

# Investing in Our Communities

## Assessing the Climate Justice Aims in Selected Inflation Reduction Act Grants

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# Key Findings & Recommendations

Representing the largest federal investment in addressing climate change in United States history, the Inflation Reduction Act (IRA) would deliver significant federal benefits to communities facing environmental injustices, bearing the overwhelming brunt of toxic pollution, and enduring underinvestment in infrastructure and critical services.<sup>1</sup>

The bill allocates **\$369 billion** through competitive grants, loans, bonds, and tax credits for eligible entities. This report analyzes three grants within the IRA:

- Environmental and Climate Justice (ECJ) Block Grants
- Greenhouse Gas Reduction Fund (GGRF)
- Neighborhood Access and Equity (NAE) Grant

We urge the Environmental Protection Agency to address the following findings so that communities on the frontlines of climate change can benefit from this historical climate investment.

## Accessibility

- Information on what is required under a given grant, how to apply and who may be eligible is hard to find and, in certain cases, overwhelming.
- Information is not always available and accessible in languages spoken by target communities.
- The System for Award Management (SAM) application process, a prerequisite for all the grants, is lengthy and burdensome.
- Grant information is not always shared with an appropriate amount of time to apply.
- Program requirements favor larger CBOs with pre-existing government relationships and those who have the funds and capacity to access governmental agencies and entities, making it difficult for smaller CBOs with limited capacity to access these programs.

## Accountability

- It is not clear how environmental justice communities can engage with these programs or raise concerns with how funds are used. Reporting mechanisms are unclearly defined or do not exist yet.

## Eligibility

- More clarity about terms like “disadvantaged communities” is needed to help ensure funds are equitably allocated to reach target beneficiaries.

## Transparency

- The IRA lacks a feedback loop between federal agencies and community-based organizations to ensure that feedback from CBOs gets implemented.
- The boards and working groups responsible for engaging the public to ensure successful grant implementation disproportionately favor government officials, federal employees, and finance and business leaders.

## We recommend that the Environmental Protection Agency:

- Implement outreach programs in which information is widely publicized and sent directly to potential applicants. Agencies should use a variety of methods beyond online outreach to spread awareness of these funding opportunities including partnering with community organizations directly.
- Continue to conduct public consultation processes throughout the life of a program to gather feedback. Implement guidance.
- Because grants and funding amounts are earmarked towards larger and higher-capacity organizations, implementation rules need to include strong requirements around community partnership.
- Close the feedback loop and establish mechanisms to respond to and address public comments.
- Clarify how grant recipients are held accountable to serve “disadvantaged communities” and communicate those reporting mechanisms online and during the initial application process.
- Introduce additional resources such as helplines or expert assistance with the grant process.
- Include information in Indigenous languages and those spoken by migrant communities and expand translation services.
- Provide other avenues, such as Letter of Interest processes or real-time interviews, for applicants with limited capacity to assess program fit and to submit applications.
- Ensure that the boards and working groups responsible for public participation and a transparent implementation process, such as the Environmental Financial Advisory Board, are representative of the low-income and disadvantaged communities that would benefit from these programs.

# Executive Summary

President Joe Biden signed the Inflation Reduction Act (IRA) into law in August 2022.<sup>2</sup> The IRA establishes several new environmental justice grant programs to improve public health, reduce pollution, and revitalize communities that are, in the Environmental Protection Agency’s terms, “disadvantaged, underserved, and overburdened with pollution,”<sup>3</sup> while increasing access to affordable and accessible clean energy and creating high-quality jobs with good benefits and union representation.<sup>4</sup>

The IRA presents a unique opportunity to address climate justice for Black, Latiné, and working-class communities.<sup>5</sup> Our findings address areas for improvement that would further strengthen this groundbreaking legislation and support communities on the front lines of climate change. This report first summarizes key advocacy takeaways for the IRA overall, assessing the **accessibility, accountability, eligibility, and transparency** of each grant and outlining the barriers to implementation that keep community-based groups from fully benefiting from these funds. We then present an in-depth analysis of three programs for future grant or agency-specific advocacy efforts. We based our analysis on a review of Environmental Protection Agency (EPA) websites, application portal landing pages,<sup>6</sup> and public comments sourced from community-based nonprofit organizations.

The bill allocates **\$369 billion** through competitive grants, loans, bonds, and tax credits for eligible entities. This report analyzes three grants within the IRA:

- Environmental and Climate Justice (ECJ) Block Grants
- Greenhouse Gas Reduction Fund (GGRF)
- Neighborhood Access and Equity (NAE) Grant

The application cycle for ECJ Block Grants has already closed, the GGRF is about to launch, and there is no information released yet about the NAE Grant.

*“Our organization is not planning on applying for funding due to the difficulties in figuring out the process. We had a hard time navigating the different websites and finding the different forms we had to fill out. I don’t think we would consider applying in the future.”*

—Staff member, Center for Popular Democracy affiliate organization

**While the legislation is groundbreaking, federal funding agencies need to address the following critical questions for community-based groups to feel its full impact:**

**Accessibility**

How accessible and readily available is information for potential applications? How could policymakers increase access for communities that have not historically benefited from federal funding?

**Accountability**

How are these grants accountable to the communities they resource? What mechanisms are in place to ensure that funding and resources flow to the intended beneficiaries? Are appropriate feedback structures in place?

**Eligibility**

How are eligible beneficiaries and target communities defined?

**Transparency**

How do agencies make grant information available, and to whom? Are there opportunities for communities and applicants to provide feedback?

# Summary of Key Recommendations

## Accessibility

**Problem: Information on what is required under a given grant, how to apply and who may be eligible is hard to find and, in certain cases, overwhelming.**

Some grants, such as the Neighborhood and Equity Access Grant, do not have information yet. Other grants, like the ECJ Block Grants, have considerable information and resources. However, the volume of information can be overwhelming and inaccessible to a layperson.

**Recommendation: Introduce additional resources such as helplines or expert assistance with the grant process.**

Helplines and expert assistance are particularly important for smaller community-based organizations that may require additional support in navigating the process.

**Problem: Information is not always available and accessible in languages spoken by target communities.**

Grant websites and application materials for the three grants examined are only available in English.

**Recommendation: Include information in Indigenous languages and those spoken by migrant communities and expand translation services.**

Language access could increase funding accessibility for disadvantaged communities, an explicit goal of these grants. The EPA must ensure robust outreach through the EJ Thriving Communities Technical Assistance Centers Program to ensure that communities have technical support plus translation and interpretation services.

**Problem: The System for Award Management (SAM) application process, a prerequisite for all the grants, is lengthy and burdensome.**

Applicants must have an active SAM.gov and Grants.gov registration to apply. The process can take a month or more for new registrants. Additionally, applicants must renew their registration annually, which gives a competitive edge to organizations that have received federal funding in the past year and creates a disincentive for smaller organizations with limited capacity and resources to apply. For example, the checklist for the SAM.gov registration process is 18 pages long.<sup>7</sup> Registration on SAM.gov provides a “UEI” that only validates an organization’s legal business name and address. After applicants receive their UEI, they register on Grants.gov to apply for funding, an additional process.

**Recommendation: Provide other avenues, such as Letter of Interest processes or real-time interviews, for applicants with limited capacity to assess program fit and to submit applications.**

Applicants with limited capacity can submit a letter of interest for an initial program screening before submitting a completed application. The EPA can then confirm whether the applicant is a good fit for the program and encourage applicants to finish applying, then provide technical resources and any other assistance the applicant may need to complete the application.

The EPA also considered offering an oral presentation component to reduce the paperwork burden. The Alaska Native Tribal Health Consortium conceded that some written application component might be necessary but suggested offering an interview or question-and-answer session to replace parts of the application process.<sup>8</sup>

**Problem: Grant information is not always shared with an appropriate amount of time to apply.**

The application timeline for the ECJ Block Grants was extremely crunched, with application and eligibility information released approximately three months before the deadline. The opportunity for public comment, initially just one month, was later extended to two. No timeline or information is available for other grants, such as the Neighborhood Access and Equity Grant, making it difficult for potential applicants to prepare or for stakeholders to provide feedback on the application process. Multiple eligible applicants for the ECJ grants indicated they learned about grant opportunities last minute and from other nonprofits rather than the EPA.

Exacerbated by the complexity and lengthiness of the registration process, lack of information adds another barrier for applicants, especially for organizations with fewer resources.

**Recommendation: Implement outreach programs in which information is widely publicized and sent directly to potential applicants. Agencies should use a variety of methods beyond online outreach to spread awareness of these funding opportunities including partnering with community organizations directly.**

Examples could include different methods of informational outreach outside of webinars – virtual, in-person, and media/print information. Agencies should work with community leaders and trusted messengers to share information appropriately and provide more time for submitting public comments.

**Problem: Program requirements favor larger CBOs with pre-existing government relationships and those who have the funds and capacity to access governmental agencies and entities, making it difficult for smaller CBOs with limited capacity to access these programs.**

Some programs, such as the EJG2G program, require partnerships between a CBO and at least one government agency. Larger CBOs with higher capacity and resources have a head start in building these relationships with government agencies. These program requirements risk overlooking impacted communities who have not had the time or opportunity to build these relationships.

**Recommendation: Because grants and funding amounts are earmarked towards larger and higher-capacity organizations, implementation rules need to include strong requirements around community partnership.** The EPA could also incentivize government agencies and large organizations to pursue partnerships with smaller CBOs.

## Accountability

**Problem: It is not clear how environmental justice communities can engage with these programs or raise concerns with how funds are used. Reporting mechanisms are unclearly defined or do not exist yet.**

All three grants lack clarity on how grant recipients are held accountable for serving intended beneficiaries (i.e., “disadvantaged communities”). Given the purpose of these grants to support climate resilience for communities hard hit by climate change, it is crucial that grant recipients demonstrate how funding will directly benefit these communities. Reporting mechanisms are not communicated online or during the initial application process, which gives organizations little time to prepare for any future reporting requirements.

**Recommendation: Clarify how grant recipients are held accountable to serve “disadvantaged communities” and communicate those reporting mechanisms online and during the initial application process.**

*“We understand that the government needs to justify [spending] of taxpayer funds. We are not aware of reporting requirements yet, but we are a bit fearful – we have heard [of the difficulty] from others. We have talked to others who have extreme annoyance with the process, but we are not there yet. We try to be protective of staff time, and focus on organizing and movement work.”*

—**Stefan Keller**, Staff member, Make the Road Pennsylvania/Connecticut

*“CBOs should not only support a community, but have a proven relationship with the community. ‘Support’ is much too broad, as that can be a singular occurrence, but the intention of a CBO for the ECJ program is for organizations that are accountable to the community to be awarded project funds. There must be an element of accountability, which should be easily demonstrated if the CBO has substantially engaged with the community.”<sup>9</sup>*

—Green New Deal Network

## Eligibility

**Problem: More clarity about terms like “disadvantaged communities” is needed to help ensure funds are equitably allocated to reach target beneficiaries.**

The guidelines lack clarity for certain terms used to describe beneficiaries (i.e., “disadvantaged and underserved communities”<sup>10</sup> and “communities disproportionately burdened by environmental harms”<sup>11</sup>).

**Recommendation: Continue to conduct public consultation processes throughout the life of a program to gather feedback. Implement guidance.**

The EPA has conducted several public consultation processes to collect feedback on defining these terms. Still, the EPA and other funding agencies must implement these suggestions to ensure guidance is comprehensive and does not exclude any communities at high risk for environmental or climate harm.

*“For an agency to meaningfully engage with the individuals and communities that are most impacted—and have historically been traumatized by—benefits programs, policies, rules, processes, and operations, administrators must first acknowledge and research the racist history of these federal policies and their local implementation. Agency officials should engage in training to better understand the impact of systemic racism, implicit bias, and white supremacy to better understand current programs and regulations, as well as their origins. There should also be trainings to better understand the value and importance people with lived experience bring to conversations about policy and systems change.*

*“Community-based organizations, which often catalogue local histories and experiences and have earned community trust, can be strong partners in opening lines of dialogue between agencies and the people directly (or ideally) impacted by the policies they administer. It is critical that agencies seek out partnerships with organizations that are led by Black, Indigenous, Latinx, AA&NHPI, LGBTQ+, and immigrants, which have supported communities when the federal government and administering agencies have failed to do so, as well as provide adequate passthrough funding. These partnerships should be conducted with humility (rather than transactionally, as if communities owe the government something), to successfully build trust and create dialogue.”<sup>12</sup>*

**—Center for Law and Social Policy**

# Transparency

**Problem: The IRA lacks a feedback loop between federal agencies and community-based organizations to ensure that feedback from CBOs gets implemented.**

Currently, no mechanism exists to ascertain whether public comments are reviewed and adequate amendments or clarifications made to the IRA. Upon initial review, it appears that certain concerns raised by the public, such as ambiguity surrounding the term “disadvantaged communities,” have been only partially addressed by the agency providing additional clarification in the grant proposal guidance documents.

**Recommendation: Close the feedback loop and establish mechanisms to respond to and address public comments.**

The Request for Information (RFI) mechanism utilized by the EPA for the ECJ Block Grants is a good model for soliciting public feedback and can be replicated for other grants. The EPA should, however, close the feedback loop and ensure that agencies address these public comments meaningfully.

**Problem: The boards and working groups responsible for successful implementation of the grants disproportionately favor government officials, federal employees, and finance and business leaders.**

As part of the EPA’s efforts to engage with the public, the EPA established the Environmental Financial Advisory Board (EFAB), an advisory expert committee that launched a series of listening sessions with the general public and key stakeholder groups to express concerns about the implementation of the Greenhouse Gas Reduction work group. However, the current EFAB Board informing the implementation of the GGRF disproportionately consists of officials from state and local governments, leaders from the finance community and other business industries, and selected federal employees. Although a helpful tool for oversight, **only three seats on the 37-seat EFAB** are currently occupied by members from tribal, environmental, and other non-governmental organizations.

**Recommendation: Ensure that the boards and working groups responsible for public participation and a transparent implementation process, such as the Environmental Financial Advisory Board, are representative of the low-income and disadvantaged communities that would benefit from these programs.**

To ensure the EFAB is representative of the communities that are meant to benefit from the Greenhouse Gas Reduction Fund, including low-income and disadvantaged communities, the Board should diversify its members. The EPA should facilitate greater representation from local communities, NGOs, and tribes on the EFAB, make the selection process for members more transparent, and continue to ensure meetings are recorded and open to the public.

# Environmental and Climate Justice Block Grants

## Key Takeaways

- The many available resources for potential applicants should be made more accessible to first-time federal grant applicants and non-English speakers. Additional support, such as translations and helplines, would also benefit accessibility.
- Applicants only had three months to complete a complex application with long wait times to sign up for the application platform successfully. To ensure applicants have the time to apply, the EPA should improve early outreach to potential applicants, especially for smaller community-based nonprofit organizations (CBOs)<sup>13</sup> that may require additional support in navigating the process.
- There needs to be more clarity around certain terms used to define the purpose and scope of grants and their intended beneficiaries. The EPA should provide clear guidance regarding terms such as “disadvantaged communities.”
- Accountability structures, such as reporting mechanisms, are unclear and may be burdensome for smaller CBOs. There is also a lack of accountability metrics towards the communities intended to benefit from the grants.

## Background

The Environmental and Climate Justice (ECJ) Block Grants<sup>14</sup>, funded at **\$3 billion**, invest in community-led projects in “disadvantaged communities” and community capacity-building centers to address disproportionate environmental and public health harms related to pollution and climate change. Within the program, two separate block grants are available: the Environmental Justice Collaborative Problem-Solving Cooperative Agreement for community-based nonprofit organizations and the Environmental Justice Government to Government Program for local government entities.

To be eligible for the ECJ Block Grants, projects are required to address one of the following areas:

- Community-led air and other pollution monitoring, prevention, and remediation, and investments in low-emission and resilient technologies and related infrastructure and workforce development that help reduce air pollutants,
- Mitigating climate and health risks,

- Climate resiliency and adaptation,
- Reducing indoor toxins and indoor air pollution,
- Facilitating engagement of disadvantaged communities in public processes.<sup>15</sup>

Eligible project activities are not strictly outlined, and examples provided include research and public education, workforce development, equitable transportation and mobility, and small-scale clean-ups.

These Environmental and Climate Justice Block Grants comprise two main programs:

- The Environmental Justice Collaborative Problem Solving Cooperative Agreement (EJCPSA)
- The Environmental Justice Government to Government (EJG2G) program

The Environmental Justice Collaborative Problem Solving Cooperative Agreement (EJCPSA) provides financial assistance to community-based nonprofit organizations or a partnership of community-based nonprofits to address local environmental and public health issues in their communities. Using a collaborative problem-solving model, the grant supports CBOs in building partnerships with stakeholders (such as local businesses, local government, academia, etc.) to develop solutions to environmental or public health issues at the community level.

The EJCPSA has been an Environmental Protection Agency program since 2004, receiving an estimated **\$30 million** in funding through the IRA.<sup>16</sup> \$25 million has been allocated for CBOs proposing projects for up to \$500,000 each, with around 50 awards anticipated. Another \$5 million is allocated for qualifying small CBOs with five or fewer full-time employees proposing projects for up to \$150,000 each, with approximately 33 awards anticipated.<sup>17</sup> Special consideration will be given to applicants working to address climate justice issues in “underserved and vulnerable communities,”<sup>18</sup> as well as projects that will support rural areas.

The Environmental Justice Government to Government (EJG2G) program provides funding to governmental entities at the state, local, territorial, and tribal levels to support and create model government activities that lead to measurable environmental or public health results in communities disproportionately burdened by environmental harms and risks.<sup>19</sup> The IRA funds this program at a total of **\$1 million each** for 70 three-year projects.<sup>20</sup> The funding is split between different levels of government, with twenty funded projects for state, local, and tribal levels, respectively, and ten projects in U.S. territories and remote tribes.

The EPA announced the request for applications on January 10, 2023,<sup>21</sup> and the application deadline for the ECJ Block Grants was April 14, 2023, with selected projects set to commence in November 2023 for a 3-year funding period. Interested eligible entities were required to apply through SAM.gov and Grants.gov, then submit multiple documents such as a project narrative form, itemized budget sheet, environmental results/logic model, and letters of commitment from partner organizations (in addition to federal funding forms and contracts).

## Accessibility

The ECJ Block Grants and their purpose, eligibility, and application requirements are outlined on the EPA website. Most of the information applicants need to apply successfully is in one centralized location on a landing page for the grant.<sup>22</sup> The EPA landing page includes a grant overview, organization eligibility criteria, deadline details, information on earmarked funds, project eligibility criteria, links to the application, EPA contact information of one staff member for assistance, and additional resources, including informational videos and webinars, FAQs, prior years' funded projects, case studies from the EJCPSCA program, and a factsheet on the program.

The EPA has also released a separate document elaborating on the application process and requirements for each block grant.<sup>23</sup> This document provides step-by-step instructions and questions that applicants must answer for all parts of the application. Detailed merit evaluation criteria are provided for every application component, as well as an overview of the review and selection process. In the appendix, the EPA provides additional recommendations for preparing a strong application templates and examples for budget sheets, and other resources. The EPA hosted two pre-application assistance webinars for the ECJ Block Grants in January and February 2023.<sup>24</sup>

While plentiful, this information may be overwhelming and difficult to digest for a layperson, given that there is a large volume of data and no available helpline to address questions and assist with the grant process outside of resolving technical issues with the grant submission portal.<sup>25</sup> This may raise concerns of an indirect bias towards larger CBOs that have greater capacity, including prior experience accessing federal funding. These challenges may undermine the ECJ Block Grants' primary objective of benefitting historically disadvantaged communities.

In a public comment, the American Public Health Association (APHA) described the need to "diversify methods of informational outreach, including offering virtual, in person, and media/print information, and working with community leaders to share information appropriately."<sup>26</sup> They also discussed the lack of translation services provided by the EPA and suggested adding a "capacity-building component to support organizations in continuing their grant activities once the funding period ends."<sup>27</sup> The APHA also recommended that due to the limited capacity of interested organizations, "before communities submit a full application, they could submit a short letter of interest for initial program screening prior to application submission. If the letter of interest indicates that the group is a good fit for the program, EPA can then request a full application."<sup>28</sup>

The published grant guidelines have several accessibility issues. The EPA does not provide consistent translation services for non-English speakers and does not have translated documents on the grant landing page. If application resources in languages other than English exist, they are not readily accessible. Additionally, EPA guidance states that applications must be written in English, and "applications written in languages other than English will not be considered for award."<sup>29</sup>

*“To reach those most in need of funding and technical assistance from this grant program and to ensure they have the ability and capacity to apply and maintain its requirements, EPA should continue to reduce barriers to information about the grant program and to the application process. This means firstly, diversifying methods of informational outreach, including offering virtual, in-person, and media/print information, and working with community leaders to share information appropriately. Additionally, EPA should increase accessibility and inclusivity in existing informational and application mediums, such as by providing language translation services and offering all materials in culturally and linguistically appropriate services.”*

—**Georges C. Benjamin, MD**, Executive Director, American Public Health Association

**Considering the overlap between communities disproportionately affected by climate change and immigrant or non-English speaking communities, the EPA should provide more access to translation services.**

While the EPA has identified this need and established the Environmental Justice Thriving Communities Technical Assistance Centers Program to establish a network of 17 technical assistance centers across the nation to provide direct assistance, training, and capacity-building support to organizations and communities in partnership with the EPA and the Department of Energy, this program is very new, and the centers are not scheduled to operate until June 2023 to June 2028. Each center would receive \$10 million to assist “underserved and overburdened communities.”<sup>30</sup> It is unclear how prospective grant applicants can access these services, but this program could be a step in the right direction. However, the Alaska Native Tribal Health Consortium noted that Tribes and Tribal organizations would still be excluded due to the agency’s region-specific requirements.<sup>31</sup>

**The truncated application timeline also presents barriers to access, especially for first-time applicants for federal funding.**

*“Our main hurdle has been getting the Systems for Award Management (SAM) number. We submitted an application and are waiting for it to come back. Because of the time it takes to get a SAM number, ... we’re not sure we’ll get something in on time.”*

—**Jeffrey Lichtenstein**, Director of Development, OnePA

Although there were three months between the announcement of the grant opportunity and the application deadline, registering through the online federal funding portals SAM.gov and Grants.gov is a complicated and lengthy process. It can take up to one month to complete SAM.gov registration,<sup>32</sup> and applicants who might not have learned about the ECJ block grant opportunities at the time of initial publication would be limited in their ability to submit an application on time. Amendments to the Request for Application (RFA) for the EJG2G program were introduced as late as February 21, 2023,<sup>33</sup> while the application deadline was April 14, 2023. This limited time frame can make it difficult for organizations to apply, and some staff at nonprofit organizations felt discouraged and decided not to apply.

This barrier is particularly burdensome for smaller CBOs that might have less capacity to prepare multiple application forms and documents in addition to completing the online registration process on time. Considering that the EJCPSCA specifically allocates **\$5 million** for small CBOs with five or fewer full-time employees, the EPA should be mindful of the application challenges smaller organizations face and should set realistic deadlines, streamline the application, and provide adequate support for applicants with questions about the process.

*“[The EPA should] support community-based organizations (CBOs) that are already performing work in the identified program areas within disadvantaged communities and allow funding to be used to support those organizations’ operational expenses... many CBOs are under-resourced and have limited capacity to devote to comprehensive federal reporting requirements. Acknowledging the need for proper oversight, we recommend that EPA implement different reporting requirements and frequency for government grantees versus CBO grantees.”<sup>34</sup>*

—**Richard Jackson**, Interim Director, District of Columbia Department of Energy and Environment

## Accountability

While there is considerable EPA guidance and resources available for the ECJ Block Grants, it is unclear how accountability mechanisms will play out for each of these grants. Both the EJG2G and the EJCPSCA envision a partnership model between multiple stakeholder groups, as the EJG2G program requires partnerships between eligible community-based organizations and a minimum of one governmental entity (local, state, or federal level), while the EJCPSCA grant requires a collaborative partnership between an organization and another stakeholder group.

The allocation of responsibilities of each of these partners is not delineated clearly in available information about these grants. This leads to considerable ambiguity in terms of responsibility allocation, cost burden or splits, documentation, and process obligations such as conducting environmental impact assessments, fund management, and ultimate responsibility for managing the project. The ECJ Block Grants require applicants to submit “letters of commitment” with partnering entities but do not provide any support on what these should look like. Smaller CBOs may be disadvantaged in such a situation, owing to concerns of lower bargaining power and capacity to negotiate, which could negatively impact the success of these grants.

The EJG2G program envisions the creation of government structures and partnerships which could be replicated in the future but does not define governmental roles or responsibilities. It would be appropriate for governmental responsibilities to be well-defined in light of the EJG2G’s overall objective of creating “model government activities.”

**The EPA needs to streamline the reporting process, clarify success metrics, and offer reporting guidelines that reduce reporting burdens on awardees.**

The grant landing page uses terms such as “measurable and meaningful results” in connection with these grants, with no real explanation of what these results should look like or how they should be measured.<sup>35</sup> A larger overarching question of accountability is the lack of clarity on reporting mechanisms and EPA oversight after fund distribution. The IRA needs to envision accountability structures towards the ECJ Block Grant’s intended beneficiaries themselves: historically disadvantaged communities. Grant reporting should be simplified, with a streamlined and transparent process, to reduce the burden on organizations that are low on capacity. According to the Alaska Native Tribal Health Consortium, “Other EPA grants ... require extensive quarterly reports, and it is a common complaint from Tribes that these reports are administratively burdensome because they take a lot of time, money, and capacity to prepare these written reports. These resources should be redirected to doing the work they are supposed to be doing, instead of reporting on it.”<sup>36</sup>

*“[P]riority should be given to organizations that serve communities that bear the most acute impacts of climate change, including Latino, immigrant, farmworker, and low-income groups. According to the EPA’s Social Vulnerability report, Latinos in the U.S. are more likely than nonHispanic Whites to experience heat waves, powerful hurricanes, sea level rise and floods. The EPA should consider requiring that grant recipients either 1) demonstrate they serve climate-impacted communities; or 2) work in a census tract that reflects demographic groups that represent climate-impacted groups.”<sup>37</sup>*

—**Christian Arana**, Vice President of Policy, Latino Community Foundation

**“EPA should ensure any reporting requirements are easy to understand and provide technical assistance to grantees to report the relevant information. Where possible, EPA should reduce the frequency and simplify grant reporting. One way to streamline the process is assigning one staff member per grantee to support a community-based organization or local government through implementation. The organization and the support person should have regularly scheduled meetings to discuss the project, its ongoing progress, and any questions an organization may have instead of significant reporting. EPA can provide technical assistance to entities needing help with reporting. It can also take steps in the program design to minimize the reporting burden by providing clear guidance about what information is needed.”<sup>38</sup>**

**Nina Victoria, J.D.**

Community Advocate

Center for Coalfield Justice

Center for Popular Democracy affiliate

The ECJ Block Grants also do not seem to have any grievance redressal mechanism in place. This holds true for concerns or grievances for various stages of the grant process, including pre-application and application stages, the competition process, funding decisions and allocation, and implementation. Grievances may relate to questions of eligibility, the rationale for rejection of an application, options to re-submit applications in case of error, receipt of partial funding, and fallout of a partnership during any stage of the grant cycle. Given that both grants require high degrees of collaboration between multiple organizations and groups, it would be prudent to have a codified grievance redressal structure.

## Eligibility

The EJG2G program requires a partnership between a CBO and at least one government agency. While this may be imperative in its mandate towards creating “model governmental activities,” such a requirement may indirectly favor larger CBOs with pre-existing government relationships and those who have the funds and capacity to access governmental agencies and entities. Only eligible organizations have access to EJG2G funds through their governmental partnerships.<sup>39</sup> These prerequisites, while aspirational and often necessary, may prove limiting on the ground. Beyond the one government partnership that is mandated in the application, the EJG2G guidance encourages applicants to partner with at least three different stakeholder groups.<sup>40</sup> A state, federally recognized tribal government, or local government qualifying partnership with a CBO counts as only one stakeholder group. Such large groups and partnership structures may lead to operational roadblocks with considerable potential for miscommunication, poor project management, inefficiency, and deadlock.

*“The communities CCJ represents are energy communities located in a region that ranks among the top five greatest emitters of greenhouse gasses worldwide, the primary cause of which is the oil and gas industry. Our service area also includes the largest emitter of methane in the United States, Consol Energy’s Bailey Coal Mine. Not to mention the prevalent legacy pollution by which our members are affected. However, most Washington and Greene County communities are not designated as environmental justice, underserved, or disadvantaged. Thus, the Biden Administration should adjust definitions to include more impacted communities.*

*Additionally, more metrics should be considered when designating underserved, disadvantaged, or environmental justice communities. The Climate and Economic Justice Screening Tool does not reckon with cancer rates under the Health burden, abandoned and orphaned oil and gas wells under the Legacy Pollution burden, or the percentage of people reliant on fossil-fuel-related jobs under the Workforce Development burden. Additionally, the current presence of polluting industries and their cumulative impacts on a community must be considered. Otherwise, the tool is not considering major concerns for our communities.”<sup>41</sup>*

—Nina Victoria, J.D., Community Advocate, Center for Coalfield Justice

The ECJ Block Grants have specifically been designed to benefit historically “disadvantaged communities,” which colloquially refers to communities that have faced a disproportionate impact of climate change and fallouts of environmental degradation and destruction. This terminology is often used in climate justice circles, but the lack of clear definition of the term in the IRA is cause for concern. Certain secondary governmental resources refer to the EPA’s Environmental Justice Screening Tool as a method for understanding what constitutes a “disadvantaged community.” However, public comments solicited by the EPA raise concerns about the ambiguity of terms defining the intended beneficiaries of these grants.<sup>42</sup>

Similarly, while the IRA calls for “environmental justice” considerations to be included in application documents for the EJG2G program, the EPA needs to provide direction on what this term entails. This could be a double-edged sword, as the lack of a strict definition allows entities to make expansive and purposive arguments towards environmental justice, yet such freedom may inhibit fund flows to communities that need it the most.

## Transparency

On February 9, 2023, the EPA issued a Request for Information (RFI) to solicit public comments on the ECJ Block Grants.<sup>43</sup> The RFI requested input about program design, types of projects to fund, reducing application barriers, reporting and oversight, and technical assistance. As of April 2023, **180 public comments were posted on the federal website**. Anyone could download and read the feedback. The ability of individuals and organizations to submit feedback to the EPA is crucial to ensure transparency and public involvement in the decision-making process. Since the ECJ Block Grants are meant to support communities vulnerable to disproportionate climate change impacts, groups working on the ground alongside communities should be able to shape the grant and its implementation.

The EPA’s RFI covered five main aspects of the ECJ process:<sup>44</sup>

- ECJ Program Design
- Types of Projects to Fund
- Reducing Application Barriers
- Reporting and Oversight
- Technical Assistance

While the EPA received 180 public comments from individuals and groups, participation in the one informational webinar about how the public could submit feedback to the EPA seemed sparse. The EPA hosted one informational webinar on March 10, 2023.<sup>45</sup> After the webinar, they posted the slides, a summary of the questions and answers, and the webinar recording. “The key audience for this webinar was community-based organizations, environmental justice organizations, and environmental justice community advocates and leaders.”<sup>46</sup> It is not clear how the webinar was publicized and how many

attended, but the summary of questions and answers during the webinar lists questions from a total of six participants, which is a very small number.

The RFI should be continued throughout the funding disbursement process, but the EPA should widely publicize it through a variety of outreach methods, beyond one informational webinar, to ensure that they are receiving feedback from as many impacted individuals and organizations as possible. It is also essential that the EPA communicate how it will use public comments to amend and improve the ECJ Block Grants and that they are held accountable for implementing feedback.

# Greenhouse Gas Reduction Fund

## Key Takeaways

- Available resources for potential applicants should be made more accessible to first-time federal grant applicants and organizations with no or limited English proficiency. Additional support, such as translations and helplines, would also benefit accessibility.
- Because grants and funding amounts are earmarked to larger and higher-capacity organizations, implementation rules need to include strong requirements around community partnership.
- The EPA engaged in a consultation process to obtain public comments on various issues regarding outreach and accessibility to low-income and disadvantaged communities. The EPA should state how their guidelines addressed the public comments received.
- Listening sessions and the consultation process facilitated by the EPA lasted for fewer than two months, which is not enough time for communities to provide meaningful feedback. To ensure applicants have time to successfully submit feedback, the EPA should improve early outreach, especially for smaller CBOs.
- Advocacy efforts with the Environmental Financial Advisory Board (EFAB)<sup>47</sup> could include contacting local representatives on the board, asking for more CBO and tribal representation on the board, and asking the EPA to ensure board meetings are transparent, recorded, and open to the public.

## Background

The Greenhouse Gas Reduction Fund (GGRF) will provide competitive grants of nearly **\$27 billion** to “mobilize financing and leverage private capital for clean energy and climate projects that reduce greenhouse gas emissions.”<sup>48</sup> This first-of-its-kind program has an emphasis on projects that benefit low-income and disadvantaged communities and includes three separate grant competitions:

- the National Clean Investment Fund (NCIF)
- the Clean Communities Investment Accelerator competition (CCIA)
- the Solar for All competition

The NCIF competition will award **\$14 billion** across 2-3 national nonprofits that can partner with private capital providers. Together, they will help finance businesses, communities, community lenders, and more to create tens of thousands of clean technology projects. Its goal is to progress communities towards a net-zero future.<sup>49</sup>

The CCIA competition will award a collective **\$6 billion** to 2-7 hub nonprofits that can build the financing capacity of public, quasi-public, and nonprofit community lenders. These would include Native community development financial institutions, credit unions, green banks, housing finance agencies, minority depository institutions, and more. They would funnel this financing towards small businesses, schools, and households in low-income and disadvantaged communities to fund cost-saving and pollution-reducing clean technology projects.<sup>50</sup>

The Solar for All competition will award **\$7 billion** in up to 60 competitive grants to states, tribes, municipalities, and eligible nonprofit entities. Its purpose is to enable the deployment of residential rooftop solar, community solar, and associated storage and upgrades in low-income and disadvantaged communities to ensure all families have access to low-cost clean energy.<sup>51</sup>

**The EPA aims to disburse the \$27 billion in funding by September 30, 2024.**<sup>52</sup>

## Accessibility

While all three grant competitions are targeted towards low-income and disadvantaged communities, the NCIF and CCIA are aimed towards well-resourced national nonprofit organizations that already have connections to private capital providers and community lenders. Among the three grant competitions under the Greenhouse Gas Reduction Fund, the NCIF and the CCIA are specifically aimed towards national nonprofits and “hub nonprofits” respectively. For these grant programs, the EPA’s initial announcement initially designated a **\$20 billion** “General and Low-Income Assistance Competition” and expected to award between 2-15 grants total for this competition to eligible nonprofit entities that could partner with community financing institutions.<sup>53</sup>

As the EPA formally rolls out these grant application processes, the EPA will need to ensure that these nonprofit organizations are accountable to the local low-income and disadvantaged communities that need access to these funds. Members of the EPA’s designated “workgroup” for implementation of the GGRF noted that the deployment of funds needed to be timely and that nonprofit recipients needed a track record and long-term, trusted relationships with low-income and disadvantaged communities alongside clean energy expertise.<sup>54</sup> One member suggested that the EPA accept applications on a rolling basis until September 1, 2024, as close to the disbursement deadline as possible.<sup>55</sup>

## Eligibility

As of May 2023, detailed information about the application process was not released by the EPA. Current guidance states that “the Agency expects to release Notice of Funding Opportunities for these competitions in early summer 2023, which will clarify the details of each funding opportunity and further details about the project eligibility.”<sup>56</sup>

The EPA provided some ways to influence the eligibility criteria for the NCIF and CCIA grants. The EPA conducted listening and advisory sessions, reaching out to the general public to get advice on implementation that takes into account issues of accessibility for low-income and disadvantaged communities. As part of these sessions, the EPA published a list of questions relevant to each grant<sup>57</sup> to consider as part of the consultation process. Since the consultation process is now over, the next step is to make sure the EPA incorporates public feedback on these issues. Relevant questions from this consultation process are listed in the Appendix.

## Transparency

As part of the EPA’s efforts to engage with the public, the EPA established the Environmental Financial Advisory Board (EFAB), an advisory expert committee tasked with identifying ways to lower costs and increase investment impact, including a Greenhouse Gas Reduction Fund Workgroup.<sup>58</sup>

As part of the greater consultation process, the EPA launched a series of listening sessions with the general public and key stakeholder groups to express their concerns about the implementation of the GGRF. Zoom sessions took place in November 2022, and session recordings are publicly available on the EPA website and YouTube.<sup>59</sup> In these sessions, the EPA provided guidance on ways the public can communicate with the EPA and encouraged submitting public comments.<sup>60</sup>

Within their short time frame, the EPA appears to have invested time and effort into encouraging public participation in the implementation process, including feedback on how to best ensure funds reach low-income and disadvantaged communities. Examples of such questions and comments were published by the EPA as part of the consultation processes<sup>61</sup> and can be found in the Appendix.

### **Aspects of the consultation process advantaged larger, well-resourced organizations to influence grant criteria and distribution.**

While key timeframes and deadlines are not yet publicly available, the IRA was enacted in August 2022, and the listening sessions took place in November 2022, with final “deliverables” from the Workgroup due December 15, 2022.<sup>62</sup> This quick turnaround, in addition to a less than one-month window to submit public comments, was not enough time for communities to meaningfully engage with the consultation process. EFAB admitted that because of the “compressed timeline of two months,” they felt that they

would not be able to host panels or take “steps they typically take when more time is available.”<sup>63</sup>

Smaller organizations with less capacity might not have been aware of this process, further disadvantaging their feedback from being successfully considered by the EPA. Unless an organization has the capacity to keep close track of the process and frequently check websites for updates, they would likely miss the information. Information about the consultation process is only available in English, which may prevent non-English speaking communities or communities with limited English proficiency from participating. The initial call for public comments, participation guidelines, and resources should have been published in additional languages.

In addition, the current EFAB Board informing the implementation of the GGRF consists of officials from state and local governments, leaders from the finance community and other business industries, selected federal employees, and other members such as tribal, environmental, and other non-governmental organizations. Although a helpful tool for oversight, **only three seats on the 37-seat EFAB** are currently occupied by members from tribal, environmental, and other non-governmental organizations.<sup>64</sup> To ensure the EFAB is representative of the communities that are meant to benefit from the Greenhouse Gas Reduction Fund, including low-income and disadvantaged communities, the Board should diversify its members. The EPA should facilitate greater representation from local communities, NGOs, and tribes on the EFAB, make the selection process for members more transparent, and continue to ensure meetings are recorded and open to the public.

# Neighborhood Access and Equity Grant

## Key Takeaways

- There is no information about the application process for the Neighborhood Access and Equity grant yet.
- Concerns include providing adequate information with enough time to ensure the communities that would benefit from this program can provide feedback about the mechanism as well as access funding.
- Care should be taken to increase transparency around the application process and to ensure that disadvantaged communities – for which some of the funds are earmarked – are equitably identified and engaged in the process as well represented in award recipients.
- Organizations should begin working with and advocating to their local government to identify potential projects even information about the application is released.

## Background

The Neighborhood Access and Equity Grant provides nearly **\$1.9 billion** in grant awards to projects in communities that have been divided or cut off from economic opportunity by highway infrastructure or that increase green space.<sup>65</sup> About a third of the funding in the Neighborhood Access and Equity grant is designated for “economically disadvantaged communities.” The Federal Highway Administration will be responsible for distributing the IRA funds through a competitive grant process.

In light of the implementation challenges outlined above, the EPA has an opportunity with the upcoming Neighborhood Access and Equity grant rollout to ensure language access, decrease the application burden on smaller organizations, and provide adequate information for organizations to work with local governments to identify potential projects.

## Accessibility

Like all other IRA government grant programs, the application would be submitted through the Grants.gov portal and requires a SAM.gov registration, for which information is only available in English. As noted above, these applications are burdensome processes that are difficult to navigate, even if English is one's first language. Additionally, though tribal governments are eligible to apply, no information is available in Indigenous languages.

The EPA should also consider providing technical assistance to applicants, prioritizing resources for organizations from economically disadvantaged communities. This practice would be a good step in increasing accessibility and providing additional assistance to targeted communities, and should be incorporated in the Neighborhood Access and Equity Grant process if there are not already plans to do so.

## Accountability

Information about the reporting requirements for the Neighborhood Access and Equity Grant is not yet available. As with the other programs, the EPA should streamline reporting requirements and state any procedures up front so smaller organizations can prepare.

## Eligibility

The IRA identifies three types of programs eligible for funding under the Neighborhood Access and Equity Grant:<sup>66</sup>

- 1) Capital construction projects to “improve walkability, safety, and affordable transportation access through projects that are context-sensitive.”
- 2) Capacity building activities to identify, assess, plan, and engage the public in projects eligible for capital construction projects.
- 3) Projects that mitigate or remediate harms from existing infrastructure in economically disadvantaged communities.

While only state, tribal, territorial, and local governments and metropolitan planning organizations can apply for funding for capital projects, planning, and technical assistance funds are available to CBOs.<sup>67</sup>

The NAE offers opportunities for local advocacy. Local governments should be incentivized to work closely with CBOs to ensure that they are aligned in their plans to apply for capital project funding.

Additionally, the IRA designates **\$1.26 million** for “economically disadvantaged communities.”<sup>68</sup> Planning and capacity-building grants, as well as projects to mitigate or remediate negative impacts from existing infrastructure, are only available to economically disadvantaged communities. Applicants can prove that projects are for economically disadvantaged communities using one of the following tools:<sup>69</sup>

- EPA Environmental Justice Screening and Mapping tool (EJSCREEN), Socio-economic indicator for low income, block groups in the 80th percentile or above, compared to the State.
- Areas of Persistent Poverty table for the County or Census tract level.
- DOT's mapping tool for Historically Disadvantaged Communities. See Transportation Disadvantaged Census Tracts in ArcGIS Dashboards.
- Other Federally designated community development zones (for example: Opportunity Zones, Empowerment Zones, Promise Zones, or Choice Neighborhoods).

One potential concern is ensuring that the funds earmarked for “disadvantaged communities” are equitably distributed, especially considering the lack of current information about the program. This is especially important for potential applicants as the grants for technical assistance (for capacity building) and planning (for researching/planning potential projects) are available to CBOs and only for disadvantaged communities, as defined above.

## Transparency

There is little information available yet about the Neighborhood Access and Equity grant. Neither the Department of Transportation nor the Federal Highway Administration (FHWA) has released information about the grant or application process. Under the IRA, funds are available to the FHWA until September 30, 2026,<sup>70</sup> though it is not clear how long the grant cycle will be once funds are awarded.

Given the condensed timelines of other IRA-funded programs, such as the ECJ Block Grants, it is critical to provide information early to ensure that all eligible organizations have enough time to prepare application materials to apply. The lack of transparency around the application process, as well as a timeline about when information will be available, prevents organizations from adequately preparing application materials in advance and may favor larger or more well-resourced organizations that can prepare applications quickly.

Additionally, there is no information yet about opportunities for public comment or other feedback mechanisms, which are important to ensure all stakeholders are involved in developing the application process, especially based on lessons learned through the Reconnecting Communities application process. The lack of public information about opportunities to inform the application process favors organizations with preexisting relationships with federal agencies, a concern for equitable distribution of funds. Given the goals of this grant are to repair historical harms done by infrastructure, there is a need to ensure new voices are represented in both award recipients and the application process itself.

Some government programs send emails to unsuccessful applicants with information on how to request a debrief about their application,<sup>71</sup> which helps provide transparency to the decision-making process and should be included in any application process for the Neighborhood Access and Equity Grant.

# Conclusion

The IRA represents an enormous opportunity to address climate change. Black, Indigenous, Latiné, low-income communities — the people who have the lowest carbon footprint — are the most impacted by the devastating impacts of the climate crisis. How do we ensure that those who face the rapidly increasing effects of industry-caused crises are defining solutions and accessing key government investments needed to create a thriving earth?

We recognize that the EPA has the challenge of delivering IRA funds in a short time frame to address the urgency of climate change while also incorporating feedback to ensure that the communities on the front lines of climate change receive the funds we need to revitalize our communities. The key takeaways and recommendations identified in this report are intended to increase equity in accessing funding for our communities. More community input is needed to continue identifying gaps and opportunities in the IRA, funding opportunities, application processes, and feedback mechanisms.

# Appendix:

## Selected EPA discussion questions

The following questions were selected from **discussion questions** posed by the EPA during a consultation process and are ones that could inform future advocacy initiatives.

1. How should the EPA integrate the needs of underserved communities into the design of this program, taking into consideration: a. What equity and justice concerns, opportunities, or priorities are most relevant for this program and how can EPA best help address them?
2. How can EPA best address the statutory requirement to consider the “degree to which greenhouse gas air pollution is projected to be reduced in total and with respect to low-income and disadvantaged communities?”
3. How can EPA structure this program to facilitate cooperation and coordination within and across tribal, local, regional, and state agencies to implement climate policies?”
4. How can EPA ensure the benefits of this program reach low-income and disadvantaged communities?
5. What metrics should this program use for measuring success and ensuring accountability?
6. How can we help ensure this program addresses concerns of near-port communities and advances environmental justice?
7. What should EPA consider in the design of the program to encourage grantees to support high quality jobs and adhere to best practices for labor standards, consistent with guidance such as Executive Order 14063 on the Use of Project Labor Agreements and the Department of Labor’s Good Jobs Principles?
8. How can EPA design these programs to most effectively benefit low-income and disadvantaged communities that face disproportionate impacts from air pollution?
9. How should EPA use these funds to support national multipollutant air quality monitoring networks (e.g. the Clean Air Status and Trends Network (CASTNET)) in underserved rural communities where gaps in air monitoring data frequently exist?
10. What training and technical assistance would best help communities engage in multi-pollutant air quality planning processes to achieve community benefits of multi-pollutant emission reductions?
11. To what extent has your organization/community integrated a multi-pollutant reduction approach into your air quality planning process or conversations with local stakeholders?

12. Should EPA conduct additional analysis to help refine current plans, or should EPA first provide foundational information on how to approach this topic in your area?
13. Air Quality Sensors: 1. What are the existing and future needs for air quality sensors in low-income and disadvantaged communities?
14. Do you feel that it is important for EPA to research the impact of flue draft on particulate matter emissions in relation to residential wood heating?
15. What specific approaches do you recommend to promote the successful award of these grants to low income and disadvantaged communities most in need of such support?
16. What technical assistance, guidance and other non-financial support is most needed to help schools in low-income and disadvantaged communities implement effective and sustainable IAQ and energy efficiency programs?
17. What types of education, technical assistance, and partnerships that EPA could provide would best support low-income and disadvantaged communities in reducing GHGs associated with electricity generation and use?

# Endnotes

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- 6 Information available once an applicant has registered with the EPA was not reviewed for this report as the authors were not eligible to register on SAM.gov and Grants.gov.
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