

**United States Senate**  
WASHINGTON, DC 20510

April 13, 2023

**VIA ELECTRONIC TRANSMISSION**

The Honorable Michael Regan  
Administrator  
Environmental Protection Agency

Dear Administrator Regan:

The American Rescue Plan gave the Environmental Protection Agency (EPA) “\$50 million in EJ [Environmental Justice] funding” for a variety of projects that “identify and address disproportionate environmental or public health harms and risks in underserved communities due to COVID-19 and other pollution.”<sup>1</sup>

According to the EPA, over \$16.6 million of this money has been allocated to fund activities authorized by the Clean Air Act and Safe Drinking Water Act.<sup>2</sup> One of these activities was the 2021 Environmental Justice Collaborative Problem-Solving (EJCPS) Cooperative Agreement Program, which received \$4.3 million.<sup>3</sup>

In 2021, the EPA selected 34 organizations to each receive up to \$200,000 via grants through the EJCPS Cooperative Agreement Program.<sup>4</sup> The purpose of the grants was to, in part, “support community-based organizations in their efforts to collaborate and partner with local stakeholder groups ... as they develop and implement solutions that address environmental and/or public health issues for underserved communities.”<sup>5</sup>

Congress has an obligation to ensure that the taxpayer money it appropriates is used for its intended purpose and is not subject to waste, fraud, or abuse. Please provide answers to the following questions by April 27, 2023:

1. For each recipient of the EJCPS awards, has the EPA: (a) measured the recipient’s performance to determine achievement of program goals and objectives; (b) shared lessons

---

<sup>1</sup> United States Environmental Protection Agency, *Environmental Justice Funding under the ARP*, <https://www.epa.gov/arp/environmental-justice-funding-under-arp> (last visited March 16, 2023).

<sup>2</sup> *Id.*

<sup>3</sup> U.S. Environmental Protection Agency, *2021 American Rescue Plan & EJ Collaborative Problem-Solving Award Project Summaries*, <https://www.epa.gov/system/files/documents/2021-12/2021-selected-ejcps-project-descriptions.pdf> at 7 (last visited March 16, 2023).

<sup>4</sup> *Id.* at 1.

<sup>5</sup> *Id.*

learned; (c) attempted to improve program outcomes; and (d) fostered adoption of promising practices?<sup>6</sup> Please explain the results. If not, why not?

2. Did the EPA ensure the recipient measured progress and reported it?<sup>7</sup> If not, why not?
3. How did the EPA ensure grantees complied with applicable federal laws, regulations, and program requirements in using the award money?
4. Has the EPA discovered any grantees who have violated federal laws, regulations, or program requirements in using the award money? If so, who, and what steps did you take to remedy?
5. Does the EPA plan to conduct timely financial and nonfinancial audits to oversee how the awards are used? If so, how often does the EPA plan to conduct them? Has the EPA conducted any to-date? If so, how often did the EPA conduct them?
6. Has the EPA ensured that all grantees have written policies and procedures that address allowable and unallowable costs under federal programs? Has the EPA discovered any instances where grantees have used taxpayer money for unallowable costs? If so, who, how much money, and what was the unallowable activity?
7. What risk assessment and timely monitoring did the EPA require grantees to conduct before they sub-granted taxpayer money?
8. How large is the workforce that the EPA has assigned to do oversight on the EJCPs project? Please provide a list of employees and their title.
9. For the groups that have been given money to conduct any project relating to air or air quality, how are they using funds to combat a lack of air quality conformity in nonattainment areas? What are the metrics they plan to use or are using to measure progress and success?

Thank you for your cooperation on this important matter. If you have any questions, please contact Jace Pimentel at (202) 224-0642.

Sincerely,



Charles E. Grassley  
Ranking Member  
Committee on the Budget

---

<sup>6</sup> “The Federal awarding agency must measure the recipient's performance to show achievement of program goals and objectives, share lessons learned, improve program outcomes, and foster adoption of promising practices.” 2 C.F.R. § 200.301(a).

<sup>7</sup> “Performance measurement progress must be both measured and reported.” *Id.*