

Congress of the United States
House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

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December 15, 2021

The Honorable Gene L. Dodaro
Comptroller General
U.S. Government Accountability Office
441 G Street, N.W.
Washington, D.C. 20548

Dear Comptroller General Dodaro:

As a strong supporter of President Biden's Justice40 Initiative, which aims to ensure that the benefits from federal investments flow directly to disadvantaged communities, I write to request that the Government Accountability Office (GAO) conduct ongoing, in-depth oversight of the Initiative's implementation.

As set forth in Executive Order 14008, the Justice40 Initiative seeks to make equity a key consideration in federal investments in climate change mitigation, environmental resilience, and other labor, economic, social, and environmental programs.¹ The initiative calls for at least 40 percent of the overall benefits of environmental and infrastructure investments to flow to disadvantaged communities.

To implement this initiative and ensure that federal investments promote equity—rather than reinforce existing inequities—federal agencies must develop and apply robust standards and criteria that evaluate the fair distribution of these investments. There is a wealth of research showing the importance of robust standards and criteria to promote equitable and broad-based economic investments.² To be effective, these standards and criteria must be applied at every level, from allocation, to implementation, to oversight and accountability.

¹Exec. Order No. 14008, 86 Fed. Reg. 7619 (Jan. 27, 2021).

² For example, labor standards can double salaries in major investment areas. Equity and place-based environmental justice standards can increase representation of communities of color, women, and people without college degrees in high-paying investment areas. Domestic content standards in procurement, manufacturing, and supply chains applied to funding for climate mitigation and resilience can support millions of high-paying jobs in communities plagued by joblessness. See Dr. Robert Pollin, Dr. Shouvik Chakraborty, and Dr. Jeannette Wicks-Lim, *Employment Impacts of Proposed U.S. Economic Stimulus Programs: Job Creation, Job Quality, and Demographic Distribution Measures*, Political Economy Research Institute (Mar. 4, 2021) (online at <https://peri.umass.edu/images/Thrive-3-2-21.pdf>); Sierra Club Living Economy Program, *How to Build Back Better: A 10-Year Plan for Economic Renewal* (Feb. 2021) (online at www.sierraclub.org/sites/www.sierraclub.org/files/jobs-renewal-report.pdf).

As part of GAO’s oversight, I request that GAO review relevant environmental, racial, socio-economic, and labor standards that measure the equitable distribution of federal investments in order to fully assess the initiative’s progress, providing Congress the tools it needs to be an effective partner in ensuring its success.

Committee’s Focus on Environmental Justice

A major focus of the Committee in this Congress has been to advance the objectives of Justice40 by examining the relationship between environmental justice and infrastructure investment.

On June 17, 2021, the Subcommittee on Environment held a hearing on job creation in frontline communities.³

On July 21, 2021, the full Oversight Committee held a hearing on the need for a whole-of-government response, strong federal data collection, and a voice for state and local partners in Justice40 implementation.⁴

On August 26, 2021, the Committee hosted a field roundtable in Queens, New York’s “Asthma Alley” to hear from environmental justice leaders about how a Justice40 criterion built into investments can curb pollution and save lives in frontline communities.⁵

On November 19, 2021, the House passed the Build Back Better Act, which includes funding for GAO’s cross-cutting oversight of “whether the economic, social, and environmental impacts...are equitable,” as well as funding for the Office of Management and Budget (OMB) to “track labor, equity, and environmental standards and performance” more broadly.⁶

The White House has indicated that agencies are “implementing the President’s Justice40 commitment right now” by “making long overdue investments” and by “taking action to cut pollution and alleviate environmental burdens.”⁷ Implementation of Justice40 requires federal

³ Subcommittee on Environment, *Hearing on Jumpstarting Mainstreet: Bringing Jobs and Wealth Back to Forgotten America* (June 16, 2021) (online at <https://oversight.house.gov/legislation/hearings/jumpstarting-mainstreet-bringing-jobs-wealth-back-to-forgotten-america>).

⁴ Committee on Oversight and Reform, *Hearing on Building Back with Justice: Environmental Justice Is Central to the American Jobs Plan* (July 21, 2021) (online at <https://oversight.house.gov/legislation/hearings/building-back-with-justice-environmental-justice-is-central-to-the-american>).

⁵ Committee on Oversight and Reform, *Roundtable on Tackling Peak Pollution: Achieving Environmental Justice for Frontline* (Aug. 26, 2021) (online at <https://oversight.house.gov/legislation/hearings/full-committee-hybrid-roundtable-on-tackling-peak-pollution-achieving>).

⁶ H.R. 5376; Committee on Oversight and Reform, Business Meeting, Vote on Committee Print Providing for Reconciliation Pursuant to S. Con. Res. 14 (Sept. 2, 2021) (25 yeas, 18 nays) (online at <https://oversight.house.gov/legislation/markups/the-committee-print-to-implement-the-instructions-provided-by-s-con-res-14-the>).

⁷ The White House, *Press Release: Delivering on Justice40* (Dec. 2, 2021) (online at www.whitehouse.gov/ceq/news-updates/2021/12/02/delivering-on-justice40/).

agencies to pay attention to every dollar invested to ensure that at least 40% of the benefits of investments will reach disadvantaged communities.⁸ Agencies must assess these benefits in the context of harms caused, created, or prolonged by federal investment and disinvestment. If an impacted community experiences additional pollution or displacement pressures because of federally funded projects not covered by the Justice40 Initiative, it is important to incorporate that harm in an assessment of net benefits. For communities “that have been historically overburdened and underserved,” it is important that the Climate and Economic Justice Screening Tool—among other methods to identify disadvantaged communities and covered programs and investments—can account for the cumulative effect of harm over time and across generations.⁹

GAO’s examination of these issues could consider temporal and place-based metrics, standards, and benefit calculation criteria laid out by the Council on Environmental Quality (CEQ) and OMB, used by agencies, and recommended by the White House Environmental Justice Advisory Council (WHEJAC), including WHEJAC’s “examples of the types of projects that may benefit a community” and “examples of the types of projects that will not benefit a community.”¹⁰

Request for GAO Oversight

I request that GAO provide ongoing oversight of this important initiative through periodic public reports through Fiscal Year 2026 and regular briefings to the Committee with findings and recommendations. Specifically, I request that GAO review the Justice40 framework and agencies’ implementation plans, monitor guidance and assistance provided to agencies, and report on implementation by individual agencies, with the goal of assessing the extent to which the initiative is succeeding in targeting federal investments to disadvantaged communities.

The following factors are important considerations when reviewing these issues:

1. **Social, Economic, and Equity Impacts:** Information about the equity impact of relevant programs, including the following issues:¹¹

⁸ Exec. Order No. 14008, 86 Fed. Reg. 7619 (Jan. 27, 2021).

⁹ Census Bureau, *Air Pollution Diminishes Future Generations’ Economic Opportunities* (online at www.census.gov/library/stories/2021/02/air-pollution-diminishes-future-generations-economic-opportunities.html) (accessed Dec. 1, 2021); Census Bureau, *The Grandkids Aren’t Alright: The Intergenerational Effects of Prenatal Pollution Exposure* (Nov. 2020) (CES 20-36) (online at www2.census.gov/ces/wp/2020/CES-WP-20-36.pdf); Environmental Protection Agency, *Air Pollution: Current and Future Challenges* (online at www.epa.gov/clean-air-act-overview/air-pollution-current-and-future-challenges).

¹⁰ White House Environmental Justice Advisory Council, *Final Recommendations: Justice40, Climate and Economic Justice Screening Tool, and Executive Order 12898 Revisions* (May 21, 2021) (online at www.epa.gov/sites/production/files/2021-05/documents/whiteh2.pdf).

¹¹ See, e.g., Exec. Order No. 13985, 86 Fed. Reg. 7009 (Jan. 20, 2021); Office of Management and Budget, *Methods and Leading Practices for Advancing Equity and Support for Underserved Communities Through Government*, 86 Fed. Reg. 24029 (May 5, 2021); Office of Management and Budget, *Study to Identify Methods to Assess Equity: Report to the President* (July 2021); Office of Management and Budget and General Services

- *Equitable distribution of funds*
 - Socioeconomic, demographic, and geographic distribution of investments, including the shares going to states, the District of Columbia, Puerto Rico, U.S. territories, federally recognized Tribes, and Indigenous communities, and the share of investments in disadvantaged communities within each state or territory; and
 - The percentage of investments directed to benefit communities facing disproportionate environmental harm, disadvantaged communities, environmental justice communities, low-income communities, communities of color, and deindustrialized communities, including:
 - Fiscal Year 2022 information on disadvantaged communities identified by the White House, WHEJAC, and relevant agencies, including through the use of equity mapping tools and applied equity screens;
 - Information on who within disadvantaged communities benefits from implementation of covered programs and investments; and
 - Information on who benefits from covered programs and investments nationally.
- *Equity assessment, flow of benefits, and environmental justice impacts*
 - Whether and how programs and agencies employ equity assessments to evaluate the social, economic, and environmental impacts of the investment or program on communities facing disproportionate environmental harm, disadvantaged communities, environmental justice communities, low-income communities, communities of color, and deindustrialized communities;
 - Fiscal Year 2022 information on whether and how OMB, CEQ, and WHEJAC, among others, provide guidance to implementing agencies on benefit calculations and identification of Justice40-covered programs and investments;

Administration, *Methods and Leading Practices for Advancing Equity and Support for Underserved Communities through Government: Summary of Stakeholder Responses to the OMB Request for Information* (online at <https://performance.gov/cx/equity-rfi-summary/>) (accessed Dec. 1, 2021); Briefing by Shalanda Young, Acting Director, Office of Management and Budget, *Meeting a Milestone of President Biden's Whole-of-Government Equity Agenda* (Aug. 6, 2021) (www.whitehouse.gov/omb/briefing-room/2021/08/06/meeting-a-milestone-of-president-bidens-whole-of-government-equity-agenda/).

- Fiscal Year 2022 information on the Justice40 pilot program to maximize benefits that includes each program’s implementation of guidance and adherence to deadlines, whether agencies and other programs adopt program modifications to maximize benefits, and whether and how OMB, CEQ, WHEJAC, and other entities provide guidance on best practices to maximize benefits across covered programs;¹²
 - A list of Justice40 investments accruing the most benefits in disadvantaged communities in aggregate and as a percentage of spending;¹³
 - The geographic, demographic, and socioeconomic distribution of lifecycle greenhouse gas emissions, toxic pollution, and lifecycle impacts of programs; and
 - The targeting of legacy pollution cleanup and redress of environmental racism.¹⁴
- *Tribal sovereignty, community engagement, and state and local coordination*
 - The extent to which programs respect Tribal sovereignty and reflect consultation and free, prior, and informed consent as set forth in relevant orders, directives, and international frameworks,

¹² GAO’s deliverable may include information on stakeholder engagement plans, plans to maximize benefits, and new agency programs to maximize benefits. *See, e.g.,* The White House, *Press Release: Delivering on Justice40* (Dec. 2, 2021) (online at www.whitehouse.gov/ceq/news-updates/2021/12/02/delivering-on-justice40/); Memorandum from Shalanda D. Young, Acting Director, Office of Management and Budget; Brenda Mallory, Chair of the Council on Environmental Quality; and Gina McCarthy, National Climate Advisor; Executive Office of the President, *Interim Implementation Guidance for the Justice40 Initiative* (July 20, 2021) (online at www.whitehouse.gov/wp-content/uploads/2021/07/M-21-28.pdf); The White House, *Press Release: Delivering on Justice40* (Dec. 2, 2021) (online at www.whitehouse.gov/ceq/news-updates/2021/12/02/delivering-on-justice40/).

¹³ For example, GAO may compile a list that evaluates top-performing covered investments and programs identified by agencies, the White House, and WHEJAC. *See, e.g.,* Memorandum from Shalanda D. Young, Acting Director, Office of Management and Budget; Brenda Mallory, Chair of the Council on Environmental Quality; and Gina McCarthy, National Climate Advisor; Executive Office of the President, *Interim Implementation Guidance for the Justice40 Initiative* (July 20, 2021) (online at www.whitehouse.gov/wp-content/uploads/2021/07/M-21-28.pdf); Exec. Order No. 14052, 86 Fed. Reg. 64335 (Nov. 15, 2021).

¹⁴ GAO may consider the role of OMB, CEQ, and WHEJAC in developing tools and providing or operationalizing guidance across programs. *See, e.g.,* U.S. Digital Service and Council on Environmental Quality, *Justice40 Tool* (online at <https://github.com/usds/justice40-tool>) (accessed Dec. 1, 2021); White House Environmental Justice Advisory Council, *Final Recommendations: Justice40, Climate and Economic Justice Screening Tool, and Executive Order 12898 Revisions* (May 21, 2021) (online at www.epa.gov/sites/production/files/2021-05/documents/whiteh2.pdf); The White House, *Press Release: Delivering on Justice40* (Dec. 2, 2021) (online at www.whitehouse.gov/ceq/news-updates/2021/12/02/delivering-on-justice40/).

including for Tribal governments and Indigenous communities without federally recognized governing bodies;¹⁵

- The extent to which programs include safe, transparent, accessible, and funded mechanisms for communities to engage in design and implementation, including:
 - Stakeholder consultation benchmarks set in Executive Order 14008 and Justice40 Interim Implementation Guidance;
 - Accessibility requirements under Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973, as well as consideration of public health and environmental racism during the Covid-19 pandemic;¹⁶
 - Consultation with disadvantaged communities and WHEJAC prior to, during, and after Justice40 implementation to assess agency methods to calculate and deliver investment benefits, including benefits deemed for a community that result from investments outside that community;
 - How agencies and programs define community consultation and if meetings with disadvantaged community residents and environmental justice leaders are included in stakeholder engagement plans;
 - Technical assistance funded or provided by agencies and programs to states, localities, and grassroots groups in furtherance of diverse stakeholder engagement; and

¹⁵ See, e.g., Exec. Order No. 13175, *Consultation and Coordination with Indian Tribal Governments*, 65 Fed. Reg. 67249 (Nov. 9, 2000); Executive Office of the President, *Memorandum, Tribal Consultation and Strengthening Nation-to-Nation Relationships*, 86 Fed. Reg. 7491 (Jan. 29, 2021); Memorandum from the White House Office of the Press Secretary to Heads of Executive Departments and Agencies, *Tribal Consultation* (Nov. 5, 2009); United Nations Declaration on the Rights of Indigenous Peoples, A/Res/61/295; Department of State, *Announcement of U.S. Support for the United Nations Declaration on the Rights of Indigenous Peoples* (Jan. 12, 2011) (online at <https://2009-2017.state.gov/s/srgia/154553.htm>); Advisory Council on Historic Preservation, *Notice of ACHP Quarterly Business Meeting*, 78 Fed. Reg. 11670 (Feb. 19, 2013); Interior Department, *Secretarial Commission on Indian Trust Administration and Reform*, 78 Fed. Reg. 21963 (Apr. 12, 2013); Executive Office of the President, *National Native American Heritage Month, 2011*, 76 Fed. Reg. 68623 (Nov. 4, 2011); Fish and Wildlife Service, *Regulations Governing Take of Migratory Birds*, 86 Fed. Reg. 1134 (Jan. 1, 2021); Memorandum from Eric S. Lander and Brenda Mallory to Heads of Departments and Agencies, Executive Office of the President, *Indigenous Traditional Ecological Knowledge and Federal Decision Making* (Nov. 15, 2021).

¹⁶ *Federal Dereliction of Duty: Environmental Racism Under Covid-19*, Vermont Law School Environmental Justice Clinic (Sept. 2021) (online at www.vermontlaw.edu/sites/default/files/2021-08/Federal-Dereliction-of-Duty-Full-Report.pdf).

- The extent to which Justice40 implementing agencies harness intergovernmental relationships that increase faithful use of funds by states, including:
 - Mechanisms, bodies, and coordination plans developed at the state, local, or grassroots levels or implemented by federal agencies or programs to deliver benefits to disadvantaged communities;
 - Protocols to hold state officials and agencies accountable for intended use of funds;
 - Coordination by agencies, states, and localities to maximize benefits in neighborhoods and census blocks with covered programs across multiple agencies.
- *Job creation, labor provisions, community benefits, and “Made in America Laws”*¹⁷
 - The median wages and proportion of jobs paying \$15 per hour or prevailing wage (whichever is higher);
 - The proportion of jobs providing healthcare and retirement benefits;
 - The proportion of jobs that have access to a union;
 - Community-benefits agreements employed in construction and related contracts;
 - The use of relevant labor provisions and policies, such as local hire preferences, Davis-Bacon prevailing wages, project labor agreements, collective bargaining neutrality agreements, and registered apprenticeship programs;¹⁸
 - The entities receiving funds, including business size, and whether they are minority or women-owned businesses, community-based organizations, or worker cooperatives;

¹⁷ Exec. Order No. 14005, 86 Fed. Reg. 7475 (Jan. 25, 2021).

¹⁸ For example, GAO may consider labor provisions and policies, as well as related agency enforcement and administrative steps. *See, e.g.,* Exec. Order No. 14005, 86 Fed. Reg. 7475 (Jan. 25, 2021); Office of Management and Budget, *Methods and Leading Practices for Advancing Equity and Support for Underserved Communities Through Government*, 86 Fed. Reg. 24029 (May 5, 2021); Exec. Order No. 14008, 86 Fed. Reg. 7619 (Jan. 27, 2021).

- The use of Buy America and other domestic content policies;¹⁹
 - If programs offer fair employment, including if they have a “ban the box” policy;²⁰
 - The aggregate and proportion of hiring of residents of disadvantaged communities, low-income workers, people of color, women, people with disabilities, LGBTQ+ individuals, and formerly incarcerated people; and
 - The aggregate and proportion of new contracts signed with businesses owned by low-income individuals, people of color, women, people with disabilities, LGBTQ+ individuals, and formerly incarcerated people.
2. **Environmental Impacts:** Information about the environmental impact of federal investments by measuring environmental metrics, as applicable. For example:
- Pollution impacts
 - Pollution-reduction metrics including targeting of cumulative impacts in pollution hotspots;
 - Net greenhouse gas emissions or reductions achieved by projects;
 - Pollution-reduction metrics for materials and parts used in program execution;

¹⁹ For example, GAO may consider domestic content policies and procurement provisions, as well as related agency enforcement and administrative steps. See, e.g., Exec. Order No. 14005, 86 Fed. Reg. 7475 (Jan. 25, 2021); Office of Management and Budget, *Methods and Leading Practices for Advancing Equity and Support for Underserved Communities Through Government*, 86 Fed. Reg. 24029 (May 5, 2021); Exec. Order No. 14008, 86 Fed. Reg. 7619 (Jan. 27, 2021).

²⁰ See, e.g., Equal Employment Opportunity Commission, *Fact Sheet: The EEOC and FEPA Data-Sharing* (Apr. 2021) (online at www.eeoc.gov/fact-sheet-eeoc-and-fepa-data-sharing); Equal Employment Opportunity Commission, *Fair Employment Practices Agencies (FEPAs) and Dual Filing* (online at www.eeoc.gov/fair-employment-practices-agencies-fepas-and-dual-filing) (accessed Nov. 30, 2021); Department of Labor, Wage and Hour Division, *Handy Reference Guide to the Fair Labor Standards Act* (Sept. 2016); H.R. 1076, 116th Cong. (2019); National Employment Law Project, *FAQ: Fair Chance to Compete for Jobs Act of 2019* (Dec. 2019) (online at www.nelp.org/publication/faq-fair-chance-to-compete-for-jobs-act-of-2019/); Equal Employment Opportunity Commission, *Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act* (Apr. 2012) (online at www.eeoc.gov/laws/guidance/enforcement-guidance-consideration-arrest-and-conviction-records-employment-decisions); *Ban the Box: U.S. Cities, Counties, and States Adopt Fair-Chance Policies to Advance Employment Opportunities for People with Past Convictions*, National Employment Law Project (Oct. 2020) (online at <https://s27147.pcdn.co/wp-content/uploads/Ban-the-Box-Fair-Chance-State-and-Local-Guide-Oct-2021.pdf>).

- The extent to which construction and related contracts use and require materials and parts with low-embodied emissions and low-emission operations;²¹
- The extent to which programs include energy efficiency requirements, and the impacts of investments on energy efficiency; and
- Climate resilience metrics, including the extent to which resilient designs are used in infrastructure projects and improvements, and whether residents of disadvantaged communities are safeguarded from displacement and financial pressures from resilience.

Additional Considerations

In conducting this oversight, it is important to pursue engagement with a variety of stakeholders, including disadvantaged community residents and environmental justice leaders while maintaining an objective methodology. WHEJAC, WE ACT for Environmental Justice’s Justice40 Advisory Team, and the Deep South Center for Environmental Justice’s Justice40 Community Engagement Project are among the environmental justice bodies and frontline groups that may have perspectives on best practices when seeking information from environmental justice communities.²² It is also vital to understand the accuracy of Justice40 benefit calculations, as well as potential coverage gaps. In addition to providing essential accountability, GAO can provide expert insight on agency best practices and methods for maximizing benefits to disadvantaged communities that can be extended across covered

²¹ For example, GAO may consider domestic content policies and procurement provisions—including state and local contracting and procurement protocols applied to distributed Initiative funds—as well as related agency enforcement and administrative steps to reduce embodied emissions, promote sustainable domestic manufacture, and disincentivize offshore reliance on carbon-intensive supply chains. *See, e.g.*; Exec. Order No. 13990, 86 Fed. Reg. 7037 (Jan. 20, 2021); Exec. Order No. 14005, 86 Fed. Reg. 7475 (Jan. 25, 2021); Exec. Order No. 14052, 86 Fed. Reg. 64335 (Nov. 15, 2021); Office of Management and Budget, *Methods and Leading Practices for Advancing Equity and Support for Underserved Communities Through Government*, 86 Fed. Reg. 24029 (May 5, 2021); Exec. Order No. 14008, 86 Fed. Reg. 7619 (Jan. 27, 2021); California Department of General Services Procurement Division, *Buy Clean California Act* (online at www.dgs.ca.gov/PD/Resources/Page-Content/Procurement-Division-Resources-List-Folder/Buy-Clean-California-Act) (accessed Dec. 1, 2021); Buy Clean California Act, California Public Contract Code No. 3500-3505; Interagency Working Group on Social Cost of Greenhouse Gases, *Technical Support Document: Social Cost of Carbon, Methane, and Nitrous Oxide Interim Estimates Under Executive Order 13990* (Feb. 2021) (online at www.whitehouse.gov/wp-content/uploads/2021/02/TechnicalSupportDocument_SocialCostofCarbonMethaneNitrousOxide.pdf).

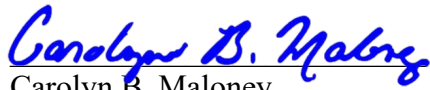
²² WE ACT for Environmental Justice, *Press Release: WE ACT Awarded Bezos Earth Fund Grant for a National Justice40 Campaign* (Sept. 8, 2021) (online at www.weact.org/2021/09/we-act-awarded-bezos-earth-fund-grant-for-a-national-justice40-campaign/); Deep South Center for Environmental Justice, *Press Release: Deep South Center for Environmental Justice Receives \$4 Million from Bezos Earth Fund to Support Justice40 Initiative* (Sept. 8, 2021) (online at www.dscej.org/the-latest/deep-south-center-for-environmental-justice-receives-4-million-from-bezos-earth-fund-to-support-justice40-initiative/); Justice40 Accelerator, *Meet the Justice40 Accelerator Cohort* (online at www.justice40accelerator.org/cohort-list) (accessed Nov. 5, 2021); Climate Justice Alliance, *Our Members: Climate Justice Ecosystem* (online at www.climatejusticealliance.org/members-of-the-alliance) (accessed Nov. 10, 2021); Equitable and Just National Climate Platform, *Platform Signatories* (online at www.ajustclimate.org/index.html#platformSign) (accessed Nov. 10, 2021).

programs through the life of the Justice40 Initiative. These findings can also be used to encourage equitable and accountable spending in other programs.

GAO oversight could also identify best practices employed by environmental justice investment programs at the state and local levels. While Justice40 is a first-of-its kind federal initiative, programs like it exist throughout the country. Some states have mapping and data tools to identify disadvantaged communities, distribute benefits, and reduce disproportionate harm. Other states are considering frameworks to comply with the Justice40 Initiative and operationalize state equivalents.²³ Insights into these programs could help inform the Justice40 Initiative, reduce intergovernmental friction, and identify avenues for state and local technical assistance.

Thank you for your consideration of this important matter.

Sincerely,


Carolyn B. Maloney
Chairwoman

cc: The Honorable James Comer, Ranking Member

²³ *Emerging State-Level Environmental Justice Laws*, New York Law Journal (May 12, 2021) (online at www.law.com/newyorklawjournal/2021/05/12/emerging-state-level-environmental-justice-laws/); California Office of Environmental Health Hazard Assessment, *About CalEnviroScreen* (www.oehha.ca.gov/calenviroscreen/about-calenviroscreen) (accessed Sept. 15, 2021); Center for American Progress, *Learning from California's Ambitious Climate Policy* (Apr. 16, 2021) (online at www.americanprogress.org/issues/green/reports/2021/04/16/498242/learning-californias-ambitious-climate-policy/); State of New Jersey, Office of the Governor, *Press Release: Governor Murphy Signs Historic Environmental Justice Legislation* (Sept. 18, 2020) (online at www.nj.gov/governor/news/news/562020/20200918a.shtml); South Carolina General Assembly, H. 4322; *We're Fighting for Environmental Justice in a Red State. We Need Congress to Do Its Part*, Morning Consult (Aug. 5, 2021) (online at www.morningconsult.com/opinions/were-fighting-for-environmental-justice-in-a-red-state-we-need-congress-to-do-its-part/); *Environmental Justice "Finding Voice," if Not Votes, in States*, Bloomberg Law (June 23, 2021) (online at www.news.bloomberglaw.com/environment-and-energy/environmental-justice-finding-voice-if-not-votes-in-states); Delaware General Assembly, H. Con. Res. 40; *Will Climate Change Policy Leave Marginalized Communities Behind?*, Delaware Public Media (Jul. 6, 2021) (online at www.delawarepublic.org/post/will-climate-change-policy-leave-marginalized-communities-behind/); NRDC, *Illinois Passes Nation-Leading, Equitable Climate Bill* (Sept. 12, 2021) (online at www.nrdc.org/experts/jc-kibbey/illinois-passes-nation-leading-equitable-climate-bill); NRG Astoria Decision Letter from Daniel Whitehead, New York State Department of Environmental Conservation, to Andrew Scano, Astoria Gas Turbine Power, *Re: Notice of Denial of Title V Air Permit* (Oct. 27 2021) (online at www.dec.ny.gov/docs/administration_pdf/nrgastoriadecision10272021.pdf).