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6 THE CLEAN FUTURE ACT AND ENVIRONMENTAL JUSTICE:

7 PROTECTING FRONTLINE COMMUNITIES

8 THURSDAY, APRIL 15, 2021

9 House of Representatives,

10 Subcommittee on Environment and Climate Change,

11 Committee on Energy and Commerce,

12 Washington, D.C.

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16 The subcommittee met, pursuant to call, at 10:30 a.m.
17 via Webex, Hon. Paul Tonko [chairman of the subcommittee],
18 presiding.

19 Present: Representatives Tonko, DeGette, Schakowsky,
20 Sarbanes, Clarke, Ruiz, Peters, Dingell, Barragan, McEachin,
21 Blunt Rochester, Soto, O'Halleran, Pallone (ex officio);
22 McKinley, Johnson, Hudson, Carter, Duncan, Palmer, Curtis,
23 and Rodgers (ex officio).

24

25 Staff Present: Jeff Carroll, Staff Director; Jacqueline
26 Cohen, Chief Environment Counsel; Adam Fischer, Professional
27 Staff Member; Waverly Gordon, General Counsel; Tiffany

28 Guarascio, Deputy Staff Director; Anthony Gutierrez,
29 Professional Staff Member; Caitlin Haberman, Professional
30 Staff Member; Perry Hamilton, Deputy Chief Clerk; Zach Kahan,
31 Deputy Director Outreach and Member Service; Rick Kessler,
32 Senior Advisor and Staff Director, Energy and Environment;
33 Mackenzie Kuhl, Press Assistant; Brendan Larkin, Policy
34 Coordinator; Dustin Maghamfar, Air and Climate Counsel; Elysa
35 Montfort, Press Secretary; Kaitlyn Peel, Digital Director;
36 Tim Robinson, Chief Counsel; Chloe Rodriguez, Deputy Chief
37 Clerk; Kylea Rogers, Staff Assistant; Nikki Roy, Policy
38 Coordinator; Andrew Souvall, Director of Communications,
39 Outreach, and Member Services; Rebecca Tomilchik, Policy
40 Analyst; Sarah Burke, Minority Deputy Staff Director; Michael
41 Cameron, Minority Policy Analyst, CPC, Energy, Environment;
42 Nate Hodson, Minority Staff Director; Peter Kielty, Minority
43 General Counsel; Mary Martin, Minority Chief Counsel, Energy
44 & Environment; and Michael Taggart, Minority Policy Director.
45

46 *Mr. Tonko. The Subcommittee on Environment and Climate
47 Change will now come to order.

48 Today the Subcommittee on Environment and Climate Change
49 is holding a hearing entitled, "The Clean Future Act and
50 Environmental Justice: Protecting Frontline Communities."

51 Due to the COVID-19 public health emergency, today's
52 hearing is being held remotely. All members and witnesses
53 will be participating via video conferencing.

54 As part of our hearing, microphones will be set on mute
55 for purposes of eliminating inadvertent background noise.
56 And members and witnesses, you will need to unmute your
57 microphone each time you choose to speak.

58 Documents for the record can be sent to Rebecca
59 Tomilchik at the email address we have provided to staff.
60 All documents will be entered into the record at the
61 conclusion of today's hearing.

62 The chair now recognizes himself for five minutes for an
63 opening statement.

64 The Subcommittee on Environment and Climate Change is
65 hoping, as I indicated -- this discussion on the Clean Future
66 Act as it relates to environmental justice, and protecting
67 our frontline communities. Due to all of the efforts as we
68 continue to move forward, and make certain that we receive
69 all input, recognize that all people will have a chance to
70 enter into the record any statements (sic).

71 I believe members of this committee would agree that all
72 Americans should be able to have clean air, clean water, and
73 lives free from pollution. Unfortunately, this has not been
74 the case throughout our history, and it is not the case as we
75 speak today. And the burdens of this exposure have not been
76 distributed equally or randomly. Americans who have paid the
77 highest price for this pollution have mostly been people of
78 color and those of low-income communities. Their exposure to
79 pollution has resulted in higher rates of respiratory
80 illnesses, of cancer, of premature death.

81 And the consequences ripple out much further. For
82 example, impacted communities tend to have greater
83 vulnerability to damage and hardship caused by our climate
84 inaction. In recent years this subcommittee has taken a
85 leading role in reversing these trends, and many members have
86 championed efforts to right these historic injustices and
87 support investments, public health protections, and pollution
88 reductions in the communities that need them most, regardless
89 of race, income, or zip code.

90 Today's legislative hearing is an opportunity to examine
91 some of these efforts. Our focus today includes title 6,
92 subtitle f of title 4, and section 842 of the committee's
93 Clean Future Act.

94 But of course, the Clean Future Act was not developed in
95 a vacuum. It builds on input, ideas, and provisions from

96 many stakeholders and Members of Congress. That spirit of
97 partnership has made the Clean Future Act much stronger. And
98 it is my hope that these improvements will continue today and
99 in future hearings.

100 In addition to the Clean Future Act, today's hearing
101 will look at 10 bills to address aspects of environmental
102 justice. So I do want to recognize and thank subcommittee
103 members DeGette, Clarke, Ruiz, Barragan, McEachin, and Blunt
104 Rochester for their work on these bills, and commitment to
105 putting environmental justice at the heart of our
106 subcommittee's work. I share their commitment, and look
107 forward to working with all of our members to make certain
108 the 117th Congress isn't merely a Congress for climate
109 action, but a Congress for just and equitable climate action.

110 And I have been pleased that, starting with President
111 Biden's executive order on tackling the climate crisis at
112 home and abroad, that the Administration has made a
113 commitment to enhancing environmental justice.

114 But these goals will not be achievable unless we act
115 through an inclusive process that allows community
116 organizations and people most affected by pollution to be
117 involved. This means having community voices in the
118 development, the consideration, the implementation, and
119 certainly the enforcement of our nation's environmental laws.
120 Today's hearing is part of that.

121 In that spirit I welcome our witnesses, and I thank the
122 many environmental justice advocates who have taken time to
123 meet with members and our staffs to share your perspectives,
124 because our goals depend on listening to the communities that
125 have faced these disproportionate impacts and have been shut
126 out of participation in processes for decades.

127 No one bill will undo the generations of injustices,
128 racism, and discrimination against frontline communities.
129 That is why we need a comprehensive strategy that deals with
130 disproportionate impacts, and supports the revitalization of
131 communities which will come from reducing and remediating
132 pollution. That is why today's hearing includes coal ash
133 protections, lead service line replacements, brownfield and
134 Superfund remediations, and traditional air pollutants.

135 We will also consider legislation to reduce emissions,
136 emissions from ports to deploy air pollution-monitoring
137 infrastructure, and build capacity of community-based
138 organizations to enable greater participation in
139 environmental and infrastructure decision-making processes.

140 These bills also propose ways to strengthen and improve
141 public participation, codifying executive order 12898 and its
142 requirements for integration of environmental justice across
143 federal agencies, requiring EJ training of federal employees,
144 and meetings between EPA and community groups to improve
145 collaboration and communication.

146 Finally, the Clean Future Act, much like the Biden
147 Administration's commitment, requires that 40 percent of
148 funds made available be used to support activities directly
149 benefitting environmental justice communities. So I look
150 forward to today's discussion, and yield back my time.

151 [The prepared statement of Mr. Tonko follows:]

152

153 *****COMMITTEE INSERT*****

154

155 *Mr. Tonko. And I now recognize Mr. McKinley, our
156 ranking member of the Subcommittee on Environmental and
157 Climate Change.

158 Representative McKinley, you are recognized for five
159 minutes for your opening statement, please.

160 *Mr. McKinley. Thank you, Chairman Tonko. Chairman,
161 recently I read an article citing the World Health
162 Organization's definition of poverty. But their measurement
163 of poverty simply in terms of per capita income seems
164 inadequate. According to the article, among the poor,
165 poverty is better understood in terms of shame,
166 powerlessness, hopelessness, and humiliation.

167 This hearing on environmental justice is central to an
168 agenda to eliminate fossil fuels from the power sector by
169 2035, the consequences of which will leave workers, families,
170 children, and entire communities in poverty. Mr. Chairman,
171 where is the justice in that?

172 Think about it. Extremism is spending years shaming
173 coal miners and oil field workers, blaming them for causing
174 wildfires, flooding and droughts, hurricanes, low birth-
175 weight babies, premature deaths, as you just mentioned, and
176 asthma. And in this new environment, fossil fuel workers
177 feel powerless, as liberal Democrats and Administration team
178 up to take away their lifelong jobs. And when their jobs are
179 lost, and there are no other opportunities in their area,

180 hopelessness will take hold.

181 Will they have to move away? Will they leave their
182 home, their community, their church, their support base?

183 And their house is typically, Mr. Chairman, their
184 biggest asset. So who will buy a house in a dying community?

185 We have asked for these letters to be introduced into
186 the record.

187 And then finally, coal miners and oilfield workers have
188 produced a reliable, dependable income for their families.
189 Now they are going to be humbled into welfare, and food
190 stamps, and waiting for transition jobs that, historically,
191 never materialize. Workers will be losing their dignity, not
192 for what they did, but for what government did to them.

193 And the cruel irony of all this is, as America
194 dismantles its fossil fuel economy, the rest of the world is
195 expanding its use of coal, natural gas, and oil, and emitting
196 greenhouse gases at an alarmingly increasing rate. So by
197 eliminating jobs in fossil fuels, Congress will be sentencing
198 American workers all across the country into poverty. How is
199 that outcome any different than the injustices created in the
200 past?

201 So maybe it is time, Mr. Chairman, that the men and
202 women of government lose their sanctimonious attitude and
203 walk in the shoes of these families who are about to
204 experience poverty, all in this guise of justice.

205 Oh, yes, Mr. Chairman, the workers will be offered
206 unrealistic promises about just transition into jobs in the
207 renewable sector. But even former Secretary Menezes
208 concluded that new replacement jobs and the green jobs will
209 pay significantly less, and will have an impact on their
210 families. And workers in the coal and natural gas industries
211 are well aware of how government injustices in the past
212 betrayed their fellow workers in steel, electronics, and
213 textiles.

214 Look, fossil fuel workers simply want to keep their
215 jobs, not get a government handout or a government program.
216 This misguided congressional pursuit of environmental justice
217 will not -- will no doubt create poverty, causing shame,
218 powerlessness, hopelessness, and humiliation to hardworking
219 Americans. So instead of perpetuating another generation of
220 injustice, wouldn't it be more respectful to accomplish our
221 mutual objective in reducing carbon emissions by using
222 innovation, and research, and advancing efficiencies,
223 renewables, nuclear, and batteries?

224 So, look, poverty is poverty, Mr. Chairman. Injustice
225 is injustice, whether it is in an urban area or in a rural
226 community.

227 Paul, I know you. If you can prevent poverty for just
228 one family in your district in New York, I am confident you
229 would fight like hell on their behalf. So I am confused.

230 Why is the rest of your party turning a deaf ear to the pleas
231 of men, women, and children with fossil fuel jobs, and
232 subjecting whole communities to poverty? Is that what
233 Democrats call environmental justice?

234 Hurting working families is not a justice that any of us
235 should embrace.

236 Thank you, and I yield back the balance of my time.

237 [The prepared statement of Mr. McKinley follows:]

238

239 *****COMMITTEE INSERT*****

240

241 *Mr. Tonko. Representative McKinley yields back, and
242 now the chair recognizes Representative Pallone, the chair of
243 the full committee of Energy and Commerce, our overtime,
244 hardworking chair. We recognize him for five minutes for his
245 opening statement.

246 Welcome, Chairman Pallone.

247 *The Chairman. Thank you, Chairman Tonko. Today we
248 continue this committee's important work on environmental
249 justice, as we examine 11 bills that address the pressing
250 needs of environmental justice communities. And for far too
251 long, low-income communities and communities of color have
252 borne the brunt of air pollution, exposure to contaminated
253 sites, and unsafe water.

254 Environmental injustice can be attributed to many
255 things, from intentionally racist policies like redlining
256 that lead to vulnerable communities being excluded from
257 siting and permitting decisions, to unequal investment in
258 these communities. And climate change and deteriorating
259 infrastructure are exacerbating these problems and this
260 inequality.

261 So it is time for Congress to act. As Chairman Tonko
262 said, we must address the overlapping crisis facing our
263 nation, including inequality, climate change, and the
264 economic downturn caused by this pandemic. And as President
265 Biden has said, we need to build back better, and that means

266 building back cleaner, healthier, and with greater equity.

267 So I believe the 11 bills before us today can help us do
268 exactly that.

269 One of the bills is H.R. 1512, the Clean Future Act,
270 which I introduced last month with Chairman Tonko, and Rush,
271 and several other committee members. And the Clean Future
272 Act is a comprehensive and ambitious plan to combat the
273 climate crisis and achieve net zero greenhouse gas pollution
274 by no later than 2050. And environmental justice is the key
275 component of the Clean Future Act, and must be a focus of our
276 efforts to address climate change and infrastructure.

277 But many of the environmental justice provisions in the
278 Clean Future Act are reflected in President Biden's American
279 Jobs Plan. Both proposals prioritize investments for
280 environmental justice communities, and basically commit 40
281 percent of investments to directly benefitting these
282 communities. And both proposals seek to clean up the sectors
283 of our economy like the ports that, not only increase the
284 amount of carbon in the atmosphere, but also add to the
285 amount of hazardous air pollutants concentrated in
286 environmental justice communities. And both policy proposals
287 make the long-overdue investments in cleaning up Superfund
288 sites, replacing lead service lines, and updating the energy
289 grid.

290 Now, the other bills we are going to hear about today

291 focus on important environmental justice topics, including
292 climate justice, port climate readiness, cumulative impact
293 assessments, and the tools available to identify
294 environmental justice communities. And many of these bills
295 align with the American Jobs Plan, and can help us make that
296 plan a reality.

297 So I want to thank my colleagues for their engagement
298 and help in refining and expanding the environmental justice
299 provisions of the Clean Future Act. And I also commend them
300 for their leadership on the other bills that we are
301 developing, or that we are discussing today.

302 All these bills reflect thoughtful stakeholder
303 engagement with communities of color and low-income
304 communities, and I am proud to continue that engagement with
305 today's hearings.

306 But I also want to thank our witnesses who are leaders
307 and experts in environmental justice communities. We are
308 fortunate to have this panel with us today, and I hope we can
309 have a constructive dialogue and work with these stakeholders
310 to enact needed change.

311 But let me just emphasize, if I can, Chairman Tonko,
312 that environmental justice can and should be a bipartisan
313 issue. Many of us were excited to pass environmental justice
314 provisions out of the House as part of last year's energy
315 bill. And although we did get about half of that energy bill

316 in the final omnibus, we were disappointed because we
317 couldn't find the bipartisan support we needed to get the
318 environmental justice provisions included in that omnibus
319 bill.

320 So I hope we can find common ground, and build on
321 support, because I know that these problems that exist in
322 environmental justice communities, you know, are throughout
323 the country, not just in Democratic districts. In fact, I
324 always point out that, when we did a brownfields bill, I
325 don't know, 20 years ago now, it was with Congressman
326 Gillmor, and it was with -- it was when my former governor,
327 Whitman, was the EPA administrator, and George Bush was
328 president. So there is no reason that this can't be
329 bipartisan.

330 And also, this -- the notion of building back better
331 does require bold action, and a focus on the communities most
332 in need. So I think the bills before us today are a good
333 start. I thank Chairman Tonko for calling this important
334 hearing, and I look forward to working together to see
335 environmental justice provisions enacted into law.

336 [The prepared statement of The Chairman follows:]

337

338 *****COMMITTEE INSERT*****

339

340 *The Chairman. And with that, I will yield back. Thank
341 you, Chairman.

342 *Mr. Tonko. You are most welcome.

343 The gentleman, the chair, yields back. The chair now
344 recognizes Mrs. Rodgers. Representative Rodgers serves as
345 ranking member of the full committee.

346 And Representative Rodgers, you have five minutes now
347 for your opening statement, please.

348 *Mrs. Rodgers. Good morning, everyone.

349 Mr. Chairman, throughout these Clean Future Act
350 hearings, Republicans have stressed that, to address climate
351 change and the climate risk, the policies we develop must
352 strengthen, not weaken our communities. You cannot build
353 back better if you are tearing down to do it.

354 Policies must recognize the vital role affordable,
355 reliable energy serves for expanding economic opportunity,
356 for enabling new work opportunities, increasing community
357 resilience, or expanding prosperity, for providing affordable
358 power to homes when we need it. We do this by building on
359 current achievements in energy, and environmental
360 improvements in economic opportunity, not dismantling them.

361 We have all seen the human toll when economic
362 opportunity abandons communities. Witnesses in the past have
363 outlined the harsh economic, social, and physical harm that
364 follows the loss of good, blue-collar, middle-class jobs, as

365 factories pull out, or power plants close. Whether the harm
366 is due to lost economic opportunity or not having the
367 opportunity in the first place, we should remove barriers and
368 provide incentives to lift economic prospects for all
369 Americans, but especially for those that need it the most.

370 The legislation before us today covers so much ground,
371 it is easy to overlook some of the ways the Clean Future Act
372 harms economic prospects. We have warned in previous
373 hearings that mandates like those in this bill will raise
374 electricity rates, sideline small businesses, and increase
375 energy poverty for those who need it (sic).

376 And consider some of the provisions under review today
377 that would further weaken economic opportunity: section 606
378 of the Clean Future Act prohibits new and renewed permits for
379 projects in census tracts identified as, "overburdened,"
380 whether or not the projects contribute to the burden. There
381 is no room here for state or local decisions, what workers or
382 communities want.

383 Amazingly, one trigger for prohibiting permits is set at
384 air emissions levels that are within current air quality
385 standards. That is not the way to foster economic
386 opportunity or improve public health.

387 Another provision, section 621, creates new regulations
388 on carbon capture and storage for enhanced oil recovery, a
389 key incentive for building out carbon capture for clean

390 energy. This provision duplicates existing regulations, and
391 imposes impractical permitting requirements that may
392 undermine future development of this technology and the jobs
393 it will create.

394 Section 625 establishes a clear federal role for
395 hydraulic fracturing, and forces new requirements on state
396 regulation of hydraulic fracturing, a practice the states
397 have handed -- have handled without federal intervention for
398 many decades.

399 These new changes would upend the regulatory structure
400 that helped drive the shale revolution, transforming American
401 energy security, lowering our greenhouse gas emission levels,
402 and providing new economic life to scores of communities
403 around our nation.

404 And in other provisions of this bill we are looking at
405 an economic train wreck, not the way to help frontline
406 communities. We can do better than this.

407 We can start by recognizing the tremendous progress we
408 have made, as a nation, in the terms of environmental
409 improvements under existing state and federal policies. Fine
410 particulate matter is declining, down an average of almost 40
411 percent since 2000; our air quality levels are 5 times lower
412 than the global average, 7 times lower than China's, well
413 below France, Germany, Mexico, and Russia, according to the
414 EPA. And these positive environmental trends will continue,

415 as will the economic and clean energy opportunities, if we
416 don't block the way with convoluted new regulatory policies.

417 Let's focus on incentives to economic development,
418 especially for under-served communities with ground-up,
419 bipartisan policies like opportunity zones.

420 I am pleased that Mr. Shay Hawkins is joining us this
421 morning to update us on how these policies help communities
422 that are in need of economic opportunity.

423 Mr. Derrick Hollie will remind us of the vital role of
424 affordable energy for economic progress, and the risk of
425 heavy regulation on energy.

426 Mr. Chairman, we can drive clean energy policies,
427 improve economic and environmental health, and foster
428 prosperity for all families. But the ingredients for success
429 are not more regulations, mandates, and central control that
430 stifles opportunity and freedom. Let's recognize and let's
431 -- let's recognize that, and let's recognize our successes,
432 and build on that.

433 [The prepared statement of Mrs. Rodgers follows:]

434

435 *****COMMITTEE INSERT*****

436

437 *Mrs. Rodgers. With that, I yield back.

438 *Mr. Tonko. Thank you, the gentlelady yields back.

439 The chair reminds members that, pursuant to committee
440 rules, all members' written opening statements shall be made
441 part of the record.

442 I now will introduce the wonderful witnesses that we
443 have for today's hearing. And we again thank them for
444 joining us, and for sharing info with us.

445 Dr. Mildred McClain is our first witness to be
446 introduced. She is the executive director of Harambee
447 House/Citizens for Environmental Justice.

448 We then have Mr. Angelo Logan, campaign director, Moving
449 Forward Network.

450 Ms. Elizabeth Yeampierre -- I hope I said that correctly
451 -- and she serves as executive director of UPROSE.

452 And Mr. Derrick Hollie, who is founder of Reaching
453 America.

454 Mr. Shay Hawkins, who is president of Opportunity Funds
455 Association.

456 And finally, Dr. Adrienne Hollis, senior climate justice
457 and health scientist of the Union of Concerned Scientists.

458 I remind all of our witnesses to please unmute as you
459 are called upon to share your thoughts for five minutes, and
460 we will begin now by recognizing Dr. McClain for five minutes
461 to provide an opening statement.

462 Dr. McClain, please unmute, and the floor is yours.

463

464 STATEMENT OF MILDRED MCCLAIN, PH.D., EXECUTIVE DIRECTOR,
465 HARAMBEE HOUSE/CITIZENS FOR ENVIRONMENTAL JUSTICE; ANGELO
466 LOGAN, CAMPAIGN DIRECTOR, MOVING FORWARD NETWORK; ELIZABETH
467 YEAMPIERRE, J.D., EXECUTIVE DIRECTOR, UPROSE; DERRICK HOLLIE,
468 FOUNDER, REACHING AMERICA; SHAY HAWKINS, PRESIDENT,
469 OPPORTUNITY FUNDS ASSOCIATION; AND ADRIENNE HOLLIS, PH.D.,
470 J.D., SENIOR CLIMATE JUSTICE AND HEALTH SCIENTIST, UNION OF
471 CONCERNED SCIENTISTS

472

473 STATEMENT OF MILDRED MCCLAIN

474

475 *Dr. McClain. Good morning. I hope you can hear me,
476 because I can barely hear you.

477 *Mr. Tonko. We can hear you, and --

478 *Dr. McClain. Thank you so much for inviting me to
479 testify today. My name is Mildred McClain, I am the
480 executive director of the Harambee House/Citizens for
481 Environmental Justice, located in Savannah, Georgia. And we
482 are a community-based organization that has worked for the
483 last 32 years with families, organizations, communities
484 throughout this country, in building the capacity of regular
485 people to have their voice heard in environmental decision-
486 making.

487 I have submitted written testimony, so I just want to
488 highlight a couple of things this morning, verbally.

489 There are a number of legislative proposals under
490 discussion today, and I am going to focus my comments on H.R.
491 2021, the Environmental Justice for All Act. This is a
492 promising start, but it is not where we want to finally end
493 up. It is a bill that was built up from the ground up, and
494 that is very, very, very important.

495 For far too long, environmental justice communities have
496 suffered the devastating impacts of having to
497 disproportionately bear the burdens of exposure to multiple
498 sources of pollution, including alarming rates of respiratory
499 illnesses, cancer, and premature death, as has been said
500 earlier. Rightly, this bill attempts to address this problem
501 by investing in local communities, increasing transparency,
502 and empowering impacted stakeholders to hold polluters
503 accountable.

504 The process by which this bill was developed deserves
505 particular attention. Representative McEachin and Chairman
506 Grijalva have developed this legislation from the ground up,
507 with impacted communities leading and driving the development
508 of the bill. To address environmental injustice, the process
509 really does matter.

510 I want to pull out two important parts of the Act that
511 are very important, two key features, and one looks at the
512 cumulative impacts. Cumulative impacts requires
513 consideration in permitting decisions under the Clean Air Act

514 and the Clean Water Act, and ensures that permits will not be
515 issued if the project cannot demonstrate a reasonable
516 certainty of no harm to human health. Cumulative impacts is
517 all about the concentration of polluting industries in
518 heavily-burdened neighborhoods. There must be consideration
519 of denying a permit if there is any chance of harm. Let us
520 put the burden of proof on the applicant.

521 Secondly, a feature that I want to uplift is the
522 executive order 12898, which codifies and bolsters President
523 Clinton's 1994 executive order by directing federal agencies
524 to develop EJ strategies, and to regularly report on
525 implementation and progress. It also ensures that federal
526 agencies include diverse communities in public health
527 research, data collection, and analysis. But it is not a
528 law, it is an order. When codified and put into law, made a
529 legal obligation, this allows for accountability in federal
530 agencies.

531 The fact is many agencies do not comply with executive
532 orders. Therefore, they must be required under the law.
533 This gives community, the public, tools to hold folks
534 accountable. Where agencies do not comply, the public can
535 then complain about noncompliance, and do something about it.

536 A lack of enforcement of existing laws and regulations
537 from EPA and state permit regulators is a major component of
538 the challenge that needs to be addressed. That is to say

539 there is often a breakdown between the regs on the books and
540 how that translates to improving residents' lives on the
541 ground. The Clinton executive order takes steps to address
542 this.

543 But as I said earlier, an executive order can be
544 overturned with the stroke of a pen. That is why we need
545 Congress to codify agency accountability mechanisms into law,
546 like the Environmental Justice for All Act does with the
547 executive order 1289 (sic), as well as with the recent Biden
548 executive order on tackling the climate crisis at home and
549 abroad that calls for interagency coordination, as well as
550 accountability.

551 I want to just highlight one thing in my written
552 testimony before I close. We are calling for you to
553 legislate consistent and enforceable regulatory tools to end
554 the disproportionate and cumulative impact of multiple
555 pollution sources and toxic exposures on overburdened
556 environmental justice communities. As this committee
557 proceeds with its work, I urge you all to be thinking about
558 how we can even add greater protections and programs to the
559 Environmental Justice for All Act, and build on the
560 communities framework that is reflected in this important
561 legislation.

562 I close with a quote from Martin Luther King:
563 "Injustice anywhere is a threat to justice everywhere. We

564 are caught in an inescapable network of mutuality, tied in a
565 single garment of destiny. Whatever affects one directly
566 affects all indirectly.'" We are Americans and, as the bill
567 title suggests, this is our vision: environmental justice
568 for all.

569 And so I thank you for allowing me to talk today, and I
570 will be open for answering any questions.

571 [The prepared statement of Dr. McClain follows:]

572

573 *****COMMITTEE INSERT*****

574

575 *Mr. Tonko. Thank you. We thank you, Dr. McClain.

576 And I please ask people to stay within the five-minute
577 boundaries, please. So thank you so much. We will now move
578 to Mr. Logan.

579 You are recognized, sir, for five minutes, please.

580

581 STATEMENT OF ANGELO LOGAN

582

583 *Mr. Logan. Thank you. Good morning, Chairman Tonko,
584 Ranking Member McKinley, and members of the committee. My
585 name is Angelo Logan, and I am with the Moving Forward
586 Network.

587 The Moving Forward Network is a national coalition of
588 over 50 organizations in 20 cities committed to environmental
589 justice, with a focus on ports and freight transportation.

590 Ultimately, you cannot address environmental justice
591 without addressing ports and freight transportation, focusing
592 on self-determination, cumulative impacts, toxic exposure,
593 investing in EJ communities and just transition. As a major
594 environmental justice issue, ports and, more broadly, freight
595 transportation, is a complex system that weaves seaports,
596 freight corridors, rail yards, intermodal facilities, inland
597 ports, and logistics centers. The communities where these
598 facilities are located not only contend with freight impacts,
599 but are also inundated by a wide variety of other impacts,
600 such as refineries, trash incinerators, Superfund sites, and
601 many more. So, without a doubt, freight communities are
602 clear examples of the need for cumulative impact policies.

603 Environmental justice communities are hit first and
604 worst by the climate crisis. The freight system is a major
605 source of diesel pollution which creates CO₂, a major

606 greenhouse gas. Freight transport contributes approximately
607 3 billion tons of CO₂, globally. The freight sector accounts
608 for roughly nine percent of U.S. greenhouse gas emissions.
609 And in the next couple of decades it is expected that
610 oceangoing vessels alone will account for about 17 percent of
611 all manmade carbon dioxide emissions.

612 The 13 million people that live near ports and rail
613 yards are majority communities of color, and have increased
614 health risk. Freight transportation alone puts African-
615 Americans at a high risk that is three times their proportion
616 of the U.S., and Latinos make up two times their proportion.
617 To that end I would like you to consider taking the following
618 actions.

619 One, advance proposals that center community voices,
620 self-determination, local solutions, and have incorporated a
621 comprehensive community process. One of the proposals before
622 you today, H.R. 2021, has incorporated a comprehensive,
623 community-led approach. The committee-facilitated
624 Environmental Justice Working Group resulted in the committee
625 establishing a statement of policy principles for this
626 environmental justice legislation.

627 Two, do not advance parts, pieces, or sections of
628 proposals that harm environmental justice communities.
629 Proposals that incorporate market mechanisms, trading
630 schemes, biomass, and other strategies that continue to

631 burden EJ communities are non-starters, and have been
632 strongly opposed by environmental justice communities for
633 many years.

634 Three, tackle environmental racism, address cumulative
635 impacts head on. Continuous permitting of polluting
636 facilities in already overburdened communities perpetuate
637 environmental racism. Any serious environmental justice
638 proposal must contain a cumulative impacts policy that
639 includes permit denials within the strategy.

640 Four, invest in clean air plans, zero-emission freight
641 vehicles, and equipment at ports. On one hand, environmental
642 justice for port communities include creating local solutions
643 and planning. The development of clean air plans for ports
644 that identify the problem, solutions, and actions. The need
645 to eliminate local toxic pollution and climate pollutants is
646 critical, and it must start with a community-led process. On
647 the other hand, the approach to reducing local toxic
648 emissions and climate pollutants must involve investing in
649 the deployment of zero-emission freight vehicles, equipment,
650 and infrastructure. Eliminating diesel pollution is critical
651 if we are going to protect community health and address the
652 climate crisis.

653 It is critical that both H.R. 501 and H.R. 862 include
654 organized labor engagement, and that investments require
655 labor protections. Community residents should have the right

656 to both a healthy environment and high-quality careers.

657 Five, environmental justice includes a just transition.
658 As polluting industries are phased out, pathways for workers
659 in those industries must be developed to support a transition
660 to new, quality careers.

661 Six, do not enable freight automation. Zero-emission
662 technologies at ports do not mean automation, nor should
663 technologies that would negatively impact freight --
664 frontline workers be supported.

665 Seven, require EPA to adopt regulations that reduce and
666 eliminate emissions from the freight sector. The following
667 should be the next generation of national emission standards
668 prioritized by EPA: national standards for heavy duty
669 trucks, new standards for oceangoing vessels, national
670 standards for locomotive engines. These rules should include
671 timelines and requirements for the deployment of zero-
672 emission technologies.

673 In closing, I would like to emphasize that community
674 engagement for developing solutions and strategies is
675 paramount. To that end we encourage the committee continue
676 engagement directly with the MFN membership. Thank you.

677 [The prepared statement of Mr. Logan follows:]

678

679 *****COMMITTEE INSERT*****

680

681 *Mr. Tonko. Thank you so much, Mr. Logan, and next we
682 will recognize Ms. Yeampierre.

683 You are recognized for five minutes, please.

684

685 STATEMENT OF ELIZABETH YEAMPIERRE, J.D.

686

687 *Ms. Yeampierre. Buenos dias, Chair. Thank you for the
688 opportunity to testify before you today. My name is
689 Elizabeth Yeampierre, and I am co-chair of the Climate
690 Justice Alliance, a national organization that links more
691 than 75 organizations across the U.S., Guam, and Puerto Rico.
692 I am also executive director of UPROSE -- oldest Latino
693 community organization. We work at the intersection of
694 racial justice and climate change, and are part of the
695 national frontline climate justice movement representing
696 those most impacted by climate change.

697 Like climate change, the conditions of our communities
698 are the consequence of a long history of extraction. We
699 share legacies of fighting colonialism, as well as race,
700 class, and gender oppression, while advocating for
701 environmental justice. Our communities are the first and
702 most impacted by the storms, fires, floods, and droughts, and
703 are disproportionately burdened by pollution, poverty, and
704 systemic violence associated with the multinational
705 corporations driving these ecological crises.

706 Years of grassroots organizing and frontline community
707 leadership by members of New York Renews won the hard-fought
708 battle for New York's Climate Leadership and Community
709 Protection Act, the most progressive climate policy in the

710 nation, paving the way for models and processes that are
711 community-led solutions grounded in racial justice and
712 equity. These community-led models serve as a foundation
713 from which the federal government can accelerate a just
714 transition.

715 Congresswoman Yvette Clarke's proposal for a just -- for
716 a climate justice working group represents an important step
717 forward for the prior and informed consent of frontline
718 communities, and a just and equitable transition towards a
719 clean, zero-emission economy that protects and prioritizes
720 our communities. We applaud the bill for centering
721 representatives from frontline community-based organizations
722 as advisers and experts on matters pertaining to the impacts
723 of climate change and environmental pollution in our
724 communities.

725 In order to transition away from fossil fuels, improve
726 health conditions in severely-polluted communities, and
727 strengthen social cohesion, we must redress past harms,
728 create new relationships of power that ensure the self-
729 determination of communities, and include the expertise of
730 frontline leadership.

731 UPROSE is located in Lenape Territory, also known as
732 Sunset Park, Brooklyn. It is a diverse, working-class
733 community, where the majority of the residents are people of
734 color. Housing affordability is a major crisis, with nearly

735 half our neighbors being rent burdened, and the city
736 undergoing extreme gentrification that will only worsen with
737 the expansion of opportunity zones. It is also an industrial
738 waterfront community exposed to flooding from hurricanes and
739 storm surges, as we saw in 2012 with Superstorm Sandy.

740 We know the history of environmental racism led to the
741 disparate impacts of COVID-19, a public health crisis where
742 infection and death rates were significantly higher among our
743 people. This bill's proposed climate justice working group
744 would work to protect and prioritize frontline communities
745 and greenhouse gas emission reduction, co-pollutant
746 reductions and investments.

747 A set of criteria to identify climate-burdened
748 communities not only looks at the public health impacts, but
749 also takes on a necessary holistic approach. This transition
750 away from fossil fuels in the extractive economy must be just
751 and equitable, redressing past harms, and creating new
752 relationships of power for the future through reparations,
753 living-wage jobs, and an economic and social development that
754 aims to address historical harm and systemic racism.

755 All around the country, there are examples of frontline
756 communities developing projects that engage in innovative
757 infrastructure, further local control, and create jobs. Some
758 of these projects are in their early stages. My
759 organization, UPROSE, partnered with the New York City

760 Economic Development Corporation, Solar 1, and co-empowered
761 it to create the first community-owned solar cooperative in
762 New York State. Projects like these are scalable, and
763 replicable community-led models of development and
764 investment.

765 As the bearers of the historical and present-day brunt
766 of environmental degradation and climate change, our
767 communities must be at the forefront of solutions.
768 Investment in just development plans around the nation
769 through mandatory funding for block grants earmarked for
770 community-based organizations and community development funds
771 would go even further to repair historical harm, and center
772 community innovation for water, land, air, energy resources
773 in both urban and rural areas, as well as Indian countries.

774 Our hopes are that our government will work with us to
775 build a regenerative economy, and a just and equitable
776 future.

777 Gracias.

778 [The prepared statement of Ms. Yeampierre follows:]

779

780 *****COMMITTEE INSERT*****

781

782 *Mr. Tonko. You are most welcome, de nada. And next --
783 we thank you, Ms. Yeampierre, and next we will welcome Mr.
784 Hollie.

785 Mr. Hollie, you are recognized for five minutes, please,
786 for your opening statement.

787 [Pause.]

788 *Mr. Hollie. Am I unmuted? Can you hear me?

789 *Mr. Tonko. I can hear you.

790

791 STATEMENT OF DERRICK HOLLIE

792

793 *Mr. Hollie. Greetings, Chairman Tonko, Ranking Member
794 McKinley, and members of the subcommittee. Thank you for the
795 opportunity, and allowing me to speak today.

796 [Audio malfunction.]

797 *Mr. Hollie. -- America, an education and policy
798 organization I developed to address complex social issues.

799 [Audio malfunction.]

800 *Mr. Tonko. Mr. Hollie, I think you are muted again.
801 We did hear you.

802 *Mr. Hollie. Can you hear me now? Can you guys hear me
803 now?

804 *Mr. Tonko. I can hear you now.

805 *Mr. Hollie. Okay, do I need to start over?

806 [Audio malfunction.]

807 *Mr. Tonko. -- the clock, and have you start over.

808 *Mr. Hollie. Start over, okay, yes, sir. All right,
809 here we go.

810 Greetings, Chairman Tonko, Ranking Member McKinley, and
811 members of the subcommittee. Thank you for the opportunity,
812 and allowing me to speak today. I am Derrick Hollie,
813 president of Reaching America, an education and policy
814 organization I developed to address complex social issues
815 impacting African-American communities.

816 One of the issues I do the most work on is reducing
817 energy poverty. Energy poverty exists when low-income
818 families or individuals spend upwards of 30 percent of their
819 total income on their electric bill. I believe it would be
820 fair to say that many Americans who struggled with rising
821 energy costs before the COVID-19 pandemic are struggling even
822 more now. And with millions still out of work, many
823 Americans are experiencing energy poverty for the first time
824 in their life. And with moratoriums over, some folks' power
825 is being turned off in these same vulnerable communities that
826 these new laws and regulations claim to protect.

827 We know that communities around the country,
828 particularly low-income, minority, and senior citizen
829 communities suffer from a lack of access of reliable energy
830 sources, and spend a disproportionate amount of their income,
831 much higher amounts of their income, on electricity costs.
832 And when this happens, it results in energy poverty.

833 Eliminating energy poverty is a goal I think we are all
834 interested in achieving, but in working towards that goal we
835 need to be mindful of how policies will impact the
836 communities we are trying to serve. When the government
837 creates policies, its first priority should be the welfare of
838 the people, especially those impacted the hardest. And with
839 the uncertainty that still exists from this virus, it would
840 not be prudent to eliminate safe, reliable energy sources

841 like oil and natural gas for unproven and unreliable
842 renewable sources. Certainly, not right now.

843 Under this current Administration, the oil and gas
844 industry is under attack from pipelines to hydraulic
845 fracturing, which has revolutionized how we access our
846 natural resources. A study done by Shale Crescent USA shows
847 end users have saved \$1.1 trillion over the past 10 years,
848 due to increased natural gas production that has reduced the
849 price of natural gas in the United States. Meanwhile,
850 California, which is rich in its own natural resources,
851 increased crude oil imports from foreign countries from 5
852 percent in 1992 to 57 percent in 2018.

853 This is a glaring example of hypocrisy, and here is why.
854 Just two years ago, booming shale production helped the U.S.
855 overtake Saudi Arabia and Russia to become the world's top
856 oil exporter for the first time ever. How can our natural
857 resources be worthy enough to supply the other countries and
858 the rest of the world, but not good enough for us right here
859 at home?

860 My grandfather was a black coal miner in southwest
861 Virginia, and I had the opportunity to visit that area. And
862 the poverty that exists in rural America is different. And
863 these communities have never recovered from the mines that
864 were shut down years ago, decades ago. My fear, Mr.
865 Chairman, is that the same will happen to these thriving

866 communities that have relied on good-paying oil and gas jobs
867 for generations. I know plenty of black folks in Houston,
868 Dallas, and Louisiana who have worked in the industry, and
869 they are not in agreement with new policies and regulations
870 that will ultimately destroy their lifestyle.

871 I am a licensed captain, and I fished the Atlantic, the
872 Gulf, and I am an environmental steward. I recognize we have
873 to protect our planet. However, the bottom line here is the
874 federal clean energy standard that is being proposed is
875 overly ambitious, and it will undoubtedly raise electricity
876 rates for low-income, minority, rural, and senior citizen
877 communities. It will also put fossil fuels, including
878 natural gas, which has been a game-changer, at a complete
879 disadvantage.

880 There are also provisions in this bill concerning
881 eminent domain that will stop pipeline permitting. We have
882 more miles of pipeline in this country than we have roads,
883 and most people are living and breathing just fine. I think
884 we all agree that American people have gone through enough.
885 And with the uncertainty that still exists from this global
886 pandemic of COVID-19, the last thing we need to do is take
887 away good-paying jobs and disrupt people's lifestyle more
888 than it already has, and is destroying an industry that we
889 have relied on for industries. The same industry -- for
890 centuries, excuse me.

891 The same industry that has allowed us to create a life
892 that Americans have grown to appreciate from petrochemicals,
893 including plastics, fibers, pharmaceuticals, and your yoga
894 mat are all at risk of going away right now. We need market-
895 oriented energy policy that will allow America to keep
896 exploring and developing our own natural resources safely,
897 and allow us to maintain our energy independence, which will
898 ultimately impact our national security.

899 Thank you, I yield my time.

900 [The prepared statement of Mr. Hollie follows:]

901

902 *****COMMITTEE INSERT*****

903

904 *Mr. Tonko. Thank you, Mr. Hollie, and now we will move
905 to Mr. Hawkins.

906 You recognized, Mr. Hawkins, for five minutes, please.

907

908 STATEMENT OF SHAY HAWKINS

909

910 *Mr. Hawkins. Thank you, Chairman Tonko. Thank you,
911 Ranking Member McKinley, and the other members of the
912 subcommittee, for having me. This is my third time
913 testifying in front of Congress, but my second time
914 testifying in front of this committee. So I appreciate you
915 having me.

916 My name is Shay Hawkins. I am the president of the
917 Opportunity Funds Association, a trade association focused on
918 investors, entrepreneurs, and developers in opportunity
919 zones. Prior to founding OFA, I was the majority staff
920 director for the Senate Finance Subcommittee on Energy,
921 Natural Resources, and Infrastructure, and I served as tax
922 counsel for Senator Tim Scott for South Carolina, where we
923 developed the opportunity zones provision based on the
924 Investing and Opportunity Act, a bipartisan proposal with 88
925 House cosponsors: 44 Democrats, 44 Republicans; and 16
926 Senate cosponsors: 8 Republicans and 8 Democrats.

927 Opportunity zones, according to the accounting firm
928 Novogradac, \$15 billion have been raised into the vehicles
929 for opportunities on investing opportunity funds, and 3
930 billion of that has been raised in the midst of this
931 pandemic. The Council of Economic Advisers estimates that 1
932 million Americans will be lifted out of poverty over the next

933 10 years through this policy.

934 Opportunity zones overlap 294 native lands -- I am
935 sorry, 244 opportunity zones overlap native lands. And, as
936 you all know, these are communities that are
937 disproportionately affected by environmental challenges. And
938 so, as we go move forward and look at legislation to serve
939 frontline communities, we have to be very careful that we
940 don't exacerbate these disparate impacts in these communities
941 with unique challenges.

942 So, for instance, you know, when we look at Alaska
943 Native communities, policies that would raise oil prices or
944 fuel prices through additional taxation would have a
945 disparate impact on those folks who are dependent on air
946 travel for freight, but also for passenger travel in a way
947 that those of us down here in the lower 48 just couldn't
948 relate to. And so that is just something that we need to
949 bear in mind as we look for bipartisan solutions to serve
950 these frontline communities.

951 Frontline communities overlap opportunity zones, and
952 vice versa. We are seeing some amazing things happening in
953 opportunity zones. I was just down in Panama City, Florida,
954 where the St. Joe Company broke ground on a waterfront hotel
955 and stand-alone restaurant. The parcel that the hotel is
956 built on is city-owned, and the city will lease it to St.
957 Joe Company, providing an immediate benefit of revenue to the

958 residents of Panama City, as well as 150 direct jobs created
959 by that project.

960 You know, out in San Bernardino, California, a leading
961 real estate investment firm, RevOZ, will be cutting the
962 ribbon on an 11,000-square-foot office project. The facility
963 will house San Bernardino County's Children's Department of
964 Behavioral Health, and that will provide mental wellness care
965 to some of the most vulnerable and under-served members of
966 that community.

967 And we also see operating businesses taking root in
968 critical industries such as clean energy. There are 475
969 solar energy installations in opportunity zones; 127 wind
970 farms have been developed; and 15 battery plants, all
971 providing electricity right now.

972 And so I look forward to speaking more with the
973 committee, and offering whatever I can to help these
974 frontline communities through investment, but also through
975 reasonable, low-cost energy that is secure in its delivery.

976 [The prepared statement of Mr. Hawkins follows:]

977

978 *****COMMITTEE INSERT*****

979

980 *Mr. Tonko. Thank you, Mr. Hawkins. And now we will go
981 to our final witness, Dr. Adrienne Hollis.

982 And you are recognized Dr. Hollis, for five minutes,
983 please.

984

985 STATEMENT OF ADRIENNE HOLLIS

986

987 *Dr. Hollis. Good morning, and thank you, Chairman
988 Tonko, Ranking Members Rodgers and McKinley, and members of
989 the subcommittee, for providing me the opportunity to testify
990 here today. And good morning also to my esteemed co-
991 panelists. My name is Dr. Adrienne Hollis, and I am a senior
992 climate justice and health scientist at the Union of
993 Concerned Scientists. I am here to share my perspectives on
994 the impacts of environmental assaults on EJ communities.

995 We are in the midst of a syndemic. A syndemic occurs
996 when a set of two or more linked health problems affect the
997 same group of people at the same time, and negatively
998 compound each other's effects. EJ communities have existed
999 in the middle of a syndemic for decades, facing challenges of
1000 structural racism, environmental injustice, and climate
1001 change. Any of these factors on their own is deadly, but
1002 together the damage is immeasurable. Add that to existing
1003 adverse conditions in communities that survive despite the
1004 presence of systemic racism, where poverty exists, and
1005 incomes have never been healthy -- and, in some
1006 circumstances, neither have the communities.

1007 We must acknowledge that the underlying factor, systemic
1008 racism against Black, Brown, Native Americans, and indigenous
1009 peoples, affects every aspect of our lives, from education to

1010 employment, from housing to health care, from the food we eat
1011 and the water we drink to the air we breathe. We contribute
1012 the least to environmental pollution, and yet we have the
1013 most exposure to undrinkable water and unbreathable air. We
1014 contribute the least to climate change, yet suffer most from
1015 its consequences.

1016 Let me share a perfect illustration of a syndemic. It
1017 happened last year in western Lake Charles, Louisiana.

1018 First, because of systemic racism, activities like
1019 redlining, and the practice of NIMBY-ism -- not in my
1020 backyard -- factories and other polluting facilities were
1021 placed in EJ communities. In this case, near the familiar
1022 Cancer Alley. Residents have been exposed to toxic chemicals
1023 in the air, water, and soil for years.

1024 They -- then Hurricane Laura struck. Laura's landfall
1025 was a borderline category 5, the strongest since 1856.
1026 Hurricane Laura devastated the area. People who could,
1027 evacuated. And those who could not, stayed. Remember, this
1028 is right in the middle of the COVID-19 pandemic.

1029 Then a chemical fire broke out at a biolab facility and
1030 burned for three days, sending what was thought to be
1031 millions of gallons of chlorine gas into the nearby EJ
1032 community and beyond. A shelter-in-place order was issued.
1033 And because of that order, and directions to keep windows and
1034 doors closed and not use air conditioners, people may have

1035 been at an increased risk of COVID-19 infection and adverse
1036 health effects from the chlorine gas, on top of the danger
1037 from emissions occurring during facility shutdowns in advance
1038 of the hurricane.

1039 The temperature was also a sweltering 90 degrees.

1040 The chemical fire -- the chemical plant fire put
1041 residents at risk of breathing in toxic air, which
1042 contributes to the underlying health conditions that make
1043 COVID-19 more likely to kill. Research has shown that Black,
1044 Latinx, Native American, and indigenous communities in the
1045 high environmental risk areas have higher death rates.

1046 All of this is on top of the danger and trauma from a
1047 climate change-fueled storm. Hurricane Laura killed 32
1048 people in Louisiana, and was predicted to cause unsurvivable
1049 storm surges.

1050 This is a perfect example of the confluence of
1051 conditions that make up a syndemic. Communities should have
1052 been made aware of the presence of dangerous, toxic
1053 chemicals, and should have been part of any plan to address
1054 releases of toxic substances.

1055 Furthermore, there is no standardized federal guideline
1056 for keeping people safe from COVID-19 transmission during
1057 evacuations. The final challenge with COVID-19 in
1058 communities of color is the lack of racial and ethnic data.
1059 That data would have been instrumental in developing policy

1060 around vaccine administration, for example, and that way the
1061 most impacted would have been vaccinated first. Instead,
1062 people in harm's way have to hope that their local leadership
1063 has a plan.

1064 It is beyond time for this country to address and
1065 alleviate the factors that make up this syndemic. And for
1066 that reason, I am very pleased that this hearing is
1067 occurring. Thank you.

1068 [The prepared statement of Dr. Hollis follows:]

1069

1070 *****COMMITTEE INSERT*****

1071

1072 *Mr. Tonko. Welcome, and thank you all to our
1073 witnesses. We thank you all for your participation again in
1074 your opening statements. We will now move to member
1075 questions, and I will start by recognizing myself for five
1076 minutes.

1077 Mr. Logan, I want to start with you, because I believe
1078 you were named as a member of the White House Environmental
1079 Justice Advisory Council. Do you believe the Biden
1080 Administration has properly elevated the importance of
1081 environmental justice in its energy, environmental, and
1082 climate policies?

1083 *Mr. Logan. Thank you, Chairman Tonko, definitely. The
1084 Administration has elevated environmental justice to a point
1085 that we have not seen before at this level. But really,
1086 there is a lot of work to do. And I encourage not just the
1087 Administration across all the agencies, but also legislators
1088 at the federal level, the state level, and the local level to
1089 join in, because this is a crisis that we really need to
1090 address in totality, and as a collective effort.

1091 So it is a good start. It is probably the best we have
1092 seen, in terms of really focusing and addressing
1093 environmental justice, but there is a lot of work ahead of
1094 us, and a lot of learning to do, as well.

1095 *Mr. Tonko. Okay, thank you. The Justice40 initiative
1096 has been one of the priorities of this Administration, and

1097 this committee has adopted a similar requirement that 40
1098 percent of the investments in the Clean Future Act directly
1099 benefit environmental justice communities.

1100 So, Mr. Logan, again, do you have any thoughts on the
1101 ongoing development of the Justice40 commitment, and how we
1102 can make sure that it is implemented in a way that leads to
1103 meaningful engagement and investment in frontline
1104 communities?

1105 *Mr. Logan. Thank you again, Chairman Tonko. And just
1106 to be clear, I am not representing the White House
1107 Environmental Justice Advisory Council on this panel, so I
1108 just wanted to be really clear about that.

1109 There is tons of work to do, in terms of that
1110 investment, making sure that we get the amount of resources
1111 to the communities that are in most need. So developing the
1112 mapping tools, identifying the communities, identifying the
1113 resources, and making sure that those resources are not
1114 leveraged through particular mechanisms that will create more
1115 harm, in effect, zeroing out the benefits of the Justice40
1116 communities because of creating, basically, sacrifice zones.
1117 So there is, again, a lot of work to do.

1118 I think the intention is great, but there is work to do
1119 in terms of identifying where to get those resources to what
1120 communities that are most need.

1121 *Mr. Tonko. Right, and Dr. Hollis and Dr. McClain, is

1122 there anything that you would like to mention about the
1123 importance of the Justice40 initiative?

1124 Either of you.

1125 *Dr. Hollis. Actually, I agree with Mr. Logan. I don't
1126 have anything to add.

1127 *Mr. Tonko. Okay. And anything else from our other
1128 witness?

1129 *Ms. Yeampierre. Yes, yes, thank you -- Elizabeth
1130 Yeampierre.

1131 So I just want to say, on behalf of the Climate Justice
1132 Alliance, that we are encouraged by the ambition in the
1133 American Jobs Act -- Plan.

1134 With that said, we are concerned about the numerous
1135 provisions included that debates the overarching intention of
1136 the plan. Last year, when Congress passed its omnibus bill
1137 to keep the government open and functioning, nearly 10
1138 billion was appropriated for false solutions like carbon
1139 capture and storage, carbon capture, utilization of
1140 sequestration, and so-called green hydrogen. And so, when we
1141 learned that President Biden intends to double down on these
1142 fossil fuel-backed, unproven mechanisms, we found that
1143 troubling, because we think of them simply as big oil
1144 bailouts at the expense of the environmental justice
1145 communities that bear the brunt of the disproportionate
1146 burden.

1147 The other thing that is really important is that we
1148 think that the Administration has made clear the difference
1149 between benefits and actual investments in EJ communities,
1150 rather than subjecting impacted communities to subjective
1151 ideas of what qualifies as a benefit. Federal dollars should
1152 be allocated in a way that strengthens social cohesion. So
1153 we look forward to discussions about this, but we are really
1154 concerned, because there is a difference between investments
1155 and benefits.

1156 And then finally, the last thing that I would say about
1157 that, is that the 40 percent, because it comes out of New
1158 York State's Climate Leadership and Community Protection Act,
1159 was always intended to be a basement and not the ceiling,
1160 that the 40 percent shouldn't be the goal. It should be the
1161 minimum of what is required to address communities that have
1162 been enduring a legacy of extraction for generations.

1163 *Mr. Tonko. Well, I know we are going to hear a lot
1164 today about energy affordability, which I agree is important,
1165 especially for people with high energy burdens. You
1166 mentioned community solar. Can you give us a sense of how
1167 community solar and weatherization projects have resulted in
1168 reduced electricity bills for people in frontline
1169 communities?

1170 *Ms. Yeampierre. I was just --

1171 *Mr. Tonko. But do it quickly, so we are -- I am

1172 running out of time here, so just -

1173 *Ms. Yeampierre. Sure, thank you. I will try to talk
1174 fast.

1175 You know, ours is the first community-owned solar
1176 cooperative in the State of New York. It means that both
1177 small businesses and residents are able to access renewable
1178 energy and reduce their cost, which is important for low-
1179 income communities.

1180 We have also been able to bring offshore wind to
1181 Brooklyn, and work with NYSERDA to invest \$200 hundred
1182 million and bringing thousands of jobs to the industrial
1183 waterfront. We are looking at an industrial waterfront that
1184 has a history of not only polluting and hurting us, but has
1185 the possibility of building for climate adaptation,
1186 mitigation, and resilience. And we are seeing investments
1187 already happen as a result of local legislation in New York
1188 City and at the state level.

1189 With resources from the federal level we are talking
1190 about the complete transformation of sectors that, in the
1191 past, created environmental burdens, and can be building for
1192 a future that brings jobs, renewable energy, and also
1193 addresses issues of health.

1194 So those are some of the things that we are doing, and
1195 they involve thousands of jobs.

1196 *Mr. Tonko. Thank you so much. My time is exhausted,

1197 so I now go to -- recognize Mr. McKinley, our ranking member.

1198 Five minutes for questioning, sir.

1199 *Mr. McKinley. Thank you, Chairman Tonko. Look, in my
1200 opening statement, Paul, I discussed the increase in poverty
1201 and injustice as we -- as the Democrats do away with fossil
1202 fuels by the year 2035. But in so doing, we have to
1203 understand -- and I understand, when we go to renewables, we
1204 are going to be -- it is our desired long term, but it means
1205 we will be increasingly dependable -- dependent on
1206 renewables. Therefore, we need to consider the battery
1207 storage to back them up.

1208 So, just for the sake of this conversation today, let's
1209 focus on the injustices involved with the supply chain for
1210 batteries. And I would say, Paul, no one wants to see
1211 sausage made, but they all love eating it. The same goes for
1212 batteries. Two of the key ingredients in batteries are
1213 lithium and cobalt. But have you ever seen how they source
1214 that material?

1215 Here is -- and CNN did an article, let me see if I -- we
1216 got that. This is an article that CNN posted of children in
1217 Congo being forced into labor to harvest cobalt. Here is
1218 another picture of those -- of -- in another cobalt mine in
1219 the Congo. These are -- we are continuing to have child
1220 labor, or enabling these dictators to use child labor.

1221 Or what about lithium? Have you ever seen the ravaging

1222 effects of lithium? Here is a picture of a lithium mine.
1223 Look at that, look at the depth in the community. These are
1224 ravaging effects we are having on communities all across this
1225 world in our pursuit of having battery storage.

1226 So -- and for those of us that have been concerned with
1227 mountaintop mining, this is mountaintop mining on steroids.
1228 And according to Mark Mills of the Manhattan Institute, he
1229 says we are going to have -- and he testified it -- we are
1230 going to have to -- he testified that we are going to move
1231 250 tons of earth to produce just 1 electric vehicle battery,
1232 250 tons. And we -- and this bill -- there are 650,000 cars
1233 in the federal fleet. So just do the math, and it comes to
1234 about 163 million tons of dirt we are going to have to
1235 excavate around the world.

1236 Now, maybe this idea of doing away with fossil fuels
1237 makes Democrats feel good. And -- but keep in mind, this
1238 procurement is not going to happen in the United States. It
1239 will happen in other countries, kind of out of sight, Paul,
1240 away from us. We are exporting our guilt. It seems like
1241 environmental justice stops at the border. We don't care
1242 what is happening in other nations, what we are doing, as
1243 long as we get ours. Shame on us. We are devastating these
1244 countrysides of other nations to satisfy our thirst for
1245 batteries.

1246 So let's stop for a minute. We are creating poverty,

1247 perpetuating child labor in China and South America, and
1248 destroying the environments of other countries. That is
1249 justice? Give me a break.

1250 So if I could ask a question to Derrick Hollie, last
1251 month, before the committee, former Secretary Menezes said we
1252 need to do more of this mining of these critical minerals in
1253 the United States. Do you agree with him?

1254 [Pause.]

1255 *Mr. McKinley. Derrick Hollie, you are muted.

1256 *Mr. Hollie. Can you hear me?

1257 *Mr. McKinley. Yes, now I can.

1258 *Mr. Hollie. Yes, sir, I agree with you, and everything
1259 that you said about the mining, and it is an absolute
1260 travesty, how we -- and you said environmental justice stops
1261 here, at the border, where we go and get everything we need
1262 from other countries.

1263 *Mr. McKinley. Thank you. So wouldn't it make more
1264 sense to invest in innovation here in America, so that we
1265 don't --

1266 *Mr. Hollie. Yes, sir.

1267 *Mr. McKinley. -- our fossil fuels to balance out our
1268 needs, and do it in a cleaner way? Wouldn't that make more
1269 sense?

1270 *Mr. Hollie. Yes, sir, it would.

1271 *Mr. McKinley. So, again, with these policies, we

1272 understand -- we have had testimony -- our utility bills are
1273 going to increase, our neighbors are going to be unemployed.
1274 We will still have extreme weather conditions, and all the
1275 while we are alienating other nations as we ravage their
1276 countrysides. Is it worth it, Mr. Hollie? Is it -

1277 *Mr. Hollie. No, sir, it is not. No, sir, it is not.
1278 And we talk about the precious minerals that we need for --
1279 to produce the stuff that we need. We have one mine up in
1280 Minnesota right now that produces cobalt, and environmental
1281 groups want to shut that down. And it is just an awful
1282 travesty. It is just a shame.

1283 *Mr. McKinley. And the President just stopped a mine, a
1284 copper mine that we need in Arizona. I just think this is
1285 just a hypocritical issue, in many respects on it. And I
1286 don't think we, as a country, we are doing justice to the
1287 world by what we are trying to accomplish here.

1288 So I thank all of you, and I yield back, Paul, my -- any
1289 time.

1290 *Mr. Tonko. Thank you. The gentleman yields back. The
1291 chair now recognizes Chairman Pallone from the full committee
1292 for five minutes to ask questions, please.

1293 Mr. Pallone?

1294 *The Chairman. Thank you, Chairman Tonko. I wanted to
1295 focus on the environmental justice title of the Clean Future
1296 Act, and just a few examples.

1297 With regard to Superfund, the Clean Future Act creates
1298 several new requirements. First, it requires the federal
1299 government to identify all federal Superfund sites that are
1300 vulnerable to extreme weather associated with climate change,
1301 and to clean up all of those sites within 10 years. So let
1302 me start with Dr. Hollis.

1303 How can cleaning up those sites quickly protect
1304 environmental justice communities?

1305 *Dr. Hollis. Thank you, Chairman Pallone, that is a
1306 great question. What we found is that what -- these
1307 facilities, these Superfund sites, have been in existence for
1308 years, and they are vulnerable to activities like climate
1309 change. We have seen that, for example, in Port Arthur,
1310 Texas, in instances of extreme flooding, where contaminants
1311 from the site have washed, literally, down the street where
1312 communities live, increasing their exposure, and increasing
1313 the amount of cumulative exposure to contaminants.

1314 And we have also seen the fact that some of these
1315 facilities, which are already unsafe, become -- are
1316 exacerbated in situations of extreme weather. And we know
1317 that the -- they have not necessarily been the focus of
1318 cleanup in years. And for that reason, and -- we need a
1319 faster cleanup. We need to think about the communities that
1320 are located around these facilities, and how impacted they
1321 are, and do our best to mitigate that.

1322 *The Chairman. Thank you. And then the Clean Future
1323 Act also creates new financial responsibility requirements
1324 that incentivize chemical facilities to adapt for climate
1325 change to prevent toxic releases during extreme weather
1326 events like hurricanes. And we know that these facilities
1327 are often located in environmental justice communities.

1328 So let me ask Dr. McClain why is it important for
1329 fenceline communities to prevent these releases whenever
1330 possible.

1331 [Pause.]

1332 *The Chairman. Is Dr. McClain -- were you guys able to
1333 hear my question?

1334 [Pause.]

1335 *The Chairman. Maybe not. I don't know if they were
1336 able -- Chairman, were you able --

1337 *Mr. McKinley. We can hear you, Frank. We can hear
1338 you. I am not sure where Dr. McClain is.

1339 *The Chairman. Dr. McClain isn't there.

1340 *Mr. Tonko. Chairman Pallone, you might -- we have
1341 having some technical difficulties. You might direct your
1342 question to Dr. Hollis, please.

1343 *The Chairman. Okay. Dr. Hollis, do you want me to
1344 repeat that for you?

1345 So under the Clean Future Act we create new financial
1346 responsibility to adopt for climate change to prevent toxic

1347 releases during extreme weather. We know that these
1348 facilities are located often in environmental justice
1349 communities. So could you explain why it is important for
1350 fenceline communities to prevent these releases when
1351 possible?

1352 *Dr. Hollis. Yes, and a quick answer would be the
1353 example that I gave earlier about the syndemic, what happened
1354 in Lake Charles, Louisiana when the community, which is a
1355 fenceline community, was potentially impacted from chlorine
1356 gas, if it had been released at higher amounts, in addition
1357 to the exposure that communities face when facilities shut
1358 down for either maintenance, or in anticipation of extreme
1359 weather conditions.

1360 So it is important that we, once again, stop that
1361 exposure. Some of it is immeasurable. We don't know the
1362 quantity, but we do know that people at the fenceline and in
1363 the communities are becoming ill. Thank you.

1364 *The Chairman. Thank you. The bill --

1365 *Ms. Yeampierre. May I add something to this?

1366 *The Chairman. Who is that?

1367 *Ms. Yeampierre. It is Elizabeth again. May I add
1368 something to this, please?

1369 *The Chairman. Yes, but then I wanted to ask you a
1370 question, too, so we are running out.

1371 *Ms. Yeampierre. Okay.

1372 *The Chairman. Let me go to you next, all right?

1373 *Ms. Yeampierre. All right.

1374 *The Chairman. I just wanted to mention that, under the
1375 bill, facilities that did not adapt will pay user fees into
1376 the Superfund Trust Fund, which supports the Superfund
1377 cleanups. And that funding is important, because it would
1378 build on the President's effort in the American Jobs Plan to
1379 reinstate the Superfund tax.

1380 But on brownfields I wanted to ask you, with regard to
1381 brownfields, the Clean Future Act includes 6 billion over 10
1382 years for brownfields redevelopment. And that has long been,
1383 as I said before, a bipartisan issue. So what I wanted to
1384 ask Dr. Yeampierre is -- I mean Ms. Yeampierre - based on
1385 your experience, how could this brownfields investment help
1386 environmental justice communities build back better?

1387 And if you want to mention the other two, that is fine,
1388 but I wanted to ask you -

1389 *Ms. Yeampierre. Yes, so -- thank you so much. So
1390 quickly, I served as chair of the National Environmental
1391 Justice Advisory Council, and predicted that industrial
1392 waterfronts will be hit by extreme weather events. And we
1393 saw that happen in Katrina. We saw it happen in New York.
1394 We saw that happen in Puerto Rico with Hurricane Maria, a
1395 place that has 23 Superfunds, a tiny island like that. So
1396 those investments really need to work to prevent toxic

1397 exposure, the exposure to toxics and toxicants.

1398 These -- when this happens, when a cat hurricane -- a
1399 cat 5 hurricane hits one of these islands, or one of our
1400 communities, those toxicants and those toxics are released in
1401 the air and the ground water. They land in people's
1402 buildings. They literally are everywhere. And there is no
1403 baseline research to determine what the exposure is. There
1404 is no way of comparing it.

1405 So that resource -- those resources have to be investing
1406 in not only redeveloping those properties, and using them as
1407 vehicles for economic development in our community, but
1408 addressing the kind of environmental harm that has actually
1409 cost lives already.

1410 And there is a study that came out of that year. It
1411 happened before -- right after Superstorm Sandy that
1412 documents all of the different communities all over the
1413 United States where that was possible. And then we saw it
1414 happen in Houston. So I would urge you to look at that
1415 study, and make sure that we operationalize the
1416 recommendations that came out of that advisory group, because
1417 I always feel that we are starting from scratch, but we have
1418 been --

1419 *The Chairman. I am going to have to --

1420 *Ms. Yeampierre. -- talking about this.

1421 But thank you so much for the question, it is an

1422 important one.

1423 *The Chairman. Thank you.

1424 Thank you, Chairman.

1425 *Mr. Tonko. Oh, you are welcome. The gentleman yields
1426 back.

1427 The chair now recognizes Mrs. Rodgers, Representative
1428 Rodgers, for five minutes. She is our full committee ranking
1429 member.

1430 So welcome.

1431 *Mrs. Rodgers. Thank you, Mr. Chairman. I wanted to
1432 start with some questions for Dr. Hollie, or Mr. Hollie.

1433 I appreciated you outlining how important affordable
1434 energy is for people, and especially for people most in need.
1435 And that has been a key focus, as we are reviewing the bills
1436 before us.

1437 My state of Washington, the State of Washington, enjoys
1438 some of the lowest electricity rates in the country, and that
1439 is thanks to abundant hydropower. Nearly 70 percent of our
1440 electricity comes from hydropower, and we hope to keep it
1441 that way. You know, it helps families, and it helps us grow
1442 our economy. It is an economic advantage to us, a
1443 competitive advantage.

1444 You know, but as you look across the country, low rates
1445 are not everywhere. And in those places where not, it
1446 creates burdens for low-income communities. A review of

1447 Department of Energy data shows that states with the highest
1448 low-income energy burdens are in the southeastern United
1449 States. And this is where most of our electricity is used
1450 for heating and cooling. Low-income households in those
1451 states use almost 40 percent more electricity than the
1452 national average for low-income households.

1453 The good news is that in these southeastern states they
1454 also enjoy some of the lowest electricity rates in the
1455 nation. So, Mr. Hollie, what happens to low-income
1456 households in Mississippi, Alabama, Georgia, or South
1457 Carolina if climate policies force them to pay the same rates
1458 as residents in California, or even Connecticut, where prices
1459 are nearly twice as high?

1460 *Mr. Hollie. Yes, I can't speak -- because I am not in
1461 everyone's household, I don't know everybody's income is, but
1462 it will certainly drive up the electricity rates for everyone
1463 in these communities.

1464 And I would also add, Ranking Member, that the same --
1465 these same communities that are screaming environmental
1466 justice are the same communities that are being impacted by
1467 energy poverty.

1468 *Mrs. Rodgers. Well, and maybe speak a little bit to
1469 the economic opportunities that would also be harmed if
1470 businesses and industries had to pay those higher rates.

1471 *Mr. Hollie. No, I don't think anyone can afford these

1472 rates. And just as a small business owner, I know how we
1473 have been impacted right now with COVID. And so I don't
1474 think it would be prudent to implement any of these policies
1475 that will essentially raise the rate for consumers and
1476 business owners.

1477 *Mrs. Rodgers. So there is provisions in the
1478 legislation before us where it would mean that projects will
1479 not be able to get permits if they are, "overburdened," if
1480 they are found in one of these overburdened census tracts,
1481 even if it doesn't contribute to -- even if they aren't the
1482 ones contributing to the burden. So what is your view of
1483 that?

1484 *Mr. Hollie. I just think, you know, with the federal
1485 government, we need to leave some of this responsibility to
1486 the states. They know what they need in these areas. So I
1487 think that, when we start -- the federal government starts
1488 meddling in the states, sometimes that creates an overburden
1489 because, again, they know what they need down there in those
1490 states more so than we do.

1491 *Mrs. Rodgers. Thank you.

1492 Mr. Hawkins, I -- the White House Council of Economic
1493 Advisers analyzed the potential for opportunity zones last
1494 year. Can you talk about what they estimated those impacts
1495 on poverty would be, and how many people would be lifted out
1496 of poverty with good-paying jobs?

1497 *Mr. Hawkins. Sure. And so the Council of Economic
1498 Advisers estimates that over a million Americans would be
1499 lifted out of poverty over the next 10 years, as a result of
1500 this policy.

1501 They also estimate that the residents, you know, when we
1502 look at opportunity zones, and kind of isolate those census
1503 tracts across the country, that the poverty rate in
1504 opportunity zones will drop by 11 percent.

1505 *Mrs. Rodgers. That is great, that is great, I just
1506 really appreciate the -- your work on it, too.

1507 So the Republicans on this committee have released a
1508 package of bills. We call it Securing Cleaner American
1509 Energy.

1510 *Mr. Hawkins. Yes, yes.

1511 *Mrs. Rodgers. It is part of our agenda, and it is
1512 focused on creating cleaner, more affordable, more secure
1513 energy, which is so important, from a national security
1514 perspective, but also an economic perspective, and also about
1515 creating jobs and lifting people out of poverty.

1516 *Mr. Hawkins. Sure.

1517 *Mrs. Rodgers. Would you just speak to what you see in
1518 that bill, and how you believe it may impact distressed
1519 communities?

1520 *Mr. Hawkins. Yes, I think the most exciting parts are
1521 the parts that deal with innovation, so the CCUS Innovation

1522 Act, the Clean Energy Hydrogen Innovation Act, those policies
1523 both have elements where you are partnering with the loan
1524 guarantee program at DoE, and you can see that kind of cross
1525 -- across-agency coordination that we have seen possibly --
1526 potentially, between DoE and opportunity zones, similar to
1527 what we saw from EPA around brownfield remediation in
1528 opportunity zones. So that -- those elements were very
1529 exciting.

1530 *Mrs. Rodgers. Yes, I completely agree. American
1531 ingenuity leading the way, bringing down carbon emissions,
1532 creating more opportunities.

1533 *Mr. Hawkins. Absolutely.

1534 *Mrs. Rodgers. I have exceeded my time. I yield back.
1535 Thank you, Mr. Chairman.

1536 *Mr. Tonko. You are welcome.

1537 The gentlelady yields back. The chair now recognizes
1538 the gentlelady from Colorado Representative DeGette, who
1539 serves as our chair of the Subcommittee on Oversight.

1540 So Representative DeGette?

1541 *Ms. DeGette. Thank you so much, Mr. Chairman. This is
1542 a really important hearing, and I just want to say the name
1543 of the hearing, because I think my colleagues on the other
1544 side of the aisle may have forgotten about what this hearing
1545 is about. It is called "Protection from Cumulative Emissions
1546 and Underenforcement of Environmental Law Act.'" And that is

1547 my bill, and then there is a bunch of other bills that are
1548 included in the hearing that are talking about environmental
1549 justice, and how we clean up environmentally-contaminated
1550 sites.

1551 In my congressional district I have some neighborhoods,
1552 Swansea, Elyria, and Globeville. These neighborhoods are
1553 classic environmental justice communities. They suffer from
1554 highways going right through the middle, from railways,
1555 refineries, other historical polluters. They are
1556 neighborhoods full of working-class Americans who have
1557 suffered incredible health damage and other damages from this
1558 pollution.

1559 Now, I -- so what my bill does is it requires the EPA to
1560 develop and implement a protocol for addressing cumulative
1561 health impacts of multiple sources of pollution.

1562 I can understand how my colleagues on the other side of
1563 the aisle would like to talk about renewable energy versus
1564 traditional energy, and how they would like to debate that,
1565 and how they would like to change the subject. I guess I can
1566 understand that. But what I really can't understand is how
1567 not either of their witnesses or one of the members is
1568 willing to talk about how we address cleanup of these
1569 environmental justice areas.

1570 Now, I must say Mr. Hawkins did talk about opportunity
1571 zones, and he did do some good work with his former boss,

1572 Senator Scott, on that. I support opportunity zones, but
1573 those are about economic development. It is not talking
1574 about cleanup of environmental contamination in these
1575 neighborhoods. And that is what we need to talk about. And
1576 so I want to -- I have some questions, and I want to ask the
1577 witnesses about what this hearing is about.

1578 Dr. Hollis, I am going to start with you. When the EPA
1579 develops a standard for a given pollutant, does the agency
1580 typically consider the other pollutants that a community
1581 might be exposed to?

1582 *Dr. Hollis. No, that is not necessarily the way EPA
1583 does their calculation when they --

1584 *Ms. DeGette. Yes.

1585 *Dr. Hollis. -- establish standards.

1586 *Ms. DeGette. Okay. Now, when the EPA or state
1587 environmental agency issues a permit, are they required to
1588 issue -- to consider the other pollutants the community be
1589 exposed to? Same thing?

1590 *Dr. Hollis. Same thing.

1591 *Ms. DeGette. Now, is it possible that, if you have
1592 different pollutants, they can interact with each other or
1593 even make each other worse in attacking our health?

1594 *Dr. Hollis. Absolutely.

1595 *Ms. DeGette. And are you familiar with the -- I think
1596 you talked about this a little bit in your opening statement:

1597 the Harvard study about the relationship between chronic
1598 exposure to air pollution and COVID.

1599 *Dr. Hollis. Yes.

1600 *Ms. DeGette. Can you talk to us for a minute about
1601 that study?

1602 *Dr. Hollis. The study from Harvard, which was also
1603 done in Beijing and Italy, suggests a relationship between
1604 particulate matter and COVID-19, that the virus particles
1605 actually sort of hitch a ride on the particulate matter. And
1606 particulate matter is found at higher concentrations, of
1607 course, in the environmental justice communities from
1608 emissions, from polluting facilities like that. So
1609 communities, who are already at risk because of where they
1610 live, are more at risk because the particulate matter allows
1611 the COVID-19 to embed itself deeper into the lung.

1612 *Ms. DeGette. Right. And we know that multiple sources
1613 of pollution are a hallmark of environmental justice
1614 communities. And what complicates that is EPA actually only
1615 carries out a relatively small number of enforcement actions.

1616 And so what my bill does is it says, "EPA, identify 100
1617 communities nationwide where there appears to be chronic
1618 under-enforcement, and work with state and local agencies to
1619 figure out what needs to happen to clean that up.'" Would
1620 you agree that under-enforcement of environmental laws is a
1621 classic example of an environmental -- of environmental

1622 injustice?

1623 *Dr. Hollis. Absolutely.

1624 *Ms. DeGette. And why do you think that happens? What
1625 do you think the reasons for that are?

1626 *Dr. Hollis. Gosh, I don't know the answer to that
1627 question. I --

1628 *Ms. DeGette. You have got 26 seconds, okay?

1629 [Laughter.]

1630 *Ms. DeGette. Okay, let me move on. Do you think that
1631 this hurts the ability of the local neighbors to actually
1632 move forward in supporting their communities, when they see
1633 that that the government just doesn't even care?

1634 *Dr. Hollis. Absolutely.

1635 *Ms. DeGette. Okay, thank you very much, Mr. Chairman.
1636 I yield back.

1637 *Mr. Tonko. The gentlelady yields back. The chair now
1638 recognizes the gentleman from Ohio.

1639 Representative Johnson, you are recognized for five
1640 minutes, please.

1641 *Mr. Johnson. Well, thank you, Mr. Chairman. Before I
1642 start, I ask unanimous consent to enter an article into the
1643 record. This article from Politico, published a week ago, is
1644 entitled, "The Wage Gap That Threatens Biden's Climate
1645 Plan.''

1646 *The Chairman. Mr. Johnson, we will do all the requests

1647 at the end of the hearing, and we will recognize your
1648 request.

1649 *Mr. Johnson. Okay, thank you. I am going to quote a
1650 couple of excerpts from this article. And I quote, "Energy
1651 industry workers employed by solar and wind power companies
1652 earn significantly less than those who mine coal or drill for
1653 natural gas. Energy workers, on the whole, earn more than
1654 the typical American, but the highest-paying positions are
1655 skewed heavily toward nuclear utility and natural gas and
1656 coal industry workers, the new data shows. The wind, solar,
1657 and construction jobs that would surge under Biden's policies
1658 were well below them on the median pay scale.'"

1659 When we are faced with the facts presented in this
1660 article, I can't help but ask my Democratic colleagues and
1661 their witnesses today, is this what my constituents in an
1662 oil, gas, and coal-producing district have to look forward
1663 to?

1664 If the legislation we are discussing today was to become
1665 law, thousands of men and women I represent, millions across
1666 our nation, will be forced to take a significant pay cut.
1667 Now, I don't know about you, but that doesn't sound very just
1668 to me.

1669 So, Mr. Hollie, let me start with you. When we review
1670 the legislation in front of us today, the Clean Future Act
1671 doesn't hide its bias against fossil fuels. There is a title

1672 in the bill itself, title 10, that actually lists out the
1673 fossil energy jobs that will be lost under this green
1674 transformation. These include resource production, power
1675 generation, and manufacturing.

1676 So, Mr. Hollie, the shutdown of these industries would
1677 mean the loss of thousands of good-paying, blue-collar jobs
1678 that would be replaced with vague promises of lower-paying,
1679 green jobs in far-off places. Would this help or hurt the
1680 communities you advocate for?

1681 *Mr. Hollie. Oh, it would totally hurt them, devastate
1682 these communities, Mr. Johnson.

1683 *Mr. Johnson. Okay. Section 902 of that Clean Future
1684 Act would halt permitting for the domestic manufacturing of
1685 plastics, including their feedstocks, which we all know is
1686 natural gas and the petrochemical products harvested in the
1687 extraction process of natural gas.

1688 So your testimony talks about energy poverty, that idea
1689 that low-income Americans suffer the most when policies are
1690 enacted that raise the cost of gasoline, electricity, and
1691 natural gas to heat their homes and cook their meals. So,
1692 Mr. Hollie, would you agree that this same concept of energy
1693 poverty could be realized if there is reduced access to the
1694 thousands of affordable products derived from petrochemicals
1695 or plastics that Americans rely on every day, those materials
1696 used in clothing, food packaging, electronics,

1697 transportation, common home furnishings, and other basic
1698 necessities?

1699 Can you talk about what happens if we devastate the
1700 plastics manufacturing sector?

1701 *Mr. Hollie. Yes, sir. Yes, sir, and I couldn't
1702 include all that in my testimony in five minutes, but that is
1703 -- I think a lot of times people don't understand just how
1704 much the oil and gas industry provides to us, and
1705 petrochemicals, but all the things that we need to supply us
1706 and that we need to function daily, even down to, like I
1707 said, your yoga mat. And I think, at the end of the day,
1708 when you start taking away these jobs, taking away the
1709 industry, it will ultimately drive up the cost for all these
1710 goods that we need and that are a part of our life every
1711 single day.

1712 *Mr. Johnson. Absolutely. You know, I -- one of the
1713 things that my Democratic colleagues are pushing so hard for
1714 is all-electric vehicles. And, you know, I am not opposed to
1715 all-electric vehicles. But I wonder, do my colleagues
1716 realize how much plastics manufacturing goes into the process
1717 of making an all-electric vehicle? It is possible because
1718 plastics are lightweight, and much of the material that goes
1719 into an all-electric vehicle is plastic.

1720 And a lot of the components of solar panels and wind
1721 turbines are also made out of petrochemical products. So I

1722 think we are missing the point here in many, many cases.

1723 But, Mr. Hollie, I thank you for your responses.

1724 I yield back, Mr. Chairman.

1725 *Mr. Johnson. Well, thank you, the gentleman yields
1726 back. The chair now recognizes the gentlelady from Illinois,
1727 Representative Schakowsky, who also chairs our Subcommittee
1728 on Commerce and Consumer Protection.

1729 Representative Schakowsky?

1730 *Ms. Schakowsky. Thank you, Mr. Chairman. So nearly a
1731 decade ago I met with a young constituent who was concerned
1732 about the impact of oil and gas operations on drinking water.
1733 And as a result, I introduced the SHARED Act -- of course,
1734 that is an acronym, and it is called the Safe Hydration is an
1735 American Right in Energy Development -- to require testing of
1736 water sources near hydraulic fracturing operations, and then
1737 the public disclosure of their results. It is a very simple
1738 and common-sense way to protect communities from
1739 environmental harm, and I believe that it is a valuable
1740 addition to the environmental justice conversation.

1741 The SHARED Act -- that is H.R. 2164, I keep introducing
1742 it, and hopefully it will be part of the -- all the bills
1743 that we are passing now, but -- and it would require oil and
1744 gas companies to report on the impact of their fracking
1745 activities, and how -- what they -- how they -- what impact
1746 they have on the water. And companies would be required,

1747 then, to test the water sources within a half-mile radius of
1748 fracking sites. And those results would have to be made
1749 publicly available to the community.

1750 So, Dr. Hollis, I am wondering if you could discuss the
1751 importance of both monitoring pollution -- polluting causes
1752 such as fracking by fossil fuel operations, and publicly
1753 disclose that information. What do you think of that?

1754 *Dr. Hollis. I can do that. I will do it quickly.

1755 *Ms. Schakowsky. Okay.

1756 *Dr. Hollis. The issue with hydro-fracking is that
1757 evidence has shown that it contaminates the water, the
1758 groundwater, the drinking water wells. It also contaminates
1759 the environment, the air. The methane is released into the
1760 environment. And the issue is that a number of the
1761 ingredients that we do know of are carcinogens, are very
1762 toxic.

1763 And then there are those that we don't even know are
1764 included in hydro-fracking fluid because of the -- a trade
1765 secret, so that facilities aren't required to provide that
1766 information to communities, which is ridiculous, because, you
1767 know, it goes against common sense that people should know
1768 what they are being exposed to, because when you fracture the
1769 soil, when you fracture the ground, you are releasing -- you
1770 are creating cracks. And through those cracks, eventually,
1771 this fracking fluid will get into the water supply, and has

1772 gotten into the water supply.

1773 *Ms. Schakowsky. And has, thank you very much. And it
1774 is not just common sense, but I think we are talking about
1775 the health of our families and our communities. And every
1776 American family really does deserve to know whether the water
1777 that they use to cook and bathe and drink is safe, especially
1778 from contamination due to fossil fuel energy production.

1779 We can't forget that oil and gas operations are also
1780 major drivers of the climate crisis, and specifically as the
1781 country's primary source of harm from methane pollution. So
1782 I wanted to ask Mr. -- or Ms. Yeampierre, can you speak to
1783 the importance of controlling dangerous methane pollution,
1784 especially for frontline communities?

1785 *Ms. Yeampierre. Well, thank you, thank you for that
1786 question. I want to make it personal for a second. I want
1787 to share with everyone that a year ago this week I almost
1788 went into cardiac arrest because of COVID, and lost four
1789 family members within two weeks. All of us were born and
1790 raised in the midst of environmental burdens right next to
1791 power plants, waste transfer stations, brownfields. We have
1792 all of those things in common from the front line.

1793 And so these protections are tremendously important.
1794 They land on our -- in our lungs, in developing -- while
1795 women are pregnant. They affect the ability for children to
1796 function in school. They disrupt work. So all of these

1797 protections are tremendously important. And so I want folks
1798 to know that we are not talking about people out there, some
1799 some question mark of folks. We are literally talking about
1800 our aunties, our grandmothers, our children.

1801 And so anyone who cares about children, and anyone who
1802 cares about families, and who is invested in making sure that
1803 we live healthy, thriveable lives will invest in making sure
1804 that we are moving away from extraction, and investing in
1805 regenerative economies, and putting in those protections.

1806 And people, for example -

1807 *Ms. Schakowsky. I am going to -- my time is almost
1808 expired, but I just wanted to say how important it is, and
1809 this hearing in general, and bringing it home, bringing it
1810 home to our families, as you were talking about, talking
1811 about your aunties, that we need to make that a top priority
1812 when we consider how we develop our energy future. And I
1813 just appreciate this hearing so much.

1814 Thank you, and I yield back.

1815 *Mr. Tonko. The gentlelady yields back. I next have
1816 Mr. Carter. I don't see him on our screen, so if he does
1817 return we will reinsert him on our list. So let's go to the
1818 gentleman from South Carolina.

1819 Representative Duncan, you are recognized for five
1820 minutes, please.

1821 *Mr. Duncan. Thank you, Chairman Tonko. I first want

1822 to say that it is time for fear tactics like Ms. Hollis was
1823 talking about to stop. Most drinking water wells are -- deep
1824 drinking water wells -- 300 feet. Most fracking happens at
1825 hundreds, if not thousands, of feet below the depth of a
1826 drinking water well. It has been proven time and again that
1827 fracking fluids are not flowing up from a fracking operation
1828 into drinking water wells. So just stop with the
1829 misinformation that is out there to put fear tactics and fear
1830 in the hearts and minds of folks across America.

1831 I want to shift gears. Mr. Hawkins, Shay, it is great
1832 to see you. Thanks for all the work that you did with Tim
1833 Scott, Senator Scott, on the opportunity zones. I want to
1834 start by saying I appreciate that. I appreciate the
1835 opportunity zones, in general. And low-income communities
1836 will be the last to recover from economic instability.

1837 As we work towards relief for American families and
1838 businesses to return to pre-COVID conditions, I think the
1839 opportunity zones should play a vital role. I know they have
1840 already benefitted many communities in my home state of South
1841 Carolina. How can incentivizing investment in distressed
1842 areas establish longer-term quality-of-life benefits for
1843 those residents in the communities, compared to direct
1844 government benefits, Shay?

1845 *Mr. Hawkins. Yes, so absolutely. So, you know, when
1846 we look at what is going on in opportunity zones,

1847 particularly around job creation, so there is multiple
1848 benefits.

1849 One benefit that potential opportunity zone residents
1850 see is in direct jobs. That is obvious. But we also see
1851 benefits around better access to goods and services that
1852 weren't previously available. Significant numbers of
1853 designated opportunity zones are in food deserts. And so,
1854 you know, food security becomes an issue.

1855 But then you also see that opportunity zone residents
1856 benefit from higher real estate prices, and the majority of
1857 opportunity zone real estate -- the majority of opportunity
1858 zone residents own real estate in the opportunity zone. And
1859 so, you know, there is a plethora of potential benefits.

1860 Representative DeGette indicated that environmental
1861 cleanup was the topic of the hearing, and that we hadn't
1862 offered much from our side on that. So if you will allow me,
1863 Representative Duncan, I will just talk a little bit about
1864 brownfield remediation, and the fact that EPA worked closely
1865 with opportunity zones in designating the areas they -- 151
1866 areas that they laid out for brownfield remediation; 118 of
1867 those were in opportunity zones.

1868 And so, you know, it is critical, both on the cleanup
1869 side for frontline communities, but both on the long-term
1870 quality-of-life side that you laid out.

1871 *Mr. Duncan. Yes, well, that is great. I want to shift

1872 gears a little bit and, Mr. Hawkins, I appreciate all the
1873 work on opportunity zones, as well.

1874 This move toward higher-priced and more expensive
1875 electricity generation through wind and solar, it has been
1876 proven time and again that that is more expensive than
1877 traditional, 24/7, 365 power supplies that exist today. And
1878 that is nuclear power, that is coal and natural gas-fired
1879 power plants. The higher-priced electricity generation
1880 affects the lower-income populations more than it does
1881 anyone, because they now have to pay more, as a percentage of
1882 their discretionary income, for utility rates because of the
1883 high-priced electricity generation.

1884 So, as we move toward more higher-priced electricity,
1885 just keep in mind that those that are on a very limited and
1886 fixed income -- and that is the lower-income side of the
1887 scale -- will pay more out of their pocket for electricity.
1888 That means they have less money to spend in the economy on
1889 other things that they need, whether that is education of
1890 their children, clothes, food, rent, taxes, other things that
1891 they have to pay for in life. They will have less money to
1892 do that. So let's just keep that in mind.

1893 Mr. Chairman, I appreciate the committee hearing and the
1894 comments from the witnesses, and with that I yield back.

1895 *Mr. Tonko. Thank you, the gentleman yields back. We
1896 now recognize the gentleman from Maryland.

1897 Representative Sarbanes, you are recognized for five
1898 minutes, please.

1899 *Mr. Sarbanes. Mr. Chairman, thank you for holding the
1900 hearing, and I want to thank the witnesses that you have
1901 assembled here today for their testimony. I certainly
1902 appreciate the work this committee has been doing to bring
1903 environmental justice to the forefront of the conversation.
1904 It is really, really critical.

1905 One of the bills that we are discussing today is the
1906 Ensuring Safe Disposal of Coal Ash Act, which would establish
1907 stronger protections against unsafe coal ash disposal. As we
1908 know, coal ash, or coal combustion residuals, is one of the
1909 largest types of industrial waste in the United States that
1910 is generated. And according to the EPA, in 2012 about 110
1911 million tons of coal ash was generated. Power plants have
1912 disposed of this waste, including many times in unlined coal
1913 ash ponds.

1914 The coal ash is filled with toxic levels of several
1915 pollutants, including mercury and arsenic, and exposure to
1916 coal ash can lead to cancers, cardiovascular issues,
1917 developmental defects, and nervous system damage. If
1918 disposed of in an unsafe manner, coal ash poses significant
1919 risk to neighboring communities. I have seen that in
1920 Maryland. We have had some real challenges there, and I have
1921 witnessed firsthand the impact of coal ash pollution on

1922 residents, and the dangers associated with unsafe disposal.
1923 In my prior district I represented previously, this was a
1924 real concern.

1925 The Obama Administration issued the 2015 coal ash rule
1926 to protect communities and water resources in the United
1927 States from toxic coal ash contamination. Unfortunately,
1928 rather than strengthening that rule, the Trump Administration
1929 took action to weaken the critical provisions that were
1930 contained within it. So it is of little surprise now to know
1931 that an estimated 60 percent of coal ash disposal sites are
1932 located near low-income communities. So I am very pleased to
1933 see H.R. 2396 is being considered today.

1934 Dr. Hollis, in your testimony you discuss how systematic
1935 racism is a public health issue. I certainly agree with
1936 that. And as you know, this week the head of the Centers for
1937 Disease Control also issued a statement, and the CDC is now
1938 going to be examining that link in a more systematic fashion.
1939 Could you elaborate a little bit more on how locally
1940 undesirable land uses -- and taking coal ash on as an example
1941 of that -- can disproportionately burden communities of color
1942 and low-income communities, as well as their resources?

1943 And talk a little bit about the fact that there is a
1944 double hit on these communities. On the front end they are
1945 getting this environmental injustice; on the back end there
1946 is often a gap in terms of them being able to access the

1947 health care and resources they need to actually help them
1948 cope with the impact of that environmental justice. So if
1949 you could speak to that, I would appreciate it.

1950 *Dr. Hollis. Sure. Traditionally, mostly in the south,
1951 communities have been inundated with coal ash. It is mostly
1952 unregulated, which is a big problem. I live in -- I am
1953 currently in Alabama -- I live in Maryland, and I have worked
1954 with communities in Alabama, in Florida, and so forth, where
1955 coal ash was illegally dumped, not only in the residences, in
1956 the yards, but also in schools. Traditionally, these are
1957 low-income communities, and they don't necessarily have the
1958 resources to protest the dumping of coal ash.

1959 They also don't have the resources to routinely test
1960 their drinking water and/or their soil. And they often, as
1961 you said, lack access to adequate medical resources, and also
1962 to legal assistance. And that is part of the systemic racism
1963 that I had alluded to earlier.

1964 The issue with coal ash, which, as we know, is very
1965 toxic, highly toxic, almost to the point of being
1966 radioactive, is that these communities don't have
1967 representation, and only -- you know, their voices are --
1968 have traditionally been unheard or often ignored. And
1969 normally you see facilities in these -- near these
1970 communities who truck these -- this coal ash residue through
1971 the community uncovered and, you know, unprotected from

1972 community exposure.

1973 So when it comes to the challenges, these communities
1974 are indeed faced with multiple challenges, including health
1975 care, legal resources, and the ability to stop this
1976 unregulated practice.

1977 *Mr. Sarbanes. Thank you very much, Mr. Chairman. That
1978 was a very powerful statement of why we need the legislation
1979 as part of the bills we are looking at today, and I yield
1980 back.

1981 *Mr. Tonko. I agree with your sentiments, and the
1982 gentleman yields back. We now recognize the gentleman from
1983 Alabama, Representative Palmer.

1984 You have five minutes now for questioning, please.

1985 [Pause.]

1986 *Mr. Tonko. Mr. Palmer, you need to unmute, please.

1987 *Mr. Palmer. Thank you.

1988 *Mr. Tonko. Okay, now we can --

1989 *Mr. Palmer. I can't wait until we get back to live
1990 hearings so we can see each other and hear each other.

1991 Mr. Hollie, I really appreciated your testimony. I
1992 think it is time that people begin to speak up for energy and
1993 economic justice for all people, all low-income people, in
1994 particular. And I want to focus on a couple of things, and I
1995 will ask you to comment.

1996 I want you to respond about the impact of energy

1997 injustice. Low-income families face tremendous disadvantages
1998 in the cost of household energy. And not only that, they
1999 suffer health consequences. I grew up dirt poor in northwest
2000 Alabama. We heated our house with a coal-fired heater, a big
2001 heater that had a stovepipe that ran out from it, out the
2002 side of the house, and it sat in the kitchen. And so I
2003 understand what it -- what energy poverty means.

2004 Right now households earning the average salary pay
2005 about two-and-a-half percent of their salary in energy costs.
2006 But households earning less than 20,000 a year pay almost 3
2007 times as much, and households earning 16,000 a year pay
2008 almost 4 times as much. And there is another study that
2009 showed that, when you look at the top 20 percent in wage
2010 earners versus the bottom 20 percent in terms of disposable
2011 income, the bottom 20 percent pay almost 5 times as much.

2012 Then you have the -- in terms of the energy insecurity
2013 injustice, you have Jesse Jackson and Al Sharpton and other
2014 civil rights leaders literally working, campaigning for
2015 greater access to natural gas, which is much less expensive,
2016 much cleaner. You take Pembroke Township in Illinois, a town
2017 of about 2,100, 80 percent of those residents are African-
2018 American, and they are literally using propane in wood-
2019 burning stoves to heat their homes in the wintertime. Jesse
2020 Jackson is leading an effort there to get them a natural gas
2021 pipeline.

2022 And then, in terms of jobs, if we were to shut down
2023 fracking, it would cost us over 7 million jobs, and would add
2024 increased costs for the average family by over \$5,000.

2025 And then the whole health aspect of this, because --
2026 particularly in cold weather -- a British medical journal,
2027 Lancet, reported that there are -- 17 times more people die
2028 from the consequences of living in colder homes than from
2029 heat.

2030 And so I am just so encouraged that you are speaking up
2031 for energy and economic justice for low-income families. I
2032 would like you to comment on that.

2033 *Mr. Hollie. Yes, sir, and I would just share that it
2034 has been a passion of mine for a long time, for years, and I
2035 have had the opportunity to speak to several people in your
2036 state, and up and down the Atlantic coast, who all suffer
2037 from energy poverty. And I think a lot of times they are
2038 misled about the information that they are getting that
2039 actually is causing energy poverty. And when you speak to
2040 these individuals, and you share with them about different
2041 policies and different regulations that are impacting them --
2042 now, granted, they are all about cleaning up the air, clean
2043 up where they live. But at the same time, they are equally
2044 just as concerned about the energy poverty and their -- and
2045 the cost that they incur every single month with the high
2046 cost of energy.

2047 *Mr. Palmer. I would like to see a show of hands of the
2048 other witnesses, since I can see on the screen, how many of
2049 you support Reverend Jackson's efforts to get a natural gas
2050 pipeline into Pembroke Township to alleviate the energy
2051 injustice those people are suffering?

2052 Oh, man, none of the Democrat witnesses. That is
2053 shocking.

2054 Mr. Hawkins, thank you for your testimony, and
2055 particularly for the work that you are doing to alleviate
2056 poverty and to create opportunity. I would like for you to
2057 comment on these -- on energy and economic injustice.

2058 *Mr. Hawkins. Sure. There are -- just in terms of
2059 context, frontline communities are served with cleaner
2060 energy, you know, energy that has less emissions. Frontline
2061 communities are served with more affordable energy.
2062 Frontline communities are served with secure sources of
2063 energy.

2064 And so, you know, as we look to serve these communities,
2065 you know, we have to have that as our framework and as our
2066 outlook for approaching this. And so there are bipartisan
2067 solutions that can serve those communities in all of those
2068 ways without creating harm in the process.

2069 *Mr. Palmer. I thank the witnesses, and thank the
2070 chairman. I yield back.

2071 *Mr. Tonko. The gentleman yields back. The chair now

2072 recognizes the gentle lady from my home state of New York, and
2073 the former vice chair of the full Committee of Energy and
2074 Commerce, Representative Clarke.

2075 You are recognized for five minutes, please.

2076 *Ms. Clarke. Thank you very much, Mr. Chairman, and I
2077 thank our Ranking Member McKinley for convening this very
2078 important and timely hearing. But let me also thank all of
2079 our witnesses for your testimony here today.

2080 Make no mistake about it, the climate crisis is
2081 happening right now, and its impacts are being felt most
2082 profoundly by marginalized communities throughout this
2083 nation. We see these disparities when we look at the impacts
2084 of climate change on people's health, on their livelihoods,
2085 and on their homes and neighborhoods.

2086 Ms. Yeampierre, it is so nice to have a fellow
2087 Brooklynite at our hearing today. What do you see as the
2088 connection between climate change and racial injustice?

2089 And how does this relationship inform the climate
2090 justice movement?

2091 *Ms. Yeampierre. Well, thank you. It is wonderful to
2092 see you, as well. It feels like a blessing to be in a space
2093 with you.

2094 You know, this is part of a history of extraction on the
2095 backs of our communities. The citing of environmental
2096 burdens has always happened in low-income communities and

2097 communities of color. Our communities are the ones that are
2098 suffering a disproportionate share of the public health
2099 crisis. But we are also working at solutions, and which is
2100 why your legislation is so important.

2101 We are operationalizing a just transition, and we are
2102 passing the benefits, not just the health benefits, but the
2103 economic benefits to our communities, so that they pay less
2104 for energy, and they don't have to do it at the expense of
2105 their health. All of this is connected. It is a long
2106 history.

2107 And so what I see today is a collective effort to try to
2108 move away from a history that has harmed generations and
2109 generations of communities. We are, as I have mentioned
2110 before, the descendants of enslavement and colonialization.

2111 And it is not just happening in the United States, it is
2112 happening in Puerto Rico, where you have got ash plants that
2113 were hit by Hurricane Maria. Those ashes ended up miles from
2114 where people -- from where the facility was located, and they
2115 have cancer clusters all around those facilities. So there
2116 is a connection.

2117 And so we really can't even talk about climate change
2118 without talking about racial justice. Anyone who doesn't
2119 understand that is someone who doesn't -- who is basically
2120 pretending that history has not taken place.

2121 So thank you for asking me that question.

2122 *Ms. Clarke. Thank you, Ms. Yeampierre. The
2123 inequitable impacts of the climate crisis are exactly why I
2124 recently introduced the Climate Justice Act, modeled after
2125 New York State's recent landmark climate legislation, which
2126 will establish a federal climate justice working group to
2127 address the inequitable burdens of climate change on the
2128 front line.

2129 Ms. Yeampierre, could you briefly describe your
2130 experience serving on the New York State's Climate Justice
2131 Working Group, and share what your group is seeking to
2132 accomplish?

2133 *Ms. Yeampierre. The Climate Leadership and Community
2134 Protection Act was created to move resources to frontline
2135 communities so that there would be investments in
2136 operationalizing a just transition. And the working group is
2137 making recommendations. It is a multi-disciplinary group, it
2138 is cross-sectoral, working to try to figure out what is the
2139 language, what is the framework, how do we do it, how do we
2140 move away from extraction, and how do we create 150,000 jobs
2141 in the State of New York that put people on a track to
2142 economic justice, and move them away from extraction?

2143 We have got several committees that have been set up to
2144 do that. We work diligently every week, and, you know, we --
2145 just because it hasn't existed doesn't mean that we don't
2146 create it, right?

2147 So a lot of the members are coming from New York Renews.
2148 It is a coalition of up to 300 members across the state,
2149 rural, urban, different ethnic and -- race and ethnicities,
2150 different class backgrounds, working together to move New
2151 York State to be carbon neutral by 2050.

2152 And so that is the bulk of the work that is happening in
2153 those committees.

2154 *Ms. Clarke. Thanks again. And I think it is important
2155 to note that the federal climate justice working group in my
2156 legislation will be comprised of representatives from
2157 community-based organizations, as well as states, cities, and
2158 indigenous nations.

2159 Ms. Yeampierre, could you please explain why it is so
2160 important, when we are talking about addressing climate
2161 injustice, that the voices of frontline communities are
2162 helping to lead this conversation?

2163 *Ms. Yeampierre. Because the people who are exposed to
2164 the problems are the ones who have the solutions. We are not
2165 sitting around complaining. We are coming up with
2166 mechanisms, economic frameworks, recommendations for
2167 infrastructure, developing leadership, and passing policy to
2168 move us away from a history of extraction. We have got
2169 solutions.

2170 And you have seen that happen even in our neighborhoods.
2171 I mentioned earlier that in Sunset Park we launched the first

2172 community-owned solar cooperative in the State of New York,
2173 with economic benefits being passed on to people who have
2174 lost their businesses as a result of COVID, who were really
2175 dealing with the economic pressures of COVID.

2176 And then we are also working on -- you know, we have
2177 successfully brought offshore wind to south Brooklyn, and we
2178 are talking about thousands of jobs, and training, and
2179 working with unions and workers to train them on how to do
2180 something that is radically different. And, even while
2181 talking about bringing offshore wind -- because the parts
2182 will be coming from Europe -- we are also talking about how
2183 do we manufacture it here? How do we bring those jobs? How
2184 do we make sure that the United States is actually engaged in
2185 building for offshore wind, so that we don't have to import
2186 the ships from Europe?

2187 We have negotiated agreements so that the ships, when
2188 they come into Brooklyn, aren't spewing diesel, and they
2189 basically start operating off electricity. All of this are
2190 -- all of these are solutions where you have got people from
2191 communities talking about infrastructure, about science,
2192 about health, and about reclaiming spaces so that we are
2193 ready to address the impacts that climate change is bringing.

2194 *Ms. Clarke. This is exciting. Mr. Chairman, I yield
2195 back, and I thank you for the opportunity.

2196 *Mr. Tonko. The representative from Brooklyn yields

2197 back. We caught that Brooklyn theme there. So next we will
2198 recognize the gentleman from Utah.

2199 Representative Curtis, you are recognized for five
2200 minutes, please.

2201 *Mr. Curtis. Thank you, Mr. Chairman. Well, a very
2202 long ways away from Brooklyn is Utah and my district. And
2203 right on the southern part of my district, we have been
2204 blessed with the Navajo Indian Reservation. Recently there
2205 was a Navajo generation station that was coal-fired, a power
2206 plant. Just a little over a year ago, it was a victim of the
2207 villainization of coal, it was closed. That plant and mine
2208 paid out \$100 million in direct wages in that part of my
2209 district, and \$50 million in leases and royalties that is now
2210 gone.

2211 A nearby tribe who provided the coal lost 80 percent of
2212 their revenue for the entire tribe because of that closing.

2213 Along with the Native Americans, other parts of my
2214 district have a long history of uranium mining and processing
2215 that supported the Cold War. Many of those impacts are still
2216 looming today. We have heard about them in other
2217 testimonies: higher cancer rates, abandoned mine cleanups,
2218 counties overly reliant on extraction industry for their tax
2219 base.

2220 Coal and uranium mining technology has advanced and had
2221 its place in these communities, but these communities still

2222 tell me their greatest export is their children. And they
2223 are working desperately to keep a way of life, and to keep
2224 their children in the area, and economic stability.

2225 These are resilient residents. They are proud. They
2226 don't like to hear that they don't need to worry because we
2227 are going to teach them to code. Instead, they want to be
2228 self-reliant, and stand on their own, and chart a path
2229 forward. And I am really pleased that the opportunity zones
2230 created from the Tax Cuts and Jobs Act played a very
2231 significant role in their efforts. They don't -- they want
2232 to look to the future, and not get stuck in these issues of
2233 the past.

2234 And these opportunity zones have been a tool to empower
2235 these communities to help themselves, instead of being
2236 reliant on federal dollars. We are all familiar with the
2237 saying that if you give a man a fish, you feed him, but if
2238 you teach him to fish, you feed him for a lifetime. To me,
2239 federal dollars to a distressed area are a little bit like a
2240 fish. And these opportunity zones are a little bit like a
2241 fishing lesson.

2242 Mr. Shaw -- Mr. Hawkins, can you speak -- and you have
2243 done such a great job at speaking to opportunity zones, but
2244 particularly in rural areas, and the impact that they can
2245 have on lifting these rural areas?

2246 *Mr. Hawkins. Thank you, absolutely, Representative

2247 Curtis.

2248 About -- of the 8,700 designated census tracts that were
2249 designated by governors as opportunity zones that are
2250 eligible for this great benefit, 25 percent, or just under 25
2251 percent, are in rural areas. And so they are critical in
2252 rural areas because the most attractive portion, the most
2253 attractive benefit of opportunity zones, goes from -- goes to
2254 folks who are investing in operating businesses, and where
2255 they hold that investment, job-creating investment, for
2256 greater than 10 years.

2257 And so a disproportionate amount of the operating
2258 business investments that we are seeing happen in rural
2259 areas. A lot of the urban areas tend to attract real estate
2260 investment. But in the rural areas we see operating
2261 businesses, a lot of things that are very important around
2262 rural broadband. But then also, you know, again, like I
2263 said, we have seen significant investments in clean energy,
2264 as well, and other job-creating industries.

2265 *Mr. Curtis. Yes.

2266 *Mr. Hawkins. So opportunity zones are a great tool for
2267 community development in rural areas.

2268 *Mr. Curtis. Excellent. Last Congress I partnered with
2269 Representative Cuellar, and we introduced a bipartisan --

2270 *Mr. Hawkins. Yes.

2271 *Mr. Curtis. -- opportunity zone bill to help small

2272 businesses struggling. Utah, I am very proud, has one of the
2273 lowest unemployment rates in the country, but our rural areas
2274 are struggling.

2275 And we just got a few seconds left. Anything, any
2276 advice you have for Congress on how to make these more
2277 impactful in rural parts?

2278 *Mr. Hawkins. Absolutely. First we need a transparency
2279 and reporting bill that lets us know where opportunity zone
2280 investments are happening, how many direct jobs are being
2281 created, and where they are being created. And now -- that
2282 will allow us to know if we need to tailor the program to
2283 more carefully target rural areas.

2284 Next we could look to codify the coordination that we
2285 have seen across federal agencies with opportunity zones to
2286 kind of put that policy and prioritize opportunity zones in
2287 federal community development.

2288 *Mr. Curtis. I wish we had more time, and I regret that
2289 I am out of time. Mr. Chairman, I yield.

2290 *Mr. Tonko. The gentleman yields back. The next person
2291 we had was Dr. Ruiz, but we don't see him on the screen, so
2292 we will go to the gentleman from California.

2293 Representative Peters, you are recognized for five
2294 minutes, please.

2295 *Mr. Peters. Thank you. The other gentleman from
2296 California. Thank you, Mr. Chairman. Thanks for having the

2297 hearing.

2298 I wanted to talk with Dr. Hollis a little bit about lead
2299 poisoning. I think that one of the most pernicious and
2300 really tragic contaminants that we see affecting
2301 disadvantaged communities is heavy metals. Sometimes it is
2302 mercury or cadmium, but most often it is lead, and often from
2303 the pipes that deliver water.

2304 And I was able to visit Flint with Mr. Kildee and with
2305 Elijah Cummings back in 2015 to see some of the devastation
2306 that has been brought on that community. But that is, in
2307 many ways, just the most famous example of something that
2308 happens all too often. And Dr. Hollis, I wanted to see if
2309 you would opine, if you would, on how do you think the
2310 proposal deals with this, and is this what you would like to
2311 see? Are there other things we should be doing? Is this the
2312 right approach, or would you do -- would you take a different
2313 approach?

2314 *Dr. Hollis. Thank you, Representative Peters. I do
2315 think that, as you say, lead is a serious toxic, toxic
2316 substance, and there is no safe level.

2317 And I do think that the issues that we see with lead are
2318 only going to be exacerbated by climate change: one, from
2319 the water that is runoff or from flooding and extreme
2320 weather; also, because the pipes are -- that were originally
2321 put in place are, in some instances, corroded or rusted, and

2322 that is released through whatever is in the water, as we
2323 talked about earlier with Superfund sites and that runoff.
2324 We don't know how these chemicals interact, but the thought
2325 is that there could be extracting lead from the pipes.

2326 So any regulation, any legislation that is considered
2327 that addresses that issue is the right legislation, in my
2328 opinion.

2329 *Mr. Peters. Okay, so I think that there is an attempt
2330 -- and, you know, one of the difficulties we have in the
2331 federal government is that a lot of these systems are managed
2332 by state and local governments. And, you know, we are trying
2333 to figure out ways to help. You know, the communities --
2334 like, Flint is not a wealthy one, for example -- ways to
2335 incentivize and to assist them in replacing those pipes.

2336 Also one of the problems in Flint is that there is
2337 disinvestment from people moving out, which means that the
2338 water systems just don't function as well without people
2339 there.

2340 So I am very interested in supporting this part of the
2341 bill, in particular. And for me, I think fighting lead
2342 pollution is an infrastructure priority.

2343 And I appreciate the witnesses for being here, and I
2344 yield back.

2345 *Mr. Tonko. The gentleman yields back. The chair now
2346 recognizes the gentlelady from Michigan.

2347 Representative Dingell, you are recognized for five
2348 minutes, please.

2349 *Mrs. Dingell. Thank you, Chairman Tonko. As we move
2350 towards long-term economic recovery from COVID, this COVID
2351 pandemic, we need to be bold, and we need to go big, and we
2352 need to be focused on frontline communities that have borne
2353 the brunt for too long to achieve lasting economic renewal.
2354 That is the key pillar of the THRIVE Agenda that I am also
2355 proud to be one of the leaders of.

2356 There have been a lot of important points that have been
2357 made by my colleagues today, and many worthwhile provisions
2358 in these bills that will make a real difference for the
2359 communities that I represent, and so many of us do. But I am
2360 going to pick up on what my colleague, Mr. Peters, was just
2361 talking about. I want to focus in on one provision. I do
2362 come from Michigan, and we really do understand what lead and
2363 water does to our children, let alone others. So I want to
2364 focus on funding for lead service line replacement.

2365 Lead exposure is a deeply serious environmental justice
2366 issue which impacts across generations. And that is why I am
2367 so pleased to see that President Biden is committed to
2368 replacing lead service lines in the American Jobs Plan, and
2369 pleased that there is language in the Clean Future Act to put
2370 that plan into action.

2371 With lead service line replacement, the details really

2372 matter if we are really going to get it done. So I want to
2373 ask a few questions about the specific language in the Clean
2374 Future Act.

2375 Dr. McClain, the Clean Future Act would create just one
2376 factor for prioritizing lead line replacement funding, and I
2377 am quoting here, "Priority for the use of funds should be
2378 given to projects that replace lead service lines serving
2379 disadvantaged communities and environmental justice
2380 communities.'" Dr. McClain, just yes or no, do you agree
2381 that replacing lead service lines serving disadvantaged and
2382 environmental justice communities should be the absolute top
2383 priority for these funds?

2384 *Mr. Tonko. Representative Dingell, we may have lost
2385 Dr. McClain because of technical difficulties, so you might
2386 direct that -

2387 *Mrs. Dingell. I will give it to the other witnesses,
2388 then.

2389 *Mr. Tonko. Okay, thank you.

2390 *Mrs. Dingell. And I hope somebody -- do either of the
2391 two witnesses left that I see want to answer -- three --

2392 *Dr. Hollis. Yes.

2393 *Mrs. Dingell. -- four -- answer?

2394 [Laughter.]

2395 *Mrs. Dingell. Sorry we are all having technology -- we
2396 all can't wait until we are back in person again.

2397 Okay, so let me -- I was going to ask Dr. McClain this.
2398 I don't know if any of you can answer this: What level or
2399 estimate of investment will this require from the federal
2400 government?

2401 And I am asking this question because I don't think we
2402 got enough in here, so what do you all think?

2403 Nobody?

2404 *Dr. Hollis. I do not have an answer for that question,
2405 Representative Dingell.

2406 *Mrs. Dingell. Okay, you know what, Chairman Tonko? I
2407 think that with a -- my questions are really focused, nitty
2408 gritty, on this. I should yield back and submit my questions
2409 for the record.

2410 *Mr. Tonko. Okay, thank you. The --

2411 *Ms. Yeampierre. Okay, I would --

2412 *Mr. Tonko. Excuse me?

2413 *Ms. Yeampierre. I was going to try to answer the
2414 question, because I am on my way out.

2415 *Mrs. Dingell. That would be great.

2416 *Ms. Yeampierre. From the Climate --

2417 *Mr. Tonko. Okay, please do.

2418 *Ms. Yeampierre. -- Justice Alliance, thank you.

2419 First, thank you for supporting THRIVE. Senator Schumer has
2420 been a great ally for us in the State of New York.

2421 We are talking about \$10 trillion, about a trillion a

2422 year, 2 more than is being recommended.

2423 We are also talking about a 40 percent that has to be a
2424 baseline, and not a goal. There are different communities
2425 that have different needs. They are all different, and they
2426 have all been dealing with a legacy of extraction for
2427 generations. And so the needs, whether it is Indian country
2428 versus a coastal community, may be radically different.

2429 We are happy to provide you with more information at
2430 some point, and I really want to thank everyone for inviting
2431 me. I feel deep gratitude for this conversation and for
2432 being invited. Thank you so much.

2433 *Mrs. Dingell. Thank you, and it is important.

2434 And I will yield back, Mr. Chair, and do my questions
2435 for the record.

2436 *Mr. Tonko. Okay, the gentlelady from Michigan yields
2437 back. We next had Representative Barragan on our list, but
2438 we don't see her on the screen. So we will now move to the
2439 gentleman from Virginia.

2440 Representative McEachin, you are recognized for five
2441 minutes, and thank you for your input on this important
2442 topic.

2443 *Mr. McEachin. Thank you, Mr. Chairman. And thank you
2444 to -- both to you and Chairman Pallone for convening this
2445 hearing, and the work that we are all doing on the notion of
2446 environmental justice for all.

2447 I am going to skip a lot of my introductory comments for
2448 the sake of time, and just sort of focus on H.R. 2021, and
2449 the notion of cumulative impacts. And I would like to start
2450 off by asking Dr. Hollis, how does the current permitting
2451 process disproportionately hurt low-income communities,
2452 communities of color, and tribal and indigenous communities?

2453 *Dr. Hollis. Thank you, Representative McEachin. The
2454 current permitting process doesn't account for or take into
2455 account the different ways that communities are exposed to
2456 different pollutants, and the different mechanisms, different
2457 routes of exposure.

2458 *Mr. McEachin. Thank you. And is it -- now I am going
2459 to -- I had a question for Dr. McClain, but I want to shift
2460 it over to -- is it Dr. Yeampierre? Help me out with the
2461 pronunciation of your name. I am so sorry, ma'am,

2462 *Dr. Hollis. I think Ms. Yeampierre had to leave.

2463 *Mr. McEachin. Yeampierre, is she still on?

2464 *Dr. Hollis. No, I think she had to leave.

2465 *Mr. McEachin. Well, Dr. Hollis, I guess it is just you
2466 and me, then.

2467 *Dr. Hollis. But Mr. Logan is here.

2468 [Laughter.]

2469 *Mr. McEachin. Well, either Dr. Hollis or Dr. Logan,
2470 whichever one -- either one of you all can try to tackle this
2471 question.

2472 How could requiring consideration of cumulative impacts
2473 -- implementing decisions impact and benefit the
2474 environmental justice communities?

2475 *Mr. Logan. If I may?

2476 *Mr. McEachin. Please.

2477 *Mr. Logan. Thank you, Representative McEachin. The
2478 environmental justice communities are overburdened with a
2479 concentration of polluting facilities in very small
2480 geographic areas. In some cases there is concentrations of
2481 lead smelters, for instance.

2482 When there is that type of infrastructure that helps to
2483 service lead smelters, for instance, in a concentrated
2484 geography, the tendency is that companies continue to want to
2485 serve that area, or to be placed or cited in that area. When
2486 the permitting process starts to run through, it only
2487 examines the permit on its own merits, not taking into
2488 account the multiple other effects or multiple other
2489 facilities.

2490 So it is important that, as we address environmental
2491 justice, that the cumulative impact policies really
2492 incorporate the permit denial as a strategy, as it looks at
2493 the potential of harm in these communities. These
2494 communities are already overly burdened. Another ounce of
2495 lead is just detrimental to the community, and continues to
2496 harm the community.

2497 So permitting is critical, not just examining, not just
2498 studying, not just enforcing, because in most cases these
2499 permitting processes are following the letter of the law.

2500 *Mr. McEachin. Thank you for that, sir.

2501 Dr. Hollis, as we have seen throughout the COVID-19,
2502 communities of color have been some of the hardest hit. How
2503 does environmental pollution and cumulative health impacts
2504 connect to the current pandemic, and the cumulative impacts
2505 approach to permitting have potentially prevented some of the
2506 health disparities that we have seen?

2507 *Dr. Hollis. Thank you, Representative McEachin. With
2508 -- communities are exposed, as I mentioned earlier, to
2509 numerous contaminants. And when we talk about COVID-19 -- so
2510 these contaminants make them more at risk already; we see
2511 increased cardiac issues, we see increased respiratory
2512 issues, all of these things that make them predisposed to
2513 issues, and breathing issues, and just having, I guess, a
2514 healthy environment. And so that makes them more susceptible
2515 to things like COVID-19, and not just COVID-19.

2516 So when it comes to permitting, as Mr. Logan said, it is
2517 -- you know, it is important that we look at all of the
2518 contributors to pollution, because we don't know which
2519 particular combination of contaminants will make a person
2520 more at risk, will put a person more at risk for attacks of
2521 viruses like COVID-19.

2522 *Mr. McEachin. Thank you, ma'am. And I want to thank
2523 you both. I look forward to working with you all and my
2524 colleagues on this committee to ensure that we pass
2525 legislation that protects EJ communities from environmental
2526 health hazards.

2527 Before yielding back, I am proud that our EJ for All Act
2528 has earned the support of many of my colleagues and
2529 organizations across the country. I would ask unanimous
2530 consent to introduce letters of support for the Environmental
2531 Justice for All Act into the record, including a letter from
2532 some of our Senate colleagues.

2533 With that, Mr. Chairman, I yield back.

2534 *Mr. Tonko. We will be glad to deal with the request at
2535 the end of the meeting, and thank you for the request to
2536 enter the document into the record.

2537 *Mr. McEachin. Thank you, Mr. Chairman. I yield back.

2538 *Mr. Tonko. Okay, the gentleman yields back. I see we
2539 have been rejoined by Representative Carter. The gentleman
2540 from Georgia will be recognized next, to be followed by Dr.
2541 Ruiz, who has also rejoined us.

2542 So to the gentleman of Georgia, you are recognized for
2543 five minutes, Mr. Carter.

2544 *Mr. Carter. Thank you, Mr. Chairman, and thank all of
2545 you for your presence here today, and your participation.

2546 Mr. Chairman, I would like to submit for the record a

2547 letter from the Georgia Ports Authority, the economic engine
2548 of the southeast, and entailing their work and the
2549 environmental work that they are doing at the ports.

2550 *Mr. Tonko. They will deal with that request,
2551 Representative Carter, at the end of the hearing, but thank
2552 you for submitting it.

2553 *Mr. Carter. Okay, all right. Mr. Chairman, as I
2554 mentioned, locally, the Port of Savannah has been extremely
2555 engaged in working with the local community and outside
2556 groups to invest in forward-looking decisions that benefit
2557 the port and surrounding areas. In fact, Georgia Ports
2558 Authority has made tremendous investments in the port to
2559 benefit the community. They have used the DERA program to
2560 replace old trucks, they have electrified their gantry
2561 cranes, and they have upgraded their rail infrastructure to
2562 take additional trucks off the road, and a lot more.

2563 However, I am worried that programs like the port
2564 electric --

2565 [Audio malfunction.]

2566 *Mr. Tonko. Mr. Carter, it seems like we have lost you
2567 with technical difficulties here. Why don't we go to Dr.
2568 Ruiz for five minutes, and we will return to you, if you
2569 don't mind.

2570 *Mr. Ruiz. Thank you. Thank you, Mr. Chairman.
2571 Today's hearing about environmental justice is personal to me

2572 and my constituents.

2573 To achieve true environmental justice, our government
2574 must offer equal protection from environmental health
2575 hazards, and provide equal access to decision-making that
2576 affects the public's health. Environmental justice can look
2577 differently, depending on the community, whether it is low-
2578 income housing next to an interstate, or farm worker
2579 communities in desperate need of clean air and clean water.

2580 In the eastern Coachella Valley, where I grew up
2581 initially in a farm-worker trailer park, my constituents face
2582 numerous and staggering environmental justice challenges.
2583 For decades, trash companies illegally dumped human waste at
2584 a site known as Mount San Diego in my district. In 2019 new
2585 illegal dump opened at that same site, where mulch fires
2586 sickened local school children, closing schools for a week,
2587 and sending kids to the emergency department. LAX
2588 environmental enforcement allowed these hazards to persist,
2589 at the expense of my constituents' health. Other residents
2590 of Polanco parks and mobile home communities like the Oasis
2591 Mobile Home Park get their drinking water from suspect wells,
2592 drawing water from aquifers with naturally occurring arsenic.

2593 True environmental justice means that our government is
2594 looking out for these communities with the same intensity as
2595 they would for those with money, access, and power. That is
2596 why I am so pleased that we are considering two of my bills

2597 here today.

2598 First, the Voice for Environmental Justice Act, which
2599 would provide funding for frontline communities to speak out
2600 against polluters seeking to set up shop in their
2601 neighborhood. This bill is included in the Clean Future Act
2602 under section 602 and 510

2603 Second, my bill, the Environmental Justice Act of 2021,
2604 codifies executive order 12898 on environmental justice,
2605 which instructs agencies to establish a process to consider
2606 environmental justice in the agency's actions. And it also
2607 requires consideration of cumulative impacts in certain clean
2608 air and clean water permitting decisions.

2609 Dr. Hollis, I would like to ask you about this bill that
2610 would impact frontline communities. What does it mean to you
2611 to assess cumulative impacts of permitting decisions on EJ
2612 communities?

2613 And how can communities get involved in assessing those
2614 cumulative impacts?

2615 How do we empower communities to get involved in
2616 assessing those cumulative impacts?

2617 *Dr. Hollis. Yes, thank you, Representative Ruiz. It
2618 means a great deal, because communities finally are -- you
2619 know, the concerns that they have been talking about for
2620 years are finally being addressed. And the way to get
2621 involved is to have community members at the table, to have

2622 -- as equal stakeholders, to get their input, and to
2623 recognize community science as a valid source of information,
2624 an important source of information.

2625 *Mr. Ruiz. How about having a community-based air
2626 quality monitoring?

2627 *Dr. Hollis. Absolutely. Not just at the fence line,
2628 but in the community, because communities can tell you where
2629 they are experiencing, where they have seen damage from air
2630 pollution or weather, where there are certain areas -- for
2631 example, when I visited a community, we were -- I became ill
2632 in certain parts of the community. That is where we need air
2633 monitors, and we need community input to determine where
2634 those areas are.

2635 *Mr. Ruiz. Ms. Yeampierre, one of the challenges my
2636 constituents have faced over the years is the attempted
2637 opening of new dumps and waste facilities in their
2638 communities, often times illegally. In your opinion, do
2639 frontline communities currently have the resources to stand
2640 up to polluters seeking to do business near their homes?

2641 *Ms. Yeampierre. Yes, they do and they have. Just this
2642 week we received a proposal about a waste company wanting to
2643 bring CND to our EJ community, and we are already organizing,
2644 and we have already shared with our community what the
2645 different chemicals and particulate matter --

2646 *Mr. Ruiz. Do you think that is enough for the nation

2647 and for environmental justice communities, or do we need
2648 more?

2649 *Ms. Yeampierre. We need more. And I think we need to
2650 strengthen our relationship with the National Institute of
2651 Environmental Health Sciences, and the National Institutes of
2652 Health, and engage in interagency coordination, invest in
2653 participatory research from communities.

2654 *Mr. Ruiz. My --

2655 *Ms. Yeampierre. Yes.

2656 *Mr. Ruiz. My focus is to empower local communities,
2657 and the grants provided in my Voices for Environmental
2658 Justice Act enable communities to hire their own experts and
2659 participate in permitting decisions of waste facilities.
2660 Democracy is about participating in the decisions that affect
2661 your lives. And there is no more truer democracy than
2662 empowering communities to be part of the decisions that
2663 affect their public health and their environmental health.

2664 So with that, I yield back my time. I ran out of time,
2665 and so I thank you all for being here. It is a very
2666 important topic.

2667 I appreciate you, Chairman, for holding this hearing,
2668 and let's get this done.

2669 *Mr. Tonko. The gentleman yields back.

2670 Mr. Carter, Representative Carter, we are sorry we lost
2671 you. We want to hear from you. Let's give it another try,

2672 okay? So you are recognized for five --

2673 *Mr. Carter. Thank you, Mr. Chairman. I appreciate
2674 your indulgence, Mr. Chairman.

2675 Again, I want to mention the letter from GPA to be
2676 considered for unanimous consent afterwards.

2677 *Mr. Tonko. Thank you.

2678 *Mr. Carter. Thank you, sir.

2679 Again, I want to mention I have the honor and privilege
2680 of representing one of the great economic engines of the
2681 southeast, and that is the Georgia Ports Authority. In my
2682 district alone we have two major seaports, the Port of
2683 Savannah and the Port of Brunswick.

2684 And they -- both of these ports have done a yeoman's
2685 work with outside groups and with the local community to
2686 invest in forward-looking decisions that benefit the port and
2687 the surrounding areas. They have made tremendous investments
2688 in the port that benefit the community. They have used the
2689 DERA program to replace old trucks. They have electrified
2690 their cranes, and they have upgraded their rail
2691 infrastructure to take additional trucks off of the road, and
2692 and a lot more.

2693 However, I am worried that programs like the Port
2694 Electrification and Decarbonization Program under the Clean
2695 Future Act could potentially hamstring the progress that is
2696 being made by ports to upgrade older technology. And I

2697 wanted to ask you, Mr. Hollie, shouldn't we be focusing on
2698 making sure all these ports get the assistance they need to
2699 advance environmental and public health outcomes?

2700 *Mr. Hollie. Yes, sir, we should.

2701 *Mr. Carter. Good, thank you. Do we need to be
2702 careful, Mr. Hollie, about putting too many requirements in
2703 place to participate?

2704 *Mr. Hollie. Absolutely, yes, sir, Mr. Carter.

2705 *Mr. Carter. Good, thank you again. Mr. Hollie,
2706 previous -- in previous testimony in front of the Natural
2707 Resources Committee, you talked about a specific project that
2708 could have benefitted a environmental justice community, but
2709 was canceled: the Atlantic Coast Pipeline. What lessons
2710 should we be taking away from this about inhibiting or
2711 stopping industries from moving forward with construction or
2712 upgrades, when those investments will benefit the
2713 communities?

2714 *Mr. Hollie. My goodness, that was a plan that had --
2715 they had -- the restrictions -- what they had done, in terms
2716 of just requirements and regulations, they had gone 10 times
2717 the amount, in terms of what the -- what they were asked to
2718 do, in terms of putting it together for safety regulations.
2719 And so many people right now are still suffering because of
2720 the lack of natural gas that that pipeline was going to
2721 produce.

2722 *Mr. Carter. Well, if the goal is to create jobs and to
2723 get money out to people, shouldn't we be predicating grants
2724 and other forms of money on issues like whether or not the
2725 employees had previously been incarcerated, or if they have
2726 ties to the foster care system?

2727 *Mr. Hollie. Yes, sir. Yes, sir.

2728 *Mr. Carter. Thank you. Thank you, Mr. Hollie.

2729 Mr. Hawkins, I want to go to you next, because you
2730 mentioned something in your testimony that I am very
2731 interested in, and that is the opportunity zones. And you
2732 have talked about the benefit of opportunities zones to
2733 bolster disadvantage and low-income communities. And yes, I
2734 have a lot of low-income communities in my district, and I am
2735 very concerned about them, and want to help them as much as I
2736 can.

2737 What is the best adjustment, Mr. Hawkins, that we can
2738 make to the policy to spur more investment in operating
2739 businesses like energy projects?

2740 [Pause.]

2741 *Mr. Carter. I think you are muted.

2742 *Mr. Hawkins. I appreciate the question, Representative
2743 Carter. And the best adjustment that can be made is to allow
2744 any type of capital, not just capital gains, to be used for
2745 the purposes of the 10-year, 100 percent step up.

2746 So briefly, the opportunity zone policy has three levels

2747 of benefit, one based on deferring capital gains, and another
2748 one based on a step up in basis on your initial capital gain.
2749 But the largest benefit goes to investors that make a long-
2750 term -- 10 years or more -- commitment to an investment. And
2751 so, for those purposes, we should allow non-capital gains to
2752 be invested. That way we can democratize the capital that is
2753 coming in, but also greatly increase the resources that come
2754 in and fund those operating businesses.

2755 And so, you know, it is -- if I could wave a wand, that
2756 would be the primary adjustment I would make to this policy
2757 and this next round of legislation.

2758 *Mr. Carter. Thank you, Mr. Hawkins. I know I am out
2759 of time, but I do want to mention, Mr. Hawkins, that your
2760 opportunity zones have been in line with EPA to deal with
2761 brownfields, and that is something that is very important in
2762 my district. I appreciate you bringing that up, and I
2763 appreciate your work on that, as well.

2764 Mr. Chairman, again, I want to submit this letter, and I
2765 will yield. Thank you.

2766 *Mr. Tonko. Okay, the gentleman yields. The chair now
2767 recognizes the gentlelady from California.

2768 Representative Barragan, you are recognized for five
2769 minutes, please.

2770 *Ms. Barragan. Thank you, Chair Tonko, for holding this
2771 important hearing on environmental justice legislation.

2772 My district is majority minority, almost 90 percent
2773 Latino, African-American, working class. It is right next to
2774 three freeways and the Port of Los Angeles, urban oil
2775 drilling, and oil refineries right next to parks where
2776 children play. This is -- it results in a dangerous level of
2777 air pollution, with asthma rates twice the national average,
2778 and high rates of cancer and respiratory illnesses. It is
2779 unacceptable.

2780 We must invest to clean up and transform our
2781 communities. I am proud that my bill, the Climate Smart
2782 Supports Act, is included as part of today's hearing, and
2783 that another one of my bills, the Climate Justice Grants Act,
2784 is part of the Clean Future Act's environmental justice
2785 section. Both offer significant resources to communities hit
2786 hard by pollution and the climate crisis.

2787 Mr. Logan, first I want to thank you for your advocacy
2788 on behalf of the Moving Forward Network to fight for clean
2789 air in port communities, including South Los Angeles, where
2790 you have done amazing work. Can you describe the Climate
2791 Smart Ports Act?

2792 Mostly, how would it make a difference for air quality
2793 in Los Angeles and poor communities across the country?

2794 *Mr. Logan. Thank you, Representative Barragan, and
2795 thank you for all the work that you have done to advance
2796 environmental justice in your district and the districts

2797 surrounding you.

2798 The Ports of LA and Long Beach, for instance, is a major
2799 source of not just toxic pollution, but also climate
2800 pollutants. As you all may know, Los Angeles Basin is one of
2801 the most polluted, if not the most polluted, regions in the
2802 country. The number-one source of air pollution in the Los
2803 Angeles Basin is the two ports. The two ports of LA and Long
2804 Beach have done tremendous work at cleaning up their
2805 pollution. But with the constant growth and the constant
2806 activity of the ports, with all the trucks, the trains, the
2807 ships, the equipment, the amount of pollution continues to
2808 increase.

2809 So we have to stop the incremental improvements and
2810 really get down to zero pollution, zero emissions. So
2811 investment in zero-emissions technology, in infrastructure is
2812 essential for the community's health and well-being.

2813 And if you can't breathe, you can't work. If you can't
2814 breathe, you can't go to school. If you can't breathe, you
2815 just can't be a part of our society. So the quality of life
2816 and livelihood of our communities depend on getting to zero
2817 pollution, zero emissions in our community.

2818 I also appreciate the fact that there are certain
2819 requirements for receiving these funds, making sure that it
2820 does not displace workers at the waterfront. Automation, it
2821 does not mean -- I am sorry, zero emissions does not mean

2822 automation. If it displaces workers, that is not the right
2823 kind of investment.

2824 Also, having folks at the table, making sure that we are
2825 engaged in a way that is meaningful, and making sure that we
2826 are investing in communities that need that investment, but
2827 in a real way, not just a -- this kind of -- the benefit --
2828 side benefit, but direct investment with real benefits that
2829 you can see in communities.

2830 *Ms. Barragan. Well, thank you, Mr. Logan. Just to
2831 follow up on that -- I know you spoke a little bit about it,
2832 an important part of the Climate Smart Ports Act is the
2833 support for zero-emissions technology.

2834 You know, in addition, the Green Ports Program
2835 established in the Clean Future Act takes that approach based
2836 on my bill.

2837 Can you tell the committee how important it is for
2838 environmental justice communities that our investments to
2839 green ports focus on zero-emissions technology, rather than,
2840 let's say, low-emissions technology?

2841 *Mr. Logan. Absolutely. To your point earlier, our
2842 communities are inundated with multiple impacts: refineries,
2843 urban drilling, all types of impacts from the fossil fuel
2844 industry, as well as many others. And so, when we are
2845 talking about these false types of solutions such as what
2846 they call near-zero or renewable natural gas, what happens is

2847 we don't just see the impacts from the production of that,
2848 those fuels in our communities. We also see the impacts of
2849 the production of those fuels in other communities across the
2850 country.

2851 The other part of that is with these natural gas
2852 vehicles and products, the particles of natural gas are so
2853 fine that they are toxic within themselves, that the
2854 particles, the ultrafine particles, penetrate the bloodstream
2855 and have major impacts on the body, not just on the earth and
2856 the climate impacts.

2857 *Ms. Barragan. Thank you, Mr. Logan, for that
2858 testimony, again, for all the work that you are doing, and
2859 all our panelists are doing.

2860 I just wanted to quickly mention a UCLA study that just
2861 came out. It tied COVID-19 deaths linked to poor air
2862 quality, and showed that those in communities that had poor
2863 air quality were dying at much higher rates. And so, when we
2864 talk about devastation to communities, air pollution is
2865 devastating our communities, and it is killing our
2866 communities, which is why this is so important.

2867 Mr. Chairman, thank you so much for this hearing. And
2868 with that, I yield back.

2869 *Mr. Tonko. The gentlelady yields back. The chair now
2870 recognizes the gentleman from Arizona.

2871 Representative O'Halleran, you are recognized for five

2872 minutes, please.

2873 *Mr. O'Halleran. Thank you, Chairman Tonko.

2874 There are over 520 abandoned uranium mines on and around
2875 the Navajo Nation in Arizona. These mines have gone
2876 unaddressed since the Cold War -- actually, the late 1940s,
2877 despite the well-known health impacts of the exposure to
2878 uranium.

2879 Minerals from these dangerous sites were used in the
2880 construction of homes, children's play area, and some of the
2881 sites are still used by children to play on. None of the
2882 sites, according to the EPA, are safe. And livestock are
2883 also grazed. This exposure has led to uneven health
2884 outcomes, and even federal programs to compensate miners
2885 through the Radiation Exposure Compensation Act.

2886 I think we must ask ourselves: what would happen if
2887 these mines had been anywhere else?

2888 While I am heartened that the EPA recently added the
2889 Navajo abandoned uranium mines to the administrator's
2890 Superfund list, with a focus on being completed in the next
2891 10 years, I believe we must do more.

2892 Since 1994, the EPA and Navajo EPA have worked hand in
2893 hand to build the Navajo Nation's cleanup capacity, and the
2894 American Jobs Plan represents an opportunity, a meaningful
2895 opportunity to invest in that workforce, and get these sites
2896 addressed so hardworking families do not have to worry about

2897 toxic exposure on a daily basis.

2898 Additionally, water infrastructure remains an area where
2899 there is a large disparity between Indian country and the
2900 rest of the nation. My legislation to address the Indian
2901 Health Services sanitation facilities construction program
2902 backlog is a part of the solution with several agencies,
2903 including the Bureau of Reclamation, Bureau of Indian
2904 Affairs, Indian Health Service, USDA, and EPA, can play an
2905 important role in building up reliable water systems, and in
2906 getting this uranium problem cleaned up.

2907 Environmental justice needs may look different in rural
2908 and tribal areas, and I am optimistic that a whole-of-
2909 government approach can help address the unique needs like
2910 access to clean water of these communities.

2911 Dr. Hollis, the question is going to be, in a situation
2912 like this, where the DoI, and the HHS, and EPA would all have
2913 a hand in addressing dangerous sites, why is it that critical
2914 for us to codify the longstanding Clinton-era executive order
2915 to make environmental justice a part of agency missions, and
2916 require interagency cooperation to maintain public health and
2917 safety?

2918 *Dr. Hollis. Thank you, Representative O'Halleran. It
2919 is important to codify executive order 12898 to give it the
2920 strength that it needs in order to clean up these sites and
2921 reduce pollution in communities, and reduce exposure to

2922 hazardous substances, as well as reducing the effects of
2923 facilities releasing chemicals into the environment,
2924 particularly -- mostly in communities of color, in our
2925 environmental justice communities, be it Black, Brown,
2926 indigenous, Native American, whatever.

2927 *Mr. O'Halleran. Thank you for that answer. Just to
2928 wrap things up a little bit, over 1,000 homes have uranium in
2929 their walls. This has been ongoing for over 75 years in this
2930 one site. These are all surface mines, and there is money
2931 from a trust fund of \$1.7 million, but that is not going to
2932 address 520 sites. And why hasn't that been used for over 15
2933 years?

2934 And so, in a community where infrastructure has been
2935 ignored for decades, how can inter-agency coordination speed
2936 up delivery of critical infrastructure projects like clean
2937 water delivery systems, Dr. Hollis?

2938 *Dr. Hollis. Well, I think the main reason is by
2939 working with communities, is by having them at the table,
2940 because that is how you are going to identify priority areas,
2941 and that is how you are going to identify what is needed.

2942 And I think it is important to listen to what
2943 communities have to say, and to work with them as partners,
2944 and so that -- to ensure that you are addressing their needs.

2945 *Mr. O'Halleran. Thank you, Dr. Hollis.

2946 And Chairman, I yield.

2947 *Mr. Tonko. The gentleman yields back. We next had
2948 Representative Soto on our list, and I don't see him on our
2949 screen. We will go to the ever-patient representative, the
2950 gentlelady from Delaware, Representative Lisa Blunt
2951 Rochester, for five minutes, please.

2952 *Ms. Blunt Rochester. Thank you so much, Mr. Chairman,
2953 and especially for calling this critically-important hearing.
2954 And thank you to all of the witnesses for your testimony
2955 today.

2956 While the ongoing COVID-19 pandemic has exacerbated
2957 environmental justice concerns in communities across the
2958 country, as has been made clear through your testimony today
2959 these concerns are not new. Generations of inequalities and
2960 injustices have placed a disproportionate environmental
2961 burden on our Black, Brown and indigenous communities. For
2962 decades, low-wealth communities and communities of color in
2963 Delaware have faced higher risks of cancer and respiratory
2964 diseases, due to their proximity to facilities that produce
2965 harmful pollutants.

2966 We need to expand all of our communities' access to
2967 information, and we need to better prepare our communities in
2968 the face of a toxic release. Earlier this year I
2969 reintroduced the Alert Act, which requires facilities that
2970 produce hazardous and toxic chemicals to engage directly with
2971 the communities where they are located, and to ensure that

2972 residents have real-time knowledge of any toxic release.

2973 My first question is for Dr. Hollis. The Alert Act
2974 requires facilities that process extremely hazardous
2975 substances to hold public meetings at least once a year. Do
2976 you support that requirement, and how can it promote
2977 environmental justice?

2978 *Dr. Hollis. I absolutely support it, Representative.
2979 Absolutely. And it can support environmental justice by
2980 letting communities speak for themselves, first and foremost,
2981 and giving them the opportunity that they already have,
2982 giving them that chance to be heard, and to provide input and
2983 guidance where needed.

2984 *Ms. Blunt Rochester. Thank you.

2985 And Mr. Logan, first I want to thank you and the Moving
2986 Forward Network for your expertise and support that you
2987 provided during the drafting of my Climate Action Planning
2988 for Ports Act. Something that you said was, "If you can't
2989 breathe, you can't work.'" And I think that needs to stay at
2990 the forefront of all of this. If you can't breathe, you
2991 can't work, you can't learn, as you said.

2992 Why are climate action plans, like the ones outlined in
2993 the Climate Action Planning for Ports Act, so critical to
2994 advancing cleaner air in our near-port communities?

2995 *Mr. Logan. Well, thank you, Representative Blunt
2996 Rochester. You know, at the end of the day, what we are

2997 really doing here is problem-solving, right?

2998 We have a crisis in our hand, our -- and it has multiple
2999 issues that we are contending with. Specifically when we are
3000 thinking about ports, ports are complex facilities. They
3001 have many, many different types of operations and pieces of
3002 equipment.

3003 So with the community leading the planning process to
3004 identify what the problems are, what the solutions are, and
3005 what the action items are, we are able to identify and work
3006 towards resolving those problems that we are contending with
3007 so that we can breathe, so that the workforce can go to work
3008 and still breathe when they get home and during their work
3009 hours. And so really, problem-solving is really important
3010 for the health and well-being of the local community.

3011 And as we are trying to tackle the climate crisis,
3012 again, we need to have a living wage on a living planet. We
3013 can't ignore these extreme impacts to local communities and
3014 to the planet.

3015 And so starting off with a community voice and a
3016 planning process is essential. And we know that, when we
3017 come together, we can really find the solutions to solve the
3018 problems that we are addressing.

3019 *Ms. Blunt Rochester. Thank you. I recently had an
3020 opportunity to meet with the folks from the Port of
3021 Wilmington in Delaware, and hear about their efforts at

3022 electrification, but at the same time maintaining the union
3023 jobs that they had. And it was a really good partnership.
3024 And my last question is for Ms. Yeampierre.

3025 First of all, I want to thank you so much, not only for
3026 your professional testimony, but for your personal testimony.
3027 And I think that was really powerful to make this real for
3028 people.

3029 One of the things that I noticed in doing this work is
3030 that major environmental groups lack representation from low-
3031 wealth communities, or communities of color. And as a
3032 result, environmental justice priorities are often excluded
3033 from the discussion. How do we ensure that the environmental
3034 justice communities are represented and included in the
3035 decision-making in major environmental groups?

3036 *Ms. Yeampierre. Well, thank you for that question. I
3037 think that we need to start thinking about governance
3038 differently.

3039 Climate change is going to disrupt governance, and we
3040 need to start thinking as -- of communities as the brain
3041 trust of decision-making, the folks that have the answers to
3042 complex questions, because they have been living in the midst
3043 of all of the isms.

3044 Instead of being thought of as people whose problems we
3045 solve, they should be thought of as people who have the
3046 solutions, and as added value. And I think that often times

3047 government always thinks that they are the recipients of
3048 their good intentions, instead of -- and expectations have to
3049 be managed. And the truth is that, in partnership, we can
3050 solve very complex, big problems. But we have to be in
3051 partnership with each other.

3052 *Ms. Blunt Rochester. Thank you so much.

3053 And Mr. Chairman, I was very proud that our ports
3054 legislation was included in the Clean Future Act. And I
3055 thank you so much again for all of your leadership in saving
3056 our planet. I yield back.

3057 *Mr. Tonko. Well, you are most welcome, and thank you.
3058 And the gentlelady yields back.

3059 I am very pleased to see that the representative from
3060 Florida, the gentleman from Florida, has returned, and we
3061 welcome him for five minutes of questioning.

3062 Representative Soto?

3063 *Mr. Soto. Thank you, Chairman.

3064 *Mr. Tonko. The floor is yours.

3065 *Mr. Soto. Thank you, Chairman. We face a climate
3066 crisis that is an existential threat to the human race.
3067 Fossil fuels are destroying our earth, and we are going to do
3068 something about it. Our American Jobs Plan and our Clean
3069 Future Act will finally upgrade our infrastructure, including
3070 creating national electric vehicle systems, boosting clean
3071 energy such as renewable energy and modular nuclear, and use

3072 natural gas as a bridge fuel.

3073 On our march to carbon net-neutral by 2050, to my
3074 colleagues across the aisle, what is the plan? If it is just
3075 criticizing our plan, that is not possible, because the cost
3076 of inaction is too great. Nothing is not an option.

3077 In my home state of Florida, we face rising seas. We
3078 face intensifying hurricanes. When -- by 2050 we will face
3079 over 1,000 extremely hot days. This will condemn Floridians
3080 and other Sunbelt Americans to become climate refugees, and
3081 it will decimate our local tourism and agriculture
3082 industries.

3083 We have been down this road before. We have seen it
3084 before, and we are going to work together. In our area of
3085 Florida we have seen over 12 billion pounds of toxic coal
3086 ash, with over 6.1 million tons being generated each year.
3087 There was a major issue of coal ash being accumulated by some
3088 of our local municipal utilities like OUC and KUA. I applaud
3089 them for stepping up by setting a timetable to shutter their
3090 coal plants by 2025, 2026, because they don't know where to
3091 put the coal ash anymore.

3092 And we have seen issues with health in East Orange
3093 County. We have seen issues of storage in Osceola County, in
3094 central Florida. And on my family's native island of Puerto
3095 Rico, they even were trying to store some coal ash in central
3096 Florida, which, while we work with them on many things, was a

3097 huge issue, because where are you going to put all this coal
3098 ash at the end of the day?

3099 With natural gas, with renewables, with nuclear, you
3100 don't have this byproduct issue. There are over 42 of these
3101 dangerous coal ash ponds, 33 of which are in unlined
3102 impoundments or landfills, leading to widespread groundwater
3103 contamination in the Sunshine State.

3104 Mr. Chairman, I would like to enter into the record a
3105 letter from 13 groups supporting my colleague, Rep. Cohen's
3106 Ensuring Safe Disposal of Coal Ash Act.

3107 *Mr. Tonko. It will be entered into a request at the
3108 end of the hearing, sir.

3109 *Mr. Soto. Thank you. From the letter, "The Ensuring
3110 Safe Disposal of Coal Ash Act builds off the committee's
3111 Clean Future Act coal ash provisions, rectifying deficiencies
3112 in the 2015 coal ash rules, and directing EPA to strengthen
3113 the coal ash protections.'" We know coal ash is toxic, and
3114 it hurts both our brains and our nervous system, respiratory
3115 disease, cancer, and other developmental defects. And it
3116 would allow local communities to be more involved in the
3117 decision-making.

3118 Dr. Hollis, is banning the storage of toxic chemicals in
3119 unlined pits after they have been found to contaminate water
3120 supplies a proper step forward to protect the public?

3121 *Dr. Hollis. Yes.

3122 *Mr. Soto. And the bill requires plant owners to
3123 provide financial assurances for cleanup costs in the event
3124 of hazardous spills or disasters.

3125 Dr. Hollis, should facilities be required to financially
3126 plan for future cleanups that become even more likely as
3127 climate change worsens floods and storms?

3128 *Dr. Hollis. That is a great question, and it is sort
3129 of a tricky question. I don't want them to plan for cleanup.
3130 I want them to use the best-available technology to prevent
3131 that from ever happening.

3132 *Mr. Soto. Well, thank you so much. And we know that
3133 the Ensuring Safe Disposal of Coal Ash Act is a significant
3134 step forward to combat coal ash in the Sunshine State and
3135 around the nation.

3136 We are moving towards getting beyond coal, getting
3137 beyond oil, using gas, natural gas, as a bridge fuel, and
3138 boosting renewables. And that is what the American Jobs Plan
3139 is all about. That is what the Clean Future Act is all
3140 about. We will take action. We will help out all states,
3141 and we will provide jobs to communities in transition.
3142 Everyone can be lifted up if we think big and bold, and we
3143 work together.

3144 And I urge our colleagues across the aisle, let us not
3145 think of the past and what can bring us back, but let us look
3146 to the future, because I believe we, as Americans, can do

3147 everything, anything if we work together. We know that,
3148 President Biden has said that many times.

3149 With that, Mr. Chairman, I yield back.

3150 *Mr. Tonko. The gentleman yields back, and I believe
3151 that completes the list of colleagues that chose to question
3152 our witnesses today.

3153 So we thank everyone for their participation, and in
3154 particular our witnesses. And we thank you for joining us at
3155 today's hearing. Thank you for your input.

3156 I remind members that, pursuant to committee rules, they
3157 have 10 business days by which to submit additional questions
3158 for the record to be answered by our witnesses.

3159 And I would please ask that our witnesses respond
3160 promptly to any such questions that each might receive.

3161 Before we adjourn, I have a list of documents here that
3162 have been requested to be entered into the record. So I
3163 request unanimous consent to enter the following documents
3164 into the record:

3165 A statement from the Environmental Technology Council; a
3166 letter from the Solar Energy Industries Association; a policy
3167 platform from the Solar Energy Industries Association; a
3168 letter from 13 environmental organizations in favor of H.R.
3169 2396, the Ensuring Safe Disposal of Coal Ash Act; a letter
3170 from the Association of Metropolitan Water Agencies and the
3171 National Association of Clean Water Agencies; a letter from

3172 the Wilderness Society in favor of H.R. 2021, the
3173 Environmental Justice for All Act, and H.R. 516, the
3174 Environmental Justice Mapping and Data Collection Act of
3175 2021; a letter from Senators Duckworth, Wyden, Murphy,
3176 Blumenthal, Padilla, and Durbin in favor of H.R. 2021, the
3177 Environmental Justice for All Act; a 2016 report from the
3178 U.S. Commission on Civil Rights entitled, "Examining the
3179 Environmental Protection Agency's Compliance and Enforcement
3180 of Title 6 and Executive Order 12898"; a letter from Our
3181 Children's Trust; a letter from the Port of Long Beach; an
3182 article from Politico entitled, "Biden's Green Energy Plans
3183 Clash with Pledge to Create Union Jobs"; an article from
3184 Bloomberg entitled, "Secrecy and Abuse Claims Haunt China's
3185 Solar Factories in Xinjiang"; a dissenting statement of
3186 Commissioner Gail Heriot to the U.S. Commission on Civil
3187 Rights Report on Environmental Justice, examining the
3188 Environmental Protection Agency's compliance and enforcement
3189 of title 6 and Executive Order 12898; a letter from Georgia
3190 Ports; a letter from the Ground Water Protecting Council; a
3191 letter from the Independent Petroleum Association of America;
3192 a letter from Mayor -- the mayor of Petersburg, Indiana; an
3193 article from Politico entitled, "The Wage Gap That Threatens
3194 Biden's Climate Plan"; a letter from the mayor of Gillette,
3195 Wyoming; a 2019 report from Ash at Work entitled, "CCPs, Not
3196 Just for Concrete Coal Ash Makes the Grade in Highway

3197 Construction''; a 2020 report from the Executive Office of
3198 the President, Council of Economic Advisors, entitled, "The
3199 Impact of Opportunity Zones: An Initial Assessment''; a fact
3200 sheet from the American Coal Ash Association entitled, "Coal
3201 Ash Regulation and Unencapsulated Beneficial Use''; a letter
3202 from the Alaska Community Action on Toxics; a letter from the
3203 Breast Cancer Prevention Partners; a letter from Black
3204 Millennials for Flint; a letter from Chesapeake Bay
3205 Foundation; a letter from Coming Clean; a letter from
3206 Creation Justice Ministries; a letter from Earth Justice; a
3207 letter from the Environmental Defense Fund; a document of
3208 support from 13 environmental justice organizations; a letter
3209 from the Moving Forward Network; a letter from the National
3210 Wildlife Federation; a letter from the Sierra Club; a letter
3211 from the Union of Concerned Scientists; a statement from the
3212 Western Environmental Law Center; a letter from the mayor of
3213 Hazard, Kentucky to Representative Tonko; and a letter from
3214 the mayor of Hazard, Kentucky to Representative McKinley.

3215 And that list is, I believe, totally complete at today
3216 -- for today's hearing. And without objection -- do I hear
3217 any objection?

3218 *Voice. No.

3219 *Mr. Tonko. Without objection, so ordered.

3220

3221

3222 [The information follows:]

3223

3224 *****COMMITTEE INSERT*****

3225

3226 *Mr. Tonko. And with that, the hearing is adjourned.

3227 [Whereupon, at 1:28 p.m., the subcommittee was

3228 adjourned.]