

**WRITTEN TESTIMONY OF**

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**FOR A HEARING ON**

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

**BEFORE THE**

**HOUSE OF REPRESENTATIVES COMMITTEE ON**  
**OVERSIGHT AND REFORM**

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**WASHINGTON, DC**

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.

My name is Harold Mitchell Jr, and I am the founder and executive director of the Regensis Community Development Corporation based in Spartanburg, South Carolina. I was a member of the South Carolina State Legislature from 2005-2017. I am also a member of President Biden’s White House Environmental Justice Advisory Council, and a member of the advisory board for Evergreen Action. And I was one of the founding signatories to the Equitable & Just National Climate Platform that was signed two years ago this week. The platform is a historic partnership between “EJ” groups and national environmental organizations, who are now advocating together for major federal policy actions that support EJ communities.

I am pleased at the chance to appear before you today to discuss the critical investments in environmental justice and equitable economic opportunity that President Biden has proposed in his American Jobs Plan (AJP). And, how Congress must seize this moment with legislation that provides solutions at the scope and scale of the challenges facing our communities.

Because our communities are suffering. They were suffering before COVID, they suffered with COVID, and now some are suffering after COVID. They are suffering from years of pollution. One landmark report from this spring showed that Black and brown communities are suffering “disproportionately and systematically” from the worst types of toxic - hazardous air pollution, so much of which is associated with the burning of fossil fuels. Our communities are also suffering from economic disinvestment and lack of opportunity. And increasingly, now, we are suffering from the first and worst impacts of climate change. It's time for bold solutions to these interwoven challenges.

I will speak to you today about three particular recommendations that I hope you and your colleagues will consider as you contemplate a legislative response to the President’s jobs plan. First, ensuring robust investments for those programs that

have been identified as priorities by EJ leaders. Second, providing as much direction as possible, and flexibility, where necessary, to ensure these important public investments reach the front-line and fence-line communities they are intended to support. And third, promoting a greater level of coordination, transparency and accountability between the federal government, states, local governments, and communities.

But first, I would like to tell you a little bit more about the story of Regenesi. Ours is a community that has suffered environmental racism and neglect. But it is also one that has forged partnerships and built solutions, in our community for our community, with the federal government as an essential partner. Federal investment, through a variety of programs, has been absolutely critical to our success. We held the first face to face IWG meeting in August, 2000.

From the time when I was growing up in Spartanburg, people were always getting sick and dying. I had a fertilizer plant located in front of my house. A former Arkwright landfill, owned by the City in the back of my house, too. We had two EPA-designated Superfund sites, and four Brownfields sites. They were polluting our community, poisoning our people, and preventing the types of economic opportunity that would allow our community to thrive. We were designated as a medically underserved community with little- to no-access to decent health care.

In 1998 I created Regenesi. I began working—with other community residents—to identify solutions and build a healthier community. We had philanthropic partners, too, like the Ford Foundation. Crucially, we seized the opportunity to benefit from a wide range of federal investments. DOE provided the charrette visioning /planning process. The Department of Health & Human Services provided investment for our first Federally-Qualified Health Center which has now expanded into seven additional locations and two pharmacies serving in three different counties. The Departments of Commerce and Labor provided investments, through their EDA and ETA agencies, respectively, to grow jobs and economic opportunities and train the workers for one example like our \$20 Million Hope IV construction project, the construction of our Green \$7 Million Recreational facility, and Grocery Store Plaza in a once food desert. We built energy-efficient affordable housing with solar energy, with support from the

Departments of Housing & Urban Development. Opened new transportation access with the FHWA investment where trains would block our only access for the community and Chemical facility where fatalities have occurred because there was no alternative access. DOJ's investment in the Weed & Seed initiative saw crime levels drop 92%. And of course, we received critical funding through the Environmental Protection Agency's Superfund and Brownfields programs, enabling us to clean up the legacy of toxic pollution where sites are ready for re-use as designated Opportunity Zones. This has attracted a partnership with ReGenesis in the creation of a community solar project with Solvay Chemicals and Duke Energy, where the Chemical plant will purchase it's energy from ReGenesis through a PPA from Duke Energy, while removing Solvay's carbon footprint, and providing a real community benefit with significant reductions for the residents energy bills.

All of these solutions were built from the ground up, by our community. But almost none of them would have been possible without a willing partner in the federal government. Earlier this year we launched the Regenesis Institute, to help share our lessons with other communities throughout the U.S. and has attracted another partner with interest in Taiwan with the National Chung-Cheng University. And I am pleased that you all are in a position, in 2021, to invest in those programs that can bring the types of success that we have had in Spartanburg to other communities who deserve the same success throughout the United States.

Now, again, as you turn to advancing legislation that meets or exceeds the commitments made by President Biden in his AJP, I encourage you to be bold and ambitious in the level of investments that you provide into programs that will deliver on environmental justice and equitable economic opportunity. I also encourage you to do all that you can to target these investments into disadvantaged communities. And I hope that you will provide resources, direction, and your determined support to ensure increased coordination and transparency between federal agencies, state and local governments, and the disadvantaged communities that this agenda most needs to support.

With regard to funding levels, President Biden's plan proposes many important investments for overburdened and disadvantaged communities. And all of these

funding priorities should be advanced in Congress, whether in budget reconciliation, or in bipartisan infrastructure legislation, or both. EJ leaders have themselves identified many more investment priorities for their communities—including many of the same programs identified in the AJP. There are also programs not included in the AJP, and also occasionally including greater investment than that which was called for in the AJP. In addition to the AJP, in particular I encourage Congress to fulfill the investment priorities for which the Equitable & Just National Climate Platform has advocated. These include clean water infrastructure and lead pipe replacement, public transit and bus electrification; affordable housing, home weatherization and low-income energy assistance; distributed renewable energy; environmental enforcement at the EPA; Superfund cleanup and Brownfields redevelopment, and much more.

Second, with regard to best targeting this funding to disadvantaged communities, President Biden has launched a Justice40 Initiative, aimed to target “40 percent of the benefits of climate and clean infrastructure investments to disadvantaged communities.” This commitment should permeate every applicable federal investment, as I know the administration is working to do through guidance and analysis to each relevant federal agency. Notably, some federal investments specifically tailored to support cleanup or revitalization of polluted areas, like Superfund, should far exceed 40 percent in their allocation to disadvantaged communities.

Justice40 is a critically important policy commitment. I was honored to have worked with EJ leaders and President Biden as he first formulated this vision for the Justice40 commitment, last year. I was also pleased to work with Governor Jay Inslee as he put forward this 40 percent commitment in the Climate Mission policy agenda he developed, two years ago. And I am most gratified that Justice40 began with community leadership. It builds upon the efforts of front-line activists and state leaders who, in New York in 2019, won passage of the *Climate Leadership & Community Protection Act*, which contained this 40 percent commitment. Now you all have the opportunity to take this policy solution from the community and the state house, all the way to the president’s desk in the White House.

Finally, you all should know that the success of a bold new federal environmental justice agenda begins with the scale of investments that Congress can pass this year. But also, that the ultimate success in realizing a better future for neighborhoods and communities throughout America will take many more steps. Our communities must also be ready to receive these investments. That takes coordination across multiple levels of government, between many agencies, and directly with communities. In Spartanburg, we have shown this is possible. But it doesn't happen by accident. It takes intentionality.

That's why this year I have worked with State Representative Gilda Cobb-Hunter to advance a bill in the South Carolina Legislature that would establish a state Justice40 Oversight Committee, to locate and ensure disadvantaged communities derive the full benefit of federal investments. Other states are developing similar policies; using the South Carolina legislation as a model, the Delaware Legislature recently passed a Joint-Resolution establishing a Justice40 Oversight Committee. We're now working with other states' governors and legislators, too.

For your part, Congress should provide investment in the types of programs that will build capacity in communities—like EPA EJ Small Grants program, or in a bold new vision for a Civilian Climate Corps. You should also ensure that your investments are not provided to state and local governments without strings attached—continued federal oversight, and transparency with communities, is essential to success. This is especially necessary in those states where lawmakers who oppose the president's agenda may try to turn away investments on purely political grounds. We have seen this before, as we did in my state with Medicaid expansion under the Affordable Care Act and the American Recovery Act.

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

I appreciate the opportunity to testify before you today. I and others stand ready to work with you to build a more just and equitable future for America.

