

United States Senate
WASHINGTON, DC 20510

To: Senate Budget Committee, Majority and Minority
From: Senator Charles Grassley, Ranking Member
Senate Committee on the Budget
Date: February 22, 2024
Re: Preliminary Oversight Findings of the EPA’s 2021 Environmental Justice Collaborative Problem-Solving Cooperative Agreement Program

Dear Committee Members:

The American Rescue Plan (ARP) 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.”¹ According to the EPA, over \$16.6 million of this money was allocated to fund activities authorized by the Clean Air Act and Safe Drinking Water Act.² One of these activities is the *2021 Environmental Justice Collaborative Problem-Solving (EJCPS) Cooperative Agreement Program*, which received \$4.3 million.³

As part of the EJCPS program, in 2021 the EPA “selected 34 organizations to each receive up to \$200,000” via cooperative agreements.⁴ The EJCPS Program is designed to “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.”⁵

As many of the recipients of this money have not yet completed their projects or spent all their allotted money, this preliminary report serves as a snapshot in time of the use of taxpayer money thus far. This report is intended to inform Congress and the EPA of the defects in EPA’s oversight of this program and similar programs. The knowledge of EPA’s failure to oversee taxpayer money is especially timely as the EPA has recently launched its 2023 EJCPS program which allocates over \$40 million of taxpayer money.⁶ Accordingly, if the EPA doesn’t improve its

¹ U.S. Environmental Protection Agency, *Environmental Justice Funding under the ARP*, (last accessed Jan. 31, 2024), <https://www.epa.gov/arp/environmental-justice-funding-under-arp>.

² *Id.*

³ U.S. Environmental Protection Agency, *2021 American Rescue Plan & EJ Collaborative Problem-Solving Award Project Summaries*, at 1 (last accessed Feb. 20, 2024), <https://www.epa.gov/system/files/documents/2021-12/2021-selected-ejcps-project-descriptions.pdf>.

⁴ *Id.*

⁵ *Id.*

⁶ The 2023 EJCPS program allocates “\$43.8 million in Inflation Reduction Act (IRA) funding” to 98 awardees. U.S. Environmental Protection Agency, *The Environmental Justice Collaborative Problem-Solving Cooperative*

oversight mechanisms, it won't be just \$4.3 million of taxpayer money subject to potential waste, it will be tens of millions more.

Scope and Methodology

On April 13, 2023, I sent a letter to all participants in the 2021 EJPCS program to inquire into their progress and use of taxpayer dollars which is a core constitutional function of the Congress.⁷ All were asked to provide answers and supporting documents to five questions within two weeks. The questions were:

1. Did your organization provide to the EPA: (a) measurements of performance to show achievement of program goals and objectives; (b) lessons learned; (c) ways to improve program outcomes; and (d) plans to adopt promising practices. If so, please provide all records. If not, why not?
2. Was your organization required to provide to the EPA financial and related data under 2 C.F.R. § 200.329(b)? If so, please provide those records. If not, why not?
3. Please describe and provide all records relating to what your organization's goals were and how those goals were accomplished. If the stated goals were not accomplished, please explain why not.
4. How did your organization determine that it accomplished its stated goals? What metrics were used? Please explain and provide all records.
5. Provide all records showing how the taxpayer money your organization received was spent. In your production, please provide a financial summary showing what the taxpayer money was spent on.

Many of the organizations failed to provide sufficient responses within the two-week period. However, twelve provided responses with records within a matter of days. On May 31, 2023, my staff emailed unresponsive organizations and informed them that the deadline to respond was extended to June 13, 2023. More responses were received after the extension.

Finally, on October 27, 2023, my staff requested the recipients⁸ provide the most recent progress report they submitted to the EPA and updated documents showing how taxpayer money had been spent to-date.⁹ My staff asked for all responses to be submitted by November 8, 2023. This preliminary report is based on documents produced according to that deadline.

Agreement Program, (last accessed Feb. 7, 2024), <https://www.epa.gov/environmentaljustice/environmental-justice-collaborative-problem-solving-cooperative-agreement-5#resources>.

⁷ Thirty-two of the thirty-four organizations received this letter on April 13, 2023. The other two organizations, Hartford Parent University, Inc. and Metro Community Ministries, received this letter on April 17, 2023. Separately, on April 13, 2023, I sent a similar letter to the EPA inquiring of its oversight of this project.

⁸ Two organizations did not receive this final request. Utah Clean Energy did not receive this request because its counsel, Jeffrey Corey, refused to respond to my staff's emails from July 25, 2023; August 11, 2023; and August 25, 2023, making clear he would no longer be communicating with my staff. Tennessee Environmental Council did not receive this request because it had expressly told my staff not to contact them again. Emails on file with Committee.

⁹ One organization, Center for Habitat Reconstruction, received this request on December 6, 2023, and provided a response with records within 18 minutes. Emails on file with Committee.

Executive Summary

The EPA has published each grantee’s expected outcomes from its funded projects.¹⁰ These expected outcomes vary between groups, and range from outcomes as general as “greater acceptance of trees in the City”¹¹ to more quantifiable goals such as “increased biodiversity, water retention, and water quality at restored sites.”¹² As part of my “obligation to ensure that the taxpayer money [Congress] appropriates is used for its intended purpose and is not subject to waste, fraud, or abuse,” I sent a letter to each of the 34 organizations asking about the program’s progress and the use of taxpayer money.¹³

The responses I received from cooperative recipients revealed the vast majority of taxpayer money was used to pay the overhead expenses of the grantees. I warned years ago that the partisan, so-called Rescue Plan was a political wish list disguised as COVID relief.¹⁴ Now, I have seen that prediction come true.

Furthermore, I discovered that the EPA is not keeping a watchful eye on the use of this money. Rather, during the life cycle of these grants, the EPA doesn’t require the recipients of taxpayer dollars to produce financial documents to show how the money is actually spent.¹⁵ Specifically, in an email to my staff, the EPA disclosed that the only documentation the EPA is in possession of during the life cycle of this program is the recipients’ SF-425, which only shows how much funding an organization received, the Federal share of expenditures, but not what the funding was spent on.¹⁶ This is an unacceptable blind spot that illustrates the EPA is not a proper steward of taxpayer money in this program.

Most concerning, I discovered the EPA obstructed my congressional oversight of taxpayer dollars.

Timeline of EPA Obstruction

On April 13, 2023, I sent an oversight letter to 34 organizations that received funds through the EPA’s 2021 EJPCS program. I asked several questions pursuant to Congress’s “obligation to

¹⁰ U.S. Environmental Protection Agency, *2021 American Rescue Plan & EJ Collaborative Problem-Solving Award Project Summaries*, (last accessed Feb. 20, 2024), <https://www.epa.gov/system/files/documents/2021-12/2021-selected-ejcps-project-descriptions.pdf>.

¹¹ *Id.* at 12.

¹² *Id.* at 14.

¹³ Cited is a sample letter sent to one of the 34 organizations. Letter from Senator Charles E. Grassley, Ranking Member, Senate Budget Committee, to Jeremy Kranowitz, President & CEO, Keep Indianapolis Beautiful, Inc., (Apr. 13, 2023),

https://www.grassley.senate.gov/imo/media/doc/grassley_to_keep_indianapolis_beautiful_incejcpsfunding.pdf. I also sent a letter to the EPA inquiring of their oversight of this program. Letter from Senator Charles E. Grassley, Ranking Member, Senate Budget Committee, to Michael Regan, Administrator, U.S. Environmental Protection Agency, (Apr. 13, 2023), https://www.grassley.senate.gov/imo/media/doc/grassley_to_epa_-_ejcps_awards.pdf.

¹⁴ Ramsey Touchberry, *EPA shielding how groups spent Biden’s cash bonanza for environmental justice*, THE WASHINGTON TIMES, (Dec. 8, 2023), https://www.washingtontimes.com/news/2023/dec/8/epa-shielding-how-groups-spent-joe-bidens-cash-bon/?utm_source=pushly&utm_campaign=pushnotify&utm_medium=subscriber&utm_id=desktop.

¹⁵ Email on file with Committee.

¹⁶ Email on file with Committee.

ensure that the taxpayer money it appropriates is used for its intended purpose and is not subject to waste, fraud, or abuse.”¹⁷

The letter listed the aforementioned five questions and requested supporting documentation such as a progress report and financial statement. Answers to all questions with supporting documents could have been readily produced by the recipients because the requested material is information they should already have on-hand.

The ease of production was evidenced by responses I received soon after sending my April letter. For example, Hartford Parent University, Inc. responded within one day of confirming receipt of my letter, and only two days after I had transmitted it. Their response was substantive, cooperative, and complete with all records requested. However, this was not even the quickest production I received. One organization, Center for Habitat Reconstruction, provided me with an updated progress report and profit and loss ledger (P&L ledger) within 18 minutes of my request.¹⁸ It even included photos of its activities.¹⁹

Fourteen organizations provided at least an initial response within the two-week deadline. Some recipients confirmed receipt and expressed their cooperation. For example, Utah Clean Energy emailed my staff that they had “received this request for information, and [were] happy to complete by the requested deadline”²⁰ and the Tennessee Environmental Council (TEC) sent my staff an email requesting an extension so they could “give [me] the most thorough reply [they could] provide.”²¹

However, things changed when my staff learned the EPA had become involved on or about April 26, 2023.²² Responses from grantees slowed and eventually stopped. Some organizations suddenly altered course. The same Utah Clean Energy that was “happy to complete by the requested deadline,”²³ emailed my staff that it was their “understanding that EPA is providing the information that [the Senator] requested.”²⁴ This was the first time my staff was alerted to the EPA’s involvement in my oversight of the grantees. The CEO of that organization stopped responding to my staff’s follow-up emails. Eventually, Utah Clean Energy provided a response on May 5, 2023; however, it was insufficient.²⁵ Their organization then retained counsel.²⁶

The next organization to unexpectedly change its tune was TEC. After my staff granted its requested deadline extension on May 15, 2023, TEC sent a non-reply and informed my staff that “The EPA will send a response to [my] inquiry that will address details of [their] grant.”²⁷ TEC further directed me to the “Office of the Inspector General (OIG)...for any financial or audit

¹⁷ Cited is a sample letter sent to one of the 34 organizations. Letter from Senator Charles E. Grassley, Ranking Member, Senate Budget Committee, to Jeremy Kranowitz, President & CEO, Keep Indianapolis Beautiful, Inc., (Apr. 13, 2023),

https://www.grassley.senate.gov/imo/media/doc/grassley_to_keep_indianapolis_beautiful_incejpsfunding.pdf.

¹⁸ Email on file with Committee.

¹⁹ Exhibit D at SBC 19-23.

²⁰ Email on file with Committee.

²¹ Email on file with Committee.

²² Email on file with Committee.

²³ Email on file with Committee.

²⁴ Email on file with Committee.

²⁵ Exhibit DD at SBC 1-2.

²⁶ *Id.* at SBC 4-5.

²⁷ Exhibit AA at SBC 1.

inquiries.”²⁸ When my staff emailed TEC to clarify whether the EPA had instructed their organization to not respond to my inquiry, TEC did not reply.²⁹

In the same manner, SEEED, Inc. originally replied that they received my letter and clarified the deadline to respond well before the due date.³⁰ Then, the organization stopped responding to my staff’s emails and missed the deadline to respond.

The EPA’s conduct was obstructive because it interfered with responses from organizations. For instance, on April 25, 2023, BikeWalkKC’s (BikeWalk) counsel provided a non-reply³¹ and on a phone call with my staff on May 1, 2023, said that “the EPA had contacted her client...and told them the EPA planned to respond on their behalf.”³² The attorney was evidently left with the impression that BikeWalk did not have to respond to my letter at all due to her statement that “the EPA said not to respond.”³³ Upon my staff’s follow-up questioning on that same phone call regarding this statement, she immediately recanted saying she “[didn’t] remember if those were the *exact* words the EPA used.”³⁴ BikeWalk ultimately produced a full response to my inquiry. However, Congress should not have to expend time and resources to override the EPA’s misconduct in order to gather responses to legitimate oversight inquiries.

St. Croix Foundation shared a similar confusion because of the EPA. After not responding to several of my staff’s emails, it reported that it was their “understanding that EPA responded to [my] inquiry on [St. Croix Foundation’s] behalf.”³⁵ This was false, as the EPA had not responded on their behalf. They proceeded to tell my staff that they “were *instructed* to allow [the EPA] to take the lead....”³⁶

Green Chips (d/b/a ImpactNV) was also apparently misled by the EPA. My staff tried to contact the organization about the progress of their reply, which was weeks past-due, but multiple emails were ignored. When Green Chips did reply, they simply informed my staff that they “[would] be receiving a response with all the requested information from EPA Headquarters.”³⁷ When my staff replied that they had not received such information and that they were still awaiting a response from their organization, no reply came and there hasn’t been a response to my staff’s subsequent emails.

Based on these interactions, it is clear that the EPA interfered with legitimate congressional oversight designed to determine how taxpayer money was spent, which is a core role of the Congress. My staff attempted to resolve the matter and emailed Kristien Knapp on May 2, 2023, EPA’s Senior Counsel for Legislation and Oversight, who had been the point of contact for multiple letters I had sent the EPA. My staff asked Ms. Knapp whether EPA had “taken any action to

²⁸ *Id.*

²⁹ Email on file with Committee.

³⁰ Email on file with Committee.

³¹ Exhibit B at SBC 5.

³² Phone call with BikeWalkKC and Senate Budget Committee staff (May 1, 2023).

³³ *Id.*

³⁴ *Id.* (emphasis added).

³⁵ Email on file with Committee.

³⁶ *Id.* (emphasis added).

³⁷ Email on file with Committee.

interfere with [recipient] responses.”³⁸ My staff asked Ms. Knapp about the EPA’s reported interference five times via email and asked to schedule a call to discuss. She failed to reply, and she still has not responded to this matter. In total, Ms. Knapp refused to answer seven emails from my staff seeking to resolve EPA’s obstructive conduct related to my oversight letters.³⁹

The EPA’s bad conduct did not end with the refusal to answer emails. It continued with mischaracterizations of our conversations. On May 19, 2023, Tim Del Monico, Associate Administrator, sent me a letter and cc’d Senator Whitehouse. In the letter, the EPA portrayed a collaborative relationship by claiming, “[s]ince receiving your letter, we have engaged with your staff...”⁴⁰ This is demonstrably false. At the time of that letter, the EPA had ignored emails and refused to answer questions. The EPA had not only ignored my staff, but they also falsely characterized communications to Congress in its May 19 letter.

Again trying to resolve this matter, I spoke with Tim Del Monico, the EPA’s Associate Administrator for Congressional and Intergovernmental Affairs, on May 30, 2023, to discuss the EPA’s obstructive conduct. My staff, Senator Whitehouse’s staff, and EPA staff joined myself and Mr. Del Monico on the call. The EPA assured me that they are committed to “transparency” and want to “help responsiveness.”⁴¹ Most notably, the EPA claimed that they “never told [recipients] not to respond.”⁴² My staff asked for clarification because they had been told just the opposite from grantees. The EPA again emphasized that they “never told them not to respond.”⁴³ The EPA clearly communicated with grantees and created confusion with respect to the grantees’ obligation and responsibility to respond to congressional requests with respect to how taxpayer money was spent and, according to some grantees, effectively told them to not comply. My staff asked the EPA to clarify to the grantees that they must respond to congressional letters. The EPA refused to commit to this course of action.⁴⁴

Because of the EPA’s refusal to clarify grantee obligations to Congress, the obstruction continued. After my conversation with Mr. Del Monico, my staff emailed nonresponsive letter recipients to bring clarity where there may have been confusion. On May 31, 2023, my staff informed them that I had spoken with Mr. Del Monico on May 30, 2023, and was told by the EPA that it “never instructed a recipient to not respond to the Senator.”⁴⁵ Several of the nonresponsive recipients, like St. Croix Foundation, replied to my staff or sent full responses only after receiving this email. Some of the replies contradicted what the EPA had told me.

For instance, on the same day I originally sent my letter, Little Village Environmental Justice Organization (LVEJO) confirmed receipt and told my staff they would “respond as soon as possible.”⁴⁶ However, after the EPA’s interference, they ignored my staff’s emails and did not send

³⁸ Email on file with Committee.

³⁹ Emails on file with Committee.

⁴⁰ Exhibit II at SBC 1.

⁴¹ Phone call with Tim Del Monico, EPA staff, and Senate Budget Committee staff (May 30, 2023).

⁴² *Id.*

⁴³ *Id.*

⁴⁴ *Id.*

⁴⁵ Email on file with Committee.

⁴⁶ Email on file with Committee.

a response to my letter. When my staff emailed LVEJO regarding my phone call with the EPA, LVEJO replied to my staff within hours, claiming they “were informed by [EPA] that they are handling responding on behalf of grantees and told to refer [your staff] to [EPA’s] staff.”⁴⁷ This information directly contradicts what the EPA told me on the phone with respect to EPA saying they did not direct any organizations to not respond to my inquiry. My staff replied to resolve this matter and offered to call and discuss, which was not accepted.

Then, on July 19, 2023, Kimberly Wasserman, Executive Director of LVEJO, replied to my staff with a report LVEJO claimed to have sent earlier in the year in response to my letter. My staff asked for the original email to be forwarded for record-keeping purposes, but Ms. Wasserman has ignored this request and has not sent the original email, if it exists.⁴⁸

The report LVEJO sent on July 19 was not only late, but also inadequate. Instead of answering my questions and providing relevant documents, LVEJO simply sent one of their semi-annual progress reports. LVEJO has ignored all of my staff’s follow-up emails.

Utah Clean Energy also continued in its pattern of noncooperation. For example, on June 5, 2023, Mr. Jeffrey Corey, Attorney for Utah Clean Energy, sent a letter to my staff in response to my staff’s May 31, 2023, email.⁴⁹ That letter read, in part, “EPA has never instructed Utah Clean Energy to not respond to Senator Grassley’s letter. At all times during this process, Utah Clean Energy has made its own decisions on how to respond and has not been limited, restrained, or directed by EPA or any other agency, individual, or entity.”⁵⁰

My staff replied to Mr. Corey asking for a better understanding with respect to contradictory statements.⁵¹ The statements were by Mr. Corey who wrote on June 5, 2023, “EPA has never **instructed** Utah Clean Energy to not respond to Senator Grassley’s letter,”⁵² and by his client, Ms. Sarah Wright, CEO of Utah Clean Energy, who wrote, “it is my understanding that EPA is providing the information that [the Senator] requested,”⁵³ and “...we were **instructed** by the U.S. EPA...that their agency would be responding to [the Senator’s] inquiry on behalf of Utah Clean Energy...”⁵⁴ Additionally, my staff reiterated the request for a sufficient response from Utah Clean Energy.⁵⁵

Mr. Corey initially ignored this email and only responded after a follow-up email from my staff.⁵⁶ On July 25, 2023, Mr. Corey sent a response to my staff accusing them of “intentionally misconstru[ing] prior communication from Utah Clean Energy while simultaneously ignoring [Mr. Corey’s] June 5, 2023, letter.”⁵⁷ He wrote that he “will not dignify [my staff’s] attempt to find

⁴⁷ Email on file with Committee.

⁴⁸ Email on file with Committee.

⁴⁹ Exhibit DD at SBC 4.

⁵⁰ *Id.*

⁵¹ Email on file with Committee.

⁵² Exhibit DD at SBC 4 (emphasis added).

⁵³ Email on file with Committee.

⁵⁴ Email on file with Committee (emphasis added).

⁵⁵ Email on file with Committee.

⁵⁶ Email on file with Committee.

⁵⁷ Exhibit DD at SBC 3.

‘contradictions’ in Utah Clean Energy’s position with a response other than to direct [my staff] to [his] June 5, 2023, letter....”⁵⁸ Additionally, Mr. Corey stated that he was “not aware of any statute, regulation or other legal authority that requires Utah Clean Energy to” provide a complete response.⁵⁹ Mr. Corey ended the letter by stating, “[t]o the extent you believe you are empowered to compel Utah Clean Energy to provide you with additional information, please specify the legal basis for this belief.”⁶⁰

My staff provided such basis in an email to Mr. Corey on July 25, 2023, stating the “authority rests in the U.S. Constitution, the fact that Congress writes the laws and therefore has a constitutional responsibility to oversee that they are executed as intended, and more precisely its power to appropriate money which attendant to that power is the authority to know and understand how it is spent” while citing to Supreme Court precedent for congressional power to investigate.⁶¹ Mr. Corey has ignored that email and follow-up emails.

TEC also refused to change course. After sending four, unanswered follow-up emails, TEC finally responded saying, “we report to the EPA and they are responding on our behalf. You can make your request to them. We will not be responding further. Do not contact us any further.”⁶² What once was a cooperative relationship had soured into a refusal to comply because of the EPA’s misconduct. Based on the timeline of events, these changes in behavior are clearly due to communications from the EPA. These examples illustrate that the EPA has clearly—and intentionally—interfered in congressional oversight and has refused to remedy its misconduct.

Likewise, Metro Community Ministries, Inc. (MCM) responded on June 7, 2023, to my staff’s clarification email—for the first time—saying, “[a]fter speaking with the assigned Program Officer for EPA, we’ve been advised that the U.S. Environmental Protection Agency is crafting a compiled response to this request. We appreciate your patience as they finalize their consolidated response to you.”⁶³ MCM ignored four of my staff’s follow-up emails after this communication.⁶⁴

The next organization that continued its noncooperation was SEEED, Inc. Laurel Bowen, Chief Financial Officer (CFO) of SEEED, Inc., responded to my staff’s May 31, 2023, email on the same day with a single sentence: “EPA has told us they would respond for us.”⁶⁵ My staff replied and offered to call and discuss the phone call between me and the EPA that took place the day before. SEEED, Inc. was able to submit documents on June 15, 2023; however, the production was not full and complete. My staff followed-up with Ms. Bowen and requested financial documents that I initially requested in my April 13, 2023, letter.⁶⁶ Ms. Bowen refused to send the

⁵⁸ Exhibit DD at SBC 3.

⁵⁹ *Id.*

⁶⁰ *Id.*

⁶¹ Email on file with Committee.

⁶² Email on file with Committee.

⁶³ Email on file with Committee.

⁶⁴ Emails on file with Committee.

⁶⁵ Email on file with Committee.

⁶⁶ Email on file with Committee.

requested documents, suggesting that my staff could try to deduce how the taxpayer money was spent by cross-referencing their progress report.⁶⁷

Ms. Bowen has ignored multiple emails from my staff requesting financial documents. Finally, on August 27, 2023, she responded, “[i]f [Senator Grassley] wants this information, he needs to come here to Knoxville Tennessee [sic] to see first hand what we do. We will share this information when he visits.”⁶⁸ Ms. Bowen ignored my staff’s reply requesting financial documents.⁶⁹

In October 2023, my staff sent emails to all grantees, responsive and nonresponsive, requesting an update with respect to their progress and financial records. Very few of the grantees responded to my staff’s email. Some continued to hold fast to the EPA’s misguidance. For example, John Hendry of Pioneer Bay Community Development Corporation refused to provide updated information and instead told my staff that “[their] email...and any future requests should be sent to EPA’s Office of Congressional and Intergovernmental Relations.”⁷⁰ Laurel Bowen of SEED, Inc. refused to supply updated information and responded that “[t]his information was submitted on our behalf by EPA...”, which is not accurate, and renewed her invitation for staff to come to Tennessee to investigate in-person.⁷¹ Specifically regarding Ms. Bowen’s claim, the EPA has never sent my staff records showing how grantees have spent taxpayer money. Similarly, Black United Fund of Texas, who never sent a response to my letter, simply forwarded my staff the letters the EPA sent me earlier last year.⁷² Likewise, Paul Schroeder, President and Chief Executive Officer (CEO) of HOURCAR, which never provided a complete response, refused to provide updated and complete information and said, “[w]e respectfully refer further inquiries to EPA as the federal awarding agency.”⁷³

The EPA’s conduct is by definition obstruction, and its conduct has forced the diversion of congressional resources to counteract its obstructive conduct. Accordingly, my staff have communicated with EPA OIG staff to discuss the matter and provided them with relevant documents. The EPA OIG staff shared our concern and committed to reaching out to the EPA to try and work matters out. EPA’s conduct is unchanged.

Notably, along with the 34 grantees, on April 13, 2023, I wrote to the EPA about the EJPCS Cooperative Agreement Program and asked questions to understand how it was overseeing the program and what it was doing to deter fraud, waste, and abuse.⁷⁴ I received an insufficient response from the EPA on May 19, 2023.⁷⁵ Then, after discussing the EPA’s bad conduct with the

⁶⁷ Email on file with Committee.

⁶⁸ Email on file with Committee.

⁶⁹ Email on file with Committee.

⁷⁰ Email on file with Committee.

⁷¹ Email on file with Committee.

⁷² Email on file with Committee.

⁷³ Email on file with Committee.

⁷⁴ Letter from Senator Charles E. Grassley, Ranking Member, Senate Budget Committee, to Michael Regan, Administrator, U.S. Environmental Protection Agency, (Apr. 13, 2023), https://www.grassley.senate.gov/imo/media/doc/grassley_to_epa_-_ejcps_awards.pdf.

⁷⁵ Exhibit II at SBC 1-2 301-344.

EPA OIG, the EPA sent me two more letters accompanied by hundreds of pages of documents in July of last year.⁷⁶ However, even after these productions, I have not been given sufficient answers to all the questions posed in my April 13, 2023, letter, and EPA still hasn't explained exactly how taxpayer money was spent in the EJCPS Program.

In addition to information I requested in my letter to the EPA, I expected to receive information regarding the EJCPS grantees from the EPA. This is because—unsolicited—the EPA emailed my staff on April 25, 2023, that they would “provide information in response to both the Agency and the grantee letters.”⁷⁷ In the grantee letters, I asked each of the EJCPS grantees: “Provide all records showing how the taxpayer money your organization received was spent. In your production, please provide a financial summary showing what the taxpayer money was spent on.”⁷⁸ The EPA has failed to provide this information. After inquiring why the EPA did not include this information in their document productions, the EPA finally admitted that the only financial data the EPA has regarding the grantee spending is a document—the SF-425—showing how much money grantees have drawn down, *not what they have spent it on*.⁷⁹ The EPA emailed my staff that, “[a]t the current stage in the grant process, this is the only document detailing financial progress that grantees are required to submit to the Agency.”⁸⁰ In other words—per the EPA’s monitoring practices—the EPA, Congress, and the taxpayer are left to guess at what exactly the grantees have spent taxpayer money on at this stage in the program. However, some grantees have provided financial records to me showing how taxpayer money was spent, which begs the question why the EPA is not requiring the same information.

The EPA has refused to remedy their obstruction which has burdened congressional resources. The EPA’s communications to grantees have left many with the understanding that the grantees should not respond to my—or any other member’s—congressional oversight requests. This has cost my staff considerable time and energy to remedy on their own. My staff has asked the EPA to correct this misunderstanding several times.⁸¹ The EPA has responded multiple times that “[they] are not in a position to provide legal advice to grantees....”⁸² It is impossible to see how an email to grantees from the EPA communicating that the EPA’s effort to respond to Congress on their behalf does not mean grantees can or should ignore congressional requests for information constitutes legal advice.

⁷⁶ Exhibit II at SBC 3-300.

⁷⁷ Email on file with Committee.

⁷⁸ Cited is a sample letter sent to one of the 34 organizations. Letter from Senator Charles E. Grassley, Ranking Member, Senate Budget Committee, to Jeremy Kranowitz, President & CEO, Keep Indianapolis Beautiful, Inc., (Apr. 13, 2023),

https://www.grassley.senate.gov/imo/media/doc/grassley_to_keep_indianapolis_beautiful_incejcpsfunding.pdf.

⁷⁹ Email on file with Committee.

⁸⁰ Email on file with Committee.

⁸¹ My staff requested the EPA’s correction in the meeting between myself, the Tim Del Monico, EPA staff, and Senate Budget Committee staff on May 30, 2023. My staff again addressed this issue in emails to the Senior Advisor of Congressional Affairs at the U.S. EPA in emails on July 21, 2023, and July 28, 2023. Emails on file with Committee.

⁸² Emails on file with Committee.

Congress cannot ignore the EPA's obstruction and continued efforts to frustrate congressional oversight. Therefore, I requested that EPA OIG immediately review the EPA's obstructive conduct and the extent to which the EPA's misconduct in this matter is consistently done as a matter of course with respect to congressional inquiries generally.⁸³ This request is consistent with communications my staff had with EPA OIG's staff regarding my concerns about EJCPs program oversight, data collection practices, and the EPA's management and oversight of grants generally. The EPA OIG included "[m]anaging grants, contracts, and data systems" as one of the seven top management challenges the EPA faces looking ahead in the EPA OIG's *EPA's Fiscal Year 2024 Top Management Challenges* report published mid-November.⁸⁴ In addition to my request for a review, I requested that EPA OIG include the EPA's management and oversight of the 2021 EJCPs grant program, and other grant programs generally, in its FY2024 Oversight Plan and that the Plan ensures the EPA knows how taxpayer money is spent throughout the full lifecycle of all grants.⁸⁵ The EPA OIG responded to my letter and wrote that the Fiscal Year 2024 Oversight Plan "includes two audits that address the concerns you raised. Specifically, we will initiate an audit of the EPA's Environmental Justice Grant adherence with American Rescue Plan Requirements...[and] an audit of Environmental and Climate Block grants...."⁸⁶ EPA OIG confirmed that "[t]he EJCPs will be one of the programs included in both audits."⁸⁷ It further assured me that, as it conducts these audits, "we will seek to further understand the EPA's influence over its grantees and how they respond to external and independent oversight."⁸⁸

Findings

A. Bad River Band Tribe

Bad River Band Tribe (BRBT) is located in the Bad River Community, Wisconsin. The title of its project is "Green Job Skills Training and COVID19 prevention through provision of a pedestrian boardwalk and wellness promotion."⁸⁹ Specifically, the project seeks to "develop job skills in the reduction of air pollution."⁹⁰ The stated project activities include "developing the

⁸³ Letter from Senator Charles E. Grassley, Ranking Member, Senate Budget Committee, to Sean O'Donnell, Inspector General, U.S. Environmental Protection Agency Office of Inspector General, (Nov. 17, 2023) (on file with Comm. staff).

⁸⁴ EPA OIG, Report No. 24-N-0008 *The EPA's Fiscal Year 2024 Top Management Challenges*, (Nov. 15, 2023), https://www.epaoig.gov/sites/default/files/reports/2023-11/epaoig_20231115-24-n-0008_cert.pdf.

⁸⁵ Letter from Senator Charles E. Grassley, Ranking Member, Senate Budget Committee, to Sean O'Donnell, Inspector General, U.S. Environmental Protection Agency Office of Inspector General, (Nov. 17, 2023) (on file with Comm. staff).

⁸⁶ Letter from Sean W. O'Donnell, Inspector General, U.S. Environmental Protection Agency Office of Inspector General, to Senator Charles E. Grassley, Ranking Member, Senate Budget Committee, (Jan. 17, 2024) (on file with Comm. staff).

⁸⁷ *Id.*

⁸⁸ *Id.*

⁸⁹ U.S. Environmental Protection Agency, *2021 American Rescue Plan & EJ Collaborative Problem-Solving Award Project Summaries*, (last accessed Feb. 20, 2024) at 11, <https://www.epa.gov/system/files/documents/2021-12/2021-selected-ejcps-project-descriptions.pdf>.

⁹⁰ *Id.*

green jobs training, implementation of green job projects, and promoting the effects and use of the green projects in the local community.”⁹¹

The expected outcomes of the project include “development of community capacity and leadership; increase in green job opportunities; increase in number of residents aware of climate resiliency challenges and solutions; and an improvement of overall community health.”⁹² The stated beneficiaries of this program are “residents in the Bad River community in Northwestern, WI, particularly youth aged 16-25.”⁹³

On April 13, 2023, I sent a letter to Mike Wiggins, Jr., the Tribal Chairman/Executive Director of the BRBT. The deadline to respond was April 27, 2023. After not receiving a notice of confirmation, my staff sent a follow-up email several days before the deadline to Chairman Wiggins and several other BRBT staff. One of those staff, Patti Neveaux, responded to the chain and noted the need for a new copy to be sent to her.⁹⁴ My staff responded with another copy of the letter.⁹⁵ Since that email, BRBT has ignored seven follow-up emails asking when I can expect a response to my oversight letter and whether the organization would like to schedule a call to discuss.

The EPA sent me BRBT’s SF-425 (which shows how much funding an organization received, the Federal share of expenditures, but not what the funding was spent on) and a progress report on July 21, 2023. The SF-425 shows BRBT was awarded \$200,000.⁹⁶ As of October 27, 2022, BRBT reported to the EPA it received funding and finalized the route for the boardwalk.⁹⁷ I have not been provided with documentation with respect to how much taxpayer money was spent on each and every project or activity, nor have I been provided with a progress report any more recent than October 27, 2022.

On October 27, 2023, my staff sent a request for updated information to all grantees.⁹⁸ Additionally, my staff reminded BRBT that I had not received a response to my initial letter and asked BRBT to provide all documents that I initially requested.⁹⁹ Specifically, my staff requested an updated P&L ledger or financial statement and the most recent progress report submitted to the EPA. BRBT failed to provide updated information.

B. BikeWalkKC

BikeWalkKC (BikeWalk) is located in Kansas City, Missouri. The title of its project is “Getting Around KC: An Evaluation of KC’s Zero-Fare Bus Transit.”¹⁰⁰ Specifically, the project

⁹¹ *Id.*

⁹² *Id.*

⁹³ *Id.*

⁹⁴ Email on file with Committee.

⁹⁵ Email on file with Committee.

⁹⁶ Exhibit II at SBC 191.

⁹⁷ *Id.* at SBC 263.

⁹⁸ Email on file with Committee.

⁹⁹ Email on file with Committee.

¹⁰⁰ U.S. Environmental Protection Agency, *2021 American Rescue Plan & EJ Collaborative Problem-Solving Award Project Summaries*, (last accessed Feb. 20, 2024) at 16, <https://www.epa.gov/system/files/documents/2021-12/2021-selected-ejcps-project-descriptions.pdf>.

seeks “to conduct an evaluation of the impacts of a Zero-Fare Bus Transit (ZBT) policy based on bus use, physical activity, and social determinants of health for residents of Kansas City’s 11 most impoverished neighborhoods.”¹⁰¹ The stated project activities include the collection of data regarding Kansas City bus use; evaluating the impact of a ZBT policy on physical activity; identification of barriers to access transportation; determination of the value of a ZBT policy regarding its impact on physical activity, COVID-19 risk, and healthcare access; collecting survey data from focus groups; and leading discussions with residents.¹⁰² The expected outcomes of the project include increasing access to a no-cost bus system, increasing access to walkable neighborhoods and to healthcare facilities, and increasing physical activity rates.¹⁰³

On April 13, 2023, I sent a letter to Eric Rogers, Executive Director of BikeWalk. The next day, on April 14, 2023, Director Rogers responded that he had received the request.¹⁰⁴ The deadline to respond was April 27, 2023.¹⁰⁵

Then, on April 25, 2023, two days before the deadline to respond, I received a letter from Karen Donnelly, counsel for BikeWalk. Ms. Donnelly informed my staff that they were compiling information and would send a response by June 15, 2023.¹⁰⁶ This amount of time seemed excessive for the amount of information I requested in my letter. However, my staff responded that they were willing to schedule a call to discuss a deadline extension based on BikeWalk’s circumstances.¹⁰⁷

On May 1, 2023, my staff had a call with Ms. Donnelly regarding the deadline for BikeWalk’s response. On the call, Ms. Donnelly said that “the EPA had contacted her client...and told them the EPA planned to respond on their behalf.”¹⁰⁸ Ms. Donnelly was evidently left with the impression that BikeWalk did not have to respond to my letter due to her statement that “the EPA said not to respond.”¹⁰⁹ Upon my staff’s follow-up questioning regarding this statement, she immediately recanted, saying “she could not remember if those were the *exact* words the EPA used.”¹¹⁰ My staff reiterated that this request was minimal and should not take much time to prepare because the documents sought should already exist. BikeWalk agreed to a progress report phone call on May 8, 2023.

On May 4, 2023, BikeWalk sent me a full response.¹¹¹ I received a letter with answers to my questions along with supporting records.¹¹²

¹⁰¹ *Id.*

¹⁰² *Id.*

¹⁰³ *Id.*

¹⁰⁴ Email on file with Committee.

¹⁰⁵ Email on file with Committee.

¹⁰⁶ Exhibit B at SBC 5.

¹⁰⁷ Email on file with Committee.

¹⁰⁸ Phone call with BikeWalkKC and Senate Budget Committee staff (May 1, 2023).

¹⁰⁹ *Id.*

¹¹⁰ *Id.* (emphasis added).

¹¹¹ *See* Exhibit B at SBC 3-4, 6-57.

¹¹² *Id.*

The document production revealed that as of December 31, 2022, 100% of BikeWalk's spending, \$85,881,¹¹³ had been on personnel, stipends, and sub-grants to the University of Missouri Kansas City (UMKC) and Children's Mercy Hospital (CMH) to "research, analyze data, and report on that data."¹¹⁴

Also included in the document production was BikeWalk's proposed budget to the EPA.¹¹⁵ It shows 100% of the \$200,000 proposed budget is for personnel; fringe benefits; travel; indirect costs; stipends; childcare; and financial incentives for participants for BikeWalk, CMH, and UMKC.¹¹⁶

According to BikeWalk's progress report submitted to the EPA on July 27, 2022, between January 1, 2022, and June 30, 2022, BikeWalk reported it had held environmental awareness trainings and planned research activities.¹¹⁷ All other projects were reported as "in-process" or not completed.¹¹⁸ The cost to the taxpayer for each and every project is unknown.

On October 27, 2023, my staff sent a request for updated information to all grantees.¹¹⁹ BikeWalk's attorney responded on November 8, 2023, and provided BikeWalk's most recent progress report it had submitted to the EPA, budget report as of September 30, 2023, and request to the EPA to extend the grant. BikeWalk also again took the opportunity to urge me to "consider the costs of requiring a charity to review, gather information, and respond to a request that a federal agency has already agreed to respond to in full on behalf of all grantees. Such duplication would not appear to be in the best interests of all involved."¹²⁰ However, the federal agency at issue – the EPA – did not and has never provided me with any documents showing how any of these organizations spent taxpayer money. This shows the lingering confusion caused by the EPA and its refusal to remedy its interference.

As of September 30, 2023, 100% of BikeWalk's spending, \$166,669.61, was on personnel, indirect costs, subcontracts, and stipends.¹²¹

According to BikeWalk's progress report submitted to the EPA on July 27, 2023, between January 1, 2023, and June 30, 2023, BikeWalk reported it had planned research activities and

¹¹³ Exhibit B at SBC 17.

¹¹⁴ *Id.* at SBC 4.

¹¹⁵ *Id.* at SBC 44-45.

¹¹⁶ *Id.*

¹¹⁷ Exhibit B at SBC 8-9. Throughout this report, there are noticeable discrepancies between organizations' listed expenses identified in financial records provided to me and completed projects identified in progress reports that organizations submitted to the EPA. The reason being, at this point in the life cycle of the grant, the EPA does not require organizations to submit financial documents showing exactly how taxpayer money was spent and what it was spent on. Organizations are only required to report how much money they have drawn down.

¹¹⁸ *Id.*

¹¹⁹ Emails on file with Committee.

¹²⁰ Exhibit B at SBC 1.

¹²¹ *Id.* at SBC 66.

received “IRB” approval.¹²² All other projects were reported as “in-process” or not completed.¹²³ The cost to the taxpayer for each and every project is unknown.

Notably, the invoices paid to UMKC and CMH (the sub-grantees) do not provide details showing how those sub-grantees spent the money.¹²⁴ However, BikeWalk’s “Detailed Budget Description and Narrative for EPA (Revised July 26, 2022)” shows that those sub-grantees were expected to spend the money on personnel, fringe benefits, and indirect costs.¹²⁵

C. Black United Fund of Texas

Black United Fund of Texas (BUFTx) is located in Houston, Texas. The title of its project is “[t]he Houston Agri-Power program will address improving environmental quality and health disparities in Texas’ largest underserved population in Kashmere Gardens & Greater Fifth Ward Houston.”¹²⁶ Specifically, the project seeks to “develop projects that demonstrate the power and potential of using agriculture to address environmental and public health issues.”¹²⁷ The stated project activities include “a shipping container farm, residential gardens, green technology, tree and native habitat planting, workforce development, and public education.”¹²⁸

The expected outcomes of the project include “long-term improvements in public health trends; alleviation of local flooding; reduction in CO2 emissions from landfills; and the creation of a culture of healthy eating.”¹²⁹ The stated beneficiaries of this program are “Harris County, Houston, particularly the 5th Ward and Kashmere Gardens.”¹³⁰

On April 13, 2023, I sent a letter to Cleo Johnson, President of BUFTx and my staff received confirmation of receipt on the same day.¹³¹ The deadline to respond was April 27, 2023. BUFTx missed the deadline and ignored my staff’s follow-up communication.

On May 31, 2023, my staff sent an email to Ms. Johnson and BUFTx staff informing them that I had received reports from some grantees that the EPA had communicated that the grantees need not respond to my oversight letter. My staff explained that I had a phone call with the EPA to clear up the matter and the EPA informed me that they never instructed a recipient not to respond. To the extent BUFTx had ignored my staff and my letter due to this confusion, the deadline to respond was extended to June 13, 2023.¹³²

¹²² Exhibit B at SBC 61.

¹²³ *Id.* at SBC 61-62.

¹²⁴ *Id.* at SBC 50-57.

¹²⁵ *Id.* at SBC 44-45.

¹²⁶ U.S. Environmental Protection Agency, *2021 American Rescue Plan & EJ Collaborative Problem-Solving Award Project Summaries*, (last accessed Feb. 20, 2024) at 14, <https://www.epa.gov/system/files/documents/2021-12/2021-selected-ejcps-project-descriptions.pdf>.

¹²⁷ *Id.* at 15.

¹²⁸ *Id.*

¹²⁹ *Id.*

¹³⁰ *Id.*

¹³¹ Email on file with Committee.

¹³² Email on file with Committee.

Only after this email did BUFTx respond to my staff's follow-up emails. Velika Thomas communicated that BUFTx was working with EPA to formulate a response and she would be in contact if she could not meet the June 13, 2023, deadline.¹³³ BUFTx then missed the June 13, 2023, deadline and ignored multiple follow-up emails from my staff. When Ms. Thomas did respond, she stated that the request had been forwarded to the EPA's Office of General Counsel and the EPA would "respond directly to the Senator's request."¹³⁴

My staff emailed Ms. Thomas and informed her that I expect a response from the grantee and the EPA cannot respond on BUFTx's behalf because it does not have certain information requested.¹³⁵ Then, my staff spoke to Ms. Thomas on the phone and helped answer their questions as they prepared a response to my letter. However, I never received a response from BUFTx to my letter.

The EPA sent me BUFTx's SF-425 (which shows how much funding an organization received, the Federal share of expenditures, but not what the funding was spent on) and a progress report on July 21, 2023. The SF-425 shows BUFTx was awarded \$200,000.¹³⁶ The progress report shows as of May 30, 2023, BUFTx reported to the EPA it had planted 250 trees and attended meetings.¹³⁷ I have not been provided with documentation with respect to how much taxpayer money was spent on each and every project or activity, to include the 250 trees.

On October 27, 2023, my staff sent a request for updated information to all grantees.¹³⁸ Additionally, my staff reminded BUFTx that I had not received a response to my initial letter and asked BUFTx to provide all documents that I initially requested.¹³⁹ On October 27, 2023, Cleo Johnson responded, "[l]et me apologize for you not having the information as of today. We will be in compliance."¹⁴⁰ Then, on October 30, 2023, Velika Thomas responded and did not provide the requested information. Instead, she wrote, "[p]lease reference the attached letters and the original documents that were sent to Senator Grassley."¹⁴¹ The attached letters were nothing more than documents that EPA had sent my staff earlier last year which do not reveal how any grantees spent any of the taxpayer money.

D. Center for Habitat Reconstruction

Center for Habitat Reconstruction (CRH) is a non-profit organization located in San Juan, Puerto Rico. The title of its project is "The Puerto Rico Anti-Blight Initiative: Fostering Civic Participation for Safer, Healthier, and Resilient Communities."¹⁴² Specifically, the project seeks

¹³³ Email on file with Committee.

¹³⁴ Email on file with Committee.

¹³⁵ Email on file with Committee.

¹³⁶ Exhibit II at SBC 206.

¹³⁷ *Id.* at SBC 270-273.

¹³⁸ Email on file with Committee.

¹³⁹ Email on file with Committee.

¹⁴⁰ Email on file with Committee.

¹⁴¹ Email on file with Committee.

¹⁴² U.S. Environmental Protection Agency, *2021 American Rescue Plan & EJ Collaborative Problem-Solving Award Project Summaries*, (last accessed Feb. 20, 2024) at 5, <https://www.epa.gov/system/files/documents/2021-12/2021-selected-ejcps-project-descriptions.pdf>.

to “provide three pilot low-income communities in Puerto Rico with education, training, meetings, and community planning geared towards the identification, prevention, and elimination of blighted properties and their environmental and health risks.”¹⁴³ The stated project activities include creating a plan; developing common-nuisance remediation strategies; and working with municipalities to “address code enforcement gaps, foster municipal-community partnerships, strengthen local legal frameworks, leverage private and public resources for continued work, and provide a replicable model for other Puerto Rican communities.”¹⁴⁴

The expected outcomes of the project include an increased number of blight-fighters; a decrease in environmental and health risks; an increased number of nuisance abatement and code enforcement ordinances; and an increased number of “reuse and placemaking projects” that converted nuisances for disaster resiliency within a three year period.”¹⁴⁵ The stated beneficiaries of this program are residents of “Cagüitas, Aguas Buenas; Río Piedras, San Juan; and San Isidro, Canóvanas.”¹⁴⁶

On April 13, 2023, I sent a letter to Luis Gallardo Rivera, Executive Director of CRH. The deadline to respond was April 27, 2023. On April 24, 2023, CRH replied to my letter.¹⁴⁷ CRH’s response claimed that, as of April 24, 2023, the organization had not yet spent any money for this grant program.¹⁴⁸

The EPA sent me CRH’s SF-425 (which shows how much funding an organization received, the Federal share of expenditures, but not what the funding was spent on) and a progress report on July 21, 2023. The SF-425 shows CRH was awarded \$200,000.¹⁴⁹ As of July 2, 2023, CRH had not yet completed any project goals or activities.¹⁵⁰

On December 6, 2023, my staff sent a request for updated information to CRH.¹⁵¹ Within 18 minutes, CRH responded and provided the requested updated information as well as pictures of their organization’s work.¹⁵²

The updated financial documents CRH provided show that from April 2023 to September 2023, 95.8% of CRH’s spending, or \$41,150.04, was on administrative assistants; airfare; a community lawyer; a community planning technician; fringe benefits; GIS and software subscription; coffee; mileage, gasoline, and tolls; office supplies; outreach technicians; per diems; phone and internet; printer, ink, and maintenance; project director; regional seminars; and room

¹⁴³ *Id.*

¹⁴⁴ *Id.*

¹⁴⁵ *Id.*

¹⁴⁶ *Id.*

¹⁴⁷ Exhibit D at SBC 1-3.

¹⁴⁸ *Id.* at SBC 3.

¹⁴⁹ Exhibit II at SBC 234-235.

¹⁵⁰ *Id.* at SBC 244-245.

¹⁵¹ Email on file with Committee.

¹⁵² Email on file with Committee.

and board.¹⁵³ The per diem total, to include breakfast, lunch, dinner and coffee, was \$635.45 of taxpayer money.¹⁵⁴ 4.2% of CRH’s spending, or \$1,800, was on “municipal kits.”¹⁵⁵

According to the progress report CRH submitted to the EPA, as of September 30, 2023, all of CRH’s projects are in-process, none had been completed.¹⁵⁶ The vast majority of taxpayer money was spent on per diems, hotels, and overhead.

E. Confederated Salish and Kootenai Tribes

Confederated Salish and Kootenai Tribes (CSKT) is located in Flathead, Montana. The title of its project is “Emergency Preparedness and Response Planning on the Flathead Indian Reservation.”¹⁵⁷ Specifically, the project seeks to “enhance the capacity of CSKT’s Division of Environmental Protection and other local emergency response entities to respond efficiently and effectively in the face of environmental emergencies.”¹⁵⁸ The stated project activities include “partnership development; protocol development; emergency response training; staff development and capacity building; and equipment upgrades.”¹⁵⁹

The expected outcomes of the project are a bolstered ability to utilize collective resources and address other environmental justice issues; a more coordinated and effective response to environmental emergencies; and continued protections for the water and air quality on the Flathead Indian Reservation.¹⁶⁰

On April 13, 2023, I sent a letter to Tom McDonald, Chairman of CSKT. The deadline to respond was April 27, 2023.¹⁶¹ CSKT ignored my letter, missed the deadline to respond, and ignored multiple follow-up emails from my staff asking about the status of their reply.

On May 31, 2023, my staff sent an email to Mr. McDonald and CSKT staff informing them that I had received reports from some grantees that the EPA had miscommunicated that the grantees need not respond to congressional oversight. My staff explained that I had a phone call with the EPA to clear up the matter and the EPA informed me that they never instructed a recipient not to respond. To the extent CSKT had ignored my staff and my letter due to this confusion, the deadline to respond was extended to June 13, 2023.¹⁶²

Only after this email did CSKT respond. Martin Charlo, CSKT Council Secretary, emailed my staff asking for the letter to be resent.¹⁶³ My staff resent the letter. However, CSKT missed

¹⁵³ Exhibit D at SBC 14-18.

¹⁵⁴ *Id.* at SBC 17.

¹⁵⁵ *Id.* at SBC 18.

¹⁵⁶ *Id.* at SBC 5-8.

¹⁵⁷ U.S. Environmental Protection Agency, *2021 American Rescue Plan & EJ Collaborative Problem-Solving Award Project Summaries*, (last accessed Feb. 20, 2024) at 17, <https://www.epa.gov/system/files/documents/2021-12/2021-selected-ejcps-project-descriptions.pdf>.

¹⁵⁸ *Id.*

¹⁵⁹ *Id.*

¹⁶⁰ *Id.*

¹⁶¹ Email on file with Committee.

¹⁶² Email on file with Committee.

¹⁶³ Email on file with Committee.

the extended deadline of June 13, 2023, and has ignored all subsequent communications from my staff. I still have not received a response.

The EPA sent me CSKT's SF-425 (which shows how much funding an organization received, the Federal share of expenditures, but not what the funding was spent on) and a progress report on July 21, 2023. The SF-425 shows CSKT was awarded \$200,000.¹⁶⁴ As of January 9, 2023, CSKT has developed "solid relationships among local officials for emergency management purposes," equipped each "GSA/Tribal Vehicle" with up-to-date "ER contact information," and purchased "new drone/accessories."¹⁶⁵ I have not been provided with documentation with respect to how much taxpayer money was spent on each and every project or activity, nor have I been provided with a progress report any more recent than January 9, 2023.

On October 27, 2023, my staff sent a request for updated information to all grantees.¹⁶⁶ Additionally, my staff reminded CSKT that I had not received a response to my initial letter and asked CSKT to provide all documents that I initially requested.¹⁶⁷ CSKT has failed to provide updated information.

F. Confederated Tribes of the Colville Reservation

Confederated Tribes of the Colville Reservation (CTCR) is located in Northern Region, Washington. The title of its project is "PM2.5 Monitoring for Upper Columbia River Communities."¹⁶⁸ Specifically, the project seeks to "install a network of 52 consumer-grade PurpleAir particulate matter (PM)2.5 monitors to provide real-time data during the smoke season."¹⁶⁹ The stated project activities include "disseminating relevant data interpretations and providing education to allow regional residents to make informed choices about their activities during times of high air pollution."¹⁷⁰

The expected outcomes of the project include "strengthening partnerships between Tribal members and other local residents to address shared high-priority environmental concerns and enhancing Tribal governments' ability to prioritize policies about air quality improvement."¹⁷¹ The stated beneficiaries of this program are "residents of North-central eastern Washington."¹⁷²

¹⁶⁴ Exhibit II at SBC 211-212.

¹⁶⁵ *Id.* at SBC 285.

¹⁶⁶ Email on file with Committee.

¹⁶⁷ Email on file with Committee.

¹⁶⁸ U.S. Environmental Protection Agency, *2021 American Rescue Plan & EJ Collaborative Problem-Solving Award Project Summaries*, (last accessed Feb. 20, 2024) at 22, <https://www.epa.gov/system/files/documents/2021-12/2021-selected-ejcps-project-descriptions.pdf>.

¹⁶⁹ *Id.*

¹⁷⁰ *Id.*

¹⁷¹ *Id.*

¹⁷² *Id.* at 22-23.

On April 13, 2023, I sent a letter to Jarred-Michael Erickson, Council Chairman of the CTCR. The deadline to respond was April 27, 2023.¹⁷³ On April 26, 2023, before the deadline, CTCR sent me a response via mail.¹⁷⁴

According to financial documents CTCR provided, as of February 28, 2023, CTCR had spent 8.2%, or \$16,351.44, of their grant award.¹⁷⁵ 63% of that amount, \$10,286.63, was spent on salaries, Federal Insurance Contributions Act (FICA), insurance, employment security, retirement, consultant services, stipends, and indirect cost.¹⁷⁶ The other 37%, or \$6,064.78, was spent on capital equipment and supplies and materials.¹⁷⁷ My staff inquired of these costs and CTCR responded that the \$208.06 for “Supplies and Materials” was for a drill to hang up Purple Air monitors, the \$10,142.28 for “Consulting Service[s]” was an accounting error that was supposed to be \$2,678.75 paid to Lodestone Environmental for “technical information...on issues impacting Air Quality on the Upper Columbia River...,” the \$5,856.72 for “Capital Equipment” was used to purchase the Purple Air monitors, and the \$6,000 for “Stipends” was paid to a summer intern to “analyze methods to distinguish and understand different sources of air pollution in the Upper Columbia River....”¹⁷⁸

For CTCR’s total budget, 90.5%, or \$181,047, is budgeted for salaries, vacation expense, FICA, insurance, employment security, retirement, consultant services, subcontracts, telephone, general service administration, indirect cost, stipends, and travel.¹⁷⁹ Specifically, the vacation expense was budgeted for \$12,744. The remaining 9.5%, or \$18,953, of the budget is for supplies and materials.¹⁸⁰ The vast majority of taxpayer money was budgeted for vacation, subcontracts, stipends, and overhead.

On October 27, 2023, my staff sent a request for updated information to all grantees.¹⁸¹ CTCR sent me an updated progress report after the deadline on November 9, 2023, but failed to provide an updated P&L ledger or financial statement.¹⁸² The progress report CTCR submitted to the EPA on August 30, 2023, shows that CTCR had installed thirteen “Purple Air Monitors,” created outreach material regarding Purple Air, created a flyer to recruit Purple Air monitor hosts, worked to determine regional internet access for the sensors, created another flyer for tribal broadcast, participated in training videos, planned for events to set up an information table, checked installed monitors, posted flyers, looked for ways to get information to hosts, and created

¹⁷³ Letter from Senator Charles E. Grassley, Ranking Member, Senate Budget Committee, to Jarred-Michael Erickson, Council Chairman, Confederated Tribes of the Colville Reservation, (Apr. 13, 2023), [https://www.grassley.senate.gov/imo/media/doc/grassley to confederated tribes of the colville reservation - ejcps funding.pdf](https://www.grassley.senate.gov/imo/media/doc/grassley%20to%20confederated%20tribes%20of%20the%20colville%20reservation%20-%20ejcps%20funding.pdf).

¹⁷⁴ Exhibit F at SBC 1-2.

¹⁷⁵ CTCR had spent \$16,351.44 of \$200,000. The year-to-date number listed as \$23,814.97 is erroneous. The year-to-date entry listed as \$10,142.28 is supposed to be \$2,678.75. This was an accounting error which CTCR confirmed. Exhibit F at SBC 19.

¹⁷⁶ *Id.*

¹⁷⁷ *Id.*

¹⁷⁸ Exhibit F at SBC 21.

¹⁷⁹ *Id.* at 19.

¹⁸⁰ *Id.*

¹⁸¹ Email on file with Committee.

¹⁸² Email on file with Committee.

a White Paper on research for locations that have power but no Wi-Fi and locations with no power or Wi-Fi.¹⁸³ Additionally, CTCR noted there have been twenty-five unsuccessful contacts and four successful contacts.¹⁸⁴ CTCR reported it had drawn down \$22,026 as of the date of the progress report.¹⁸⁵ I have not been provided with documentation with respect to how much taxpayer money was spent on each and every project or activity.

G. Energy Coordinating Agency of Philadelphia, Inc.

Energy Coordinating Agency of Philadelphia, Inc. (ECA) is located in Philadelphia, Pennsylvania. The title of its project is “Urban Integrated Pest Management (IPM) Technician Training.”¹⁸⁶ Specifically, the project seeks to “train 30 North Philadelphia residents to become licensed pesticide applicators and provide pest management to the homes of 40 under-served residents...”¹⁸⁷ The stated project activities include “designing the pesticide applicator program; recruiting trainees; evaluating and refining the program; and public outreach.”¹⁸⁸

The expected outcomes of the project include “the creation of an IPM workforce, pest free homes, sustainable ongoing training, replication of the program in other areas, and public recognition of IPM in the community.”¹⁸⁹ The stated beneficiaries of this program are “residents in the 19124, 19133, and 19140 zip codes, which are predominantly African American and Latino.”¹⁹⁰

On April 13, 2023, I sent a letter to Steve Luxton, CEO of ECA. The deadline to respond was April 27, 2023. On April 27, 2023, ECA sent a reply.¹⁹¹

According to financial documents ECA provided, as of April 27, 2023, 63%, or \$56,580.60, of ECA’s spending was used for stipends, labor, payroll taxes, employee benefits, subcontractor labor, travel, cell phones, and general & administrative expenses.¹⁹² Whereas 37%, or \$32,536.21, was spent on materials and supplies.¹⁹³ The majority of taxpayer money had been spent on stipends, subcontractors, and overhead.

The most recent progress report provided shows, on January 31, 2023, ECA reported to the EPA that it had held planning meetings; revised the curriculum, workplan, and schedule; secured a classroom, lab, and storage for materials, equipment, and books; and recruited nine students that reported for class.¹⁹⁴ Another progress report mentioned that six participants passed the

¹⁸³ Exhibit F at SBC 25-26.

¹⁸⁴ *Id.*

¹⁸⁵ *Id.* at SBC 29.

¹⁸⁶ U.S. Environmental Protection Agency, *2021 American Rescue Plan & EJ Collaborative Problem-Solving Award Project Summaries*, (last accessed Feb. 20, 2024) at 6, <https://www.epa.gov/system/files/documents/2021-12/2021-selected-ejcps-project-descriptions.pdf>.

¹⁸⁷ *Id.*

¹⁸⁸ *Id.*

¹⁸⁹ *Id.*

¹⁹⁰ *Id.*

¹⁹¹ Email on file with Committee.

¹⁹² Exhibit G at SBC 38-50.

¹⁹³ *Id.* at 49.

¹⁹⁴ *Id.* at SBC 15.

Commonwealth of Pennsylvania Pesticide Applicator Certification exam and are employed pursuing pest management careers or closely related work.¹⁹⁵ I was not provided with documentation with respect to how much taxpayer money was spent on each and every project or activity.

On October 27, 2023, my staff sent a request for updated information to all grantees.¹⁹⁶ ECA sent a reply after the deadline on November 13, 2023, which included a P&L ledger and financial statement.¹⁹⁷ ECA also said it would provide the most recent progress report once it had been submitted to the EPA.¹⁹⁸

According to ECA's financial statement it provided, from October 2020 to September 2023, ECA spent \$117,359.72.¹⁹⁹ 60.5% or \$70,960.38, was spent on stipends, direct labor, taxes, employee benefits, subcontractor labor, "vehicle/travel" expenses, cell phones, and general and administrative expenses.²⁰⁰ 39.5% or \$46,399.34, was spent on materials and supplies.²⁰¹ Some material and supply spending line items include an ECA training manual, pest maintenance, food, pants and shirts, and timberland boots (\$1,057.50).²⁰² The majority of taxpayer money was spent on stipends, direct labor, subcontractor labor, and overhead.

H. Front and Centered

Front and Centered is located in Washington state. The title of its project is "Advancing environmental justice in highly impacted communities through accessible environmental reporting and improving government transparency in response & action."²⁰³ Specifically, the project seeks to "create an...environmental monitoring, reporting, and enforcement...system"²⁰⁴ The stated project activities include "community outreach, education, and engagement in target communities; convening community partners, cross-jurisdictional agency representatives, and other stakeholders; developing and implementing an environmental monitoring tool...; and creating and implementing a Community/Government Work Group to respond to reports of violations."²⁰⁵

The expected outcomes of the project include "improved tools and processes for environmental monitoring and reporting, increased knowledge and access to environmental monitoring and reporting mechanisms...and increased accountability and

¹⁹⁵ Exhibit II at SBC 246.

¹⁹⁶ Email on file with Committee.

¹⁹⁷ Email on file with Committee.

¹⁹⁸ Email on file with Committee.

¹⁹⁹ Exhibit G at SBC 51.

²⁰⁰ *Id.* at SBC 51-58.

²⁰¹ *Id.* at SBC 57.

²⁰² *Id.*

²⁰³ U.S. Environmental Protection Agency, *2021 American Rescue Plan & EJ Collaborative Problem-Solving Award Project Summaries*, (last accessed Feb. 20, 2024) at 22, <https://www.epa.gov/system/files/documents/2021-12/2021-selected-ejcps-project-descriptions.pdf>.

²⁰⁴ *Id.*

²⁰⁵ *Id.*

transparency...in...communities”²⁰⁶ The stated beneficiaries of this program are “residents of the King, Yakima, and Skagit counties of Washington State.”²⁰⁷

On April 13, 2023, I sent a letter to Deric Gruen, Co-Executive Director of Front and Centered. The deadline to respond was April 27, 2023. Front and Centered ignored my letter, missed the deadline to respond, and ignored multiple follow-up emails from my staff asking about the status of their reply.

On May 31, 2023, my staff sent an email to Mr. Gruen and Front and Centered staff informing them that I had received reports from some grantees that the EPA had miscommunicated that the grantees need not respond to congressional oversight. My staff explained that I had a phone call with the EPA to clear up the matter and the EPA informed me that they never instructed a recipient not to respond. To the extent Front and Centered had ignored my staff and my letter due to this confusion, the deadline to respond was extended to June 13, 2023.²⁰⁸ Front and Centered ignored this email as well.

Only after another follow-up did Front and Centered respond. Aurora Martin, Front and Centered Co-Executive Director, emailed my staff their intent to respond by June 28, 2023.²⁰⁹ My staff, Ms. Martin, and Senator Whitehouse’s staff had a subsequent phone call to discuss a deadline extension for Front and Centered.²¹⁰ I received a response from Front and Centered on June 28, 2023.

That response failed to provide financial documents showing how taxpayer money had been spent. The response did include a progress report Front and Centered had provided to the EPA. That report revealed that on February 1, 2023, Front and Centered informed the EPA it had spent 6.7%, or \$13,400.28, of their award.²¹¹ It also reported it had completed a Quality Assurance Project Plan (QAPP) draft and developed a community reporting webtool.²¹²

The Front and Centered budget it provided shows 98.44%, or \$196,876, was allocated for salaries, benefits, travel, stipends, and indirect cost split between Front and Centered and sub-grantees.²¹³ Of the remaining amount, 1.41% or \$2,824, is budgeted for translations, interpretations, and printing for sub-grantees.²¹⁴ \$300—or 0.15%—is unaccounted for in the budget from the subaward to the University of Washington. The vast majority of taxpayer money is budgeted for stipends, sub-grantees, and overhead.

²⁰⁶ *Id.*

²⁰⁷ *Id.*

²⁰⁸ Email on file with Committee.

²⁰⁹ Email on file with Committee.

²¹⁰ Senator Whitehouse’s staff was included by invitation from Front and Centered. Email on file with Committee.

²¹¹ Exhibit H at SBC 14.

²¹² *Id.* at SBC 14.

²¹³ *Id.* at SBC 40-43.

²¹⁴ *Id.*

On October 27, 2023, my staff sent a request for updated information to all grantees.²¹⁵ On October 30, 2023, Aurora Martin responded that she “will be sure to look into [their] status of activities and let [my staff] know.”²¹⁶

On November 27, 2023, after the deadline, Front and Centered provided an updated progress report it had submitted to the EPA but failed to provide an updated P&L ledger or financial statement.²¹⁷ The updated progress report was for the reporting period from January 1, 2023, to June 30, 2023.²¹⁸ As of August 1, 2023, Front and Centered reported it had spent \$41,520.90 of its awarded money.²¹⁹ Front and Centered completed no new projects since its last progress report, the same projects are still “[i]n process.”²²⁰ I have not been provided with documentation with respect to how much taxpayer money was spent on each and every project or activity.

I. Greater Baybrook Alliance, Inc.

Greater Baybrook Alliance, Inc. (GBA) is located in Baltimore, Maryland. The title of its project is “Building Neighborhood Stewardship in the Masonville Cove Watershed.”²²¹ Specifically, the project seeks to “educate, train, and empower community members to identify pollution, develop solutions, advocate for mitigation, and increase stewardship.”²²² The stated project activities include “recruiting and supporting resident leaders...; providing residents with training including watershed environmental education, pollution identification, monitoring, and mitigation/advocacy tools; providing peer learning opportunities; implement[ing] maintenance/clean up with stewardship training and workforce development; and provid[ing] ongoing support to develop sustainable organizational practices.”²²³ The expected outcomes of the project include “an increased local organizational capacity, increase in residents’ knowledge of water quality issues and solutions, stewardship activities in two sister parks, healthier green spaces for positive community activity, and sustainable local stewardship.”²²⁴ The stated beneficiaries of this program are “residents of Brooklyn and Curtis Bay....”²²⁵

On April 13, 2023, I sent a letter to Meredith Chaiken, Executive Director of GBA. The deadline to respond was April 27, 2023. GBA sent me a response dated April 19, 2023.²²⁶ Additionally, GBA sent a follow-up financial statement on August 11, 2023.²²⁷

According to financial documents GBA provided, as of June 2023, 99.4% or \$43,248.25, of GBA’s spending was on salaries, payroll taxes, health insurance, retirement, contract

²¹⁵ Email on file with Committee.

²¹⁶ Email on file with Committee.

²¹⁷ Email on file with Committee.

²¹⁸ Exhibit H at SBC 46-52.

²¹⁹ *Id.* at SBC 52.

²²⁰ *Id.* at SBC 46-52.

²²¹ U.S. Environmental Protection Agency, *2021 American Rescue Plan & EJ Collaborative Problem-Solving Award Project Summaries*, (last accessed Feb. 20, 2024) at 6, <https://www.epa.gov/system/files/documents/2021-12/2021-selected-ejcps-project-descriptions.pdf>.

²²² *Id.*

²²³ *Id.*

²²⁴ *Id.*

²²⁵ *Id.*

²²⁶ Exhibit I at SBC 1-2.

²²⁷ *Id.* at SBC 7.

employment, dental insurance, life/ADD/STD,²²⁸ cell phones, and indirect costs.²²⁹ The remaining percentage, 0.6% or \$245.82, was spent on program supplies and printing and copy fees.²³⁰

The most recent progress report I was provided shows GBA reported to the EPA that, as of June 29, 2023, its completed activities include several meetings with the leadership team at Masonville Cove, representatives from National Fish and Wildlife Services, and other national organizations; meeting with Shahsa Aziz, national wildlife refuge coordinator; attendance of an advisory committee to share news about “the initiative to support a Friends of Masonville Cove group;” attendance of “Neighborhood Love event” to meet and talk with residents about green space stewardship; development of a survey to recruit park stewards; creating an event survey to shape programming; conducting door to door engagement; hosted a meeting where “22 community members...helped to define what makes a place or park feel welcoming, shared some of their favorite parks, and talked about park challenges that could be addressed;” followed-up with participants to gauge interest in further involvement; attended five “capacity building events;” organized two park clean ups; and hosted a guided nature walk.²³¹ I was not provided with documentation with respect to how much taxpayer money was spent on each and every project or activity.

On October 27, 2023, my staff sent a request for updated information to all grantees.²³² GBA responded on November 7, 2023, with an updated P&L ledger. GBA has not been required by the EPA to submit their next progress report since the one provided to the committee.

According to financial documents GBA provided, as of September 2023, 97.3% or \$61,779.36, of GBA’s spending was on salaries; payroll taxes; health, dental, and vision insurance; retirement; contract employment; life insurance, accidental death and dismemberment benefits, and short term disability benefits; cell phones; computer expense; and indirect cost.²³³ Of the remaining percentage, 2.7% or \$1,711.73, was spent on program supplies and printing and copying fees.²³⁴ The vast majority of taxpayer money was spent on contract employment and overhead.

J. Green Chips (d/b/a ImpactNV)

Green Chips is located in Las Vegas, Nevada. The title of its project is “Buen Aire Para Todos.”²³⁵ Specifically, the project seeks to “create a novel air quality monitoring system of stationary and mobile outdoor sensors and indoor sensors associated with an air filter intervention program.”²³⁶ The stated project activities include “air monitoring and screening of indoor and outdoor air in targeted locations of East Las Vegas; and developing community awareness, education, and outreach campaign to educate residents about clean air and extreme heat issues in

²²⁸ This refers to life, accidental death or dismemberment, or short-term disability insurance/benefits.

²²⁹ Exhibit I at SBC 7.

²³⁰ *Id.* at SBC 7.

²³¹ Exhibit II at SBC 247-249.

²³² Email on file with Committee.

²³³ Exhibit I at SBC 8.

²³⁴ *Id.* at SBC 8.

²³⁵ U.S. Environmental Protection Agency, *2021 American Rescue Plan & EJ Collaborative Problem-Solving Award Project Summaries*, (last accessed Feb. 20, 2024) at 20, <https://www.epa.gov/system/files/documents/2021-12/2021-selected-ejcps-project-descriptions.pdf>.

²³⁶ *Id.*

the community.”²³⁷ The expected outcomes of the project include “the development of...solutions to address the impact of air quality and extreme heat...; and increasing the number of community groups working to improve air quality and the impacts of extreme heat on vulnerable populations in the region.”²³⁸ The stated beneficiaries of this program are “residents of East Las Vegas, Nevada.”²³⁹

On April 13, 2023, I sent a letter to Lauren Boitel, Executive Director of Green Chips. The deadline to respond was April 27, 2023. Lauren Boitel confirmed receipt on April 17, 2023.²⁴⁰ Then, Green Chips ignored my letter, missed the deadline to respond, and ignored multiple follow-up emails from my staff asking about the status of their reply.²⁴¹ When Green Chips did reply, they simply informed my staff that I “[would] be receiving a response with all the requested information from EPA Headquarters.”²⁴² When my staff replied that we had not received such information and that I was still awaiting a response from their organization, no reply came and there hasn’t been a response to my staff’s repeated, subsequent emails.²⁴³

The EPA sent me Green Chips’ SF-425 (which shows how much funding an organization received, the Federal share of expenditures, but not what the funding was spent on) and a progress report on July 21, 2023. The SF-425 shows Green Chips was awarded \$200,000.²⁴⁴ As of June 27, 2023, Green Chips reported to the EPA it had attended fifteen partner meetings; attended six grant meetings with the EPA project officer, partners, and other EPA staff; had the QAPP approved; had sub-grants approved; hosted a launch event; purchased all “Purple Air indoor and outdoor air quality sensors;” reviewed a potential participants list; chose locations for 4 outdoor air sensors; dropped off air quality sensors at the public library for installment; created participant agreement forms; created and submitted a survey for participants to the “IRB office at the Nevada System of Higher Education;” and developed a “plan and training documents to support participants in installing and registering their devices.”²⁴⁵ I have not been provided with documentation with respect to how much taxpayer money was spent on each and every project or activity.

On October 27, 2023, my staff sent a request for updated information to all grantees.²⁴⁶ Additionally, my staff reminded Green Chips that I had not received a response to my initial letter and asked Green Chips to provide all documents that I initially requested.²⁴⁷ Green Chips has failed to respond.

²³⁷ *Id.* at 21.

²³⁸ *Id.*

²³⁹ *Id.*

²⁴⁰ Email on file with Committee.

²⁴¹ Emails on file with Committee.

²⁴² Email on file with Committee.

²⁴³ Emails on file with Committee.

²⁴⁴ Exhibit II at SBC 224.

²⁴⁵ *Id.* at SBC 289.

²⁴⁶ Email on file with Committee.

²⁴⁷ Email on file with Committee.

K. Hartford Parent University, Inc.

Hartford Parent University, Inc. (HPU) is located in Hartford, Connecticut. The title of its project is “Working Together for a Healthy Hartford.”²⁴⁸ Specifically, the project seeks to “conduct training of Hartford parents so that they...can educate the youth of Hartford on the dangers of lead poisoning in the home, school, and in the water supply.”²⁴⁹ The stated project activities include “focus on outreach, education, and training of parents and...improve screening and testing for lead contaminants in water and to identify lead paint in homes and schools.”²⁵⁰

The expected outcomes of the project are to “educate 1,000 families in both Spanish and English on lead contamination dangers and conduct reviews of housing stock to create a map of 10-30 lead polluted and affected buildings in Hartford to directly protect the families of Hartford, CT from lead pollutant exposures.”²⁵¹

On April 17, 2023, I sent a letter to Milly Arciniegas, Executive Director of HPU. The deadline to respond was May 1, 2023. Milly Arciniegas confirmed receipt on April 18, 2023.²⁵² The next day, on April 19, 2023, HPU provided a response.²⁵³

According to financial documents provided, as of December 2022, 100% or \$89,905.39, of HPU’s spending was on contract services, cell phone, office supplies, payroll, and payroll taxes.²⁵⁴

As of February 27, 2023, HPU reported to the EPA that it had entered 1,000 families into a tracking system; scheduled four zoom-meetings to evaluate outreach and create a lead testing plan; hosted three of those meetings; created an interview questionnaire; and completed 124 interviews of families for lead testing.²⁵⁵ I have not been provided with documentation with respect to how much taxpayer money was spent on each and every project or activity.

On October 27, 2023, my staff sent a request for updated information to all grantees.²⁵⁶ HPU failed to respond.

L. Healthy Environment Alliance of Utah

Healthy Environment Alliance of Utah (HEAL Utah) is located in Salt Lake County, Utah. The title of its project is “A Particular Problem: Combatting East-West Disparities in Air Pollution

²⁴⁸ U.S. Environmental Protection Agency, *2021 American Rescue Plan & EJ Collaborative Problem-Solving Award Project Summaries*, (last accessed Feb. 20, 2024) at 4, <https://www.epa.gov/system/files/documents/2021-12/2021-selected-ejcps-project-descriptions.pdf>.

²⁴⁹ *Id.*

²⁵⁰ *Id.*

²⁵¹ *Id.*

²⁵² Email on file with Committee.

²⁵³ Email on file with Committee.

²⁵⁴ Exhibit K at SBC 43-45.

²⁵⁵ *Id.* at SBC 1-4. According to the titles of the provided documents, SBC 1-2 shows progress as of January 31, 2023; SBC 3 shows progress as of February 27, 2023; and SBC 4 shows progress as of December 31, 2022. SBC 16-20 shows the projected EPA workplan.

²⁵⁶ Email on file with Committee.

Exposure through Civic Engagement.”²⁵⁷ Specifically, the project seeks “to scale an existing air quality mapping project to include an environmental justice component by developing a first-of-its-kind air pollution mapping system using monitors placed on electric buses.”²⁵⁸ The stated project activities include “a planning phase; data collection planning...; data collection phase; and an outreach campaign phase directly to residents of the target population.”²⁵⁹

The expected outcomes of the project include “increase in public awareness about the project; results demonstrating that vulnerable communities are more impacted by air pollution than others; increase of civic engagement of target population; and a decrease in the number of air quality related hospital visits within target community.”²⁶⁰ The stated beneficiaries of this program are “residents of Westside communities in Salt Lake City, UT...”²⁶¹

On April 13, 2023, I sent a letter to Lexi Tuddenham, Executive Director of HEAL Utah. Ms. Tuddenham confirmed receipt the same day on April 13, 2023.²⁶² The deadline to respond was April 27, 2023. However, HEAL Utah missed the deadline to respond and ignored multiple follow-up emails from my staff asking about the status of their reply.²⁶³

On May 31, 2023, my staff sent an email to Ms. Tuddenham and HEAL Utah staff informing them that I had received reports from some grantees that the EPA had miscommunicated that the grantees need not respond to congressional oversight. My staff explained that I had a phone call with the EPA to clear up the matter and the EPA informed me that they never instructed a recipient not to respond. To the extent HEAL Utah had ignored my staff and my letter due to this confusion, the deadline to respond was extended to June 13, 2023.²⁶⁴ HEAL Utah ignored this email as well.

Only after another follow-up email did HEAL Utah respond. Ms. Tuddenham emailed my staff their intent to respond by June 13, 2023.²⁶⁵ I received a response from HEAL Utah on June 12, 2023.²⁶⁶

According to financial documents HEAL Utah provided, as of April 2023, 100% or \$83,119.27, of HEAL Utah’s spending was used for salaries and wages, payroll tax, dental and vision, health insurance, health savings account, retirement, and sub-grants.²⁶⁷ Notably, a considerable amount of that money, \$63,559.97 was sub-granted.²⁶⁸ However, it is unknown

²⁵⁷ U.S. Environmental Protection Agency, *2021 American Rescue Plan & EJ Collaborative Problem-Solving Award Project Summaries*, (last accessed Feb. 20, 2024) at 17, <https://www.epa.gov/system/files/documents/2021-12/2021-selected-ejcps-project-descriptions.pdf>.

²⁵⁸ *Id.* at 18.

²⁵⁹ *Id.*

²⁶⁰ *Id.*

²⁶¹ *Id.*

²⁶² Email on file with Committee.

²⁶³ Emails on file with Committee.

²⁶⁴ Email on file with Committee.

²⁶⁵ Email on file with Committee.

²⁶⁶ Email on file with Committee.

²⁶⁷ Exhibit L at SBC 5.

²⁶⁸ *Id.*

which organizations received that money or how much each sub-grantee received.²⁶⁹ All taxpayer money was spent on sub-grants and overhead.²⁷⁰ According to HEAL Utah’s progress report it submitted to the EPA, as of July 17, 2023, HEAL Utah purchased and installed “1 e-bus monitor[.]” to collect data.²⁷¹ All other projects were reportedly not completed or in-process.²⁷² I have not been provided with documentation with respect to how much taxpayer money was spent on each and every project or activity.

On October 27, 2023, my staff sent a request for updated information to all grantees.²⁷³ HEAL Utah has failed to respond.

M. Hourcar

Hourcar is located in St. Paul, Minnesota. The title of its project is “Building Community Transportation Resilience in the Aftermath of COVID-19.”²⁷⁴ Specifically, the project seeks to “launch Evie carshare, a new all-electric carsharing program....”²⁷⁵ The stated project activities include “deployment of the Evie carshare program...; building the capacity of partners to advocate for clean and accessible transportation in their communities; and collaborating with partners to engage intersecting environmental justice issues.”²⁷⁶

The expected outcomes of the project include “an increase in Evie carshare awareness and responsiveness; an increase in BIPOC participation in Evie carshare; significant and demonstrable annual reductions in emissions of [greenhouse gas] particulates, and [nitrogen oxides]; and significantly increased access to destinations and transit use in the region.”²⁷⁷ The stated beneficiaries of this program are “residents of the Greater Powderhorn area of Minneapolis and the Payne-Phalen neighborhood of Saint Paul.”²⁷⁸

On April 13, 2023, I sent a letter to Paul Schroeder, President and CEO of Hourcar. The deadline to respond was April 27, 2023. On April 26, 2023, I received a reply to my letter.

²⁶⁹ The “Detailed (itemized) Budget Sheet” indicates that Salt Lake County (SLCo) and University of Utah (UofU) were to be sub granted \$46,578 to cover personnel, fringe benefits, and air quality monitors. However, the “[g]rants to others” line item in the P&L ledger shows \$63,559.97 in sub grants. I do not know whether the two organizations listed in the budget are the only organizations that received sub-grants, nor do I know how much each sub grantee received. Exhibit L at SBC 7-8.

²⁷⁰ HEAL Utah wrote to me that it had not allocated overhead costs specifically to the grant as of June 12, 2023. However, the P&L ledger HEAL Utah provided reflects expenses commonly viewed as overhead. Exhibit L at SBC 5.

²⁷¹ Exhibit II at SBC 286.

²⁷² *Id.*

²⁷³ Email on file with Committee.

²⁷⁴ U.S. Environmental Protection Agency, *2021 American Rescue Plan & EJ Collaborative Problem-Solving Award Project Summaries*, (last accessed Feb. 20, 2024) at 12, <https://www.epa.gov/system/files/documents/2021-12/2021-selected-ejcps-project-descriptions.pdf>.

²⁷⁵ *Id.*

²⁷⁶ *Id.*

²⁷⁷ *Id.*

²⁷⁸ *Id.*

In the reply, Hourcar provided the organization’s public Form 990, which shows financial information about the organization.²⁷⁹ However, the form does not show how the organization has spent the grant money from the 2021 EJCPS program.

My staff sent a follow-up email to Paul Schroeder that thanked him for the initial reply but asked for documents that show how taxpayer money was spent, as initially requested.²⁸⁰ Mr. Schroeder has refused to supply these documents and has ignored my staff’s emails.²⁸¹ In one email, Schroeder ignored my staff’s attempt to schedule a time to call and discuss the requested documents and instead told them to “refer further inquiries to the EPA.”²⁸²

The EPA sent me Hourcar’s SF-425 (which shows how much funding an organization received, the Federal share of expenditures, but not what the funding was spent on) and a progress report on July 21, 2023. The SF-425 shows Hourcar was awarded \$200,000.²⁸³ As of September 1, 2022, Hourcar reported to the EPA that it had not completed any of its projects.²⁸⁴ All projects were reportedly in-process.²⁸⁵ I have not been provided with documentation with respect to how much taxpayer money was spent on each and every project or activity, nor have I been provided with a progress report any more recent than the one dated September 1, 2022.

On October 27, 2023, my staff sent a request for updated information to all grantees.²⁸⁶ Additionally, my staff reminded Hourcar that I had not received a response to my initial letter and asked Hourcar to provide all documents that I initially requested.²⁸⁷ On November 6, 2023, Paul Schroeder, emailed my staff that he would not provide this requested information and referred further inquiries to the EPA.²⁸⁸

N. Kaunalewa

Kaunalewa is located in Kaunalewa, Hawaii. The title of its project is “Environmental Renewal Kekaha.”²⁸⁹ Specifically, the project seeks to “improve the health and well-being of the Kekaha Town community through environmental/public health education and collecting data useful in minimizing exposure to legacy pesticides and/or asbestos.”²⁹⁰ The stated project activities include “educating the community around gardening...; supporting local small-scale agricultural programs that incorporate youth development; conducting research and sampling to

²⁷⁹ Exhibit M at SBC 5-35.

²⁸⁰ Email on file with Committee.

²⁸¹ Emails on file with Committee.

²⁸² Email on file with Committee.

²⁸³ Exhibit II at SBC 203-204.

²⁸⁴ *Id.* at SBC 264.

²⁸⁵ *Id.*

²⁸⁶ Email on file with Committee.

²⁸⁷ Email on file with Committee.

²⁸⁸ Email on file with Committee.

²⁸⁹ U.S. Environmental Protection Agency, *2021 American Rescue Plan & EJ Collaborative Problem-Solving Award Project Summaries*, (last accessed Feb. 20, 2024) at 19, <https://www.epa.gov/system/files/documents/2021-12/2021-selected-ejcps-project-descriptions.pdf>.

²⁹⁰ *Id.*

educate the community regarding legacy pesticide and asbestos health impacts, and gathering data informing the degree of exposure occurring within the target community.”²⁹¹

The expected outcomes of the project include “reduction in rates of disease associated with pesticide and asbestos exposure; a reduction in rates of diabetes through healthy eating education; fullscale [sic] implementation of a youth-supported farming program; and a 20% increase in availability and a 20% reduction in cost for fresh produce.”²⁹² The stated beneficiaries of this program are “residents of Kekaha, Hawaii, and surrounding agricultural lands.”²⁹³

On April 13, 2023, I sent a letter to Sean Andrade, President of Kaunalewa. The deadline to respond was April 27, 2023. Kaunalewa missed the deadline to reply and did not respond to my staff’s repeated follow-up emails. On September 1, 2023, Mayrose Munyar, who does strategy and development for Kaunalewa, contacted my staff for the first time. My staff discussed my letter and their prospective response on the phone. A deadline extension of September 15, 2023, was agreed to.²⁹⁴ However, Kaunalewa also missed that deadline and has failed to provide any response.

The EPA sent me Kaunalewa’s SF-425 (which shows how much funding an organization received, the Federal share of expenditures, but not what the funding was spent on) and a progress report on July 21, 2023. The SF-425 shows Kaunalewa was awarded \$200,000.²⁹⁵ As of November 29, 2022, Kaunalewa reported to the EPA that it had developed and maintains a project webpage.²⁹⁶ All other projects were reportedly in-process. I have not been provided with documentation with respect to how much taxpayer money was spent on each and every project or activity.

On October 27, 2023, my staff sent a request for updated information to all grantees.²⁹⁷ Additionally, my staff reminded Kaunalewa that I had not received a response to my initial letter and asked Kaunalewa to provide all documents that I initially requested.²⁹⁸ Kaunalewa has failed to respond.

O. Keep Indianapolis Beautiful, Inc.

Keep Indianapolis Beautiful, Inc. (KIB) is located in Indianapolis, Indiana. The title of its project is “Greening Urban Neighborhoods from the Ground Up: Overcoming Barriers to Tree Planting with Community-Based Interventions.”²⁹⁹ Specifically, the project seeks to “(1) collect environmental data related to air quality and heat; (2) educate about the benefits of trees, such as

²⁹¹ *Id.*

²⁹² *Id.*

²⁹³ *Id.*

²⁹⁴ Phone call with Kaunalewa and Senate Budget Committee staff (Sep. 1, 2023).

²⁹⁵ Exhibit II at SBC 215.

²⁹⁶ *Id.* at SBC 290-291.

²⁹⁷ Email on file with Committee.

²⁹⁸ Email on file with Committee.

²⁹⁹ U.S. Environmental Protection Agency, *2021 American Rescue Plan & EJ Collaborative Problem-Solving Award Project Summaries*, (last accessed Feb. 20, 2024) at 11, <https://www.epa.gov/system/files/documents/2021-12/2021-selected-ejcps-project-descriptions.pdf>.

capturing storm water; and (3) create associated neighborhood story maps....”³⁰⁰ The stated project activities include “planning...trainings; hosting and facilitating the trainings; conducting post-training assessments; developing an advisory committee...; hosting townhalls with residents to discuss Focus Area environmental justice issues; conducting engagement and outreach in the community; developing a participatory story map; and deploying air quality and heat sensors and data collection.”³⁰¹

The expected outcomes of the project include “increased awareness of social and natural capital; greater acceptance of trees in the City; increased positive human-nature interactions; and increased input from neighbors about environmental issues impacting quality of life in their communities.”³⁰² The stated beneficiaries of this program are “residents of underserved [sic].”³⁰³

On April 13, 2023, I sent a letter to Jeremy Kranowitz, President & CEO of KIB. Mr. Kranowitz confirmed receipt the next day on April 14, 2023, and emailed KIB would “respond to your questions early next week.”³⁰⁴ The deadline to respond was April 27, 2023. However, KIB missed the deadline to respond and ignored a follow-up email from my staff asking about the status of their reply.³⁰⁵

On May 31, 2023, my staff sent an email to Mr. Kranowitz and KIB staff informing them that I had received reports from some grantees that the EPA had miscommunicated that the grantees need not respond to congressional oversight. My staff explained that I had a phone call with the EPA to clear up the matter and the EPA informed me that they never instructed a recipient not to respond. To the extent KIB had ignored my staff and my letter due to this confusion, the deadline to respond was extended to June 13, 2023.³⁰⁶ KIB ignored this email as well.

Only after another follow-up did KIB respond. Kristina Uland, KIB Chief Operating Officer, emailed my staff a response on June 13, 2023.³⁰⁷ Their response, however, was incomplete as it did not include requested documents showing how taxpayer money had been spent.³⁰⁸ KIB ignored multiple follow-up emails from my staff requesting this information. On August 31, 2023, KIB sent additional documents to my staff.³⁰⁹

The financial documents KIB provided show that as of July 2023, 98.5% or \$92,465.91, of KIB’s spending was on wages, contract labor, Indiana University Office of Research Administration (IURA) salaries, IURA benefits, IURA general expenses, and IURA indirect

³⁰⁰ *Id.*

³⁰¹ *Id.* at 12.

³⁰² *Id.*

³⁰³ *Id.*

³⁰⁴ Email on file with Committee.

³⁰⁵ Email on file with Committee.

³⁰⁶ Email on file with Committee.

³⁰⁷ Email on file with Committee.

³⁰⁸ Exhibit O at SBC 10-15.

³⁰⁹ Email on file with Committee.

costs.³¹⁰ The remaining percentage, 1.5% or \$1,432.50, was spent on “meetings and survey development.”³¹¹ The vast majority of taxpayer money was spent on contract labor and overhead.

According to the documents KIB sent me on June 13, 2023, KIB’s most recent progress report submitted to the EPA showed it had hired an outreach coordinator, began initial outreach at a community festival, hosted an advisory meeting and met with a community council, hosted a town hall event and presented pre-assessment survey results, completed some trainings for KIB staff and partners, created a “StoryMaps website,” deployed 3/4 sensor sets, color coded points and input data sets into a database, and have completed pre-assessment surveys of “resident awareness of tree benefits.”³¹² All other project activities were reportedly still “in-process.” Notably, one of the project activities “in-process” is the “Complete Competency Training for KIB staff and partners.”³¹³ These trainings include “Youth Group training regarding working with LGBTQIA+ youth,” “Empathetic listening training,” and “Interrupting Microaggressions [sic] with the Peace Learning Center.”³¹⁴ I have not been provided with documentation with respect to how much taxpayer money was spent on each and every project or activity.

On October 27, 2023, my staff sent a request for updated information to all grantees.³¹⁵ KIB has failed to respond.

P. Lake Pontchartrain Basin Foundation

Lake Pontchartrain Basin Foundation (Pontchartrain Conservancy) is located in New Orleans, Louisiana. The title of its project is “Collaborating On REstoration (CORE): Youth and Community-Driven Environmental Stewardship in New Orleans East (LA).”³¹⁶ Specifically, the project seeks to “train students and teachers in New Orleans East to design, implement, and monitor small-scale restoration projects which will manage storm water and improve water quality in their underserved communities.”³¹⁷ The stated project activities include “training and restoration; education and outreach; monitoring; and green infrastructure (GI) mini projects.”³¹⁸

The expected outcomes of the project include “an increased knowledge of the benefits of restoration/GI; increased participation in stewardship projects; increased access to restored areas/related data; and increased biodiversity, water retention, and water quality at restored sites.”³¹⁹ The stated beneficiaries of this program are “residents of New Orleans East, particularly

³¹⁰ Exhibit O at SBC 3-9.

³¹¹ *Id.* at SBC 1-2.

³¹² Exhibit O at SBC 10-15.

³¹³ *Id.* at SBC 13.

³¹⁴ *Id.*

³¹⁵ Email on file with Committee.

³¹⁶ “REstoration” included in original. U.S. Environmental Protection Agency, *2021 American Rescue Plan & EJ Collaborative Problem-Solving Award Project Summaries*, (last accessed Feb. 20, 2024) at 14, <https://www.epa.gov/system/files/documents/2021-12/2021-selected-ejcps-project-descriptions.pdf>.

³¹⁷ *Id.*

³¹⁸ *Id.*

³¹⁹ *Id.*

10th graders as mentors, students from lower grades in GI mini-projects, teachers as trainers, and community members in forums.”³²⁰

On April 13, 2023, I sent a letter to Kristi Trail, Executive Director of Pontchartrain Conservancy. Ms. Trail confirmed receipt the same day on April 13, 2023.³²¹ The deadline to respond was April 27, 2023. On April 27, 2023, Pontchartrain Conservancy sent me a response.

The financial documents Pontchartrain Conservancy provided show, as of March 31, 2023, 85.5% or \$29,514.50, of Pontchartrain Conservancy’s spending was on salary and wages, fringe benefits and payroll taxes, travel, “contractual” costs, “other” costs, and indirect costs.³²² The remaining percentage, 14.5% or \$4,997.92, was spent on “supplies & equipment.”³²³ The vast majority of taxpayer money was spent on contractual costs and overhead.

As of June 15, 2023, Pontchartrain Conservancy reported to the EPA that it had completed the “Lower grades Green Infrastructure Project” which included three workdays with 100 students to plant approximately 100 plants in a rain garden and planter box.³²⁴ All other projects were reportedly ongoing.³²⁵ I have not been provided with documentation with respect to how much taxpayer money was spent on each and every project or activity.

On October 27, 2023, my staff sent a request for updated information to all grantees.³²⁶ Pontchartrain Conservancy has failed to respond.

Q. Little Village EJ Organization

Little Village EJ Organization (LVEJO) is located in Chicago, Illinois. The title of its project is “Growing the Field.”³²⁷ Specifically, the project is “a collaborative learning process between two grassroots environmental justice organizations” and seeks to “address[] the disproportionate ecological and public health harms of poor air quality in low-income, people of color neighborhoods in Kansas City and Chicago.”³²⁸ The stated project activities include “air monitoring, collaborative leadership learning, partnerships, and community capacity building among the low-income Latino families and children that populate both neighborhoods.”³²⁹

The expected outcomes of the project include “expanded learning and outreach to residents, empowering youth leaders, strong collaboration and partnerships; and more elected officials aware

³²⁰ *Id.*

³²¹ Email on file with Committee.

³²² Exhibit P at SBC 12.

³²³ *Id.* at SBC 12.

³²⁴ Exhibit II at SBC 275-276.

³²⁵ *Id.*

³²⁶ Email on file with Committee.

³²⁷ U.S. Environmental Protection Agency, *2021 American Rescue Plan & EJ Collaborative Problem-Solving Award Project Summaries*, (last accessed Feb. 20, 2024) at 13, <https://www.epa.gov/system/files/documents/2021-12/2021-selected-ejcps-project-descriptions.pdf>.

³²⁸ *Id.*

³²⁹ *Id.*

of environmental justice issues.”³³⁰ The stated beneficiaries of this program are “the communities of Little Village in Chicago and Armourdale in Kansas.”³³¹

On April 13, 2023, I sent a letter to Kim Wasserman, Executive Director of LVEJO. On the same day, Ms. Wasserman responded that she was in receipt and would “respond as soon as possible.”³³² The deadline to respond was April 27, 2023. LVEJO missed the deadline and ignored my staff’s follow-up email.³³³

On May 31, 2023, my staff sent an email to Ms. Wasserman and LVEJO staff informing them that I had received reports from some grantees that the EPA had miscommunicated that the grantees need not respond to congressional oversight. My staff explained that I had a phone call with the EPA to clear up the matter and the EPA informed me that they never instructed a recipient not to respond. To the extent LVEJO had ignored my staff and my letter due to this confusion, the deadline to respond was extended to June 13, 2023.³³⁴

LVEJO replied to this email within hours, claiming they “were informed by USEPA that they are handling responding on behalf of grantees and told to refer [my staff] to [EPA’s] staff.”³³⁵ My staff replied requesting a response from the grantee and offered to call and discuss. LVEJO ignored multiple follow-up emails from my staff.

Then, on July 19, 2023, Ms. Wasserman replied to my staff with a report LVEJO claimed to have sent earlier in the year. My staff asked for the original email to be forwarded for record-keeping purposes, but Ms. Wasserman has ignored this request and has not sent the original email, if it exists.³³⁶

The report LVEJO sent on July 19, 2023, was not only late, but also completely inadequate. Instead of answering any of my questions and providing relevant documents, LVEJO simply sent me one of their semi-annual progress reports.

According to LVEJO’s January of 2023 progress report it submitted to the EPA, from October of 2022 to December of 2022, LVEJO had “set joint goals for [a] collaborative learning process” and had at least one meeting for “Action & Reflection & Evaluation” with two LVEJO staff and one EPA officer.³³⁷ The other listed project was “[i]n process...”³³⁸ I have not been provided with documentation with respect to how much taxpayer money was spent on each and every project or activity.

The EPA sent me LVEJO’s SF-425 (which shows how much funding an organization received, the Federal share of expenditures, but not what the funding was spent on) and a progress

³³⁰ *Id.*

³³¹ *Id.*

³³² Email on file with Committee.

³³³ Email on file with Committee.

³³⁴ Email on file with Committee.

³³⁵ Email on file with Committee.

³³⁶ Email on file with Committee.

³³⁷ Exhibit Q at SBC 2.

³³⁸ *Id.*

report on July 21, 2023. The SF-425 shows LVEJO was awarded \$196,034.³³⁹ However, LVEJO's progress report claims it was awarded \$200,000.³⁴⁰

On October 27, 2023, my staff sent a request for updated information to all grantees.³⁴¹ Additionally, my staff reminded LVEJO that I had not received a response to my initial letter and asked LVEJO to provide all documents that I initially requested.³⁴² LVEJO has failed to respond.

R. Live Healthy Little Havana, Inc.

Live Healthy Little Havana, Inc. (LHLH) is located in Little Havana, Florida. The title of its project is "Building Climate Resiliency for Little Havana's Affordable Housing Stock."³⁴³ Specifically, the project seeks to "minimize displacement of existing Little Havana residents by preserving and increasing the sustainability and resilience of affordable housing units to natural disasters and climate change."³⁴⁴ The stated project activities include "development of neighborhood specific trainings; training of community liaisons on disaster preparedness, climate resiliency, and a connection between energy efficiency and greenhouse gas emissions; community engagement; and monitoring of businesses and landlords who implement relevant climate resilient strategies."³⁴⁵

The expected outcomes of the project include "increase in climate resilient affordable housing practices, increase in climate ready businesses and properties, increase in local stakeholder commitment, and a minimization of displacement of Little Havana residents."³⁴⁶ The stated beneficiaries of this program are "residents of the Little Havana neighborhood."³⁴⁷

On April 13, 2023, I sent a letter to Emily Bodden, Program Manager at LHLH. On the same day, Ms. Bodden responded that she was in receipt. The deadline to respond was April 27, 2023. LHLH missed the deadline and ignored my staff's follow-up emails.³⁴⁸

On May 15, 2023, Raissa Fernandez, Program Manager at LHLH, emailed my staff asking for more information.³⁴⁹ After my staff resent the letter to Ms. Fernandez, LHLH asked for a deadline extension due to "staff transition."³⁵⁰ An extension was granted on May 18, 2023, for May 25, 2023.

³³⁹ Exhibit II at SBC 216.

³⁴⁰ Exhibit Q at SBC 4.

³⁴¹ Email on file with Committee.

³⁴² Email on file with Committee.

³⁴³ U.S. Environmental Protection Agency, *2021 American Rescue Plan & EJ Collaborative Problem-Solving Award Project Summaries*, (last accessed Feb. 20, 2024) at 9, <https://www.epa.gov/system/files/documents/2021-12/2021-selected-ejcps-project-descriptions.pdf>.

³⁴⁴ *Id.*

³⁴⁵ *Id.* at 9-10.

³⁴⁶ *Id.* at 10.

³⁴⁷ *Id.*

³⁴⁸ Emails on file with Committee.

³⁴⁹ Email on file with Committee.

³⁵⁰ Email on file with Committee.

On May 25, 2023, the day of the extended deadline, Ms. Fernandez emailed my staff asking for another extension due to “unforeseen circumstances.”³⁵¹ My staff agreed to the date Ms. Fernandez requested and set the second extension for June 12, 2023.³⁵²

LHLH, however, missed the second extended deadline and has ignored multiple follow-up emails from my staff. I have not received a response from them.

The EPA sent me LHLH’s SF-425 (which shows how much funding an organization received, the Federal share of expenditures, but not what the funding was spent on) and a progress report on July 21, 2023. The SF-425 shows LHLH was awarded \$160,000.³⁵³ As of July 18, 2023, LHLH reported to the EPA it had completed one virtual, and one in-person, training with one partner while the other partner had “developed a survey for staff knowledge.”³⁵⁴ LHLH has also trained five other staff in “climate and health related correlation.”³⁵⁵ All other projects were reportedly in progress. I have not been provided with documentation with respect to how much taxpayer money was spent on each and every project or activity.

On October 27, 2023, my staff sent a request for updated information to all grantees.³⁵⁶ Additionally, my staff reminded LHLH that I had not received a response to my initial letter and asked LHLH to provide all documents that I initially requested.³⁵⁷ LHLH has failed to respond.

S. Metro Community Ministries

Metro Community Ministries (MCM) is located in Atlanta, Georgia. The title of its project is “Healthy Communities.”³⁵⁸ Specifically, the project seeks to “conduct public education through youth presentations of clean water and pollution abatement strategies targeting community organizations, schools and community groups.”³⁵⁹ The stated project activities include “outreach and recruitment of youth and young adults...that will participate in a 10-hour training on the Clean Water Act and five hours of Covid19 health and safety training; development of artistic presentations using social media, web presence, comic books, skits/theatrical endeavors; and youth presentations.”³⁶⁰

The expected outcomes of the project include “an increase in youth involvement in clean water and environmental health, increase in youth leaders, increased community knowledge and engagement, increase in organizational involvement in environmental health, decrease in the

³⁵¹ Email on file with Committee.

³⁵² Email on file with Committee.

³⁵³ Exhibit II at SBC 193.

³⁵⁴ *Id.* at SBC 252.

³⁵⁵ *Id.*

³⁵⁶ Email on file with Committee.

³⁵⁷ Email on file with Committee.

³⁵⁸ U.S. Environmental Protection Agency, *2021 American Rescue Plan & EJ Collaborative Problem-Solving Award Project Summaries*, (last accessed Feb. 20, 2024) at 9, <https://www.epa.gov/system/files/documents/2021-12/2021-selected-ejcps-project-descriptions.pdf>.

³⁵⁹ *Id.*

³⁶⁰ *Id.*

impact of water contaminants in the community, and safe water shed content for household usage.”³⁶¹ The stated beneficiaries of this program are “residents of the metro Atlanta region.”³⁶²

On April 17, 2023, I sent a letter to Linda Womack, CEO of MCM. The deadline to respond was May 1, 2023. MCM missed the deadline, ignored my letter, and ignored my staff’s follow-up emails.³⁶³

On May 31, 2023, my staff sent an email to Ms. Womack and MCM staff informing them that I had received reports from some grantees that the EPA had miscommunicated that the grantees need not respond to congressional oversight. My staff explained that I had a phone call with the EPA to clear up the matter and the EPA informed me that they never instructed a recipient not to respond. To the extent MCM had ignored my staff and my letter due to this confusion, the deadline to respond was extended to June 13, 2023.³⁶⁴

Only after another follow-up email did MCM respond. Linda Womack emailed my staff for the first time saying, “[a]fter speaking with the assigned Program Officer for EPA, we’ve been advised that the U.S. Environmental Protection Agency is crafting a compiled response to this request. We appreciate your patience as they finalize their consolidated response to you.”³⁶⁵

My staff responded to this email that I expect a response from their organization to the questions and offered to call and help answer any questions as MCM prepares a response.³⁶⁶ MCM ignored this email and multiple follow-up emails from my staff.³⁶⁷

The EPA sent me MCM’s SF-425 (which shows how much funding an organization received, the Federal share of expenditures, but not what the funding was spent on) and a progress report on July 21, 2023. The SF-425 shows MCM was awarded \$200,000.³⁶⁸ However, in an email to my staff, Linda Womack claimed MCM only received \$30,000.³⁶⁹ As of November 30, 2022, MCM reported to the EPA that it had not completed any projects; all are “In Process.”³⁷⁰

On October 27, 2023, my staff sent a request for updated information to all grantees.³⁷¹ Additionally, my staff reminded MCM that I had not received a response to my initial letter and asked MCM to provide all documents that I initially requested.³⁷² MCM sent me a response on November 16, 2023.³⁷³

³⁶¹ *Id.*

³⁶² *Id.*

³⁶³ Emails on file with Committee.

³⁶⁴ Email on file with Committee.

³⁶⁵ Email on file with Committee.

³⁶⁶ Email on file with Committee.

³⁶⁷ Emails on file with Committee.

³⁶⁸ Exhibit II at SBC 218-219.

³⁶⁹ Email on file with Committee.

³⁷⁰ Exhibit II at SBC 250.

³⁷¹ Email on file with Committee.

³⁷² Email on file with Committee.

³⁷³ Exhibit S at SBC 1-7.

Financial documents provided revealed that from May 1, 2022, to November 20, 2023, MCM spent \$69,618.42. Of that money, 99.9% or \$69,532.86, was spent on fringe benefits; FICA/Med Taxes; administrative operations such as payroll services, insurance, and communications; participant incentives; program personnel such as a CEO, COO, Administrative Analyst, Finance Assistant, Program Analyst, Project Coordinator, and Program Assistant; employee fringe benefits; printing and copying; postage and mailing service; supplies; rent; communications; utilities; property insurance; sub-contractor services; payroll expenses; and travel and meetings.³⁷⁴ 0.1% or \$85.56, was spent on “Direct Non-Personnel Expenses.”³⁷⁵ The vast majority of taxpayer money was spent on participant incentives, sub-contractor services, and overhead.

MCM’s progress report, submitted to the EPA on May 30, 2023, for the period of October 1, 2022, to March 31, 2023, revealed that all of MCM’s projects are “[i]n [p]rocess.”³⁷⁶ These projects include recruiting ten youth and young adults who will serve as “Community Advocates;” preparing and finalizing “[p]owerpoint,” “Rap Song,” and social media stories presentations; presenting these to four elementary schools, four community groups, and four organizations.”³⁷⁷ The pictures submitted, which show “key project activities and highlights,” depict what appears to be four participants blowing balloons into Styrofoam cups.³⁷⁸ It is not shown how many viewers were in attendance and the exact cost for each project is unknown.³⁷⁹ I have not been provided with documentation with respect to how taxpayer much money was spent on each and every project or activity.

T. Mid-America Regional Council CSC

Mid-America Regional Council Community Service Corporation (MARC) is located in Kansas City, Missouri. The title of its project is “Resilient People, Resilient Places—Creating a community-based model for climate resilience in metro Kansas City.”³⁸⁰ Specifically, the project seeks to “coordinate community-based climate resilience efforts...through strategic investment in community organizations and public education around the recently adopted regional Climate Action Plan (CAP)”³⁸¹ The stated project activities include “providing community leaders with funding and technical assistance to advance neighborhood level climate resilience...; community partners supporting the development of a climate resilience and vulnerability assessment, and deploying the framework...; and community leaders engaging in shared learning opportunities....”³⁸²

³⁷⁴ *Id.* at SBC 17-18.

³⁷⁵ *Id.*

³⁷⁶ Exhibit S at 9-10.

³⁷⁷ *Id.*

³⁷⁸ Exhibit S at 15-16.

³⁷⁹ *Id.*

³⁸⁰ U.S. Environmental Protection Agency, *2021 American Rescue Plan & EJ Collaborative Problem-Solving Award Project Summaries*, (last accessed Feb. 20, 2024) at 16, <https://www.epa.gov/system/files/documents/2021-12/2021-selected-ejcps-project-descriptions.pdf>.

³⁸¹ *Id.*

³⁸² *Id.*

The expected outcomes of the project include “increased climate awareness across the KC metro; building of capacity, tools, and models for community-based resilience efforts; and supporting projects that increase climate resilience amongst the most vulnerable, all while connecting community-based efforts to regional policy, planning, and local climate leadership.”³⁸³ The stated beneficiaries of this program are the “Ivanhoe, Westside, and Dunbar neighborhoods in Kansas City, Missouri and Northeast neighborhoods of Kansas City, Kansas.”³⁸⁴

On April 13, 2023, I sent a letter to David Warm, Executive Director of MARC. The deadline to respond was April 27, 2023. MARC confirmed receipt on April 24, 2023, and provided a response on April 27, 2023.

According to financial documents MARC provided, as of March 31, 2023, 100% or \$61,098.57, of MARC’s spending had been used for staff and intern salaries, staff and intern benefits, indirect costs, and rent for main office space.³⁸⁵ The progress report it provided to the EPA shows that as of October 31, 2022, MARC had created a “map of resilience actors.”³⁸⁶ Other projects are incomplete or “In Progress” and the cost to the taxpayer for each and every project and activity is unknown.³⁸⁷

On October 27, 2023, my staff sent another request for updated information to all grantees.³⁸⁸ On November 8, 2023, MARC sent a response accompanied by an updated financial statement and progress report.

The financial documents MARC provided revealed that as of October 31, 2023, 100% or \$180,318.26, of MARC’s spending was on staff and intern salaries, staff and intern benefits, indirect costs, subrecipients, and rent for main office space.³⁸⁹ All taxpayer money was spent on sub-grants and overhead.

As of September 31, 2023, MARC reported to the EPA that it had created a “map of resilience actors,” executed a contract with University of Kansas Center for Research (KUCR), and completed “[n]ew and current partner contracts and budgets.”³⁹⁰ All other projects were reportedly in progress.³⁹¹ Notably, MARC’s documents show it sub-granted \$100,000 split evenly between “Central Area Betterment Assoc,” “Groundworks NRG,” “Heart of the City Neigh Assn,” and “Westside Housing Organization,” as well as contracted service from KUCR for \$5,000.³⁹² It is unknown how much taxpayer money was spent on each and every project or activity.

³⁸³ *Id.*

³⁸⁴ *Id.*

³⁸⁵ Exhibit T at SBC 11-12.

³⁸⁶ *Id.* at SBC 5-7.

³⁸⁷ *Id.*

³⁸⁸ Email on file with Committee.

³⁸⁹ Exhibit T at SBC 31.

³⁹⁰ *Id.* at SBC 33-35.

³⁹¹ *Id.*

³⁹² *Id.* at SBC 31.

U. Namati, Inc.

On April 13, 2023, I sent a letter to Vivek Maru, Chief Executive Officer of Namati, Inc. The deadline to respond was April 27, 2023. On April 27, 2023, Namati, Inc. confirmed receipt of my letter and informed me that it had “not conducted activities under the EJCPs grant, and [had] not drawn down on EPA funding reserved for these activities.”³⁹³

I was then notified by the EPA on July 14, 2023, that Namati, Inc. requested to withdraw from the project before any funds had been drawn down.³⁹⁴ The award was mutually terminated.³⁹⁵

V. Partners for a Healthier Community, Inc.

Partners for a Healthier Community, Inc. (PHC) is located in Springfield, Massachusetts. The title of its project is “Pioneer Valley Air Quality Monitoring Project (PVAQM): Growing community capacity and education on air quality and climate resilience in the Pioneer Valley.”³⁹⁶ Specifically, the project seeks to “build community leadership on air quality (AQ), climate resilience, environmental justice (EJ), urban forestry and community science to address health outcomes through the maintenance and expansion of an AQ monitoring network in the cities of Springfield, Holyoke and Chicopee, MA.”³⁹⁷ The stated project activities include “maintaining and expanding the current...PVAQM network...; semi-annual monitoring of other organic contaminants and toxic substances;...convening of Resident Advisors who will take leadership on educating their community and advocating for actions and policies...; and use the web/social media to provide residents real-time data via a website...”³⁹⁸

The expected outcomes of the project include “improved air quality, a reduction in exposure to air pollutants, increased climate resilience, reduction in asthma, cardiovascular disease morbidity and an overall improvement in health in the community...”³⁹⁹ The stated beneficiaries of this program are “residents of Springfield, Holyoke and Chicopee, MA.”⁴⁰⁰

On April 13, 2023, I sent a letter to Jessica Collins, Executive Director of PHC. The deadline to respond was April 27, 2023. PHC confirmed receipt the same day on April 13, 2023, and provided a response on April 27, 2023.

According to financial documents PHC provided, as of April 24, 2023, 100% or \$43,483.87, of PHC’s spending was used for payroll, fringe benefits, a consultant (who was also on the payroll as an intern at one point), dues and subscriptions, stipends, subcontracts, and indirect administrative support.⁴⁰¹ The “subcontracts” line item indicates Earthwatch Institute received \$5,259.⁴⁰² PHC’s “Budget Detail” document shows PHC planned to pay Earthwatch a subaward

³⁹³ Exhibit U at SBC 1.

³⁹⁴ Exhibit II at SBC 3.

³⁹⁵ *Id.*

³⁹⁶ U.S. Environmental Protection Agency, *2021 American Rescue Plan & EJ Collaborative Problem-Solving Award Project Summaries*, (last accessed Feb. 20, 2024) at 3, <https://www.epa.gov/system/files/documents/2021-12/2021-selected-ejcps-project-descriptions.pdf>.

³⁹⁷ *Id.*

³⁹⁸ *Id.*

³⁹⁹ *Id.*

⁴⁰⁰ *Id.* at 4.

⁴⁰¹ Exhibit V at SBC 27-31.

⁴⁰² *Id.* at SBC 30.

of “\$15,000 for material design, Design Team participation, [and] meeting expenses.”⁴⁰³ The most recent progress report provided to the EPA show as of March 31, 2023, PHC had completed recruitment of eight resident advisors and the creation of a “Capacity Building and Communications Committee.”⁴⁰⁴ All other projects were reportedly “In Progress I was not provided with documentation with respect to how much taxpayer money was spent on each and every project or activity.

On October 27, 2023, my staff sent a request for updated information to all grantees.⁴⁰⁵ On November 8, 2023, PHC sent a response accompanied by an excel sheet recording PHC’s expenses from March 1, 2023, to November 6, 2023. PHC failed to provide an updated progress report.

The updated data PHC provided reveals that from March 1, 2022, to November 6, 2023, 88.9% or \$88,998.58, of PHC’s spending was on personnel; fringe benefits; travel; copy paper; ink; planner notebooks; flipchart pads; a zoom line; indirect costs; regional meetings; design team participation, outreach, and design; meeting expenses, and stipends for participation in trainings.⁴⁰⁶ The remaining percentage, 11.1% or \$11,070, was spent on “[c]ontractual” sensor network monitoring and meteorological and pollen information, design team participation, website upgrades, and maintaining data.⁴⁰⁷ The vast majority of taxpayer money was spent on stipends and overhead.”⁴⁰⁸

W. Pioneer Bay Community Development Corporation

Pioneer Bay Community Development Corporation (PBCDC) is located in Gulf County, Florida. The title of its project is “Safe, Healthy, and Resilient Housing In Post-Hurricane Florida.”⁴⁰⁹ Specifically, the project seeks “to conduct a needs-based assessment with the Pioneer Bay Centers for Disease Control to address housing infrastructure and other community-identified challenges in the Port St. Joe, Florida community.”⁴¹⁰ The stated project activities include conducting needs-based, rapid health impact, and housing conditions assessments, then “establishing health education resources available for public distribution to identify public health threats and develop a community specific intervention plan.”⁴¹¹ The stated beneficiaries of this program are “the under-resourced populations of the Port St. Joe community.”⁴¹²

On April 13, 2023, I sent a letter to Cheryl Steindorf, President of PBCDC. The deadline to respond was April 27, 2023. PBCDC confirmed receipt the same day on April 13, 2023, and provided a response on April 22, 2023.

⁴⁰³ *Id.* at SBC 3.

⁴⁰⁴ Exhibit II at SBC 236-239.

⁴⁰⁵ Email on file with Committee.

⁴⁰⁶ Exhibit V at SBC 47-48.

⁴⁰⁷ *Id.* at SBC 47.

⁴⁰⁸ Exhibit II at SBC 236-239.

⁴⁰⁹ U.S. Environmental Protection Agency, *2021 American Rescue Plan & EJ Collaborative Problem-Solving Award Project Summaries*, (last accessed Feb. 20, 2024) at 8, <https://www.epa.gov/system/files/documents/2021-12/2021-selected-ejcps-project-descriptions.pdf>.

⁴¹⁰ *Id.*

⁴¹¹ *Id.*

⁴¹² *Id.*

PBCDC responded that it is not in a position to answer any of my questions or provide any documents as it had only spent “just over six thousand dollars” and was currently working on its first report to the EPA.⁴¹³ My staff emailed Ms. Steindorf and asked for records showing how PBCDC has spent taxpayer money to-date so that I could better understand what it was able to accomplish.⁴¹⁴ Ms. Steindorf ignored all of my staff’s follow-up emails.⁴¹⁵

The EPA sent me PBCDC’s SF-425 (which shows how much funding an organization received, the Federal share of expenditures, but not what the funding was spent on) and a progress report on July 21, 2023. The SF-425 shows PBCDC was awarded \$150,000.⁴¹⁶ As of July 18, 2023, PBCDC reported to the EPA that it had conducted three community listening sessions.⁴¹⁷ I have not been provided with documentation with respect to how much taxpayer money was spent on each and every project or activity.

On October 27, 2023, my staff sent a request for updated information to all grantees.⁴¹⁸ On October 31, 2023, John Hendry did not send this information and instead emailed my staff that this request “and any future requests should be sent to EPA’s Office of Congressional and Intergovernmental Relations.”⁴¹⁹

X. SEED, Inc.

SEED, Inc. (SEED) is located in Knoxville, Tennessee. The title of its project is “Climate Plus: Going Beyond Weatherization to Healthy Air Quality in Low Income Homes.”⁴²⁰ Specifically, the project seeks to “improve the energy efficiency and indoor air quality of the older housing stock in Knoxville.”⁴²¹ The stated project activities include “(1) convening a Climate Plus stakeholders task force...; (2) conduct[ing] a demonstration to assess and improve the indoor air quality in 40-50 homes...; and (3) educat[ing]...how climate change will affect indoor air quality and the link between respiratory illness, air quality, and climate change.”⁴²²

The expected outcomes of the project include “community vision and strategic goal setting..., meaningful improvement in indoor air quality, accrual of health and wellbeing benefits to low-income households, increase in access to information and the of [sic] addressing of racial, health and wealth disparities through improved housing conditions and climate preparedness

⁴¹³ Exhibit W at SBC 1-2.

⁴¹⁴ Email on file with Committee.

⁴¹⁵ Emails on file with Committee.

⁴¹⁶ Exhibit II at SBC 230-231.

⁴¹⁷ Exhibit II at SBC 251.

⁴¹⁸ Email on file with Committee.

⁴¹⁹ Email on file with Committee.

⁴²⁰ U.S. Environmental Protection Agency, *2021 American Rescue Plan & EJ Collaborative Problem-Solving Award Project Summaries*, (last accessed Feb. 20, 2024) at 9, <https://www.epa.gov/system/files/documents/2021-12/2021-selected-ejcps-project-descriptions.pdf>.

⁴²¹ *Id.*

⁴²² *Id.*

measures.”⁴²³ The stated beneficiaries of this program are “low-income minorities in Knoxville.”⁴²⁴

On April 13, 2023, I sent a letter to Stan Johnson, Executive Director of SEEED. The deadline to respond was April 27, 2023. Laurel Bowen, Chief Financial Officer of SEEED confirmed receipt on April 17, 2023. Ms. Bowen then missed the deadline and ignored multiple follow-up emails from my staff.⁴²⁵

On May 31, 2023, my staff sent an email to Ms. Bowen and Mr. Johnson informing them that I had received reports from some grantees that the EPA had miscommunicated that the grantees need not respond to congressional oversight. My staff explained that I had a phone call with the EPA to clear up the matter and the EPA informed me that they never instructed a recipient not to respond. To the extent SEEED had ignored my staff and my letter due to this confusion, the deadline to respond was extended to June 13, 2023.⁴²⁶

Only after this email did SEEED respond. Ms. Bowen emailed my staff one sentence: “EPA has told us they would respond for us.”⁴²⁷ My staff responded that a response from their organization is still expected and offered to call to discuss further.⁴²⁸ On June 14, 2023, Ms. Bowen emailed that she did not understand “most of the questions” and that she was attaching their first-year report and financial statement.⁴²⁹

The financial statement SEEED provided was nothing more than their SF-425, which shows no information regarding how taxpayer money had been spent.⁴³⁰ My staff followed-up with Ms. Bowen and requested financial documents that I requested in my April 13 letter.⁴³¹ Ms. Bowen refused to send the requested document arguing that my staff could deduce how the taxpayer money was spent by cross-referencing their progress report.⁴³²

Ms. Bowen ignored multiple emails from my staff requesting financial documents.⁴³³ Finally, on August 27, 2023, she responded, “If [Senator Grassley] wants this information, he needs to come here to Knoxville Tennessee [sic] to see first hand what we do. We will share this information when he visits.”⁴³⁴ Ms. Bowen ignored my staff’s reply requesting financial documents.⁴³⁵

The EPA sent me SEEED’s SF-425 (which shows how much funding an organization received, the Federal share of expenditures, but not what the funding was spent on) and a progress

⁴²³ *Id.*

⁴²⁴ *Id.*

⁴²⁵ Emails on file with Committee.

⁴²⁶ Email on file with Committee.

⁴²⁷ Email on file with Committee.

⁴²⁸ Email on file with Committee.

⁴²⁹ Email on file with Committee.

⁴³⁰ Exhibit X at SBC 1.

⁴³¹ Email on file with Committee.

⁴³² Email on file with Committee.

⁴³³ Emails on file with Committee.

⁴³⁴ Email on file with Committee.

⁴³⁵ Email on file with Committee.

report on July 21, 2023. The SF-425 shows SEED was awarded \$200,000.⁴³⁶ As of January 31, 2023, SEED reported to the EPA that it had trained students to “find out information about what their neighbors want and need,” created a survey and collected data, analyzed data, conducted a focus group, designed a process and protocol for house calls, and trained students to do house calls.⁴³⁷ All other projects were reportedly “In process” or had not begun.⁴³⁸ I have not been provided with documentation with respect to how much taxpayer money was spent on each and every project or activity.

On October 27, 2023, my staff sent a request for updated information to all grantees.⁴³⁹ Additionally, my staff reminded SEED that I had not received a response to my initial letter and asked SEED to provide all documents that I initially requested.⁴⁴⁰ On October 27, 2023, Laurel Bowen refused to supply these requested documents. Instead, she responded, “[t]his information was submitted on our behalf by EPA, as well as submitted by me several months ago. There is no other information that we have available.”⁴⁴¹ This statement is not accurate because neither Ms. Bowen nor the EPA has ever sent my staff a P&L ledger or financial statement showing how SEED has spent the grant money awarded to it. Accordingly, none of the requested documents have been produced.

Y. St. Croix Foundation

St. Croix Foundation is located in St. Croix, Virgin Islands. The title of its project is “Terra Ay Ay Environmental Action Group.”⁴⁴² Specifically, the project seeks to “develop a community driven program that will provide the community with data and information on health and environmental risk and risk mitigation best practices.”⁴⁴³ The stated project activities include “establishing an Air Quality-Asthma monitoring system; developing an air monitoring program that produces data that is scientifically valid and useful to the community; and establishing a Community Steering Committee of local community advocates and concerned residents.”⁴⁴⁴

The expected outcomes of the project include “the development of new air quality ordinances and policies enacted by local government; decrease in the number of asthma-related hospital visits among community residents; and an increase in community dialogue about environmental impacts and public health.”⁴⁴⁵ The stated beneficiaries of this program are “low income/high density neighborhoods of primarily brown and black persons.”⁴⁴⁶

⁴³⁶ Exhibit II at SBC 202.

⁴³⁷ *Id.* at SBC 253-258.

⁴³⁸ *Id.*

⁴³⁹ Email on file with Committee.

⁴⁴⁰ Email on file with Committee.

⁴⁴¹ Email on file with Committee.

⁴⁴² U.S. Environmental Protection Agency, *2021 American Rescue Plan & EJ Collaborative Problem-Solving Award Project Summaries*, (last accessed Feb. 20, 2024) at 5, <https://www.epa.gov/system/files/documents/2021-12/2021-selected-ejcps-project-descriptions.pdf>.

⁴⁴³ *Id.*

⁴⁴⁴ *Id.*

⁴⁴⁵ *Id.*

⁴⁴⁶ *Id.*

On April 13, 2023, I sent a letter to Deanna James, President of St. Croix Foundation. The deadline to respond was April 27, 2023. St. Croix Foundation ignored my letter, missed the deadline to respond, and ignored follow-up emails from my staff.⁴⁴⁷

Ms. James eventually responded on May 18, 2023, in an email stating, “[i]t is my understanding that EPA responded to your inquiry on our behalf. We were instructed to allow them to take the lead as the grantor as they have all the relevant requested information surrounding the grant award process.”⁴⁴⁸ On the contrary, the EPA admitted it does not possess the relevant, requested information as it admitted to my staff that it does not currently have financial documents showing how organizations spent taxpayer money at this point in the life cycle of the grant.⁴⁴⁹ My staff responded to Ms. James informing her that I expect a full response from her organization.⁴⁵⁰

On May 31, 2023, my staff sent an email to Ms. James and St. Croix Foundation staff informing them that I had received reports from some grantees that the EPA had miscommunicated that the grantees need not respond to congressional oversight. My staff explained that I had a phone call with the EPA to clear up the matter and the EPA informed me that they never instructed a recipient not to respond. To the extent St. Croix Foundation had ignored my staff and my letter due to this confusion, the deadline to respond was extended to June 13, 2023.⁴⁵¹ Later that same day, on May 31, 2023, Ms. James sent a response to my letter.⁴⁵² Notably, St. Croix answered that as of May 31, 2023, it had not drawn down any funds.⁴⁵³

Separately, the EPA sent me St. Croix Foundation’s SF-425 (which shows how much funding an organization received, the Federal share of expenditures, but not what the funding was spent on) and a progress report on July 21, 2023. The SF-425 shows St. Croix Foundation was awarded \$200,000.⁴⁵⁴ However, the SF-424A that St. Croix Foundation sent me shows a total budget of \$205,865.⁴⁵⁵ As of June 7, 2023, St. Croix Foundation reported to the EPA that it had completed no projects.⁴⁵⁶ All projects were reportedly “In Process.”⁴⁵⁷ I have not been provided with documentation with respect to how much taxpayer money was spent on each and every project or activity, nor have I been provided with a progress report any more recent than July 7, 2023.

On October 27, 2023, my staff sent a request for updated information to all grantees.⁴⁵⁸ St. Croix Foundation has failed to respond.

⁴⁴⁷ Emails on file with Committee.

⁴⁴⁸ Email on file with Committee.

⁴⁴⁹ Email on file with Committee.

⁴⁵⁰ My staff included a typo in this email that was later clarified between my staff and Ms. James. Email on file with Committee.

⁴⁵¹ Email on file with Committee.

⁴⁵² Email on file with Committee.

⁴⁵³ Email on file with Committee.

⁴⁵⁴ Exhibit II at SBC 209.

⁴⁵⁵ Exhibit Y at SBC 1.

⁴⁵⁶ Exhibit II at SBC 243.

⁴⁵⁷ *Id.*

⁴⁵⁸ Email on file with Committee.

Z. Sustainable Solano, Inc.

Sustainable Solano, Inc. (Sustainable Solano) is located in Vallejo, California. The title of its project is “Vallejo Food Rescue Project.”⁴⁵⁹ Specifically, the project seeks “to connect invested community members, organizations, and stakeholders in Vallejo, California to coordinate a robust, hyper-local food rescue operation.”⁴⁶⁰ The stated project activities include “customizing the ‘FreeBites’ app; developing the Vallejo Food Rescue Toolkit (an implementation roadmap for other jurisdictions); providing outreach/education to food donors; and providing outreach/education to community-based organizations/individuals that receive/distribute food.”⁴⁶¹

The expected outcomes of the project include “increased communication and collaboration among partners/stakeholders; increased food security, resiliency, and better health in EJ communities impacted by COVID-19; reduction of landfilled food waste that contributes to climate change; and resources and readiness to expand the program to other jurisdictions in Solano County.”⁴⁶² The stated beneficiaries of this program are “residents of the zip codes: 94589, 94590, 94591, and 94592 in Vallejo, California.”⁴⁶³

On April 13, 2023, I sent a letter to Elena Karoulina, Executive Director of Sustainable Solano. The deadline to respond was April 27, 2023. Ms. Karoulina confirmed receipt on April 13, 2023, and sent a response on April 27, 2023.

Sustainable Solano’s financial documents it provided show that between March 2022 and December 2023, 87.1% or \$25,330.63, of Sustainable Solano’s spending was on salaries, benefits, “[s]ubaward” salary and benefits, “participants,” “meetings,” and “[o]verhead.”⁴⁶⁴ The remaining percentage, 12.9% or \$3,744.63, was spent on supplies, FreeBites and Club Stride, and printing.⁴⁶⁵ The most recent progress report provided shows, as of August 31, 2022, Sustainable Solano reported to the EPA it had completed the signing of the FreeBites contract and WAHEO subaward agreement.⁴⁶⁶ All other projects were reportedly “In Progress.”⁴⁶⁷ However, Sustainable Solano paused its grant project in August of 2022.⁴⁶⁸ The vast majority of taxpayer money was spent on overhead and subaward overhead.

Notably, Sustainable Solano reported to the EPA that the project was paused because there was infighting between Sustainable Solano and partner organizations.⁴⁶⁹ The infighting centered on how to measure the program’s success. Specifically, Sustainable Solano reported it initially

⁴⁵⁹ U.S. Environmental Protection Agency, *2021 American Rescue Plan & EJ Collaborative Problem-Solving Award Project Summaries*, (last accessed Feb. 20, 2024) at 19, <https://www.epa.gov/system/files/documents/2021-12/2021-selected-ejcps-project-descriptions.pdf>.

⁴⁶⁰ *Id.*

⁴⁶¹ *Id.*

⁴⁶² *Id.*

⁴⁶³ *Id.*

⁴⁶⁴ Exhibit Z at SBC 1.

⁴⁶⁵ *Id.*

⁴⁶⁶ *Id.* at SBC 4-8.

⁴⁶⁷ *Id.*

⁴⁶⁸ *Id.* at SBC 11.

⁴⁶⁹ *Id.* at SBC 10-11.

“defin[ed] success as people being fed, a reduction of edible food going into the landfill, and [the] community being strengthened and empowered through the process.”⁴⁷⁰ However, some team members “felt that adding goals of ending white supremacy culture in the food justice movement and centering the needs of Indigenous People were necessary to ground [their] work into the transformational realm as opposed to basic solutions for right now.”⁴⁷¹ Sustainable Solano reported that the brewing “mistrust and conflicts between team members” came to a head at the project team meetings where claims of “[d]isorganization,” “incidents perceived as racism,” and “perceived ‘white supremacy and colonization as main operating systems of Sustainable Solano and Food Is Free Solano’” were brought up in the group.⁴⁷² After this, “all work stopped to a halt.”⁴⁷³

Sustainable Solano’s progress report further reveals the EPA offered to perform “professional mediation” to “bring healing and clarity.”⁴⁷⁴ Sustainable Solano reported that it was paying for part of this mediation with taxpayer money but did not disclose how much.⁴⁷⁵

On October 27, 2023, my staff sent a request for updated information to all grantees.⁴⁷⁶ On November 8, 2023, Sustainable Solano replied.

In that reply, Ms. Karoulina, informed my staff that they “are in the process of cancelling [their] participation in [the EJCS] funding....”⁴⁷⁷ They planned to close their participation in the grant by December 31, 2023, because “[s]ome of the partner organizations had issues with each other which spilled out to their work in the community and ultimately lead [sic] to [Sustainable Solano’s] decision to put the project on hold.”⁴⁷⁸ My staff emailed Ms. Karoulina asking whether Sustainable Solano did in fact cancel their participation in the grant.⁴⁷⁹ Ms. Karoulina confirmed the organization did close its participation.⁴⁸⁰

AA. Tennessee Environmental Council

Tennessee Environmental Council (TEC) is a non-profit located in Nashville, Tennessee. The title of its project is “Extreme Home Cleanup Community Household Waste Events.”⁴⁸¹ Specifically, the project seeks to “organize a series of 10 ‘Extreme Home Cleanup’ community household waste events.”⁴⁸² The stated project activities include “recruitment and training of a project coordinator, selection of communities to host ‘Extreme Home Cleanup’ events, outreach

⁴⁷⁰ *Id.* at SBC 10.

⁴⁷¹ *Id.*

⁴⁷² Exhibit Z at SBC 11.

⁴⁷³ *Id.*

⁴⁷⁴ *Id.*

⁴⁷⁵ *Id.* at SBC 12.

⁴⁷⁶ Email on file with Committee.

⁴⁷⁷ Email on file with Committee.

⁴⁷⁸ Email on file with Committee.

⁴⁷⁹ Email on file with Committee.

⁴⁸⁰ Email on file with Committee.

⁴⁸¹ U.S. Environmental Protection Agency, *2021 American Rescue Plan & EJ Collaborative Problem-Solving Award Project Summaries*, (last accessed Feb. 20, 2024) at 8, <https://www.epa.gov/system/files/documents/2021-12/2021-selected-ejcps-project-descriptions.pdf>.

⁴⁸² *Id.*

to community leaders, development of educational materials and event logistics, implementation of events, and program sustainability and evaluation.”⁴⁸³

The expected outcomes of the project include “increased knowledge about how to properly recycle, increase in community recycling, reduced number of distressed properties, communities reporting cleaner, healthier living conditions, and improved air and water quality indicators.”⁴⁸⁴ The stated beneficiaries of this program are “low-to-moderate income or underserved communities in Tennessee.”⁴⁸⁵

On April 13, 2023, I sent a letter to Jeffrey Barrie, CEO of TEC. The deadline to respond was April 27, 2023. TEC ignored my letter, missed the deadline to respond, and ignored multiple follow-up emails from my staff.⁴⁸⁶

On May 15, 2023, Mr. Barrie responded for the first time requesting a deadline extension so that TEC could “give [me] the most thorough reply [TEC] can provide.”⁴⁸⁷ The deadline extension was granted, but then Abby Schneider, TEC Recycling Education & Outreach Manager, sent a non-reply that informed my staff that “[t]he EPA will send a response to [my] inquiry that will address details of [TEC’s] grant.”⁴⁸⁸ TEC further directed my staff to the “Office of the Inspector General (OIG)...for any financial or audit inquiries.”⁴⁸⁹ When my staff emailed Ms. Schneider to clarify whether the EPA had instructed their organization to not respond to my inquiry, she did not reply.⁴⁹⁰ After sending four, unanswered follow-up emails, Ms. Schneider finally responded saying, “we report to the EPA and they are responding on our behalf. You can make your request to them. We will not be responding further. Do not contact us any further.”⁴⁹¹

The EPA sent me TEC’s SF-425 (which shows how much funding an organization received, the Federal share of expenditures, but not what the funding was spent on) and a progress report on July 21, 2023. The SF-425 shows TEC was awarded \$200,000.⁴⁹² As of April 28, 2023, TEC reported to the EPA that it had completed three “Recycling Roundup” events; procurement of advertising means; outreach for the events; videos showcasing TEC’s work; hiring and training of a program manager; company training; scouting of ten to fifteen steering committee members; development of an application process for selection of communities to host the ten events; an announcement to local communities to apply to participate; notification of civic leaders to participate in project; invitation of elected officials to survey their constituents; and review of application data and responses.⁴⁹³ The other projects were reportedly “In Progress.”⁴⁹⁴ I have not

⁴⁸³ *Id.*

⁴⁸⁴ *Id.*

⁴⁸⁵ *Id.*

⁴⁸⁶ Emails on file with Committee.

⁴⁸⁷ Email on file with Committee.

⁴⁸⁸ Exhibit AA at SBC 1.

⁴⁸⁹ *Id.*

⁴⁹⁰ Email on file with Committee.

⁴⁹¹ Email on file with Committee.

⁴⁹² Exhibit II at SBC 205.

⁴⁹³ *Id.* at SBC 259-262.

⁴⁹⁴ *Id.* at SBC 261-262.

been provided with documentation with respect to how much taxpayer money was spent on each and every project or activity.

BB. Tree New Mexico

Tree New Mexico is located in La Mesa, New Mexico. The title of its project is “Tree Planting Partnership Increases Tree Canopy and Decreases Heat Island Index in the International District (ID) of Albuquerque, NM.”⁴⁹⁵ Specifically, the project seeks to “address the high Urban Heat Island Index in the International District, a large, underserved area of the southeast quadrant of Albuquerque, NM, by planting trees.”⁴⁹⁶ The stated project activities include “develop a citizen science Heat Island Index Mapping and Monitoring Program; preparing for ‘street tree’ planting and ‘special site’ planting; planting trees; conducting pruning workshops and providing tree care education.”⁴⁹⁷

The expected outcomes of the project include “an increase in residents watering their trees; an increase in survivability of trees planted and monitored with this program; increase in citizen tree stewards...; and a decrease in the Heat island Effect in ID as it relates to air quality and climate change.”⁴⁹⁸ The stated beneficiaries of this program are “residents of the International District neighborhood of Albuquerque.”⁴⁹⁹

On April 13, 2023, I sent a letter to James Maddox, President of Tree New Mexico. The deadline to respond was April 27, 2023. Sharon Horst sent a response to my letter on April 26, 2023, and follow-up information on September 8, 2023.⁵⁰⁰

According to its document production, Tree New Mexico’s budget allocates 68% or \$136,025 for personnel, travel, labor, and indirect costs.⁵⁰¹ The remaining percentage, 32% or \$63,975, is allocated for equipment, supplies, and equipment services.

Tree New Mexico provided my staff with forms of records to track the money spent including excel spreadsheets, a P&L ledger for December of 2021 through September of 2022, and a P&L ledger for July of 2023 that paint a partial picture of how some of the money was spent.⁵⁰²

The most recent progress report provided shows, as of May 30, 2023, Tree New Mexico reported to the EPA that it had planted 100 street trees, planted 100 fruit trees in front of yard gardens, completed a tree giveaway of 200 trees, completed tree stewards training with 5 scholarships, conducted 3 “Tree Walk & Talk” events, conducted three “Benefits of Trees” workshops, installed air quality monitors, conducted three more “Benefits of Trees” workshops for

⁴⁹⁵ U.S. Environmental Protection Agency, *2021 American Rescue Plan & EJ Collaborative Problem-Solving Award Project Summaries*, (last accessed Feb. 20, 2024) at 14, <https://www.epa.gov/system/files/documents/2021-12/2021-selected-ejcps-project-descriptions.pdf>.

⁴⁹⁶ *Id.*

⁴⁹⁷ *Id.*

⁴⁹⁸ *Id.*

⁴⁹⁹ *Id.*

⁵⁰⁰ Emails on file with Committee.

⁵⁰¹ Exhibit BB at SBC 51-53.

⁵⁰² *Id.* at SBC 3-4, 24-26, 51-53.

year two, and planted 50 fruit trees for year two.⁵⁰³ I have been provided documents showing the cost for some of these activities, such as \$14,209.17 spent on “Trees & Planting Materials” and \$1,116 for “Canvassers” from December 2021 to September 2022.⁵⁰⁴ However, I still have not been provided a full and complete understanding of how all taxpayer money was spent on Tree New Mexico’s projects and activities; only a fragmented, partial understanding.

On October 27, 2023, my staff sent a request for updated information to all grantees.⁵⁰⁵ On October 28, 2023, Shannon Horst responded that she “will not be able to do this by November 8.”⁵⁰⁶ Tree New Mexico has failed to provide updated documents.

CC. Tulalip Tribes of Washington

Tulalip Tribes of Washington (TTW) is located in Tulalip, Washington. The title of its project is “E-Learning Video Series for Enhanced Healthy Homes Education.”⁵⁰⁷ Specifically, the project seeks to “engage and empower tribal communities through an innovative, E-Learning approach to risk communication that helps tribal families identify, reduce, and prevent indoor air hazard.”⁵⁰⁸ The stated project activities include “design, production, piloting, and evaluation of a set of 12 videos, each 2–4 minutes in length that graphically depict indoor air hazards.”⁵⁰⁹

The expected outcomes of the project include “feedback and insights from tribal communities that help ensure the outreach tool (videos) are culturally tailored, and an enhanced method of healthy homes outreach that accelerates learning, enabling residents to recognize and avoid indoor air hazards.”⁵¹⁰ The stated beneficiaries of this program are “Tulalip Tribes, the Loudon Tribal Council, and the Poarch Band of Creek Indians.”⁵¹¹

On April 13, 2023, I sent a letter to Shelly Lacy, CEO of TTW. The deadline to respond was April 27, 2023. Ms. Lacy ignored my letter, missed the deadline, and ignored my staff’s follow-up emails.⁵¹² Then, on May 15, my staff received an automatic reply, for the first time, that Ms. Lacy had left her position and Wendy Fryberg or Rochelle Lubbers were the proper contact points.⁵¹³ My staff then emailed Ms. Fryberg and Ms. Lubbers. This email was ignored as well.⁵¹⁴

On May 31, 2023, my staff sent an email to Ms. Fryberg and Ms. Lubbers informing them that I had received reports from some grantees that the EPA had miscommunicated that the grantees need not respond to congressional oversight. My staff explained that I had a phone call with the

⁵⁰³ Exhibit II at SBC 277-281.

⁵⁰⁴ Exhibit BB at SBC 24-26.

⁵⁰⁵ Email on file with Committee.

⁵⁰⁶ Email on file with Committee.

⁵⁰⁷ U.S. Environmental Protection Agency, *2021 American Rescue Plan & EJ Collaborative Problem-Solving Award Project Summaries*, (last accessed Feb. 20, 2024) at 23, <https://www.epa.gov/system/files/documents/2021-12/2021-selected-ejcps-project-descriptions.pdf>.

⁵⁰⁸ *Id.*

⁵⁰⁹ *Id.*

⁵¹⁰ *Id.*

⁵¹¹ *Id.*

⁵¹² Emails on file with Committee.

⁵¹³ Email on file with Committee.

⁵¹⁴ Email on file with Committee.

EPA to clear up the matter and the EPA informed me that they never instructed a recipient not to respond. To the extent TTW had ignored my staff and my letter due to this confusion, the deadline to respond was extended to June 13, 2023.⁵¹⁵ Later that same day, on May 31, 2023, Ms. Lubbers replied for the first time asking for the letter to be resent.⁵¹⁶ My staff resent the letter.⁵¹⁷

On June 7, 2023, Lisa Koop Gunn sent me a response to my letter.⁵¹⁸ The response did not include any documents showing the progress of their program or financial records showing how the taxpayer money had been spent.⁵¹⁹ My staff sent a follow-up email requesting this information which I requested in my initial letter.⁵²⁰ Ms. Koop replied with a copy of TTW's progress report submitted to the EPA on November 3, 2022.⁵²¹

My staff sent several follow-up emails inquiring whether any taxpayer money had been spent as late as August 25, 2023.⁵²² Ms. Koop ignored these emails.⁵²³

The EPA sent me TTW's SF-425 (which shows how much funding an organization received, the Federal share of expenditures, but not what the funding was spent on) and a progress report on July 21, 2023. The SF-425 shows TTW was awarded \$199,999.⁵²⁴ As of April 28, 2023, TTW reported to the EPA that it had completed a review of bids and selection of contractors.⁵²⁵ All other projects were reportedly "Ongoing" or "In-Process."⁵²⁶ I have not been provided with documentation with respect to how much taxpayer money was spent on each and every project or activity.

On October 27, 2023, my staff sent a request for updated information to all grantees.⁵²⁷ TTW has failed to respond.

DD. Utah Clean Energy

Utah Clean Energy is located in Salt Lake City, Utah. The title of its project is "Advancing Climate Resiliency & Equity through Electrification."⁵²⁸ Specifically, the project seeks to "build resiliency and address[] indoor/outdoor air pollution challenges that have historically burdened Salt Lake City's Westside communities."⁵²⁹ The stated project activities include "1) build[ing] a shared understanding of beneficial electrification; 2) develop[ing] a community vision of what

⁵¹⁵ Email on file with Committee.

⁵¹⁶ Email on file with Committee.

⁵¹⁷ Email on file with Committee.

⁵¹⁸ Email on file with Committee.

⁵¹⁹ Email on file with Committee.

⁵²⁰ Email on file with Committee.

⁵²¹ Exhibit CC at SBC 2-6.

⁵²² Emails on file with Committee.

⁵²³ Emails on file with Committee.

⁵²⁴ Exhibit II at SBC 213.

⁵²⁵ *Id.* at SBC 300.

⁵²⁶ *Id.*

⁵²⁷ Email on file with Committee.

⁵²⁸ U.S. Environmental Protection Agency, *2021 American Rescue Plan & EJ Collaborative Problem-Solving Award Project Summaries*, (last accessed Feb. 20, 2024) at 17, <https://www.epa.gov/system/files/documents/2021-12/2021-selected-ejcps-project-descriptions.pdf>.

⁵²⁹ *Id.*

aspects of electrification are most important; 3) identify[ing] the unique opportunities and barriers that the communities will face; 4) bring[ing] stakeholders...into listening sessions...; and 5) co-develop[ing] strategies...to ensure that community needs and priorities are successfully integrated into planning.”⁵³⁰

The expected outcomes of the project include “increased climate resiliency...; long-term reductions in indoor/outdoor air quality pollutants...; improved health of community members and improved comfort of homes for those who participate; and increased community capacity to access resources and participate in future utility and local government electrification program.”⁵³¹ The stated beneficiaries of this program are “residents of Westside communities in Salt Lake City, UT.”⁵³²

On April 13, 2023, I sent a letter to Sarah Wright, Executive Director of Utah Clean Energy. The deadline to respond was April 27, 2023. While Ms. Wright originally expressed intent to provide a sufficient response, she emailed my staff on April 26, 2023, saying, “[i]t is my understanding that EPA is providing the information that you requested.”⁵³³

My staff sent multiple follow-up emails asking Ms. Wright to schedule a phone call to discuss as well as informing Ms. Wright that their organization had an obligation to respond to congressional oversight because it is a recipient of federal taxpayer money.⁵³⁴ Ms. Wright responded on May 2, 2023, saying, “[a]s mentioned, we were instructed by the U.S. EPA and their Office of General Counsel that their agency would be responding to your inquiry on behalf of Utah Clean Energy and all other EJPCS grant recipients.”⁵³⁵

On May 5, 2023, Rebecca Titze emailed an insufficient response to my staff. The response did not include any information on the progress of the grant program or documents showing how the taxpayer money had been spent.⁵³⁶ Ms. Titze ignored multiple follow-up emails from my staff.⁵³⁷

On May 31, 2023, my staff sent an email to Ms. Titze informing her that I had received reports from some grantees that the EPA had miscommunicated that the grantees need not respond to congressional oversight. My staff explained that I had a phone call with the EPA to clear up the matter and the EPA informed me that they never instructed a recipient not to respond. To the extent Utah Clean Energy had ignored my staff and my letter due to this confusion, the deadline to respond was extended to June 13, 2023.⁵³⁸

⁵³⁰ *Id.*

⁵³¹ *Id.*

⁵³² *Id.*

⁵³³ Email on file with Committee.

⁵³⁴ Emails on file with Committee.

⁵³⁵ Email on file with Committee.

⁵³⁶ Email on file with Committee.

⁵³⁷ Emails on file with Committee.

⁵³⁸ Email on file with Committee.

On June 5, 2023, Attorney Jeffrey Corey, counsel for Utah Clean Energy, sent a letter to my staff “in response to [the] May 31, 2023, email...”⁵³⁹ That letter read, in part, “EPA has never instructed Utah Clean Energy to not respond to Senator Grassley’s letter. At all times during this process, Utah Clean Energy has made its own decisions on how to respond and has not been limited, restrained, or directed by EPA or any other agency, individual, or entity.”⁵⁴⁰

My staff replied to Mr. Corey asking for a better understanding on contradictory statements.⁵⁴¹ The statements were by Mr. Corey who wrote, “EPA has never **instructed** Utah Clean Energy to not respond to Senator Grassley’s letter,”⁵⁴² and by Ms. Wright who wrote, “it is my understanding that EPA is providing the information that [the Senator] requested,” and “...we were **instructed** by the U.S. EPA...that their agency would be responding to [the Senator’s] inquiry on behalf of Utah Clean Energy....”⁵⁴³ Additionally, my staff reiterated its request for a sufficient response from Utah Clean Energy.⁵⁴⁴

Mr. Corey ignored this email and only responded after a follow-up email from my staff.⁵⁴⁵ On July 25, 2023, Mr. Corey sent a response to my staff accusing my staff of “intentionally misconstru[ing] prior communication from Utah Clean Energy while simultaneously ignoring [Mr. Corey’s] June 5, 2023, letter.”⁵⁴⁶ He wrote that he “will not dignify your [staff’s] attempt to find ‘contradictions’ in Utah Clean Energy’s position with a response other than to direct you[r staff] to [his] June 5, 2023, letter....”⁵⁴⁷ Additionally, Mr. Corey stated that he was “not aware of any statute, regulation or other legal authority that requires Utah Clean Energy to” provide a complete response.⁵⁴⁸ Mr. Corey ended the letter by stating, “[t]o the extent you believe you are empowered to compel Utah Clean Energy to provide you with additional information, please specify the legal basis for this belief.”⁵⁴⁹

As discussed above in the obstruction section, my staff provided such basis in an email to Mr. Corey on July 25, 2023.⁵⁵⁰ However, Mr. Corey has ignored that email and all of my staff’s follow-up emails.⁵⁵¹

The EPA sent me Utah Clean Energy’s SF-425 (which shows how much funding an organization received, the Federal share of expenditures, but not what the funding was spent on) and a progress report on July 21, 2023. The SF-425 shows Utah Clean Energy was awarded \$200,000.⁵⁵² As of February 28, 2023, Utah Clean Energy reported to the EPA that it had hosted

⁵³⁹ Exhibit DD at SBC 4-5.

⁵⁴⁰ *Id.*

⁵⁴¹ Email on file with Committee.

⁵⁴² Exhibit DD at SBC 4.

⁵⁴³ Email on file with Committee (emphasis added).

⁵⁴⁴ Email on file with Committee.

⁵⁴⁵ Email on file with Committee.

⁵⁴⁶ Exhibit DD at SBC 3.

⁵⁴⁷ *Id.*

⁵⁴⁸ *Id.*

⁵⁴⁹ *Id.*

⁵⁵⁰ Email on file with Committee.

⁵⁵¹ Emails on file with Committee.

⁵⁵² Exhibit II at SBC 214.

monthly meetings with EPA staff and partners, conducted a community survey, finalized the community engagement plan, held three community education sessions, and gave 24 homes a “Home Electrification Plan.”⁵⁵³ I have not been provided with documentation with respect to how much taxpayer money was spent on each and every project or activity.

EE. Vista Community Clinic

Vista Community Clinic (VCC) is located in North San Diego County, California. The title of its project is “Planning for the road ahead: Innovating in emergency preparedness planning for farmworker communities.”⁵⁵⁴ Specifically, the project seeks to “update and modernize an existing farmworker-specific emergency response plan.”⁵⁵⁵ The stated project activities include: “conduct[ing] a needs-based assessment...in order to design health education tools...for the dissemination of a farmworker-specific emergency response plan that also addresses wildfire risks, healthcare access, farmworker-specific health disparities, and COVID-19.”⁵⁵⁶ The stated beneficiaries of this program “are Southern California farmworkers, farmworkers around the U.S., and Promotoras that oversee the health and safety of the workers.”⁵⁵⁷

On April 13, 2023, I sent a letter to Fernando Sañudo, CEO of VCC. The deadline to respond was April 27, 2023. VCC sent a response on April 27, 2023, and supplemental documents on June 20, 2023.⁵⁵⁸

According to financial documents VCC provided, from September 2022 to May 2023, 100% or \$71,807.71, of VCC’s spending was used for employee benefits, personnel, travel, office supplies, subcontractors, stipends, indirect costs, and “incentives.”⁵⁵⁹

The progress report VCC provided shows, as of February 28, 2023, VCC reported to the EPA it made project presentations, attended meetings to recruit participation, presented a project timeline, met with partner agencies, developed an assessment, included feedback into a final version of the assessment, viewed assessment with community leaders, trained community leaders on recruiting responses, collected 100 responses, and “[did] a power mapping activity.”⁵⁶⁰ All other projects were reportedly “In Progress.”⁵⁶¹ I was not provided with documentation with respect to how much taxpayer money was spent on each and every project or activity.

⁵⁵³ *Id.* at SBC 287-288.

⁵⁵⁴ Noncapitalized words in original. U.S. Environmental Protection Agency, *2021 American Rescue Plan & EJ Collaborative Problem-Solving Award Project Summaries*, (last accessed Feb. 20, 2024) at 19, <https://www.epa.gov/system/files/documents/2021-12/2021-selected-ejcps-project-descriptions.pdf>.

⁵⁵⁵ *Id.*

⁵⁵⁶ *Id.* at 20.

⁵⁵⁷ *Id.*

⁵⁵⁸ Email on file with Committee.

⁵⁵⁹ Exhibit EE at SBC 14.

⁵⁶⁰ *Id.* at SBC 40-43.

⁵⁶¹ *Id.*

On October 27, 2023, my staff sent a request for updated information to all grantees.⁵⁶² On November 8, 2023, VCC sent a response accompanied by an updated financial statement and progress report.

The updated financial statement VCC provided revealed that as of September 2023, 100% or \$97,039.92, of VCC's cumulative expenses were spent on salaries and wages, fringe benefits, travel, office supplies, subcontractors, incentives, stipends, and indirect costs.⁵⁶³ \$20,000 of this money was spent on "[s]ubcontractors."⁵⁶⁴ VCC reported that two subcontractors, Farmworkers Justice and Universidad Popular, mainly provided feedback and guidance on curriculum development, program tools, participant outreach, and partnership development.⁵⁶⁵ However, it is unknown how much money each received.

As of August 31, 2023, VCC reported to the EPA that it analyzed "[n]eeds assessment data," wrote a first draft of a "training curriculum," did a "power mapping activity" to "identify partners missing at the table," held monthly meetings to track progress, held "brainstorm" meetings and activities, completed a "final document" of a training curriculum with "Working Group" feedback included, completed an "outline draft" of each "curriculum kit's materials," "engaged" with farmworker communities via "Community Leaders," and developed "emergency preparedness presentations."⁵⁶⁶ All other projects were reportedly in progress or pending. The cost of each and every project and activity is unknown.

FF. Wabanaki Public Health and Wellness

Wabanaki Public Health and Wellness (Wabanaki) is located in Maine. The title of its project is "Wabanaki Environmental Capacity-Building and Leadership Development."⁵⁶⁷ Specifically, the project seeks to "aid in limiting the adverse impacts of the COVID-19 pandemic on five indigenous groups of Wabanaki Native Americans in Bangor, Maine."⁵⁶⁸ The stated project activities include the creation of programs to train youth leaders to expand upon existing initiatives to "improve clean water access, healthcare infrastructure, disaster preparedness, and education on air quality."⁵⁶⁹

The expected outcomes of the project include "aims to expand environmental health worker capacity by 40%."⁵⁷⁰ The stated beneficiaries of this program are "the Wabanaki Native Tribes and tribal youth."⁵⁷¹

⁵⁶² Email on file with Committee.

⁵⁶³ Exhibit EE at SBC 37.

⁵⁶⁴ *Id.*

⁵⁶⁵ Exhibit EE at SBC 13.

⁵⁶⁶ *Id.* at SBC 19-22.

⁵⁶⁷ U.S. Environmental Protection Agency, *2021 American Rescue Plan & EJ Collaborative Problem-Solving Award Project Summaries*, (last accessed Feb. 20, 2024) at 3, <https://www.epa.gov/system/files/documents/2021-12/2021-selected-ejcps-project-descriptions.pdf>.

⁵⁶⁸ *Id.*

⁵⁶⁹ *Id.*

⁵⁷⁰ *Id.*

⁵⁷¹ *Id.*

On April 13, 2023, I sent a letter to Lisa Sockabasin, Co-CEO of Wabanaki. The deadline to respond was April 27, 2023. Wabanaki sent a response on April 21, 2023, and a supplemental document on April 26, 2023.⁵⁷²

Those documents Wabanaki provided show that as of April 26, 2023, 98.9% or \$141,488.01, of Wabanaki's spending was on salaries, fringe benefits, travel, computer software and equipment, office supplies, service contracts, subscriptions and membership fees, lease space, repair and maintenance, professional fees, communications, utilities, moving, and indirect costs.⁵⁷³ The remainder of the percentage, 1.1% or \$1,595.88, was spent on conference/training, program supplies, postage, and printing.⁵⁷⁴ The vast majority of taxpayer money was spent on service contracts and overhead.

The most recent progress report provided shows, as of December 31, 2022, Wabanaki reported to the EPA that it had implemented the Colored Paper Project in each of the five tribal communities in Maine and completed a report which identifies staff knowledge of the EPA health topics selected by the organization.⁵⁷⁵ All other projects were reportedly "in process" or have not been completed.⁵⁷⁶ I have not been provided with documentation with respect to how much taxpayer money was spent on each and every project or activity.

On October 27, 2023, my staff sent a request for updated information to all grantees.⁵⁷⁷ Wabanaki has failed to respond.

GG. Western Reserve Land Conservancy

Western Reserve Land Conservancy (WRLC) is located in Cleveland, Ohio. The title of its project is "Building Healthy and Resilient Cleveland Neighborhoods through Vacant Land Reuse."⁵⁷⁸ Specifically, the project seeks to "build upon previous investments in vacant land planning to establish an environmental justice framework for vacant land reuse and management."⁵⁷⁹ The stated project activities include "engaging major stakeholders in vacant land management; building a framework for vacant land reuse; development of data driven policies for implementation; and development of a collaboratively-built, open source database and planning tool to guide vacant land reuse projects and management strategies."⁵⁸⁰

The expected outcomes of the project include "adoption of vacant land management strategies, greater sense of resident ownership, improved aesthetics and safety on vacant land,

⁵⁷² Emails on file with Committee.

⁵⁷³ Exhibit FF at SBC 53-54.

⁵⁷⁴ *Id.*

⁵⁷⁵ Exhibit FF at SBC 10-12.

⁵⁷⁶ *Id.*

⁵⁷⁷ Email on file with Committee.

⁵⁷⁸ U.S. Environmental Protection Agency, *2021 American Rescue Plan & EJ Collaborative Problem-Solving Award Project Summaries*, (last accessed Feb. 20, 2024) at 11, <https://www.epa.gov/system/files/documents/2021-12/2021-selected-ejcps-project-descriptions.pdf>.

⁵⁷⁹ *Id.*

⁵⁸⁰ *Id.*

reduction of illegal dumping, and an increase in air quality.”⁵⁸¹ The stated beneficiaries of this program are “residents of underserved communities in Cleveland, OH.”⁵⁸²

On April 13, 2023, I sent a letter to Rich Cochran, President of WRLC. The deadline to respond was April 27, 2023. WRLC sent a response on April 21, 2023, and supplemental documents on May 8, 2023.⁵⁸³

According to financial documents WRLC provided, as of May 5, 2023, 100% or \$48,092, of WRLC’s spending had been used for partners, consultants, contractors, and meals.⁵⁸⁴ However, the progress report WRLC provided to the EPA shows that, as of March 1, 2023, WRLC had convened with all stakeholders to produce a “[v]acant land ecosystem map” which identified 100+ stakeholders; conducted PechaKucha presentations; established working groups; completed a first draft of “barriers to implementation;” created four problem statements and prototype solutions; developed “priority project;” and created a library of existing plans.⁵⁸⁵ All other projects were reportedly ongoing, in development, or not yet started.⁵⁸⁶ Some of the specific project activities WRLC listed in the progress report were invoiced to WRLC from outside organizations. For example, the “Stakeholder summit / Advisory Committee meeting” WRLC reported it had completed on February 16, 2023,⁵⁸⁷ coincides with an invoice from Seventh Hill LLC for \$440.⁵⁸⁸ However, I was not provided with documentation with respect to how much taxpayer money was spent on each and every project or activity.

On October 27, 2023, my staff sent a request for updated information to all grantees.⁵⁸⁹ On November 8, 2023, WRLC sent a response accompanied by an updated financial statement and progress report.⁵⁹⁰

The updated financial statement WRLC provided revealed that from May 2023 to August 2023, WRLC spent \$468.50 on meals.⁵⁹¹ Therefore, WRLC’s financial documents show that 100% of WRLC’s spending was on partners, consultants, contractors, and meals.⁵⁹² WRLC’s progress report it submitted to the EPA on August 31, 2023, shows no new completed projects.⁵⁹³

HH. Yurok Tribe

Yurok Tribe is located in Klamath, California. The title of its project is “Climate Resiliency in Yurok and Karuk Ancestral Territories – Creating a Data Collection Plan for Prescribed and

⁵⁸¹ *Id.*

⁵⁸² *Id.*

⁵⁸³ Emails on file with Committee.

⁵⁸⁴ Exhibit GG at SBC 17.

⁵⁸⁵ *Id.* at SBC 99-103.

⁵⁸⁶ *Id.*

⁵⁸⁷ *Id.*

⁵⁸⁸ Exhibit GG at SBC 3.

⁵⁸⁹ Email on file with Committee.

⁵⁹⁰ Email on file with Committee.

⁵⁹¹ Exhibit GG at SBC 65.

⁵⁹² *Id.* at SBC 17, 64-65.

⁵⁹³ *Id.* at SBC 66-70.

Cultural Burns.”⁵⁹⁴ Specifically, the project seeks to “create a scalable and adaptable data collection plan to evaluate the environmental impacts of conducting prescribed and cultural burns.”⁵⁹⁵ The stated project activities include “conducting quarterly project meetings; creating working groups where experts in specific fields can gather to discuss the data collection plans and protocols for their emphasis; and developing a data collection plan with partner feedback.”⁵⁹⁶

The expected outcomes of the project include “the collection of a large dataset to compare the effectiveness of prescribed and cultural burns as a catastrophic wildfire prevention in various ecosystems and microclimate; increased partnership and collaboration on prescribed and cultural burns in the region; and increased climate resiliency in Yurok and Karuk ancestral territories.”⁵⁹⁷ The stated beneficiaries of this program are “members of the Yurok, Karuk, and Hoopa Tribes.”⁵⁹⁸

On April 13, 2023, I sent a letter to Joe James, Council Chairman of Yurok Tribe. The deadline to respond was April 27, 2023. Yurok Tribe ignored my letter, missed the deadline to respond, and ignored multiple follow-up emails from my staff.⁵⁹⁹

On May 31, 2023, my staff sent an email to Chairman James and other Yurok Tribe staff informing them that I had received reports from some grantees that the EPA had miscommunicated that the grantees need not respond to congressional oversight. My staff explained that I had a phone call with the EPA to clear up the matter and the EPA informed me that they never instructed a recipient not to respond. To the extent Yurok Tribe had ignored my staff and my letter due to this confusion, the deadline to respond was extended to June 13, 2023.⁶⁰⁰

After sending this email, my staff received a phone call from Yurok Tribe staff, and they told my staff they would work on a response. However, no response was provided.

Jodi Hoone, Grants and Contracts Compliance Officer at Yurok Tribe responded to my staff’s tenth unanswered email and asked if my staff could answer questions. My staff and Jodi Hoone scheduled a call to discuss on August 29, 2023. On the call, Yurok Tribe represented to my staff they it would take the preparation of its response seriously as it worked on one that week.⁶⁰¹ However, Yurok Tribe never provided a response to my oversight letter.

The EPA sent me Yurok Tribe’s SF-425 (which shows how much funding an organization received, the Federal share of expenditures, but not what the funding was spent on) and a progress report on July 21, 2023. The SF-425 shows Yurok Tribe was awarded \$199,983.⁶⁰² As of October 31, 2022, Yurok Tribe reported to the EPA that it is in the process of creating partnerships within

⁵⁹⁴ U.S. Environmental Protection Agency, *2021 American Rescue Plan & EJ Collaborative Problem-Solving Award Project Summaries*, (last accessed Feb. 20, 2024) at 20, <https://www.epa.gov/system/files/documents/2021-12/2021-selected-ejcps-project-descriptions.pdf>.

⁵⁹⁵ *Id.*

⁵⁹⁶ *Id.*

⁵⁹⁷ *Id.*

⁵⁹⁸ *Id.*

⁵⁹⁹ Emails on file with Committee.

⁶⁰⁰ Email on file with Committee.

⁶⁰¹ Phone call with Jodi Hoone and Yurok Tribe staff and Senate Budget Committee staff (Aug. 29, 2023).

⁶⁰² Exhibit II at SBC 200.

the Yurok and Karuk communities to conduct scientific research.⁶⁰³ I was not provided with documentation with respect to how much taxpayer money was spent on each and every project or activity.

On October 27, 2023, my staff sent a request for updated information to all grantees.⁶⁰⁴ Additionally, my staff reminded Yurok Tribe that I had not received a response to my initial letter and asked Yurok Tribe to provide all documents that I initially requested.⁶⁰⁵ Yurok Tribe has failed to respond.

Conclusion

Over three years ago, I warned that the Biden administration's American Rescue Plan was a political wish list disguised as COVID relief. Now, having conducted a preliminary investigation into one of its EPA administered grant programs, it looks exactly like that now more than ever. The \$4.3 million of taxpayer money spent by the ECJPS program has largely been used on overhead at left-leaning, climate change nonprofits. The Biden EPA program is effectively deputizing dozens of organizations into the employment of the EPA rather than providing quantifiable results for the taxpayer.⁶⁰⁶

Furthermore, my investigation was met with obstruction, delay, and obfuscation by the Biden EPA. The administration is throwing millions of dollars away without proper oversight, and when Congress asks constitutionally responsible oversight questions to determine exactly how taxpayer money was spent, it's met with active obstruction.

With Americans suffering from record inflation and being forced to make difficult financial decisions, it is insulting to learn that their government has transferred millions of dollars to be spent on pruning workshops, acceptance of trees, singing presentations, and the like. Moreover, many of these organizations have failed to provide Congress exact details to illustrate how much taxpayer money has actually been spent on the respective grantee programs and projects. Lastly, the EPA's oversight is severely lacking as it doesn't even know how much taxpayer money is spent on specific aspects of each funded project and instead only knows how much taxpayer money each grantee has drawn down from their respective grants.

I imagine one would be hard-pressed to find any American taxpayer that would be satisfied with millions of their dollars being spent without the requisite detail showing them exactly how and what that money was spent on. I suspect the same would be true of the EPA's failure to properly oversee the taxpayer money they're required to manage and track so that waste, fraud, and abuse is eliminated.

The American taxpayer deserves better from its government. My congressional investigation will continue.

⁶⁰³ *Id.* at SBC 297.

⁶⁰⁴ Email on file with Committee.

⁶⁰⁵ Email on file with Committee.

⁶⁰⁶ U.S. Environmental Protection Agency, *2021 American Rescue Plan & EJ Collaborative Problem-Solving Award Project Summaries*, (last accessed Feb. 20, 2024) <https://www.epa.gov/system/files/documents/2021-12/2021-selected-ejcps-project-descriptions.pdf>.