these problems that have impacted communities. As you stated, community engagement, community involvement, no one wants these, and when you look at it, they are going disproportionately through the people of color communities. You don't see these types of pipelines going through the affluent neighborhoods and communities, impacting them. It is always on the backs of those that are burdened and the vulnerable communities that are taking the brunt. And this is where I am hoping that this oversight would take a look at the disproportionate impact in these communities and communities of color, and just basically do the job.

Mr. RASKIN. Thank you. Madam Chair, my time is up, but it is time for us to act, and thank you for calling this very important hearing.

CHAIRWOMAN MALONEY. Thank you. The gentleman from Kentucky, Mr. Comer, is recognized for five minutes for his questions.

Mr. COMER. Thank you, Madam Chair. Before I begin my questions for Mr. Hawkins, I wanted to correct something that my good friend, Ro Khanna, said early on in his opening statement when he suggested that China was doing a better job than the United States in climate change. That is absolutely incorrect. China is the world's biggest polluter. I see very little they are doing to change that. And when I finish my questions, I am going to have to run to the House floor to speak against an environmental bill on the floor now that the majority party is trying to pass that will have an adverse effect on a lot of union jobs in my district because it would shift produc-



tion from the United States to China, and not require China to comply with the same environmental rules that we have in the United States. So, this is a big problem we have. I think both parties want to protect the environment. I am a farmer by trade. I care about the land. The land has been in my family for many generations. I want to see it continue to be in my family long after I am gone and in better shape than when I started farming it. But we have to take into consideration the economic effects and the fact that China doesn't play by the same rules.

So, with that, Mr. Hawkins, President Biden's American Jobs Plan will be paid for by massive tax increases. Do you believe this is the best way to bolster economic growth in America's most vulnerable communities?

Mr. HAWKINS. No, I don't, and, again, because those tax increases are going to land on the most vulnerable. So, you know, when you look at that plan and when you look at what has been proposed in terms of the pay-fors, you see significant corporate tax increases, and so those corporate tax increases make Americans less competitive internationally, for one. And two, those taxes are not landing on the corporations themselves. Corporations don't pay taxes. Consumers, shareholders, and workers pay those taxes: consumers in the form of higher prices, workers in the form of decreased job opportunities, and shareholders in the form of decreased share prices. And so, you know, the pay-fors are the most problematic part.

And when you look at what has been happening in terms of inflation, that has been a consistent theme throughout this hearing because it is so impactful on the lowest-income Americans. You know, we can't level additional tax burden on top of that. We can move forward with traditional infrastructure, including a lot of what has been discussed by the other witnesses today. We can move forward on that traditional infrastructure—grid upgrades, roads, bridges—in a way that does not increase the tax burden. There are bipartisan proposals out there right now to do so.

Mr. COMER. Great. Let's talk about your opportunity zone investments. How much money would you estimate will be generated by opportunity zone investments over the next five years?

Mr. HAWKINS. So, the IRS indicated that—so far, we are about three years into the policy—\$24 billion, with a "B" has come into the Opportunity Funds. These are the vehicles to make opportunity zone investments, typically in the case of a new operating business or a real estate project that is levered up with additional debt. So, the Council of Economic Advisers estimates that about \$75 billion will come into the opportunity zones over the next 10 years, and we are on track to do better than that.

Mr. COMER. And in the remaining time I have, Mr. Hawkins, can you describe briefly how your organization serves the needs of economically challenged populations?

Mr. HAWKINS. Sure. And so, what we exist to do is to make the public aware of the great work that many of our members are doing in opportunity zones, but also to advocate and to, you know, to come to you all and advocate for reasonable expansions of the opportunity zone policy. So, one thing that is relative to what we have discussed so far is the prior administration, through executive

order, coordinated the community development resources across government agencies to favor opportunity zones. So, a great example of the, you know, \$65 million that was given out in brownfield remediation funds, you know, over about 157 different brownfields, right? A hundred and 18 of those brownfields were, by design, opportunity zones, OK? And so, Mr. Mitchell, my fellow witness, spoke earlier about brownfield remediation in coordination with opportunity zones in South Carolina. That was made possible by that executive order and coordination. What we would suggest is that this committee look into making, through a statutory change, that would encourage that coordination across all agencies to really buildup community development policies like opportunity zones.

Mr. COMER. Well, Madam Chair, I will close by saying this. I certainly support the opportunity zones. I think that is the key to trying to help lift people out of poverty in economically challenged areas. We have to have a private sector investment in these areas. I believe that government programs create traps that keep people in poverty, and I represent a very poor white district in America, and there are pockets of poverty all over my congressional district. I live in Appalachia, and you have situations where people get addicted to government programs and they never get out of poverty. So, I appreciate that and look forward to more great work from your organization in the future. Madam Chair, thank you, and I yield back.

CHAIRWOMAN MALONEY. The gentlewoman from Florida, Ms. Wasserman Schultz, is recognized. Ms. Wasserman Schultz?

Ms. WASSERMAN SCHULTZ. Thank you, Madam Chair. Madam Chair, yesterday, the White House released interim guidance to begin implementing the Justice40 Initiative, and this was a seminal moment for the environmental justice movement which has been decades in the making. And I want to focus on one aspect, the whole-of-government approach enshrined in the Initiative. I have tried to embrace this approach on the Appropriations Committee. Last year, I proposed a strategy to imbue the Federal spending process with a focus on equity and justice, and I also proposed a plan to use all 12 appropriation subcommittees to combat climate change, because I believe we desperately require a whole-of-government approach to confront inequality and injustice, as well as the most challenging environmental problems of our time. That is why Justice40 resonates with me. Justice40 has the potential to improve on previous Federal environmental justice efforts by adopting a coordinated interagency approach that ensures government agencies are working in concert.

My first question is for Mr. Moore. Why is this coordinated approach so essential to pursue, but so challenging to implement?

Mr. MOORE. I think part of it, Committeewoman, is that even in the past, sometimes when we have had good support from various administrations, the actual implementation that that we were referring to had not taken place within the Federal family. And so, then based upon that, the Justice40 approach in the interim guidance right now very clearly lays out how those Federal agencies need to go about the implementation of the Justice40 recommendation, so that is very, very crucial. You know that we have been involved in this for many, many years, as you have said, and we

think that implementation, that interim guidance, is crucial to moving forward through Federal agencies.

Ms. WASSERMAN SCHULTZ. Thank you. I appreciate that feedback. Ms. Ndumele, your written testimony seems to suggest that the design of Federal grant programs sometimes prevents them from reaching the recipients that are most in need. Can you give us some examples of how these programs face challenges to benefit frontline communities and how they should change?

Ms. NDUMELE. Yes, thank you very much for that question. There are many hurdles for disadvantaged communities trying to receive grants and other funds from the Federal Government. This has to do with weak program criteria, lack of protection against community displacement, cumbersome application and reporting requirements, and technical assistance gaps in communities, as well as capacity constraints at agencies. So, CAP, along with others, have suggested some implementation recommendations for Federal agencies to consider, and some particular ones that I will draw your attention to have to do with reviewing and tailoring Federal program criteria to ensure they maximize their impact in under-served communities. You asked for some examples of particular programs. I will name a few. In some cases, this involves loosening eligibility requirements and expanding the program scope.

So, one example of that would be the Weatherization Assistance Program, which supports home energy efficiency improvements, but a lot of households don't quite have the needed repairs to be eligible for the program. And so, therefore, it doesn't reach all of the under-served communities, and it could better support those communities by expanding its scope to include more basic home repairs. The inverse problem of that could be if program criteria is too loose or there is not enough guidance, then it may not go directly to the communities in need, and often programs don't have criteria that prevent gentrification and displacement, which is also key to effective implementation of this program.

Ms. WASSERMAN SCHULTZ. Thank you. I appreciate that. I want to shift gears in my final minute to focus on coastal community challenges. I represent a densely populated district that includes several urban and coastal communities. My South Florida district also happens to be squarely in one of the most hurricane prone areas in the country, and that is why I was encouraged to see the White House and OMB focus on the Department of Homeland Security's Flood Mitigation Assistance Program in the Justice40 interim guidance that was released yesterday. That Flood Mitigation Assistance Program provides funding to states, local communities, tribes, and territories for projects that reduce or eliminate the risk of repetitive flood damage to buildings.

So, my question for the panel, and you can choose who wants to answer, how can we help coastal communities, especially diverse, densely populated communities like mine in South Florida that are consistently affected by flood damage and intensifying storms? I have heard some pundits admonish that we should just all move somewhere else, and that is a very impractical and privileged opinion. So, I would love of some feedback on that, to anyone who chooses to answer.

Mr. GUERRERO. Representative Ms. Wasserman Schultz, thank you for the question. I could take a shot at it.

Ms. WASSERMAN SCHULTZ. Please.

Mr. GUERRERO. I think rightfully emphasizing the whole-of-government approach, I think, is really critical, and we would not want to create more displaced communities. This is an opportunity, I think, in terms of creating jobs and rebuilding the infrastructure of this country and the kind of infrastructure that we need to protect those communities that are going to be impacted by climate disasters in the future. We should give people the opportunity to relocate and support that if they so choose, but I think there is an opportunity for us to actually invest and support those communities for the kind of infrastructure they need to be able to protect their communities.

Ms. WASSERMAN SCHULTZ. Thank you. I appreciate that feedback, and my time has expired. Thank you so much. I yield back.

CHAIRWOMAN MALONEY. Thank you. The gentlewoman from New Mexico, Ms. Herrell, is recognized.

Ms. HERRELL. Thank you, Madam Chair, and thank you, Committee. This is obviously very eye opening, and my first question is for Mr. Hawkins. So, I live in New Mexico. I represent a district that employs over 100,000 people in the oil and gas industry. I am concerned about the environmental justice and impacts it will have. If we were to go completely green, what are your thoughts on how would we backfill these lost jobs in a state like mine who is so heavily reliant on the oil and gas industry as a whole?

Mr. HAWKINS. Right, and I think that is the critical element. You know, if the private sector leads us toward cleaner forms of energy like, you know, like natural gas and, you know, and other technologies, then that transition and that backfill will be applied in the process—in the normal processes of the private sector. When the government leads this process, you are in a situation of picking winners and losers, and that is harmful from the standpoint of jobs, but it is also harmful from the standpoint of consumers. I mean, we have folks—you know, we have tribal communities up in Alaska, for instance, that are heavily dependent, in ways that cannot be avoided, on air travel, air travel for supply chains, air travel for moving workers around. And so, an increase in the fuel that is used for those airplanes that is produced in your district, you know, the increase in those prices are going to negatively impact those communities, many tribal communities, in ways that we can't even contemplate down here in the lower 48.

Ms. HERRELL. Well, that is great because that kind of leads me to my next question, because I believe this environmental justice is not intended to save our environment as much it is a movement for power, because as we diminish the jobs that are especially prevalent in New Mexico, what we are doing is we are transferring energy independence or energy dependence on China and other foreign countries that do not have the same safeguards and environmental protections in place as we do in America, so this is very concerning to me. My next question would be for Ms. Salter. I am sorry. I can't see your name tag all the way. I just have a question. Earlier in your response, you were saying "the polluters," "the polluters." Can you be specific on who are the polluters? Are those the

people who commuted to work today, rode an airplane, turned on their heat or cooling, people that are starting their vehicles, people that are driving our economy right now? I mean, who specifically are the polluters?

Ms. SALTER. Well, certainly you make an important point that we need to think about, you know, there are about 100 companies responsible for a lot of the pollution.

Ms. HERRELL. Can you give me the name of two or three?

Ms. SALTER. The top 10 of them are international and domestic oil companies that are causing—

Ms. HERRELL. Can you give me a specific name?

Ms. SALTER. Oh, well, you know, Chevron is one of those companies, and these are the companies that are certainly causing the pollution.

Ms. HERRELL. But did you realize that these companies are also investing a lot of research and development in lower emissions and cleaner air?

Ms. SALTER. What we want to have happen and what we are working on in New York state is, you know, the concept of a just transition so that we can move away from fossil fuels, but make sure that the communities and the sectors that are currently dependent on them are not left behind.

Ms. HERRELL. Right.

Ms. SALTER. And we want to have those clean energy industries. Right now, China is dominating in many of those areas. We want to have that local manufacturing, those local businesses there, and we want to support communities through that transition.

Ms. HERRELL. Right, and in the transition for clean energy, you talked about long-term storage for electricity. Is there a way to do that as of right now?

Ms. SALTER. Yes, there is technology available now to pair large-scale storage and local renewables to enhance reliability and to provide power, absolutely.

Ms. HERRELL. But the cost to the consumer would be astronomical because we know that it is more affordable and cleaner to utilize, such as, you know, natural gas, so I am concerned about the expense. And I personally do not think we have a grid that is safe, reliable, and free of China-made components, so what about the grid or the ability to actually move the electricity to the end user?

Ms. SALTER. You are exactly right. That is what we are talking about right now. We have a dirty, aging, and polluting grid, and generations now of under-investment in our grid infrastructure leaves us not only open to international competition, but, you know, as we have seen again and again, security, it is not in our national security interest to have such a dirty and polluting grid. That is exactly why we need the American Jobs Plan to invest in clean, upgraded grid infrastructure.

Ms. HERRELL. Thank you, Madam Chair. I yield back. Thank you.

CHAIRWOMAN MALONEY. Thank you. The gentlewoman from Michigan, Ms. Tlaib, is recognized for five minutes.

Ms. TLAIB. Thank you so much, Chairwoman Maloney, for holding this important hearing. Ms. Salter, you know, can a job fix cancer?

Ms. SALTER. Can a job—

Ms. TLAIB. Can a job—

Ms. SALTER. Well, yes, an oncologist—

Ms. TLAIB. Well, I mean, I am talking about, when people say, jobs, jobs, investment, investments, economy, like doing all that, can that fix cancer, because that is what we are creating is more cancer, more disease, more issues. I mean, that is why I keep telling my colleagues jobs cannot fix cancer. They can't fix the high amount of public health impact that we continue to have when we look away about pollution and so much more. I mean, you know, I continue to see this kind of denial to understand the human impact, and that is why this hearing is so important. And we need to focus on that because, when you focus on those numbers and not the facts, then you are not focusing on how many people are getting cancer, respiratory disease, and so much more.

I just came back from a PFAS, a press conference. I mean, this is forever chemicals in people's bodies. Did you know the vaccine is not working in children that have been exposed to PFAS? The COVID vaccine, it is rejecting it. So, it is so incredibly important to understand, again, we are talking about the human cost here, and so it is really important. So, I do want to get take us in a different direction, and I think it is important. We have heard a lot about opportunity zones, y'all, and I am going to tell you I have some issues with opportunity zones.

To start, I like to enter into the record, Madam Chair, an article from ProPublica entitled, "How a Tax Break to Help the Poor Went to NBA Owner, Dan Gilbert," a billionaire, and another article, Madam Chair, Washington Post, titled, "After Nevada GOP Pushed, Treasury Changed Lucrative Policy Benefitting One County," into the record, if I may.

CHAIRWOMAN MALONEY. Without objection.

Ms. TLAIB. The key question here about opportunity zones is that who does it? Who is the opportunity for exactly? Mr. Mitchell, I am going to tell you because this happened right in my backyard. As the Urban Institute concluded, the opportunity zones are providing the biggest benefits to projects with the highest returns, which are rarely aligned with equitable development. For example, in Detroit, the Trump Administration revised its original list of opportunity zones, which are supposed to go to poor census tracts, to include one of the downtown communities in Detroit that does not meet the poverty requirements under the program. Opportunity zones, we are going to do affordable housing. Mmh-mmh. These are bougie buildings, and they are getting these big tax breaks that are not accessible to my residents. The primary beneficiary here was billionaire Dan Gilbert, who coincidentally gave three-fourths of a million dollars to the Trump Inaugural Committee.

This is hardly an isolated case. I just talked about Nevada. Nevada, a major GOP donor, Lance Gilman, successfully lobbied their treasury department to include Storey County in the opportunity zone program, despite the fact that the income levels were initially deemed too high to qualify for opportunity zones. And surprise, surprise, Mr. Gilman made his largest political contribution ever in the midst of that lobbying effort. So, my colleagues hype up this opportunity zone handout, and it is both Republicans Democrats

hyping up opportunity zones here, and they created billionaires and Republican campaign donors. I am telling you, we are currently looking at the fact that we have no reporting. We don't even know how many jobs they are creating. Did you know that? They are not even required to report how many jobs they created. This is a capital gains tax break for the rich.

So, you know, Ms. Ndumele—I am so sorry—can you speak to the human cost of generational government-sponsored disinvestment in communities of color, and how Justice40 is an executive initiative that can seek to rectify some of these injustices in place right now?

Ms. NDUMELE. Yes, absolutely. Thank you very much for the question. And going back to the focus of Justice40 and environmental, economic, and racial justice, we know that tribal communities, black and brown communities disproportionately suffer the effects and harms of climate change. They bear the brunt of dangerous climate impacts, and they are also most at risk for not receiving the benefits of clean energy. So, what are some of the benefits of Justice40? There are several categories of benefits: climate change, clean energy and energy efficiency, clean transportation, affordable and sustainable housing, training and work force development, remediation and reduction of legacy pollution, development of critical clean water infrastructure. All of these things would benefit communities who are most in need and have experienced the most chronic disinvestments.

Ms. TLAI. Thank you so much. And I do want to say, as we are talking about this, you know, more black neighbors—my black neighbors in Michigan died at a higher rate of COVID, even though they make up less than 15 percent of the total population. Why? Because of preexisting conditions and environmental—literally environmental racism. If you look at where the high rates are, Madam Chair, of deaths of COVID among my black neighbors, it is where they have the polluting industry. They are dying at a higher rate. And so, I just think it is important when we talk about opportunity zones and other things, that we speak this truth that it has been hijacked by the billionaires per usual. And I am done. I am done subsidizing pollution. I am done subsidizing these billionaires. Our residents deserve better. Thank you, Madam Chair.

CHAIRWOMAN MALONEY. The gentlelady yields back. The gentleman from Pennsylvania, Mr. Keller, is now recognized for five minutes.

Mr. KELLER. Thank you, Madam Chair, and I would like to thank the witnesses for being here today. The United States Energy Information Administration reports that domestic energy production has grown substantially in the past decade, largely thanks to investments in hydraulic fracturing and horizontal drilling. Since 1990, the oil and gas industry in America has reduced methane emissions by 23 percent, while simultaneously increasing production by 71 percent. As of 2019, petroleum and natural gas make up nearly 70 percent of the energy we use annually.

The area that I represent in Northeastern and North Central Pennsylvania produces up to 10 percent of the Nation's dry natural gas on any given day, contributing an enormous amount of our economic activity, job growth, and energy savings to our local commu-

nities. By contrast, and despite billions of dollars in taxpayer-funded subsidies, renewable energy's share of the consumption market has grown by only four percent in the past 60 years. America cannot just simply shift from fossil fuels to renewables via sweeping Federal mandates. The result would be a significant loss of jobs and more reliance on foreign energy to power our lives.

Proposals, such as the Green New Deal, would necessitate significant increases in renewable energy, such as hydraulic—excuse me, hydroelectric, solar, and wind. However, according to the American Energy Alliance, the entire world does not have the mining ability to produce the required materials. Additionally, the Electric Power Institute expects the price of electricity to at least double as a result of President Biden's energy policies. It is clear that America's energy independence will require an all-of-the-above approach to energy that employs renewables, such as wind, solar, hydroelectric, to complement fossil fuels, which leads me into questions.

Mr. Hawkins, can you discuss how proposals like the Green New Deal and other Federal mandates would impact economically distressed communities?

Mr. HAWKINS. Again, the, you know, the primary negative impact will be in the cost and the taxes that will be required, you know, to foot that bill. Depending on how you specifically interpret that proposal, you are looking at a cost between \$3 and \$6 trillion, significant tax increases. And, you know, again, those are overlaid on folks that are already seeing significant—significantly higher energy costs, significantly higher gas prices, and inflation across the board, again, like a 12-percent sales tax implemented from Congress.

Mr. KELLER. OK. Thank you. U.S. CO<sub>2</sub> emissions are declining while emissions from China, India, and other nations are increasing. President Biden, as one of his first acts after being inaugurated, got us back into the Paris Climate Accords. Any of the other nations in the Paris Climate Accords, have they met the CO<sub>2</sub> emissions in anything that they were supposed to meet as a result of those Paris Climate Accords?

Mr. HAWKINS. Not to my knowledge.

Mr. KELLER. Not anywhere that I have been able to find either. So, you know, just looking at that, it is an important part point to make that nations that are going to be allowed to pollute more aren't doing it as well as we are here in America, which is certainly not going to help our environment globally and help it here in the United States either. Do you believe that the proposals like the American Jobs Plan, Paris Climate Accords, and others designed to curb emissions will put the U.S. at an economic disadvantage?

Mr. HAWKINS. Absolutely.

Mr. KELLER. OK. And anything to elaborate on why you believe that?

Mr. HAWKINS. Right. And so, again, you know, it is based on a hostility toward an all-of-the-above energy approach. So, all of us want energy that is more secure, more affordable to folks in distressed communities, and also cleaner. And so, we were moving consistently in that direction on all those fronts, you know, with a policy that was more oriented toward an all-of-the-above approach



and public/private partnerships. And so, my fear would be that a government-led approach, where you are picking winners and losers, particularly favoring elements of clean energy that do not account for a significant portion of our energy production by megawatt, you know, could be very damaging. And, again, the cost and the taxes necessary and that tax burden overlaid on an already overburdened American people would be devastating.

Mr. KELLER. I think also to note would be the critical minerals that would be needed to be mined to produce the batteries, and so forth and so on, for all the electricity in the switch to the Green New Deal.

Mr. HAWKINS. Absolutely.

Mr. KELLER. Thank you.

CHAIRWOMAN MALONEY. The gentleman's time has expired. The gentlewoman from New York, Ms. Ocasio-Cortez, is recognized.

Ms. OCASIO-CORTEZ. Thank you so much, Chairwoman Maloney. You know, another day, another line about Green New Deal hysteria, right? But right now, New York City and people in New York City can't even see a couple neighborhoods down if they are up in a building because of the smog and the smoke from wildfires in Colorado and on the West Coast. Isn't that right, Ms. Salter?

Ms. SALTER. Well, I won't speak for the Colorado wildfires, but even before the wildfires, the smog, the soot, and the pollution make it hazy and hard to see, absolutely.

Ms. OCASIO-CORTEZ. Mm-hmm. So, I have a pretty simple question, and I want to talk about physical infrastructure investments that we have made so far, as well as those that we are looking to make in the future. When the water comes and when the floods come, which communities are going to be endangered and vulnerable the most?

Ms. SALTER. We know from past events, including Superstorm Sandy that it is absolutely the low-income black and brown communities and, in particular, women and children.

Ms. OCASIO-CORTEZ. When the fires come, which communities do not have—do not have facilities outfitted with HEPA filters and other sorts of access to clean air?

Ms. SALTER. Once again, it is low-income communities, primarily communities of color.

Ms. OCASIO-CORTEZ. When the storms come, which communities have the most fragile power grids?

Ms. SALTER. Once again, and, yes, it is our distribution system which is the weakest link, and it is low-income communities of color, and these are where the investments certainly need to be.

Ms. OCASIO-CORTEZ. On the flip side, when the fires come, what sorts of communities have their homes outfitted with HEPA filters as well as their schools or other public facilities?

Ms. SALTER. Anecdotally, I can certainly with confidence say that it is the high-income communities that have the best school and residential home infrastructure.

Ms. OCASIO-CORTEZ. Now, I think it is important for us to note this because this is not just about future investments. This is about a betrayal from our past because policymakers, many of the same ones who are defending the fossil fuel industry today—

Ms. SALTER. Mm-hmm.

Ms. OCASIO-CORTEZ [continuing]. Also deliberately under-invested in resilient infrastructure for the communities, some of whom they may even represent, for the most vulnerable communities in their states and districts. So, one of the things that we saw recently was just unprecedented flooding in the Detroit area, and particularly in this area of Dearborn, Michigan. There was one part of Dearborn that was completely flooded—basements, first floors, et cetera—and on the other side of Dearborn was fine. You would have thought it was just a small storm. Now, what we know is that years ago, the local government decided to put almost all of the water pump systems in the affluent area of Dearborn, and almost none of the water pump systems, which is what brings the water out when it is flooding, in low-income, immigrant, working class communities. White working class, black, brown working-class communities, they had almost no water filtration systems, leaving all of their homes to flood. Tell me about what impact that has on generational wealth for these communities.

Ms. SALTER. It is a devastating impact, and that is exactly why the American Jobs Plan needs to ensure not only early action on emissions and co-pollutant reductions in frontline communities, but also take into account the cumulative impacts, the cumulative impacts of past policy on current wealth, past wealth, in addition to health.

Ms. OCASIO-CORTEZ. Thank you very much.

CHAIRWOMAN MALONEY. The gentlelady's time has expired. Our panelists have been here since 10, and we are going to take a five-minute recess to accommodate witnesses' requests.

The committee stands in recess for five minutes. We will resume in five minutes. In recess. Thank you.

[Recess.]

CHAIRWOMAN MALONEY. The gentleman from Wisconsin, Mr. Grothman, is recognized for five minutes.

Mr. GROTHMAN. Yes, before I ask a question, I would just kind of like to make a statement a little on the pollution situation in this country. I think for anybody listening in, they may be under the impression that we have an unprecedented problem with air and water pollution, that this young generation have things so tough. And I think this defeatism is kind of dangerous because I am afraid some young people watching on C-SPAN are going to just give up on life, given all the things we are told about the mess we have.

I just want to rattle off a couple of statistics. In the last 40 years in this country, the amount of carbon monoxide, and these are EPA figures, carbon monoxide in the air has gone down 75 percent. The amount of lead has gone down 99 percent. The amount of nitrogen oxides has gone down 70 percent. VOCs have dropped 60 percent, and particulate matter has dropped 64 percent. I remember growing up and seeing pictures of Los Angeles in which it was just fog all the time. Same thing in places like Pittsburgh. In my hometown, you couldn't fish in the local river, and now there is fish all over the place and people are fishing away, which I think is very typical of the rivers and urban areas of this country. So, I suppose you can always take a little more pollutants out of the air, but we have done such a fantastic job over the last 50 years. And 50 years

ago, when I was a young person, nobody was telling anybody they couldn't make it in society because of the pollution. Now that we have, you know, 70, 75 percent of that pollution out of the air and water, it seems ridiculous to tell young people how hard they are having it.

But, first of all, a general question for any one of you folks. I believe I heard this morning on the radio, but I don't know that I did and maybe I dreamed it, I don't know, that inflation has a disproportionate impact on people of color, on women. Is that true? Do we know? Does anybody know?

Mr. HAWKINS. It is across the board, it has a disproportionate impact on people who are low income, and so folks who are people of color are more likely to fall into that category. What we will see also is that, for both women and people of color, the items that are leading the inflationary trend. So, when you look at energy, when you look at gas, when you look at consumer goods, and when you look at the ability for property owners and others to pass through their inflationary pressures to folks in the low-income category, you know, you are going to see it disproportionately impacting people who are low income, people who are women.

Mr. GROTHMAN. Right. One of the things that concerns me, and I don't know how to look into the future on this, is it seems to me on all these issues, which largely involve, you know, raising the cost of energy, be it your electric bill, be it your gas bill, there is always going to be a conflict between the billionaire class in this country—the Bloombergs, the Gates, the Cubans, those type of people—and on the other hand, your person just struggling to make ends meet. And I have always felt, and I want you to comment whether this is true. You know, proportionately, the amount that the average guy spends for gas in their 2005 Chevy and the amount that is spent on a billionaire's Tesla, I mean, as we drive up the cost of that energy, it seems to me it hurts the average guy much more. So, we have got a policy thing here in which two different powerful groups in America, you know, the disadvantaged people who maybe don't have as much power and the billionaire class who likes to virtue signal, are at odds. Who do you think is going to wind up winning that fight, Mr. Hawkins? Is it going to be the billionaire class, despite the fact we are so much cleaner than we used to be, or is it going to be the poor guy who is just trying to make ends meet in his '05 Chevy?

Mr. HAWKINS. Well, hopefully it is not the billionaire class. You know, the entire country benefits from affordable energy, but particularly folks who are middle and low income benefit disproportionately because their energy prices in the form of transportation costs or in home energy prices—

Mr. GROTHMAN. Right.

Mr. HAWKINS [continuing]. Are a much larger percentage of that person's overall spending.

Mr. GROTHMAN. Yes. When I look, I sometimes don't know whether a Bill Gates or a Michael Bloomberg knows how much they are paying for their air conditioning. They probably have some fancy accountant paying their bill. Meanwhile, the person just struggling to get ahead as we ramp up that energy cost, they see it. Don't you think that is true?

Mr. HAWKINS. Absolutely, and again, across the board, we all benefit from more affordable energy, and we shouldn't do anything that undermines the affordability of those energy prices.

Mr. GROTHMAN. OK. And remember, kids—

CHAIRWOMAN MALONEY. The gentleman's time has expired.

Mr. GROTHMAN. Yes, remember, kids, your grandparents made a go of it when nitric oxide was over twice what it is today. But thank you, Mrs. Chairman.

CHAIRWOMAN MALONEY. Thank you. The gentlelady from Missouri, Ms. Bush, is now recognized. Ms. Bush?

Ms. BUSH. St. Louis, and I thank you, Madam Chair, for convening this important hearing. I am excited to see environmental justice being taking up as a priority by the full committee. Too often black neighborhoods are on the frontlines of environmental justice as well as brown. In St. Louis, this injustice takes the form of dangerously polluted soil next to the Skate King Roller Rink and the Herbert Hoover Boys and Girls Club, or having our air polluted with bullets and fossil fuels, or potentially radioactive water from Cold Water Creek regularly flooding our basements, our vegetable gardens, and our public school playgrounds.

The creek is a stunning case. It was contaminated by weapons research during the Manhattan Project of World War II, and it is still poisoning my community right now. Just this month, the body of a 12-year-old girl from our St. Louis community was discovered in the creek after she was killed by a terrible climate-induced flood. Her name is Alyeyia Carter. She was found on the day of her planned 12th birthday party. Imagine the unspeakable layer of violence of a dead child and her rescue team wading through dangerously contaminated water.

Around Cold Water Creek, members of our community develop rare cancers at alarming rates at all ages. The Departments of Energy and Defense have estimated that pollution and some black neighborhoods along the creek won't be cleaned up for 20 years, and many people aren't even aware of the dangers. It is no coincidence that I am a black woman and potentially dangerous water flooded my home. This is the reality for so many black children, families, and people across St. Louis and beyond. Now, imagine layering this government-caused environmental disaster on top of climate crisis-induced dangerous heat and chaotic flooding. Imagine what these twin crises do to our polluted low-income and black neighborhoods, in Hazelwood, Missouri, Florissant, and in St. Louis, Missouri.

Directing 40 percent of climate investments to our communities that are being hit by climate change first and hardest is not only common sense, but it is a matter of life and death. My Environmental Justice Mapping and Data Collection Act with Senator Markey would collect, map, and layer data on environmental racism to ensure that, at a bare minimum, 40 percent of funds go to reduce emissions and cleanup the communities most in need. My Green New Deal for Cities with Congresswoman Ocasio-Cortez will fund climate justice efforts in every single community with 50 percent of funds directed to frontline communities.

Guidance released by the White House yesterday gives me hope that our momentum toward the goals of Justice40 continues. I am

eager to ensure that we apply these standards as a minimum for all infrastructure reconciliation spending. We need at least \$400 billion out of every \$1 trillion spent to go to frontline communities. Part of this would be achieved by directing funding to local governments and organizations who know where brownfields are in places like St. Louis.

So, Mr. Moore, briefly, can you explain the challenges we expect the Council on Environmental Quality to face in creating a climate justice screening tool?

Mr. MOORE. Yes, thank you. Thank you very much, ma'am. I do want to say in response to your question, for those of us that live in and live around situations of environmental injustice, economic injustice, and environmental racism, it amazes me many times that there will be climate deniers that speak, too, and we are looking at that here in New Mexico. I mean, is it because we don't have the complexion for protection? I just have to state that, Miss.

You know, the challenge will be—I think that part of that challenge, as I said, will be, as Harold Mitchell expressed, the implementation on the ground. And we don't go just bragging about, and comments were made earlier, you know, with administrations and whatever. But this climate justice, this particular moment, this historical moment, where history has consistently spoke over and over again around the environmental racism and the environmental injustices that our communities are imposed by, so yes, it is going to be a challenge. The implementation will be the challenge, but we think the recommendations made in the interim guidance will help us move not only several steps forward, but many steps forward around this particular plan.

Ms. BUSH. Thank you. Thank you. Mr. Mitchell, really quickly, what do you see as the biggest hurdle for our efforts to deliver a minimum of 40 percent of climate investments to frontline communities?

Mr. MITCHELL. If there are no strings attached to the funding and initiatives that would go down to the states, because you would have some in this political climate that will basically not allow these resources to come into these communities, like we saw before with the ERA Funds. We saw many folks, actually with the expanding of Medicaid, where we saw a disproportionate number of folks that needed access to healthcare, and the pandemic showed just that. Those that didn't have that access and a medical home were the ones that we saw that tested positive and died. So, without the proper oversight and the tools or the strings attached for these state and local governments, those funds will not get where they need to, and that is on the ground in these fence-line, front-line communities.

Ms. BUSH. Thank you. Thank you, and I yield back.

CHAIRWOMAN MALONEY. The gentlelady's time has expired. The gentleman from Kansas, Mr. LaTurner, is recognized for five minutes. Mr. LaTurner? Thank you.

Mr. LATURNER. Thank you, Madam Chairwoman. I want to thank you for holding the hearing today. The impact on the American people of environmental changes and the proper response of the Federal Government are important issues that merit a balanced and thoughtful response. Unfortunately, the policies pro-

posed in the American Jobs Plan and the Green New Deal are hardly balanced and thoughtful. Rather than common sense reforms that focus our efforts on what we already know works, these solutions would eliminate job opportunities across our Nation's economy, particularly in our energy, transportation, and agricultural sectors, and devastate states like Kansas, who depend heavily upon these critical industries.

First and foremost, it would call for the elimination of all fossil fuel energy production, both oil and natural gas, within 10 years. The plan calls for transitioning off nuclear power, a source of clean and renewable energy produced by industry leaders like the Wolf Creek power plant back home in my congressional district. Additionally, the Green New Deal calls for the eventual end of air travel, a move that would threaten nearly 100,000 jobs in my home state with an economic impact of over \$20 billion. These proposals fail to take into account the progress that we have already made in moving toward a cleaner energy economy. Per capita emissions were lower in 2019 than they have been at any time since 1950, and the U.S. has been the leading reducer of emissions worldwide since 2005.

Instead of building on this success, the proposed policies favor heavy-handed directives that will cripple our economy. In order to achieve the proposed goal of zero percent greenhouse gas emissions within 10 years, farmers would have to change the way they farm and harvest crops. The cattle industry would likely be altogether eliminated. In Kansas alone, the cattle industry employs nearly 40,000 people, contributing almost \$9 billion in the state's annual economy, and these workers have already made great strides in effectiveness that my colleagues on the other side of the aisle seem all too ready to ignore. The U.S. beef industry currently produces 18 percent of the world's beef with only six percent of the world's cattle, and producers have managed to reduce emissions by 30 percent from 1975 to 2017 without any government mandates.

Unfortunately, the so-called Environmental Justice Plan doesn't explain what will happen to the hundreds of thousands of Americans who will lose their job, livelihood, and ability to take care of their family after these industries and the others are completely wiped out, and no one has indicated exactly how all of these changes will be paid for, other than calling for a massive investment of funds. Some estimates have indicated the cost could be as high as \$93 trillion. That would cost every American household around \$65,000 per year, which is more than the average household income in my home state of Kansas. The bottom line is that America can't afford the Democrats' partisan plan. Rather than forcing through proposals that are supported by few outside of the progressive left, I would encourage my colleagues to come together to address this issue in a way that actually works for all Americans.

Mr. Hawkins, can you please discuss, in your opinion, how the Green New Deal would impact economically disadvantaged communities?

Mr. HAWKINS. I think the net effect would be negative, again, because of what we discussed in terms of the potential cost in terms of jobs, and the fact that these communities are, again, the first to

be impacted by recession and the last to recover in the case of recovery. And so, you know, if you are looking at the type of disruption, from a jobs standpoint, that the various interpretations of the proposed Green New Deal would create, it would be devastating.

Beyond that, again, the cost. The cost will be—will be in higher taxes. The people who are going to be most impacted by those taxes are the people who are in the least position to avoid those taxes, and so folks in distressed communities are going to be, I believe, overall, negatively impacted.

Mr. LATURNER. Thank you, Mr. Hawkins. Madam Chairwoman, I yield back.

CHAIRWOMAN MALONEY. The gentleman yields back. The gentleman from Georgia, who has been here the entire time listening intently, Mr. Johnson, is recognized for five minutes. Thank you for your attendance.

Mr. JOHNSON. Thank you, Madam Chair, and thank you for holding this hearing. Across the country, we are witnessing environmental infrastructure disasters, from the massive Texas power grid failure to the Jackson, Mississippi water failure that left millions without utilities for a week, or for weeks actually. These issues stem from our country's lack of investment in environmental infrastructure, and this systemic failure disproportionately harms working families in minority communities. Mr. Hawkins, I don't see how you can get around that, sir, and I question whether or not you have been paid off to be here or not by these Republicans, because you talk like you have been paid off. But if we are to withstand—

Mr. HAWKINS. Yes sir. I can address that, Congressman, if you'd like.

Mr. JOHNSON. I will give you a chance, but if we are to withstand future climate events, then we must reinvest, restore, and redesign our system. Ms. Ndu-mee-kay—I mean, excuse me—Ms. Ndumele, what does a true systemic rebuilding of America—of American infrastructure, a rebuilding of American infrastructure, what does that look like and why is that investment critical in the fight to achieve both racial and economic justice?

Ms. NDUMELE. Thank you for your question. I will start with the last part about why this is necessary for environmental, racial, and economic justice. From extraction, to refinement, to burning fossil fuels and other pollutants, environmental hazards are absolutely disproportionately threatening the public health of communities of color at every turn. Pollution-generating industrial facilities are concentrated in black and brown communities. Heavily trafficked roads and highways, many of which were built near or deliberately through black communities and brown communities, pump a constant cloud of pollution from cars and diesel fuel trucks. There has been chronic disinvestment in these communities and in infrastructure ranging from jobs, housing, parks, and the like.

A recent study found that fine particulate matter, the deadliest air pollutant emitted by almost every major fossil fuel, disproportionately affects black, Latino, indigenous, and Asian-American communities regardless of zip code and income. And what we are seeing is that much of this is the result of government policies and structural and systemic racism within economic and infrastructure policies. And so that is why the Justice40 Initiative is so important

because it is a whole-of-government approach to right these wrongs and to address the systemic injustices that have plagued these communities, and cumulatively plagued these communities through years and decades, and, in some cases, centuries of disinvestment and discrimination.

Mr. JOHNSON. Thank you. Mr. Guerrero, I want to thank you for highlighting my Stronger Communities Through Better Transit Act in your written testimony as a solution to help create family sustaining jobs that address equity and community needs. What do you see as the merits of that legislation to capture communities that are excluded from Federal infrastructure planning?

Mr. GUERRERO. Thank you, Representative Johnson. Yes, I think it is a tremendous example of what potential we have and what we can do in rebuilding our communities to address environmental justice and inequity. The fact is that supporting operations is super important, but public transit is one of those areas and industries that creates good jobs throughout, from operations and maintenance, manufacturing, et cetera. The fact that we can address some of the transit deserts in this country and give access to people to get to work, that helps to lift them up economically as well, so there are just so many benefits, both economically and if we electrify the system and make it much more climate friendly. There is just no end, I think, to the potential of what building out public transit can do in this country, and really commend you for your bill.

Mr. JOHNSON. OK. Thank you. Mr. Hawkins, which corporations paid for your travel to D.C. today to testify in this hearing?

Mr. HAWKINS. I paid for my own travel, Congressman, and what is important to note here is, you noted these Republicans covering my travel. Congressman, I am a registered Republican, and I am very proud of the work that I did as tax counsel for Senator Tim Scott of South Carolina, covering both his tax and trade portfolio, advising him throughout all of tax reform, and advising him through the renegotiation of NAFTA as South Carolina is the third most trade dependent state in this country.

Mr. JOHNSON. And you guys—

Mr. HAWKINS. If you know me and you read my bio—

Mr. JOHNSON. You guys impress me as being deniers of systemic racism, and I have got a real problem with that. And with that, I yield back.

CHAIRWOMAN MALONEY. The gentleman yields back, and the gentleman from Texas, Mr. Fallon, is now recognized. Mr. Fallon?

Mr. FALLON. Yes, ma'am. Thank you, Madam Chair. I appreciate it. Can you hear me?

CHAIRWOMAN MALONEY. I can hear you, but I can't see you.

Mr. FALLON. Oh, OK. Let me do that. The video should be on.

CHAIRWOMAN MALONEY. OK. I see you now. You are recognized.

Mr. FALLON. OK. Thank you. You know, I ask myself what this committee hearing today was about, and I thought long and hard about it. It seems to be labels and labeling. Some in the political arena, and particularly today, are excellent, they excel at labels, and they give flowering aims to certain bills and legislation that oftentimes mask their true intent and their actual purpose and impact. So, what is this hearing really about, and it seems to be label-



ing America in 2021 as hopelessly racist. And how can a systemically racist society be redeemed? Through a massive redistribution of wealth. How can the poor be uplifted and their circumstances be improved? Apparently, some believe not by the virtues of hard work, and determination, and education, and private investment, and free enterprise. No, only the heavy-handed use of tax dollars by the government can these ills be solved. Central planning at its finest.

So, it is not only that some people believe that society is inflicted with systemic racism and unprovable assertions, like unconscious bias, but we have learned in the past year or so that some believe that COVID, a virus most likely originating from Wuhan, China, was racist, and fossil fuels being racist, the climate being racist, and today there is an argument to be made that pollution apparently is racist. And where is the actual hard data that would stand up to the scrutiny of peer review and employ randomized sampling and scientific methodology? Well, in page 1 of our background material it said, "People of color are disproportionately exposed to pollution from a wide range of sources. Black Americans, and, to a lesser extent, Hispanic and Asian Americans, all have a higher risk of premature death as a result of pollution," and they cite a study from the American Lung Association. So, I read that study found, and the study, it diverged because it said that income did not drive the difference, and then in the very next paragraph, it said socioeconomic position also appears tied to greater harm from air pollution, so I don't know which one it was. And then in this very short information that was cited in a footnote, they use the word "may" or "could" 10 different times, and then contradicted their whole conclusion by saying, "However, since few rural counties have monitors, the primarily older, non-Hispanic white residents of these counties lack information about air quality in their communities." So, this seems to be junk science at its finest.

So, the argument could be made, you know, these folks on the other side of the aisle, many say that white privilege is real. So, if in the United States white privilege was a reality, if you break Americans down demographically, who would be at the top of the economic food chain? It would clearly be, if you believe in white privilege, it would be white Americans on average. But when you break us down demographically and use data and science, the congressional Research Service found in 2019, in median incomes, the top demographic, ethnic or demographic, was Indian Americans, Asian-Indian Americans, with an average of a \$120,000 median income. Asian Americans were next, not whites. Asian-Americans. So, Indian-Americans make 57 percent more on average than white Americans. Asian Americans, it was \$98,174. They make 30 percent more than white Americans. Then coming in third were white Americans at \$76,000, Hispanic Americans at \$56,000, and black Americans at \$45,400. So, if there is white privilege, white folks are incredibly bad at it.

Mr. JOHNSON. Will the gentleman yield? Will the gentleman yield?

Mr. FALLON. No, I do not yield. I do not yield. I have five minutes. I am going to take it, sir. Then—

Mr. JOHNSON. That is what you are so afraid of.

Mr. FALLON. Well, I didn't interrupt you. What are you afraid of? Ma'am, I would reclaim my time.

CHAIRWOMAN MALONEY. The time belongs to the gentleman from Texas.

Mr. FALLON. Thank you, Madam Chair. So, what we have here is when you look at these demographics, you know what the one consistent thing is? It is not race. It is education levels. Indian Americans, on average, are the most educated. Then who is next? Oh, the group that comes in second, Asian Americans. Who is third? White Americans. Who is fourth? Hispanic Americans. Who is fifth? Black Americans. This is about education in America. There are 22 million white Americans that live in poverty in this country. There are 21 million black Americans that are middle-class or above. Let focus more on data and facts and far less on emotions and suppositions. Madam Chair, I yield back.

CHAIRWOMAN MALONEY. The gentleman yields back. The gentleman from Maryland, Mr. Sarbanes, is recognized for five minutes.

Mr. SARBANES. Thank you very much, Madam Chair. I appreciate the opportunity. I want to explore this concept of cumulative impacts. Ms. Ndumele, can you explain what the term "cumulative impacts" means and why they are so dangerous for minority communities?

Ms. NDUMELE. Thank you for the question. In terms of cumulative racial impacts, we are talking about the ways that various policies have compounded over time to disproportionately impact people of color. In response to some of the questions that were just raised, there has been a long history of systemic and institutional racism that has led to the concentration of dangerous pollutants in black and brown communities. And these type of government policies that are facts and data, ranging from redlining, discriminatory housing and lending practices, to chronic disinvestment in equitable and climate resilient infrastructure in black and brown communities, to Federal highways that tore through the heart of these communities and further cut them off from economic opportunities, to inequitable access to high-quality schools, jobs, financial services, banking. All this has led to high levels of segregation, environmental, and economic injustices, and a persistent and widening racial wealth gap.

And I think part of what is important about the idea of "cumulative" is that this is a generational problem. This is centuries of discrimination that is then passed on to each generation. One of the concepts of wealth is that interest compounds to the benefit of the wealthy in the same way that detriment compounds to the detriment of individuals who have been systemically deprived of wealth—the wealth accumulation and maintaining wealth—and passing it on to the next generation.

Mr. SARBANES. Thanks very much, and I appreciate your pointing to kind of the generational accumulation of this impact. But let's talk about it in the specific context, for a moment, of how policy we make gets applied when it comes to the granting of permits, things of that nature. I will give the example of there is, as we all know, this stretch—85-mile stretch along the Mississippi River between Baton Rouge and New Orleans where there are around 150

fossil fuel and petrochemical plants that are pumping out pollutants by the hour. The air is filled with toxicity. Communities around the plants face extreme cancer risk. In fact, this stretch of land, as we know, is referred to as Cancer Alley.

Poor communities across the country are surrounded by hundreds of giant polluting plants, but right now this is all legal under the Clean Water Act and the Clean Air Act. How is that possible? It is possible because the law actually doesn't require consideration of the cumulative impact before a governing body can grant a permit for an individual plant, which cuts directly against the spirit of what we are trying to present here today with the hearing. So, Ms. Salter, how does this policy failure, in your view, open the floodgates for companies to target poor communities and communities of color?

Ms. SALTER. Well, there are many things that allow private developers to target communities of color. Certainly, a failure to consider cumulative impacts means that solutions that are brought to bear are incomplete and don't adequately cover what is needed for the remediation of harm, or adequately consider what is needed going forward on policy, certainly.

Mr. SARBANES. Thanks very much, and even as we sort of try to push against the negative cumulative impacts when we think about environmental justice and how we can bring the Justice40 Initiative to embrace these kinds of efforts, we can also think about the positive cumulative impact that we can put together in the environmental arena, particularly as it impacts poor communities across the country. I am very proud to have worked with other members to lead a bipartisan bill called Tackling Residential Energy and Economic Savings Act, or the TREES Act, which would provide resources to help homeowners plant more trees, with a focus on communities that have traditionally lacked that canopy, that tree cover, which is so critical. We certainly are seeing data coming back every minute now with these heatwaves across the country what that means, particularly in urban areas where you lack canopy. So, we can both address and, I think, overcome some of these cumulative negative impacts, but also think creatively about how to establish a kind of positive loop here, positive feedback, and deal with these issues of environmental justice. Thank you very much, Madam Chair. I yield back.

CHAIRWOMAN MALONEY. The gentleman yields back. The Gentlelady from Illinois, Ms. Kelly, is now recognized for five minutes. Ms. Kelly?

Ms. KELLY. Thank you, Madam Chair. In my district in Chicago, the 10th Ward has faced issues around pollution far too often. On the surface, we have what we need to overcome climate change, create jobs, and combat inequality. We have the science. We have the technology. We have the mandate. So, what is the holdup? Simply put, we need the Federal Government to catch up with states that are leading the way. We need to use the tools that states have already developed to take the cumulative impacts of pollution into account in every decision so we can implement fundamental environmental protections. Mr. Moore, you are one of the chief drivers behind the movement to take cumulative impacts into account. How do cumulative impacts affect our communities?

Mr. MOORE. Well, thank you very much, ma'am. I think if we look at—if we take several examples, one would be the example of Manchester in the Houston area when we are discussing the cumulative impact. Another is if we take Mossville, Louisiana, for example, and the impact on our largely African-American community in Mossville. Alaska, Puerto Rico. We could go on and on and on and list the states. The cumulative impact is crucial, and that is why I had stated earlier that the EJ for All Act is crucial additionally in terms of supporting and backing up many of the recommendations that are made through the Justice40. So very, very clearly, for those that live around these facilities, fence-line communities that live around many of these facilities are very highly impacted by air contamination, water contamination, and soil contamination. Thank you very much.

Ms. KELLY. And what does government miss without a comprehensive approach to measuring the true impact to communities?

Mr. MOORE. Very definitely I would say to that, that we have this historical moment to repair much of the environmental injustice, and then, based around that then, the combination—the combination of these different programs and projects coming together are crucial to assist in repairing the damage that has been done in our communities.

Ms. KELLY. Thank you. Ms. Salter, how can government agencies and corporations, from renewable energy development authorities to public utilities, speed up a transition to a just renewable economy?

Ms. SALTER. Well, first, I will say, an example from New York is that we need to take early action on prioritizing those emission and co-pollutant reductions in disadvantaged communities. We need to take the lead on doing that, and a lot of the things that we need to really start focusing on doing really are very common-sense measures. We need to be doing accounting to understand where money is flowing. We need to be doing monitoring to understand what our baseline is for pollution so that we can systematically move toward remediation, repatriation. This is something that we can begin now. We should begin now. Should have been done.

Ms. KELLY. Thank you so much. Finally, Justice40 provides a centralized interagency approach that will allow us to identify cumulative impacts and ensure investments to get where they are needed. They will also bring government decision-making up to speed with the very best in epidemiology and environmental medicine. I am proud to support the Justice40 Initiative as championed by the White House and local leaders, and I do look forward to the Oversight Committee's continued engagement to make sure we get this done. If we get it right, it will truly be transformational in delivering long-overdue resources directly to the people and communities primed to lead the way to a stronger, fairer, more prosperous America. Thank you so much and thank you for your patience. I yield back.

CHAIRWOMAN MALONEY. Thank you. The gentlelady from Massachusetts, Ms. Pressley, is recognized.

Ms. PRESSLEY. Thank you, Chairwoman Maloney. Extreme heat kills more Americans every year than every other weather-related

disaster, and, heatwaves, because of climate change, are growing in intensity and frequency. As the climate crisis continues warming the planet, some communities are suffering more than others. If folks are tired of us pointing that out, imagine how tired people are of actually living these disparate realities. This is especially true in my district, the Massachusetts 7th. Across neighborhoods predominately comprised of low-income people of color, from Roxbury to Chinatown, to Chelsea to East Boston, the intense heatwaves are longer, hotter, and more frequent than in whiter, more affluent neighborhoods. I might also add they have close proximity to highways. They are environmental—communities that disproportionately bear the brunt of environmental injustices, proximity to toxic waste, and also a lack of tree canopies.

I ask for unanimous consent to enter a Boston Globe article titled, “Boston’s Heat Islands Turn Lower-Income Neighborhoods From Hot to Insufferable,” by David Abel into the record.

CHAIRWOMAN MALONEY. Without objection.

Ms. PRESSLEY. It is no coincidence—I want to underscore that—it is no coincidence that the urban heat island effect is more pronounced in the same neighborhoods—the same—that have been historically redlined. Ms. Salter, yes or no, would you call this racism?

Ms. SALTER. Absolutely, I would call it racism, segregation, environmental degradation, demonization, dehumanization, leading to sacrifice zones and disparate environmental effects to people of color in particular.

Ms. PRESSLEY. Thank you. And given all of those things, the fact is that severe heat intensity disproportionately impacts black, Hispanic, Latinx, and Asian communities because they are forced to live in densely packed, highly polluted areas. Moreover, these neighborhoods lack significant green space and tree cover, which can mitigate these high temperatures. Mr. Mitchell, how can Federal investments as part of the Justice40 Initiative mitigate the extreme heat crisis impacting communities of color?

Mr. MITCHELL. An across-the-board investment, No. 1, from HUD and a couple of the other agencies that can address those issues, that from a lack of investment in the past, is pretty much where and why we are where we are at right now, looking at those investment opportunities of addressing these impacts. It is going to get worse. What we see with the heat, the storms, the rising sea levels, all of this is going to get worse. And so right now, it is a point of investing in the resiliency that is needed in most of these communities, and this is what Justice40 will be able to do. And those that are on the ground at the state and local level, they know the problems that they are facing. This pandemic has stripped local governments, and right now this would be the springboard and the shot to address these injustices in black and brown communities in order to inject the right type of resilience in our black and brown communities that have been disproportionately not invested in before.

Ms. PRESSLEY. Thank you. And, Ms. Ndumele, your written testimony includes several recommendations which describe the intersectional harms of the climate crisis, for example, social determinants of health, like where someone lives and where someone

works, are directly impacted by environmental policies. Ms. Ndumele, can you provide some examples of how environmental policy decisions by lawmakers may on their face not appear to be racist, but, in fact, disproportionately harm communities of color?

Ms. NDUMELE. The broader point I would underscore is what the prior witness just pointed to, which is where we have energy efficient and resilient investments, and the chronic and lack of investment in those opportunities in communities of color has led to this situation. But it is also something where we have the opportunity now to turn the tide and make more equitable investments in the communities that so sorely need it.

Ms. PRESSLEY. And, you know, I was speaking a moment ago about how none of this is naturally occurring. It is no coincidence. It is by design. I think it has everything to do with divestment, under-investment, policy violence. Mr. Mitchell, as a former legislator and an environmental justice community leader, do you think that there are ways that policymakers will be better at what they do if they have the tools that demonstrate how their decisions impact marginalized communities?

Mr. MITCHELL. I would say, yes, if they have the tools, and currently, right now, there are many that are looking, especially with this Justice40 oversight that we have introduced in South Carolina and some other states that are looking to adopt, whether it is through executive orders through their Governors or the legislative process itself, of being able to get these resources. And the push of Justice40 of what it would do to these states and local governments, they are desperately looking for this. And the proper oversight of this committee to put just the right oversight in itself, of getting these resources down, is what they are desperately looking for. Just like the citizens that most of you all represent, legislators and Governors are actually depending upon Justice40 because we have never seen this type of investment before.

Ms. PRESSLEY. Thank you, Mr. Mitchell. I am encouraged by the Biden-Harris Administration's efforts to prioritize these frontline communities. We need these investments now. Thank you.

CHAIRWOMAN MALONEY. The gentlelady yields back, and before I close, I want to offer the ranking member an opportunity to offer any closing remarks he may have. Ranking Member Comer, you are now recognized.

Mr. COMER. Thank you, Madam Chair, and, again, I want to thank all the witnesses who participated in the hearing today. I think there are many areas of agreement with respect to how to best proceed with climate change policy between the Republicans and Democrats. I would love to have situations where in the House, when we look at legislation, we sit down and try to work together in a bipartisan way, like the bipartisan group of senators are trying to do, despite Senator Schumer's efforts in the Senate right now on infrastructure. So, I think there are areas that we can agree on but we have to be mindful of the fact that any type of legislation we do, we have to be mindful of the fact that China and other countries are going to continue to be polluters. And we have to ensure that we have policy, whether that be led by President Biden or John Kerry—we still don't know exactly what John Kerry's role is as climate czar—we need to make sure that China, and India, and

other countries that are manufacturing competitors of ours that have the potential to take jobs away from the United States, we have to make sure that we are playing on a level field.

And with respect to the opportunity zones, you know, I think most Republicans support that. Most Republicans believe that the best way to get someone out of poverty is to create an environment where that person has access to a good-paying job. We have a scenario in America now where there are over 8 million jobs available, so I believe it is a great time in American history to focus on getting people off welfare, off extended unemployment, and into the work force into good-paying jobs. And we have to have private sector investment in under-served communities and lower-income communities, and communities that have, quite frankly, been left out, for whatever reason, of private investment before. So, I think there are areas where we can work together on this issue moving forward.

And, again, I want to thank the witnesses who came here today. And, again, Mr. Hawkins, thank you for all the great work you have done and the work with the Oversight Committee in the past. Madam Chair, I yield back.

CHAIRWOMAN MALONEY. The gentleman yields back. And I, first, in closing want to thank all of our panelists. It has been a long day. You provided very, very insightful and thoughtful testimony for all of us, and I want to commend my colleagues for participating in this very important conversation. We now find ourselves at the end of a very long hearing, but the beginning of our work to implement the Justice40 Initiative and to turn the new White House guidance into reality. I particularly want to thank the panelists that participated in framing the Justice40 Initiative, working with the Biden Administration, working with their communities to bring this idea to the white House.

The testimony we have heard today has been devastating: lives torn apart, communities poisoned, children sick, and countless Americans left behind. Yet some of my Republican colleagues have said that this hearing was a waste of time, in so many words. Their argument essentially is that fixing climate change is simply too hard and too expensive or shouldn't be thought about at all. To them I say the cost of inaction is far higher. It is a climate catastrophe if we do not act.

The signs of this are already around us. Our cities are being attacked with floods. Our towns are choked by fire. Ms. Salter stated in her testimony that in my home city of New York, in certain communities, destructive particles, known as PM 2.5, kill 3,000 New Yorkers each year. And last year, this committee issued a report projecting as many as 413,000 New Yorkers could die prematurely if we don't reduce air pollution and tackle climate change, and this is the story all across America. We can fix this and strengthen the American economy with a strong approach to environmental justice. As our witnesses told us today, Justice40 is an opportunity to combat the climate crisis, create jobs, and advance racial and economic equity.

The data shows that action on climate change will not only save lives, but it will save the U.S. economy over \$700 billion or more each year. So, we have answers. We have technology. We just need

the political will to act. So, I urge all my colleagues, Republicans and Democrats, to work together to ensure that the ongoing climate emergency does not become a climate catastrophe. Again, I thank so many of our panelists and my colleagues for their life's work.

Whoa, I have got to say something very important, that, without objection, all members will have five legislative days within which to submit extraneous materials and to submit additional written questions for the witnesses to the chair, which will be forwarded to the witnesses for your response. I ask our witnesses to please respond as promptly as you are able.

CHAIRWOMAN MALONEY. And with that, this very long hearing is adjourned.

