

EXAMINING CURRENT ISSUES ADVERSELY AFFECTING ENVIRONMENTAL
JUSTICE POPULATIONS

Thursday, July 22, 2021

United States Senate

Committee on Environment and Public Works

Subcommittee on Chemical Safety, Waste Management, Environmental
Justice, and Regulatory Oversight

Washington, D.C.

The committee, met, pursuant to notice, at 10:03 a.m., in
room 406, Dirksen Senate Office Building, the Honorable Jeff
Merkley [chairman of the subcommittee] presiding.

Present: Senators Merkley, Wicker, Carper, Markey,
Duckworth, Kelly, Capito, Sullivan, Ernst.

STATEMENT OF THE HONORABLE JEFF MERKLEY, A UNITED STATES SENATOR
FROM THE STATE OF OREGON

Senator Merkley. The subcommittee will come to order.

Ranking Member Wicker, colleagues and guests, welcome to the first hearing of the Subcommittee on Chemical Safety, Waste Management, Environmental Justice, and Regulatory Oversight in the 117th Congress.

Today's hearing will explore critical issues of environmental justice and adverse impacts on at-risk communities. It is fitting that these important issues are the subject for our first hearing, as just earlier this year, the term "environmental justice" was added to the name of this subcommittee, highlighting the growing awareness of and public conversation around environmental justice in America.

As climate change ravages our Country and our planet, from the 80 fires burning across 13 States, the biggest, the Bootleg Fire, in my home State of Oregon, coastal communities confronting flooding, ever more frequent powerful, destructive storms, we cannot ignore the fact that while we all feel its effects, the worst consequences of pollution and the ravages of climate chaos disproportionately fall on communities of color and communities with the fewest resources for either adapting or recovering.

Front line communities, low wealth communities, indigenous

communities, communities of color, not only are they more prone to experiencing extreme weather events, but they also face greater health burdens, such as asthma and lead poisoning, along with higher rates of heart-related illnesses and deaths.

Oftentimes, these impacts are the direct result of decisions and discriminatory policies. Decisions like where to place a landfill, where to place a factory, the location of toxic waste dumps, oil refineries, chemical companies, where water infrastructure projects are prioritized and where they are ignored, where green spaces are created, and where they are not created. But while advocates and concerned citizens have been highlighting these injustices for decades, for far too long, the cost of these decisions and policies have been ignored.

Fortunately, that has been changing to the point that today, we are engaged in an over national conversation about environmental justice and the well-being of all of our communities. Over the past seven months, I have been pleased to see the Biden Administration actively engage at the forefront of this conversation. The President's Executive Order directing 40 percent of the Administration's climate and clean energy investments to disadvantaged communities will not only bring much-needed resources to bear on cleaning up pollution and delivering clean water infrastructure, it will begin to course correct for decades of persistent injustice endured by these

communities.

Beyond that, the Administration has continued to demonstrate its commitment to environmental justice through the work of the White House Environmental Justice Advisory Council. Made up of a wide range of leaders on the issue, the council is making contributions to guiding the President's environmental justice efforts through the recommendations contained within its landmark report.

Like the renaming of the subcommittee and today's hearing, the White House's ongoing efforts to address environmental injustice are significant signs that progress is being made. Yet, despite growing attention, one has to only look at the disparate impact of the heat wave out West or the wildfires burning up rural communities or the outsized impact of COVID to know that we have barely begun to address environmental injustice.

That is why we are fortunate today to have leading voices in this critical and growing national conversation to talk about issues and challenges. I would like to thank all of our witnesses for being with us today. Each of you brings a unique voice, a unique set of experiences to this dialogue. In the pursuit of environmental justice, we need to uplift and listen to every voice, especially those who have historically not had a seat at the table. We will only succeed in eliminating

injustices when all communities are listened to, and when we commit ourselves to addressing the challenges raised.

I would like to now turn to my Ranking Member, Senator Wicker, for any remarks he would like to make.

[The prepared statement of Senator Merkley follows:]

STATEMENT OF THE HONORABLE ROGER WICKER, A UNITED STATES SENATOR
FROM THE STATE OF MISSISSIPPI

Senator Wicker. Thank you, Mr. Chairman, for convening this hearing. This is a very important topic. I welcome out witnesses today as the subcommittee considers issues affecting environmental justice populations.

To begin with, I think we should define what we mean by environmental justice, and I think really, a better topic, and you might agree, Mr. Chair, is environmental injustice, because it is those populations that you are talking about who are experiencing an injustice.

Although Federal law gives no official definition to the term, it typically refers to situations in which adverse health or environmental impacts fall disproportionately on minority or low-income populations. There has been a growing recognition of the need to address environmental justice in recent years. The Flint Water Crisis in Michigan comes to mind as a major example.

But not all cases of environmental injustice receive the same attention. One prominent example is in my State of Mississippi, where residents of the South Delta have long suffered repeated flooding from the Mississippi River. The South Delta has a predominantly minority population and faces unique economic challenges, which are made worse by the recurrence of flooding.

This region has flooded in eight out of the last ten years, the most recent being this year, when nearly 300,000 acres were inundated. Flooding was even worse in 2019, when over half a million acres went underwater for months. Water overtop roads closed three highways, kept many residents from leaving their homes. Two hundred thirty-one thousand acres of cropland were flooded, destroying livelihoods in a region where agriculture is the main economic driver. Wildlife was forced to flee to high ground. Six hundred eighty-six homes were flooded, 686 families, and two people were tragically killed.

According to one study from Mississippi State University, the 2019 Backwater Flood resulted in residents spending an average of more than \$42,000 in out-of-pocket expenses. Can you imagine? People were forced to build levees around their property to keep the floodwaters from encroaching around them. These are costs that many residents simply cannot afford.

In five of the six counties of the South Delta, roughly one-third of the population lives in poverty. For years, residents have moved away because of the continuing flood risk. As populations decline, the community fabric has frayed, leaving many behind who have nowhere else to go. Regular flooding reinforces this cycle of poverty because residents lack the certainty they need to build homes and establish new businesses.

The real tragedy, though, is that these floods are entirely

preventable. In 1941, 80 years ago, Congress made a promise to the people living along the Mississippi River. That promise was the Mississippi Rivers and Tributaries System, which includes a series of levees, flood control structures, and pumps to remove excess rainwater trapped by the levees from the residential areas and farmland.

Over the years, this system has been built up and down the Mississippi River, with one major exception: the Yazoo Backwater Pumps have never been completed. The system has been completed everywhere else. Of the four backwater areas along the Mississippi, the Yazoo backwater area is the only one missing backwater pumps.

If we are here to discuss environmental injustice, I would suggest that the residents of the South Delta face one of the most glaring instances of environmental injustice anywhere in the Nation.

The good news, though, is that today, there is a viable project to remedy this situation. For years, I have worked with local stakeholders, Army Corps of Engineers, and Federal officials to get these pumps finally built, and earlier this year, the Army Corps finally issued a Record of Decision in favor of the pump project, a milestone that brings it closer to final construction.

I am happy to say, Mr. Chairman, and ladies and gentlemen,

that this plan is a win for animal life, for plant life, and for human life. There is no doubt this proposal would have positive impacts on minority and low-income communities. South Delta homes and businesses would enjoy a hedge of protection, allowing for greater economic development to take hold. The proposal would improve aquatic and wildlife conditions, water quality, and it would improve the environment. Nearly 2,500 acres of crop land would be reforested, providing quality habitats for many fish and wildlife.

The science and the economics finally all line up in support of the backwater pumps. As this project shows, there are communities across the Nation that need true physical infrastructure to remedy cases of environmental injustice.

Thank you, Mr. Chair.

[The prepared statement of Senator Wicker follows:]

Senator Merkley. Thank you very much. We will now introduce our witnesses. I will introduce the first two, and Senator Wicker, I believe you are going to introduce Ms. Harden, and Senator Sullivan will introduce Delbert Rexford.

Professor Laura Pulido will be joining us online from the University of Oregon. She has been on the front lines of expanding the school's environmental justice efforts. She is the Collins Chair and Professor of Indigenous, Race, and Ethnic Studies and Geography, as well as the leading scholar in the field of environmental justice.

Back in January, she was part of the team that received a grant to establish the Pacific Northwest Just Futures Institute for Racial and Climate Justice, which seeks to tackle the intertwined issues of racial and climate justice and work toward a more just future for our region, as well as increase access to higher education for historically underrepresented communities.

Professor Pulido has published six books in her field, received numerous honors for her work, including the Presidential Achievement Award from the Association of American Geographers, the Cullum Geographical Medal from the American Geographic Society, and Ford and Guggenheim Fellowships.

Catherine Coleman Flowers is the founding director of the Center for Rural Enterprise and Environmental Justice. She is also the current Co-Vice Chair of the White House Environmental

Justice Advisory Council.

Ms. Flowers is an internationally recognized environmental activist, MacArthur Genius Grant recipient and author. Ms. Flowers serves as the Rural Development Manager for Brian Stevenson's Equal Justice Initiative, is a board member for the Center for Earth Ethics at Union Theological Seminary and sits on the board of directors for the Climate Reality Project and the Natural Resources Defense Council.

Thank you to both of them for joining us today, and we will now turn the microphone over the Senator Wicker.

Senator Wicker. Thank you again, Senator Merkley.

I am honored to introduce Ms. Tracy Harden from the State of Mississippi. Ms. Harden is a lifelong resident of the South Delta. She owns Chuck's Dairy Bar, a fixture in the Rolling Fork community known for its Chuck Burgers and milkshakes. Tracy and her husband Tim, who is with us today in the audience, purchased Chuck's in 2006. Tracy has been successfully operating it since then. Chuck's patrons include farmers and farm workers and sportsmen, particularly hunters who travel to the South Delta during hunting season.

Tracy's business has suffered during the pandemic, but as she will tell you today, her business was far more impacted by the 2019 flood in the South Delta. Every day, she witnesses the heavy costs that have come from government delay in building the

Yazoo Backwater Pumps. She has firsthand experience with many of the issues we will discuss, and I appreciate her traveling to Washington, D.C. and appearing before this subcommittee.

Thank you, sir.

Senator Merkley. Senator Sullivan?

Senator Sullivan. Thank you, Mr. Chairman, and Ranking Member Wicker for holding this hearing.

I am honored to introduce a truly great Alaskan leader, Delbert Rexford, who certainly will get the award for traveling the farthest for this hearing, coming from Ukpeagvik, Alaska. That is the top of the world, the northernmost community in North America. We are looking up the miles as maybe about 4,000 miles from D.C.

Mr. Rexford, thank you sir, for being here. It is great to see you.

His experience in community service includes Lay Pastor at the Ukpeagvik Presbyterian Church, City of Barrow Councilman for seven years, North Slope Borough Assemblyman for six years, Alaskan Municipal League Director and President, UIC Board of Directors and Construction Director, Executive Director, Gates of the Arctic National Park Subsistence Commission Member and the Native Village of Barrow Tribal Council, just to name a few.

He is also a member of the Inuit Circumpolar Council General Assembly, where he focused on contaminants and pollutant

in the high arctic polar regions.

Mr. Rexford learned to read and write English by a seal oil lamp. Mr. Rexford is a great Alaska Native leader, as I mentioned, from Ukpeagvik, the most northern community in all of North America, one of my favorite places in the world in Alaska. If you haven't been, you should go. It is an amazing place with wonderful people.

A great time to go is during the celebrations following the spring and fall whaling seasons. We still do whaling hunts, legal whaling hunts. Our Native people have been doing that for thousands of years. Americans still do that; it is incredible. You can see for yourself how the residents there have kept their cultural heritage not only alive, but thriving, due to leaders like Mr. Rexford.

You will no doubt hear from Mr. Rexford that this has not always been easy, largely because of actions and inactions of the Federal Government. He will discuss today the contamination of federal lands, federal lands conveyed to the Alaskan Native people that were all polluted. Unbelievable, and the Feds need to clean it up. It is an ongoing struggle to clean up these lands. It is long past time to right this wrong.

Mr. Rexford has also spoken about the frustration he and so many Alaska Natives feel about their ability to have an economy, an economy that, yes, is based on resource development and the

proceeds that Alaskan Natives receive from oil and gas and mining in Alaska on State, Tribal, Native, and federal lands. Natural resources on the North Slope of Alaska have been a lifeline, literally a lifeline for Ukpeagvik and communities across my State.

Unfortunately, this Administration, some of their extreme environmental allies are constantly trying to shut down the resource development in Alaska that has been so vital for the health and well-being of the Alaska Native people. As the Mayor of the North Slope Borough and another exceptional Inupiaq leader, Harry Brower, so eloquently wrote in the Wall Street Journal recently, "We treasure and protect our land and wildlife, the resources that executives and environmental groups in cities thousands of miles away from Alaska claim to care about. The way we see it, caring about the land and wildlife should also mean caring about the indigenous people who live in these communities." I am sure Mr. Rexford would agree, and I very much look forward to his testimony.

Thank you again, Mr. Chairman, for holding this hearing.

Senator Merkley. Thank you very much, Senator Sullivan.

Now, we get to hear from the witnesses themselves. We will turn first to Laura Pulido through online.

STATEMENT OF LAURA PULIDO, PH.D., PROFESSOR, DEPARTMENT OF
ETHNIC STUDIES AND GEOGRAPHY, UNIVERSITY OF OREGON

Ms. Pulido. Chair Merkley, Ranking Member Wicker, and members of the committee, good morning. Thank you for the opportunity to testify today on environmental justice. I am delighted that the Environment and Public Works Subcommittee on Chemical Safety, Waste Management, and Environmental Justice, and Regulatory Oversight is being reconfigured to include this urgent topic.

I am a professor at the University of Oregon and have been studying environmental justice for over 30 years. I first became interested in the environment growing up in Los Angeles and not being able to see the mountains due to the smog. I still remember the stench and burning in my lungs as a child.

More recently, I moved to Oregon because Southern California was simply getting too hot, and I suffered from heat sickness.

Today, I would like to provide a brief introduction to environmental justice research and highlight what I think are some of the pressing issues faced today.

Environmental justice refers to the fact that people of color and low-income populations in both urban and rural areas are disproportionately impacted by environmental hazards. I really appreciate and agree with what Senator Wicker said, it

should be called environmental injustice.

Environmental justice is also the name of the movement that has arisen to challenge these problems. Environmental justice traces its origins to the late 1980s. Several key events precipitated it, including protests in rural North Carolina against the dumping of PCBs, farm worker struggles against pesticides, Native reservations dealing with uranium waste, urban communities opposed to incinerators, and rural residents lacking access to clean water.

In 1987, the United Church of Christ conducted the first national-level study of uncontrolled hazardous waste sites and their proximity to various demographic groups. Researchers found that people of color were disproportionately exposed to toxic waste, what is called environmental racism.

Of course, environmental injustice did not begin in the 1980s; we just previously lacked the language to name it. Since then, environmental justice has had a major impact on the large environmental movement and society.

I would like to now briefly highlight some of the pressing environmental justice challenges that require action. First, cumulative impacts. Cumulative impacts refer to the need to take into account multiple forms of pollution and vulnerability that impact geographic communities. Almost all policy and permitting systems treat polluters individually while

disregarding the cumulative impacts of industrial concentrations. This has produced a major mismatch in terms of public health and regulatory policy.

For example, near the Ports of Long Beach and Los Angeles, there is an epidemic of childhood asthma, which is due both to the logistics industry, as well as individual factories. In California, scholars have developed prototypes to begin considering cumulative impacts. What these tools do is they enable individuals to identify the multiplicity of risks in a given place. Such tools need to be refined and applied across the Country.

Number two, climate change and heat. We know that low-income and communities of color are the most vulnerable to climate change. They are vulnerable because they have fewer resources and capacity to respond to heat, cold, drought, and flooding. The end result is higher levels of death and displacement.

This past summer in Eastern Oregon, the temperature hit a record 118 degrees. In that particular heat wave episode, 118 people died in Oregon. In urban areas, there are significant differences in heat. Wealthier places tend to have more trees and shade, which led to a 25-degree differential in temperature in parts of Portland. In places like Mississippi, Louisiana, and South Carolina, it is the poorest who are most impacted by

hurricanes and flooding, as we saw in Hurricane Katrina, as well as South Carolina in 2015, as well as Senator Wicker's story, as well.

Exacerbating the situation is recent evidence that FEMA relief is far more likely to go to wealthier residents and homeowners versus low-income populations and renters. Immediate resources need to be directed towards increasing shade, weatherization projects, sheltering the unhoused, and building a more reliant and sustainable energy system.

Lastly, water access. As a wealthy Country, we assume that access to clean, potable water is not an issue, but that is untrue, especially in rural areas. Sometimes, people get disconnected from the utility, such as in Flint in the contamination crisis, but rural communities are disproportionately impacted.

For example, the Navajo Reservation, spanning both Arizona and New Mexico, has one of the highest proportions of households without plumbing. In parts of Appalachia, there are communities that had water boil advisories for over five years. These problems require immediate attention and investments in infrastructure to solve the problems.

Thank you for your time. I would be happy to answer any questions.

[The prepared statement of Ms. Pulido follows:]

Senator Merkley. Thank you very much.

We will have all of our testimonies before we go to questions. Next, Catherine Coleman Flowers.

STATEMENT OF CATHERINE COLEMAN FLOWERS, FOUNDER AND DIRECTOR OF
THE CENTER FOR RURAL ENTERPRISE AND ENVIRONMENTAL JUSTICE

Ms. Flowers. Thank you, Chair Merkley, Ranking Member Wicker, and members of the committee for the opportunity to testify.

My name is Catherine Coleman Flowers, and I am a proud native of Lowndes County, Alabama, a rural area located between Selma and Montgomery. Lowndes County has a proud history of fighting for equality and the right to vote.

In addition, most of the famous Selma to Montgomery March Trail goes through Lowndes County. It is where, in the early 1900s, sharecroppers organized for jobs and justice. Many of its sons, and later, its daughters, including my father, three brothers, and myself served in the United States military. We have a deep legacy of holding up core democratic values.

I stand on those values learned as a country girl that grew up with a healthy respect for nature, and I appreciate what our creator has provided for us, which includes the knowledge to know when we are out of balance with creation.

That failure includes what we are seeing today, exemplified through fish kills, more powerful storms, higher groundwater tables, seas level rise, heat domes, wildfires, drought, floods, pollution, straight-piping of raw sewage, or failing wastewater treatment systems. I have often taken philanthropists and

people from both sides of the aisle, like Jeff Sessions, Bernie Sanders, Cory Booker, Doug Jones, and Bob Woodson to Lowndes County to see the infrastructure inequalities and to hear from local people what is needed to address them.

At the height of the pandemic, Lowndes County had the highest death and infection rate per capita in the State of Alabama. Our national life expectancies are a reminder of what happens when poverty, inequality, failing or no sanitation infrastructure, and climate change comes together.

The climate crisis impacts all of us. Throughout our Nation, we are dealing with failing infrastructure, and it also includes the most basic infrastructure, sanitation. In the town of Hayneville, Alabama, the county seat of Lowndes, for more than 20 years, Ms. Charlie Mae Holcombe has been telling people about the sewage from a nearby lagoon that is backing up into her home. She is paying a wastewater treatment fee, yet all the town can provide is a pump truck to pump the sewage out of her yard from time to time. The failure is more pronounced whenever there is a hard rain.

This is indicative of the failing infrastructure and sanitation inequality that exists throughout the United States, whether in Montgomery, Alabama, where many older Black communities are on failing septic tanks, or Martin County, Kentucky, where poor white families are also seeking sanitation

and environmental justice, as well as good-paying jobs. During a recent visit to the town of Mount Vernon, New York, I met families that have been unable to flush their toilets for more than 20 years.

The American Jobs Plan provides an opportunity to deal with the climate crisis head-on in forgotten communities. It is a chance to create jobs, to build infrastructure, and create sustainable economic development, and make America a model of ingenuity where we can all have clean air and water in every community.

With this funding should come guardrails that will ensure that Ms. Charlie Mae of Lowndes County of Linda McNeill from Mount Vernon, New York will no longer get sewage in their yards or homes, lagoons are not built next to schools, and any sanitation system comes with the same performance and parts warranty we have come to expect from a car, a hot water heater, or a heating and cooling system.

I am requesting that you all support investment in resilient infrastructure, including sanitation for all, and I request that we come together and confront this climate crisis, and to ensure the future of our children, grandchildren, and seven generations to come.

I thank you for this opportunity to speak before you today, and I look forward to continuing conversation about

environmental justice and climate justice for all Americans.

Thank you.

[The prepared statement of Ms. Flowers follows:]

Senator Merkley. Thank you very much.

Now, we will turn to Tracy Harden. Welcome.

STATEMENT OF TRACY HARDEN, OWNER OF CHUCK'S DAIRY BAR

Ms. Harden. Chairman Merkley, Ranking Member Wicker, thank you for the opportunity to testify today.

My name is Tracy Harden. I live in Rolling Fork, Mississippi, and I own and operate Chuck's Dairy Bar. In my testimony, I would like to provide the committee a real-life example of how federal actions or inactions have disproportionately impacted minority and low-income populations.

The South Mississippi Delta is one of the poorest areas of the Nation. Twenty-seven percent live in poverty, and more than 62 percent of residents are minorities. Floods, or the preparation for floods, are a constant fixture in our lives. Growing up, I can remember packing every spring and being ready to leave home at any moment if the water would rise.

My mother was a school bus driver. When the water would rise, she would have to drive her route on the river levees hours out of the way to get us to school. But the South Delta flooding of my childhood has been a regular occurrence even now, as I see my nieces having to take these long bus rides to school on unsafe levees.

One of the earliest documented South Delta floods was in 1927, after which the Federal Government assumed responsibility for managing the Mississippi River system and constructing structures, including 22 other pumping plants. Later, Congress

expanded the government's responsibility, including in 1941 when it authorized the Yazoo Backwater Project.

The Yazoo Backwater Project is comprised of three key features: levees along the Yazoo River, completed in 1978 that keep the water within the river during high water; the Steele Bayou gates --

Senator Merkley. Hold on just a moment; let us see if we can get a technical fix to that echo.

Ms. Harden. Okay. If I can go back just a little bit, the Yazoo Backwater Project is comprised of three key features: levees along the Yazoo River, completed in 1978 that keep the water within the river during high water, the Steele Bayou Gates on the Yazoo, completed in 1969 to prevent the Mississippi from flowing backwater into the South Delta; and the final, unfinished feature, a set of pumps to pump water over the levee when the gates are closed. This system is interconnected, and without all three functioning features, it just doesn't work.

My husband Tim and I purchased Chuck's Dairy Bar when our family farm sold in 2006. Chuck's has been in business since 1977, and it is a fixture in Sharkey County, one of the few we have to serve our small community. It is a local hangout for everyone in Rolling Fork. We try to keep our prices low to make sure all of our neighbors, over a third of whom are living below the poverty line, feel welcomed.

However, since we purchased Chuck's in 2007, we have seen seven of the 12 worst backwater floods on record since the levees were completed in 1978. This year, water rose to almost 92 feet. We also had floods in 2008, 2009, 2016, 2018, 2020, and the worst of all, 2019, when the water devastatingly rose to over 98 feet.

The 2019 flood inundated 548,000 acres: 231,000 acres of cropland, and 686 homes. Water was so high, we were fractions of an inch away from losing critical infrastructure, like our sewer systems. We call it the Forgotten Backwater Floods because it received so little national attention, despite shattering so many records.

Annual flooding has an enormous lasting impact on our region well beyond folks not being able to frequent my restaurant. Because they are not making a paycheck, populations are decreasing, economic opportunity is fleeting, lives and livelihoods are being lost. My friend, Anderson Jones, has been displaced from his home since 2019. Even though he had federal flood insurance and built three levees around his home, each one failed, which highlights the lack of understanding of environmental extremists who advocate alternatives to the pumps. If you can't get to your home because it is surrounded by water, you cannot maintain a levee, and even then, what way is that to live?

In 2019, we saw the worst of it. Two residents even lost their lives in that flood. But unfortunately, the residents of the South Delta know we haven't seen the last of it.

What we desperately need to stop the annual flooding in the Yazoo Backwater Basin is the final component of the project: we need the backwater pumps. This project is comprised of and has the support of environmental groups, including the Mississippi Wildlife Federation and the Nature Conservancy. In its environmental justice analysis, the Army Corps concluded that the backwater pumps would specifically benefit the community of color.

We have been blessed with strong support from our representatives, Congressman Thompson, Senator Hyde-Smith, and, of course, Senator Wicker. Thank you.

Today, I am appealing to the rest of Congress and the Biden Administration to help fulfill the promise that was made to the people of the South Delta 80 years ago to complete this essential project. Not doing so unfairly impacts people of color and the poor. It is the definition of an environmental injustice, and we need your help to finish the pumps.

On behalf of my family, my neighbors, my friends, and my community, thank you for the opportunity to testify today.

[The prepared statement of Ms. Harden follows:]

Senator Merkley. Thank you very much, Ms. Harden.

Mr. REXFORD?

STATEMENT OF DELBERT REXFORD, PRESIDENT AND CEO OF UKPEAGVIK
INUPIAT CORPORATION

Mr. Rexford. Good morning. For the record, Mr. Rexford. Chairman Merkley, Ranking Member Wicker, and members of the subcommittee, I am honored to testify before you today. Senator Sullivan, thank you for affording me this opportunity.

My name is Delbert J. Rexford. I am a member of the Inupiat Native Tribe of Barrow. I have lived in the North Slopes since August 17th, 1959, when we moved from Kotzebue to Borough. That is a very, very vivid memory in my mind. I am a shareholder and have been involved with Ukpeagvik Inupiat Corporation for over 40 years, fighting for the rights of our people and creating opportunities to provide economic, sustainable projects for future generations.

I thank you for allowing me the opportunity to provide a unique perspective, a firsthand perspective, of the impact Federal Government activity has had on our environment, our community, our food, our water sources, workforce, and human lives.

In 1971, Congress passed the Alaska Native Claims Settlement Act, better known as ANCSA. Through ANCSA, the Federal Government agreed to convey to 12 Alaska Native regional and over 200 village corporations 44 million acres of land and compensation of \$962.5 million in settlement of aboriginal land

claims of Alaska's Native people in fee simple. I want to emphasize: Alaska Native people gave up 88 percent of their traditional and customary lands through these settlements.

The Inupiat people of the Arctic Slope were the only people who did not support ANCSA. We were fighting for 99,000 square miles of traditional and customary lands, pristine land that sustains our life. We as a people are heavily dependent on subsistence resources consisting of migratory birds, caribou, fish, marine mammals that sustain our culture and healthy way of life, that supports our spiritual link to nature. It is our cultural belief in traditional Inupiat values that taking care of our environment and respecting it will continue to sustain our way of life for future generations.

Under the terms of ANCSA, Alaska Native Corporations are mandated, I repeat, mandated to provide for the economy, social, and cultural well-being of their shareholders in perpetuity. This means throughout their lifespan.

Today, Alaska Native Corporations have over 100 shareholders who have been impacted by contaminants and pollutants left behind by certain federal agencies throughout decades of occupancy. As detailed in my written testimony, in 1991, Congress also directed the Department of the Interior to submit a report on contaminated lands conveyed through ANCSA. Importantly, the Department of Interior report asserted that

ANCs would not be held liable for prior contamination and reinforce the CERCLA law that requires the Federal Government to clean the abandoned, contaminated properties left behind by federal agencies of the United States.

In 1998, the Department of Interior agreed to take the leadership role to facilitate the cleanup of ANCSA contaminated lands. A 2016 update proposed that the Alaska Department of Environmental Conservation and Environmental Protection Agency oversee cleanup of the sites. This 2016 update also stated that BLM does not, I repeat, does not have the authority to provide liability relief under CERCLA, for previous landowners that consisted of federal agencies occupancy during that period contaminating the properties.

Also detailed in my written testimony is this report, and details on historical failure of numerous government agencies to accept the leadership role to take the lead to clean up our lands contaminated by the United States Government and their agencies.

I am here today to share my firsthand knowledge as a lifelong Alaska resident, proudly born in the territory of Alaska, prior to Statehood of the State of Alaska. I am proud of that, and I have seen that change over my lifetime. I have grown up on this land. I have hunted; I have fished; I have whale. I have also worked on cleanup projects that the

government has done over the years on those sites that the federal agency abandoned. This land, the Federal Government contaminated and left behind for previous generations, further risking human lives. That causes a little emotion in me.

When I was a child, we swam in the lake. Little did we know that there was contaminants disposed of in the lake that contained solid waste, transformers, petroleum products. We were just kids, but we didn't know. We just wanted to have fun in the water. We didn't know the government had contaminated this lake.

In 1963, we had a 100-year storm, severely damaging the Department of Navy's 2.5 million gallon fuel farm. That went all over what is now the former Naval Arctic Research Facility. Furthermore, there was heavy equipment that was staged, that was pushed into the Elson Lagoon. Hubert Harpton and Morgan Solomon were nearly killed when their boats hit those objects, and luckily, today, Mr. Harpton is still with us. This is just an example of things that we live with.

Another example of the Department of Defense's abandonment of Alaska's North Slope: on occasion, hunters will come across explosive devices left by the military, which are likely decades old, and pose a dangerous threat to human life. To my colleagues and friends in King Cove, Alaska, cumbersome permitting problems have prevented a 12-mile access road from

being built that would allow local residents to the only life-saving hospital within 30 miles. Yet people died because they can't get there. People died. Currently, King Cove residents' only access to health care are either by air transport or telehealth.

Thawing permafrost is revealing solid waste burial sites that were previously unknown. When I walked across the land with the Bureau of Land Management and the Alaska Department of Environmental Conservation, we could smell the diesel in the fields, and our feet went through the ground, and there was debris under the ground. This is the kind of contaminants that we are dealing with that we can't even develop this land. We can't disturb it.

According to the Alaska Department of Environmental Conservation, they have an estimate of approximately 2,400 unknown sites that we don't know of, but they have only documented what are known and reported and documented.

As many of you are aware, the presence of PFAS on abandoned military property continues to expose our community to severe public health threats, where our drinking water sources are compromised by surface and sub-surface contaminants. Case in point, Imiaknikpak Lake, the drinking water source for the United State Air Force since 1959, and drinking water source for the Barrow Whaling Captain's Association and their whaling crews

where there is no glacial ice available. That is a contaminated lake now, recently reported with PFAS. Sorry for my emotions.

This land that they transferred to my people without complete cleanup and removal of contaminants and debris are a life-threatening condition. This land where we hunt, fish, gather subsistence resources, butcher our whales, which is the most precious activity that we have, are contaminated and needs to be cleaned up.

The cost of cleaning up the contamination is astronomical, but we cannot put a price on the health of families, not even on one human life that could be saved. I know for a fact that 80 percent of a family I know, I personally know, subsist on contaminated sites from the National Petroleum Reserve of Alaska, legacy whales, and 80 percent of their family passed away from cancer. This is a fact. This is a very devastating fact.

ANCs are the largest private landowners in Alaska, but burdensome regulatory permitting challenges impede our environmentally-sound economic development plans. We devised a way to get rid of the contaminants with ADEC, but environmental permissions allow us to permanently dispose of them in an approved area. It costs millions of dollars to ship them out of Alaska.

Senator Merkley. Mr. Rexford, can you wrap up your

testimony?

Mr. Rexford. Yes. In closing, thank you for being patient with me. I appreciate the opportunity to speak with each of you today. I am hopeful can work together to ensure contaminated lands are cleaned up to the benefit of all Americans, without threats to human life.

Thank you for your patience and understanding.

[The prepared statement of Mr. Rexford follows:]

Senator Merkley. Great. Thank you very much, for both of you, providing firsthand testimony of the challenges.

We will go to five-minute rounds of questions. I will ask people, myself included, to adhere to that so that we can get in as many folks as possible.

Ms. Harden, you cited an article, and I think it is this one, but I wanted to ask. It is called, "The Real Damage: Why FEMA is Denying Disaster Aid to Black Families that have Lived for Generations in the Deep South." Yes. The article cites that many, many families are being denied aid by FEMA because essentially, people have inherited properties through generations, but they don't have paperwork to show that it is inherited.

I was down in Puerto Rico after the Hurricane Katrina, and this was a terrible problem there. We pushed very hard to have it remedied, and FEMA worked out a fix allowing people to self-certify, after enormous pressure. But this article says that FEMA has been unwilling to extend the same fix to the Deep South. I think that is a part of your testimony, that this results in deeply discriminatory impact on communities of color.

Is it your sense that this is something we have to make sure FEMA addresses?

Ms. Harden. Yes, we definitely do. Just the fact that we have already dealt with the floods, the flood has gone down, and

we are trying to get back to some normalcy of life. We are a strong community, and we support each other fully. But we, in ourselves, don't have the funds to help each individual family get back on their feet. FEMA denying them this because of some paperwork, it makes it even more devastating. We need this help, and it seems that it continues to be overlooked.

Senator Merkley. We are having the same problem in Oregon right now for families that were routinely denied help after the devastating Labor Day Fires of last year, families that don't have the same documentation that wealthier families might have, so thank you for pointing that out.

Mr. Rexford, in your testimony, you note that the 2016 report included three recommended steps, the first of which is just getting that comprehensive inventory of these, I think 650 sites, so that a plan can be developed. Has that inventory been completed yet?

Mr. Rexford. Not to my knowledge. Again, it has been a subject of funding availability, according to the Federal Government.

Senator Merkley. So, are any of the sites, have any of the sites been cleaned up?

Mr. Rexford. Some of the sites have been cleaned up, but there are still remnants of contaminants and pollutants, in many cases, called persistent organic pollutants.

Senator Merkley. Thank you, and I know dealing with contaminated brownfield sites in my home State, it can be very, very difficult to get those cleaned up, and part of the reason we are holding this hearing is to give voice to these types of challenges, so thank you for sharing your story today.

I want to turn to Professor Pulido, and Professor, I think we still have you, hopefully, online. Can you address why certain groups are more impacted by pollution and are more vulnerable to climate change?

Ms. Pulido. Well, there are different reasons, depending about which groups we are talking about, and what the specific problems are. I know there is an effort, oftentimes, just to talk about disenfranchisement or they are not at the table, but the reasons and purposes really go far deeper than this.

As some of the other witnesses testified, there is deep processes of colonization, which are very different, for example, from why a farm worker experiences pesticide exposure and illnesses and death, even, in California, or in the cases around Cancer Alley, the areas around the Mississippi River, like Louisiana, where there are very high levels of oil refinery. Those are a different set of reasons.

What we have to do, I think, is always be looking at the historical processes of what created these problems, but we do see the consistency of both different forms of racism, as well

as exclusion that is happening that are causing the problems.

So we can codify them in broad terms, but there is always very specific ones for each group that we are talking about, in terms of both environmental problems as well as in terms of the various population that we are talking about, including, for example, like poor white populations, as well.

Senator Merkley. Thank you very much. Since we are going to stick to the five minutes, Senator Wicker.

Senator Wicker. Drat, that means I have to stick to the five minutes.

I want to thank our witnesses. Professor Pulido helps make my point. She agrees with me that we ought to call this environmental injustice. Thank you for that. Also, in her testimony, she says in places like Mississippi, Louisiana, and South Carolina, it is the poorest who are the most impacted by hurricanes and flooding, so I appreciate the professor agreeing with me in that regard.

For Ms. Coleman Flowers, it occurs to me, and I think you will agree, Ms. Harden, that Sharkey County, where you live, sounds an awful lot like Lowndes County, Alabama, which was described in her testimony.

Ms. Harden. Right. Yes, sir.

Senator Wicker. She mentions fish kills, floods, pollution, that is exactly what we are experiencing and more in

Sharkey County, Mississippi. Is that correct?

Ms. Harden. Yes, it is.

Senator Wicker. I would just note, Mr. Chairman and my fellow Senators, that the population loss during the time that the Mississippi Rivers and Tributaries Program has been promised has been astounding. In 1940, the population of Sharkey County was 15,000, Mr. Chairman. In 2018, the latest figures I have, just under 4,400 people. The entire population of Sharkey County, it has gone from 15,000 plus to 4,400 plus since 1940, the very time when the residents of the South Delta have been crying out to complete this.

Ms. Harden, let us make sure we understand. This was a three-part promise?

Ms. Harden. Correct.

Senator Wicker. Levees, the gate at Steele Bayou, and what else?

Ms. Harden. The pumps.

Senator Wicker. The pumps. So the Federal Government, in its wisdom, was able to complete two parts of this, leaving the pumps undone. There will still be flooding after we have the pumps. It is just that we will know where the flooding will stop, and there will be the certainty. Can you elaborate on that, Ms. Harden?

Ms. Harden. Just a sense of knowing for us, and we do know

if those pumps are in, the floods would not be as high. Our farmers would be able to be in the fields working, which means they are able to employ some of the lower income people.

If the farmers can't plant, then they can't hire, so it becomes hectic on some other employees, some other businesses, to try and make sure that these people working for us, their husbands are working on these farms. We are trying to ensure that if they don't have a job, how do we get more income into their home so that they can still live sufficiently until the flood is gone again?

Senator Wicker. Thank you for that.

And I appreciate Senator Merkley mentioning the problem we have with title to property. I think large families without a will, the laws of descent and distributions, sometimes, back when I was trying to eke out a living as a small-town lawyer, it was very difficult to find all the heirs. So I appreciate Senator Merkley's efforts with self-certification there with FEMA.

It is fair to say, though, Ms. Harden, that once we get this third leg of the project done, there will be less need for FEMA to come in, because the flooding will be in an area where people will know in advance that you shouldn't build there, you shouldn't plant there. If you do, you are assuming the risk.

Ms. Harden. Because you know, and we have dealt with this

all these years, and people say, well, move. This is our home. It has been our home for many years. We can't just up and move. Then, a lot of the lower income, how are they going to move? They are stuck.

Senator Wicker. It has been their property for generations.

Ms. Harden. Exactly.

Senator Wicker. Let me ask you briefly, because the chair is going to wield that gavel. Would this project benefit or harm wildlife? Would it benefit or harm aquatic species?

Ms. Harden. It is going to benefit the wildlife. We saw so much devastation in 2019 where you would travel somewhere down the roads, and you would see all the dead animals on the side of the road: the deer, the turkeys, just everything. Some turkeys were extinct.

It should not be. People saying that this will harm wildlife, well, all they had to do was come to Rolling Fork, come to the Delta, and look and see how this flooding harmed our wildlife.

Senator Wicker. Thank you, ma'am. Thank you, Mr. Chair.

Senator Merkley. Thank you. Senator Carper?

Senator Carper. Thank you. Thank you both. Good to see you. Thanks for joining us today. Tell me where you are from, both of you?

Ms. Harden. I am from Rolling Fork, Mississippi.

Senator Carper. I would have guessed Boston, but okay.

[Laughter.]

Senator Carper. And how about you, sir?

Mr. Rexford. Pardon, sir?

Senator Carper. Where are you from?

Mr. Rexford. Barrow, Alaska, top of the world, as far north as you can go in the United States.

Senator Carper. Who would you say is your favorite Senator?

Mr. Rexford. Pardon?

Senator Carper. Who is your favorite U.S. Senator in Alaska?

Mr. Rexford. Right over there.

Senator Carper. You got a couple of good ones, a couple of good ones. Let me just say to our Chairman and Ranking Member, thank for convening this hearing today, and we thank both of you for joining us. We have a couple of other witnesses who are going to come as well.

Today I believe is the first Senate Environment and Public Works Committee hearing in almost 15 years on this subject of environmental justice, first one. The first since the Subcommittee has been renamed to include the words environmental justice.

As we all know, this topic and the need for government to address it is far from new. For decades, minority communities and low-income Americans have shouldered much of the burden from pollution and other environmental problems that impact our Nation.

It is often hard to illustrate the enormity of a problem such as this. But there is one statistic, one statistic that stands out in my mind. That is a report last year that found that 70 percent of the Nation's most environmentally contaminated sites are located within just one mile of federally assisted housing. Think about that. Seventy percent of our Nation's most contaminated sites are all located within one mile of federally assisted housing. That is just one drop in the bucket, one funding of myriad, marred, that all paint the same picture crystal clear. We are long overdue for a reckoning here.

So when we say environmental justice, it is not a buzz word or talking point. Environmental justice means that we have a moral obligation to put justice and fairness at the forefront of all the work that we do. When I talk about environmental justice, I say it is another way of saying golden rule, treat other people the way we want to be treated.

This has to be a top priority for all of us, Democrats, Republicans, Independents. I could speak for myself to say that

is certainly the case as I approach our work on this committee, which I am privileged to chair, and through the Environmental Justice Caucus, which I co-founded with our colleagues Senator Duckworth and Senator Booker.

So I am pleased that our committee is leading by example. In April, our committee led Senate passage of the bipartisan Drinking Water and Wastewater Infrastructure Act by a margin of 89 to 2. We don't do many things around here by 89 to 2. Our legislation makes overdue investments in our Nation's water infrastructure so that our most vulnerable communities will have access to reliable clean water and the means to pay for it.

One part of our bill that I am especially proud of, 40 percent of the funds in the legislation are designated to go to underserved rural and tribal communities, including communities in Alaska. This funding will be crucial in helping disadvantaged communities make necessary upgrades and to ensure families access to clean water and a healthier brighter future for their kids.

With measures like this, we can start to do right by our neighbors and help those most in need, whether they are neighbors around the block, across town, in another community or county, those are our neighbors, too.

Through the American Rescue Plan, we need to set aside \$50 million for environmental justice grants. We also set aside

some \$50 million for environmental justice grants at the EPA and another \$50 million to improve air quality monitoring for our communities most threatened by dangerous air pollutants.

Now, as this body is in the final sprint working on expansive legislation to invest in our Nation's infrastructure and economy, we must keep our focus on this core principle of fairness to fulfill the moral obligation to lift those in greatest need and pursue justice in all that we do.

This is especially true when it comes to providing a nurturing environment so critical to livelihoods and prospects for generations to come. We must make sure that we are working to create a better future for all of our neighbors, whether they live, again, in our community or in some other community or across the town.

That is why I am pleased to have this hearing and discussion that explores this important issue. We thank you for coming today.

Now, a long wind-up for a short question. In your testimony, you mentioned that you wrote a book about how rural communities have traditionally been denied access to sustainable and resilient infrastructure. With natural disasters and extreme weather events on the rise, investing in these communities as well as other communities that have suffered from historic disinvestment will become even more important. Here is

the question. How can the Federal Government help environmental justice communities prepare for climate change and its effect?

Senator Merkley. Senator, is this for Ms. Flowers?

Senator Carper. This is for Ms. Flowers.

Senator Merkley. Ms. Flowers is online.

Ms. Flowers. Thank you. Thank you for that question.

I think the way the Federal Government can help environmental justice communities adjust to climate change is to pass the American Rescue Plan. I think that it is a start in making sure that 40 percent of those investments are going to those communities that are the front-line communities and the most overburdened. I think we have seen some examples of that today with the other witnesses.

I support that effort. I was just in a community where people are dealing with raw sewage running into their homes for over 20 years. But I think this is the first time that I have heard, since I have been doing this work, an effort to try to address this in all of America, but certainly rural communities.

Senator Carper. Thank you for that response, Ms. Flowers.

Can I just mention a question for the record? I will ask our witnesses to respond for the record. The question would be, please tell us more, this is for Ms. Pulido. Here is the question. Please tell us more about how threats to water access impact environmental justice communities, especially those in

rural areas and how does this threat compare to the threats from cumulative pollution releases that you mentioned in your testimony? That is my question, and we will just ask you to respond to the question for the record.

Again, our thanks to all of you for testifying today, and for holding this hearing and letting me participate.

Senator Merkley. Thank you very much, Chair Carper. Now, Co-Chair, the floor is yours.

Senator Capito. Thank you. Thank you, Mr. Chairman. Thank you all for being here today.

In order to support environmental justice communities, I think it is imperative that rulemaking and permitting processes still allow these communities to have economic opportunities. You have spoken about that. I have supported bills like the USE IT Act, which helps to maximize development of carbon capture technology. Those promising technologies are essential to reducing emissions while protecting jobs.

President Biden has recognized that reducing power sector emissions requires "leveraging the carbon pollution free energy potential of power plants retrofitted with carbon capture." So Ms. Flowers, I was surprised when I read the recommendations from the White House Environmental Justice Advisory Council, of which you were the Vice Chair, I think, that group stated in their report, "that any support for carbon capture utilization

and storage would harm disadvantaged communities.”

I am asking you, Ms. Flowers, do you personally agree with that recommendation that the Administration should stop supporting carbon capture and utilization technology?

Ms. Flowers. First of all, I don't speak on behalf of the WHEJAC, I am here as a private citizen.

But I will give you my personal opinion. My personal opinion is based on my conversations with environmental activists living in communities in California and other places that could potentially deal with carbon capture. They are concerned that carbon capture will harm their communities. I think that the position of the other folks in the WHEJAC that made sure that that was there was based on the lived experiences of people who dealt with carbon capture who believe that it will do harm. Part of one of the tenets of environmental justice is to do no harm.

But in my personal opinion, I would like to see air quality monitoring in Cancer Alley, and whatever needs to happen to make sure that those plants are either shut down or they are not polluting those communities as they are today. I don't have enough information about carbon capture to be able to make an educated opinion about it. Basically, what I am looking for is whatever kinds of technologies that will make sure that we all have access to clean air and clean water.

Senator Capito. Thank you. I appreciate that. The reason I am interested in this obviously is where I am from, I am from West Virginia. The report that came from the White House Environmental Justice Advisory Council is different than what the actual Administration and Council of Environmental Quality is saying, that CCUS has a critical role to play in decarbonizing the global economy.

I think that is a juxtaposition there of two different positions coming from the same Administration.

I would like to know from Ms. Harden and Mr. Rexford, this is something I struggle with, again, being a West Virginian, because we have so many people that are heavily impacted by regulations or by new policies that have come forward, or by the inability to fix the problems. Where my frustration comes from, and I think I hear this from both of you, is that you actually go to the people who live there, who actually, Mr. Rexford, you said it well in your statement, nobody is going to care for your environment, your property, your part of the world that is so deep in your culture better than you. Nobody knows how to care for that better than you.

Is that a frustration for you, that sometimes all these decisions are made and your voice is never heard?

Mr. Rexford. Thank you for the question. We truly believe that at heart we are by nature, by culture, by how we live off

the land, we are the best stewards of the land.

Senator Capito. Right.

Mr. Rexford. We walk the land, we tend it, we fish, we hunt, we trap. All these things bring a spiritual link and a personal link to the land that we care for. That sustains our way of life.

In terms of the rest of Alaska, I truly believe that the 138,000 Native Alaskans share that philosophy of life. Many of them are being directly or indirectly impacted by these contaminants and pollutants.

Senator Capito. Thank you. You would believe that West Virginians are right there with you, and I think a lot of people in the Country, and Mississippians, the same. Ms. Harden, you mentioned, people say, just leave, just go away. You can't leave, you can't, you don't want to, it is part of who you are.

Ms. Harden. Yes. And you go out into your community, well, most of the time the community comes to us.

Mr. Rexford. Yes.

Ms. Harden. Because our Dairy Bar is the center of our town.

Senator Capito. Right.

Ms. Harden. You get the farmer coming in and telling you how things are, and how hard it is going to be for their life, and then you get the farmer's employees coming in and letting

them know how hard it is going to be for their lives. It goes on and on, from the top to the bottom. I see it all and I hear it all.

Senator Capito. Right.

Ms. Harden. My job isn't just to be a business owner. My job is to care for these people and take care of these people, because they are who takes care of me.

Senator Capito. Thank you. Thank you very much.

Thank you, Mr. Chairman.

Senator Merkley. Thank you very much, Senator Capito.

Senator Duckworth is next, joining us online.

Senator Duckworth. Thank you, Mr. Chairman.

Ms. Flowers, thank you for your work as a fierce advocate for environmental justice, especially in functional sanitation for our communities across the United States. Your testimony has very clearly demonstrated the very urgent needs to address our failing infrastructure, especially in sanitation and equality.

As Chair of the Subcommittee on Fisheries, Wildlife, and Water, I agree and believe that access to clean, safe water is a basic human right. It is unacceptable that these very vulnerable communities are impacted by poor water quality and access.

Just look at the town of Centreville, Illinois, to see that

oftentimes these issues occur in neighborhoods of minority or low-income communities. It takes far too long for the public to hear about it and for people to get involved. For decades, we have turned a blind eye to the water issues in this Country and failed to provide adequate funding for these systems.

My Drinking Water and Wastewater Infrastructure Act would invest over \$35 billion federal dollars to assist these vulnerable communities in receiving the funding they need to modernize their water and wastewater infrastructure. I know that this amount of funding would be a great start. But this must be a continuing legacy in order to really make a difference.

Ms. Flowers, would you agree that access to safe, reliable drinking water and wastewater is an environmental justice issue?

Ms. Flowers. Yes, Senator Duckworth, it is an environmental justice issue. Clearly, what we saw in Lowndes County, we did a parasite study. We actually collected fecal blood and water and soil samples. We found evidence of hookworm and other tropical parasites in areas, especially in areas where people are not dealing with proper sanitation. This is a problem throughout the U.S.

Yes, I went to Centreville, actually saw it first-hand. I am happy that you are sponsoring this type of fix. There needs to be a continuous effort, because the problems are worse than

we even know, because there is no central data base that documents sanitation issues across the U.S.

Senator Duckworth. Thank you. I think that is a very good point.

Do you think that major federal investment in water infrastructure should be a top environmental justice priority?

Ms. Flowers. Yes, because water is life. None of us can live without water. We have seen what happens when we really don't deal with the health consequences of these issues, especially how it impacts the public. It could very well be that typhoid and all the other kinds of things that come about as a result of inadequate sanitation could happen again. COVID has taught us when it comes to public health that we cannot turn a blind eye to it, because we are all impacted by it.

Senator Duckworth. Water is life. You are so, so right.

In Illinois, we have more known lead service lines than any other State in the Country. As you know, there is no known safe blood level for lead in our children. Therefore, these outdated pipes are a threat to our children's health. This threat is especially higher for minority children.

The Drinking Water and Wastewater Infrastructure Act of 2021, which passed the full Senate with 89 votes on the Floor, would invest federal dollars into the testing for and replacement of lead pipes. The President has made it one of his

top priorities to fund billions of dollars for national full lead line replacement.

Ms. Pulido and Ms. Flowers, do you think the Federal Government should prioritize billions of federal dollars to remove all of the lead service lines in this Country?

Ms. Flowers. Yes.

Ms. Pulido. Yes.

Senator Duckworth. Thank you. I know it sounds like a no-brainer to you and me, but let me tell you, there are others who would argue otherwise.

People of color are one and a half times more likely to live in an area with poor air quality. This can lead to major health problems like asthma, heart attacks, cancer, and reproductive issues. In fact, if you are in Chicago and you go just 10 stops on our rapid transit system, the El, from the heart of Chicago, the Magnificent Mile where you have shops selling \$1,000 Gucci purses, and you go 10 stops on the El to a black and brown neighborhood, just 10 stops, the life expectancy drops by 18 years. Not from gun violence, but from health issues like asthma, heart attacks, cancer. I have been pushing for efforts to increase air monitoring on a hyper-local level.

Ms. Pulido, to address the infrastructure inequity, would better implementation of mapping and screening tools help address these shortcomings, by identifying the communities that

need it most and connecting them with policy solutions?
Furthermore, what other tools do you think are necessary to ensure the federal infrastructure investments that are being discussed get to the correct, most vulnerable communities they are intended for?

Ms. Pulido. Thank you, Senator, for the question. Yes, we have to begin by simply having the right data. We don't have that. It is a problem on multiple levels. Oftentimes we have poor quality data, so that needs to be really improved. A lot of times community scientists or organizations, they do ground truthing to try to verify the data, like, is there a pollution source there, and things like that. So improving the quality of data is really, really important.

Second of all, as I said earlier, we need to address the cumulative impacts, versus the individual facility or emitter, which certainly is important but does not capture what is happening, those stops that have an 18-year difference in longevity. So that is this cumulative environment that we are talking about, and we have very limited ability, although I note Illinois is one of the States that has made steps to begin talking about cumulative impacts. So we need to absolutely see that across the board.

And this becomes really very urgent, particularly in cities, in urban areas, more so than many rural areas, although

not entirely. That is not the case.

One of the last things that you said is what else does the Federal Government need to be doing. One of the things I think is really important is to think about, I frankly feel that on the part of the Federal Government, as well as many other government agencies, there has been a lack of political will to really go after and enforce existing environmental laws. We are not even talking about people that are outside the scope of the law. We can't even enforce the existing laws.

We have had cases, for example, in Los Angeles of major polluters such as Excide, their lead emissions were 50 times over the regulatory limit. It took them decades, and they would not actually solve the problem. They were forced to finally close down, after which they decided to declare bankruptcy, leaving the entire State of California with the cleanup bill for acres and acres of lead contamination.

So it has to be a higher level of political will to actually enforce existing laws.

Senator Duckworth. Thank you. I am over time, Mr. Chairman.

Senator Merkley. Yes, thank you very much, Senator Duckworth.

We will turn to Senator Sullivan.

Senator Sullivan. Thank you, Mr. Chairman. Thank you for

holding this hearing.

I think we already have one unanimous agreement from here, and that is on water and the issues that Senator Duckworth just mentioned. I will mention in Alaska, and Mr. Rexford certainly knows this, we have over 30 communities that don't have any running water. No flush toilets, nothing. No running water. They are almost all Alaska Native communities. These are American citizens. I think it is just completely inappropriate.

By the way, some of the most patriotic Americans in the Country, Alaska Natives. Like the lower 48, Native Americans serve at higher rates in the military than any other ethnic groups in the Country. Yet, they don't have water. That is just unacceptable. I think we all need to work on it. I think there is bipartisan support to do that.

Mr. Rexford, thank you again, sir, for being here, traveling very far for this meeting. I appreciate your mentioning King Cove in your testimony as well. It is very magnanimous of you to be talking about a Native community that is probably 1,000 miles away from your Native community. But it makes the point, and I think it was a really good point.

Let me go back to your issue of contaminated lands. For my Senate colleagues here, this is the Alaska Native Claims Settlement Act, the biggest Native settlement act probably certainly in American history, maybe world history, 44 million

acres. Yet so much of the land was contaminated.

We have made some progress here. We have clarified, thanks to the work of Chairman Carper recently, that the CERCLA liability will not apply to ANCs. Finally clarified that. But Mr. Rexford, what other types of assistance do communities such as your need from the Federal Government to address this issue? Forty-five years, almost 50 years where there hasn't been cleanup by the Federal Government, which clearly is responsible for cleaning up these contaminated lands. What more assistance and other types of assistance would you recommend?

Mr. Rexford. Thank you, Senator Sullivan. In one word it would be commitment.

Senator Sullivan. Commitment.

Mr. Rexford. Commitment to cleanup. I have a reference docket I have prepared for the committee, referencing to relative issues that have substance on our continued efforts to work with the Navy on cleanup. But the message is, we will give it to you as is, where is, and you are liable for cleanup.

Senator Sullivan. Good.

Mr. Rexford. We cannot live with that. We can't afford it.

Senator Sullivan. Consistent commitment. Your testimony does a really good at kind of showing how the Feds sometimes are engaged and they are not engaged. So you want consistent

commitment to this issue.

Mr. Rexford. Yes, commitment.

Senator Sullivan. Great. Let me ask you another question. I mentioned the resource development opportunities. Senator Capito mentioned some of the regulatory issues. Can you tell us how, just one example, the Barrow Natural Gas Field discovery had a very big beneficial impact on your community?

Can you speak to that as just one example of how resource development has provided opportunities, provided energy, low-cost energy, and other things in your community that I think a lot of times people just take for granted in the lower 48, but can be very important in Alaska?

Mr. Rexford. Yes. Senator Sullivan, and committee members, as a child growing up, one of my tasks was to get firewood from the beaches or from the landfill in order to heat the home and cook, melt water, et cetera. That escalated to a coal bag I had to put on a sled and take home from the Indian Education Service Barrow Native Co-Op Store. That was the process.

Then that escalated to heating oil. They made heating oil number one to put two and a half gallons into a stove that is on the back of a heater. And you had to be very careful. And those were my tasks in our household.

One day I went home and two, three days passed by, I was

about 8, 9 years old. And I didn't have to go pick up that fuel oil to heat the house. I said, Mom, are we going to run out of fuel? She said, no, we have natural gas now.

This is the benefit that we have now, is that we have cost effective, natural gas to heat our homes.

Senator Sullivan. Clean burning, too, correct?

Mr. Rexford. Yes. It took years for the Native village of Barrow and the City of Barrow Council to advocate for it from the Federal Government. But they did. It took a long time. But it has been resourceful for us in that it has -- I would like to make a comparison.

Senator Sullivan. Please.

Mr. Rexford. When you go into the villages, you are going to pay up to \$2.50 a gallon or \$3.50 a gallon to heat a home for three or four days. This is reality in the villages. In the outlying villages outside Barrow, we are fortunate that through negotiation and through advocacy in the 1960s that we were able to get natural gas hooked up to the community.

That made a world of difference. Then we could melt water, we could have showers and we were fortunate. But still many today don't have that luxury. We call it a luxury because it is taken for granted.

Senator Sullivan. A luxury, but people in the lower 48, they don't view it as a luxury. You do, though.

Mr. Rexford. Let me just put it in this analogy. When I woke up in the morning, the water basin would be frozen. That is my analogy of water service that needs to be corrected. For those communities you mentioned earlier that simple, life-saving water source that is healthy and sanitary.

Senator Sullivan. Thank you. Thank you, Mr. Chairman.

Senator Merkley. Thank you, Senator Sullivan. Senator Kelly?

Senator Kelly. Thank you, Mr. Chairman.

Mr. Rexford, I want to follow up on Senator Sullivan's first question about cleanup. Specifically regarding Superfund cleanup. I appreciate the focus in your testimony on the ways that tribes are often left behind in the Superfund cleanup process.

Like Alaska Native Corporations, many tribes in Arizona have struggled for decades to compete for funding in the Superfund process. For example, there are more than 500 abandoned uranium mines on the Navajo Nation. Despite years of work on the part of tribal leaders and repeated commitments from federal leaders to work to clean up these sites, only four sites, only four out of 500 are currently undergoing remediation, in large part because for many sites, it has been impossible to locate a responsible party with the ability to pay.

Mr. Rexford, can you expand upon your testimony for why the existing process used by EPA for prioritizing Superfund cleanup sites may put tribes at a disadvantage?

Mr. Rexford. In terms of the Superfund or funding programs for contaminated pollutant cleanup, either we have to work directly with the Native village of Barrow or the Inupiat community of the Arctic Slope to receive those funds. We can do a partnership with the North Slope Borough, a borough-wide home rule government. The reason why we are not getting what we need is priorities set by EPA, priorities set by regulation, don't quite get to our villages.

Now, when an accident occurs, that seems to be the time that we get a drop in the bucket. Like the Valley of 10,000 Barrows, someone gets hurt, and then they provide NALED funding. They were able to clean up in a period of four years, in four summer seasons. Or when we applied for CERCLA funds we didn't qualify because we weren't a tribe.

The White Owl sites and Dulang sites that are infested with asbestos, PCBs and are still on the ground, when the EPA and ADEC and BLM called on me to identify the site locations at Camp Lonely, we had to show them, map out where those locations were. I worked a lot of those sites in my lifetime with the labor union, with the Teamsters. We need our share of money to clean those up.

Now, residuals, in the villages, you can see sheen. I will use Point Hope as an example. At the North Slope Borough mayor's office, I was taking the lead on the radioactive isotopes that were left behind by the Atomic Energy Commission of the United States in the 1960s. They left isotopes in the ice, in the sole body of water that the local people use for water. They had the highest cancer rates in the Nation at the time. The community couldn't understand why everyone was getting sick when they were not being exposed to anything they knew of.

Yet this drinking water source had radioactive isotopes that the Atomic Energy Commission left buried and said, leave it alone. Ogotoruk Creek was a water source for the community. We have had to bury many, many of our relatives in Point Hope over the years because of that very fact. That has been noted in reports to the Atomic Energy Commission and the Federal Government. That is just one example.

Now, the Tupaluk [phonetically] site, National Petroleum Reserve of Alaska site, a family subsisted there, and 80 percent of that family directly died of cancer. Cancer. People of promise, people that were very productive in how we support the community through whaling, through subsistence. Eight of their family members of 12 died from cancer, 8. This is devastating. These are facts that we live with.

We need the money. We would like to be able to clean up Inupiaq Lake that was a water source for the community for decades. The Air Force used it as a water source. The Department of the Navy used it as a water source. However, the contaminants from the 1963 100-year flood devastated that water source, and now paths are known to be in there. So we are putting up signs, do not drink water from Inupiaq Lake. After centuries of access to this water source, we are telling our own people, do not drink this water source.

So how do you get the money to the impacted community, to the impacted agency that is responsible for that? They want us to sign on a document that says we are going to receive it as is, where it is, and we foot the bill of millions of dollars of cleanup? We can't do that. We would deprive our next generation of shareholders opportunities for education, opportunities for health care and benefits for travel when they need it in emergencies. This is how we put back what little economic profit that we have so that we can continue to support them, especially for those that are needy.

My colleague and my peer to my right has very eloquently described the very things that we are faced with in the rural community. We share the same concerns. We have the same problems. But how do you get Federal Government to say, okay, this is a priority, we have 3,500 people that are being

affected, we have 8 of 12 people in a family that have died?
How do you balance that in the name of cleanup, or the loss of a
life?

I am passionate about this because they are my people, my
community, and I represent them. But I live with them; I grew
up with them. And I have seen them go.

Thank you for your questions. I do hope I didn't miss your
question.

Senator Kelly. No, you didn't. It is apparent that there
needs to be more direct funding where you do not have to apply
to multiple, or to agencies, that the funds need to get to the
communities to do this cleanup. I appreciate your examples.
They are compelling. We have similar examples all over Arizona
where this cleanup needs to be done. We have to do better.
Four abandoned uranium mines, I mean, 4 out of 500? It is
unacceptable.

Thank you, Mr. Rexford.

Mr. Rexford. Thank you, Senator.

Senator Merkley. Thank you, Senator Kelly.

Senator Markey?

Senator Markey. Thank you, Mr. Chairman. Thank you for
having this very important hearing.

Environmental justice populations have been burdened over
and over again by pollution, disinvestment and designed neglect,

not benign neglect, designed neglect. As discussed by Professor Pulido, it is critically important to address not just individual sources of pollution, but the cumulative impacts of each alongside socio-economic conditions.

In drafting the Environmental Justice Mapping and Data Collection Act, Senator Duckworth and I worked closely with environmental justice advocates to create a framework for a federal method to map these cumulative impacts and ensure that communities that are most at risk from environmental injustices are prioritized as we address the climate crisis.

Professor Pulido, and Ms. Flowers, would you agree that it is important to consult with communities in the process of creating these maps as well as in addressing any gaps in data that would make it harder to understand and tackle environmental justice issues?

Ms. Flowers. Thank you, Senator, for that question. I think yes, we have to consult those communities. Just to give you a quick example, in a lot of the rural communities, if you don't go down those dirt roads and know that people are there, they will not be counted. I think it is very important that the people that are impacted are also part of the data collection. That is why we have so many gaps.

Senator Markey. Thank you.

Ms. Pulido. I would agree with that. I think it is really

essential. One of the things that we have seen, I haven't seen the federal model, what it will look like.

But I know in cases like EJ Screen, which has been one prototype that has been developed, where they go and involve local community members, they can point out sensitive land uses that will also impact how we understand cumulative impacts. So for example, is there a childcare center there, or is there an elder care facility there, or schools. Those all have big differences. So it is very essential for this to happen.

Senator Markey. Thank you. And to both of you, again, would dedicated funding for community engagement, cumulative impact mapping and data collection make it easier to prioritize and properly value communities' contributions to these efforts?

Ms. Pulido. Yes.

Ms. Flowers. Yes. I agree.

Senator Markey. Excellent.

Professor Pulido highlighted in her testimony extreme heat is an environmental justice issue, even within the same city, due in part to historic redlining and differences in tree cover. Some neighborhoods, often lower income communities, or communities of color, can be up to 20 degrees Fahrenheit warmer. Despite the fact that most heat-related deaths and illnesses are preventable, extreme heat events kill more Americans than any other weather event.

As the old saying goes, an ounce of prevention is worth a pound of cure. That is why I will soon be reintroducing my Preventing Heat Illness and Deaths Act to strengthen interagency efforts to address extreme heat and provide financial assistance for projects that reduce the health impacts of extreme heat events such as urban tree plantings, cool roofs and streets, and cooling centers. Climate change is only going to worsen the extreme heat crisis. We need prevention now.

Professor Pulido or Ms. Flowers, would you agree that additional investment in extreme heat prevention could help address historic inequities and protect public health?

Ms. Pulido. Absolutely. It is urgently needed. People are dying.

Ms. Flowers. Again, Senator, I concur that this is definitely needed, yes.

Senator Markey. Thank you both for that.

Finally, in the grips of a respiratory pandemic, healthy air shouldn't even be determined by zip code. But even within a single neighborhood, air quality can vary up to 800 percent. We can't manage what we don't measure, and federal funding levels for air quality support have remained unchanged for nearly two decades, which is unbelievable. That is why I am working on legislation that provides grant and contract funding for hyper local air quality monitoring in environmental justice

communities.

Professor Pulido and Ms. Flowers, would you agree that it is important for us to be able to identify, communicate about, and finally, work to resolve air pollution hot spots all across our Country?

Ms. Pulido. Yes, I would agree, absolutely.

Ms. Flowers. Yes, I also agree. I think that the people in Cancer Alley would welcome that.

Senator Markey. Yes. And again, Cancer Alley is just one example that has proliferated across our entire Country. It is time for us to have environmental justice at the core of any piece of legislation which we pass this year. Because if we don't map it, it is impossible then to rectify the historic injustices.

So thank you both for your work historically, and thanks to both of our panelists as well. Thank you, Mr. Chairman, for conducting this hearing.

Senator Merkley. Thank you, Senator Markey. We are going to have a second round in which each Senator is allowed one question. So if you would like to stay and you have something else, I know Senator Sullivan has a question, and I understand Senator Wicker might return for an additional question.

So my additional question goes to you, Ms. Flowers. You refer in your testimony to Cancer Alley along the Mississippi

River, where residents combat very high cancer rates due to pollution. What is the source of that pollution that is affecting residents in Cancer Alley?

Ms. Flowers. Thank you for that question, Senator. I had the opportunity to visit Cancer Alley and was taken on a tour through the communities, and met with community people, led by Retired General Russell Honore. I was shocked by what I saw. It was almost like a Disneyland of petrochemical plants sitting along the Mississippi River. Even though I was only there for several hours, I myself had respiratory issues once I left there. I had to really go to bed for a week, trying to figure out what was going on with me.

To me, it made me feel that it is even harder for people that have to live there. These plants are located next to homes, they are located next to schools. The people have been trying out for the longest about getting air quality monitors there, so they can monitor what is there and be able to show the correlation between what is being emitted in the area and the illnesses that they are dealing with.

So that is so needed. Cancer Alley is just one example, as you stated earlier. But clearly, we have to use that maybe as an example of how get local people involved and be able to monitor and track what is happening there.

Senator Markey. Thank you very much for sharing that. I

will just note that one of the side effects of natural gas is climate change that is driving the tremendous fires out in Oregon. But another side effect is natural gas is the feedstock for the petrochemical industry making plastics and results in very high cancer rates for those who are located nearby.

Senator Sullivan.

Senator Sullivan. Thank you, Mr. Chairman. I am going to raise an issue that I have raised a number of times in this committee. The Biden Administration's stated focus on racial equity and environmental justice in my view has not fully considered the welfare of Alaska Natives, which are certainly our biggest minority group in Alaska, who have seen great advances in life expectancy, life expectancy because of the opportunities and health benefits of resource development.

So this is a chart that shows, that is from an American Medical Association study on changes in life expectancy in America from 1980 to 2014. The dark blue and purple are the biggest increases, up to 13 years, and the yellow and red are unfortunately for our Country decreases. That is a lot of where the opioid epidemic has hit communities very hard.

But Alaska had the highest life expectancy increases of any place in the Country, by far. The reason is twofold. One is unfortunately the Alaska Native people had a very low life expectancy to begin with.

But resource development started happening on the North Slope, the Northwest Arctic Borough, the Aleutian Island Chain. I am worried that as this Administration starts to focus on shutting down those opportunities in our rural communities that these incredible advances, 13-year life expectancy increases, I don't think there is anything more important than that in terms of an indicator of policy success than are the people you represent living longer. And in Alaska, they are living longer because of these opportunities.

I am worried that we are going to go backwards in this important area if this Administration focuses on shutting down resource development opportunities in our State, particularly the rural areas.

Mr. Rexford, you have a lot of experience with this general issue, seeing life expectancies increase, the economic opportunity that comes with resource development. Would you like to comment on this? Do you have concerns that if these opportunities are shut down, we are going to be going backwards?

Mr. Rexford. Yes, thank you, Senator Sullivan, committee members. In my entire lifetime, my father was with the Teamsters Union and worked resource development going to remote sites for six months out of a year, and would come home, through Arctic Constructors and USGS seeking oil and gas exploration, so that we can have resources to develop. Then he was there during

the discovery of the pipeline at Parson Camp in Dead Horse, in Prudhoe Bay. I worked the pipeline. There was a benefit to economic jobs. Also, the State of Alaska enjoyed the royalties that allowed us to get in some cases basic services, water, wastewater treatment. Yet today, there are struggles.

The benefits that I have directly seen since 1974 in my short lifetime after graduating from high school in 1973 is our ability to tax oil and gas properties. We don't have a royalty. Don't get me wrong. We don't have royalty. But we had to file a lawsuit so that we could generate revenue to build roads, to build health clinics, to build fire stations, to build airports, high school and junior high facilities. Every program and service, behavioral health, that comes with infrastructure needs.

That is basically just from the ad valorem tax of approximately 2.5 percent, 1.8 to 2.5 percent annually. That helps support economic jobs, safe water, health clinics so that we can get better health care, and detect illnesses before it went too bad.

Now, when we talk about the eight villages, Barrow being the hub, and the eight villages are still struggling because infrastructure is now 45, 50 years old. We continue to upgrade them with what little money that we have to keep them going, to continue the level of services.

But these are the benefits that we have received. The subsidy of heating oil to the villages is very crucial, especially in the economically depressed zone and several of the villages that have no economy. But there is the North Slope Borough, the Native villages that tribes and the city, that provide minimal job opportunities. They have to go outside of the community to support their families, to provide for their families. Otherwise, it is welfare. And we are not a welfare-driven community.

Senator Sullivan. No.

Mr. Rexford. We like to be industrious, industrial. We like to be productive and give back with our own, with our dignity, with our self-respect, in the name of a job and employment. That is what we seek.

Senator Sullivan. Thank you. Very powerful. Best government program is a good job.

Thank you, Mr. Chairman.

Senator Merkley. Thank you. Senator Markey?

Senator Markey. Thank you, Mr. Chairman.

To any of our witnesses, President Biden's plan for job creation is to have 40 percent of programs, of the revenues, go toward communities that are environmental justice communities. What in your opinion is the best way to ensure that 40 percent of all of the funding goes into those communities? What would

you like to see put in place in order to accomplish that goal?

Senator Merkley. Do we want to direct that to someone?

Ms. Harden, you are ready to speak to that? Go ahead.

Ms. Harden. The money is great, and it is needed. But what we need to see in the Delta are the pumps. Because without those pumps --

Senator Markey. The what?

Ms. Harden. The pumps, the backwater pumps. We need those pumps put in. Without those pumps, we are not able to have many job opportunities. The businesses are closing. People are moving. We need to be able to keep the people there.

So with us getting those backwater pumps, that money would be greatly needed in our area. But we need the pumps before that.

Senator Markey. Great. Very helpful. Yes, Mr. Rexford?

Mr. Rexford. Yes, Senator Markey, my ears are ringing, would you repeat the question so I can understand it?

Senator Markey. President Biden intends on 40 percent of all the funding in his Jobs Creation Act to go to environmental justice communities. What is the best way to ensure that that money gets to those communities?

Mr. Rexford. In order to have direct access to those communities, we need to have an entity that will receive them, administer and implement the programs intended for it. Now, if

there are provisions in there of that funding, how is it going to filter down and put back into the community and sustain it? That is the question; can we sustain after the funding is available to sustain the program to future generations?

With all due respect, the Sunshine State of Florida has a lot of sun. But six months out of the year, we nearly have none. So solar energy is limited.

What type of program would generate, what kind of infrastructure would generate sustainability? That would be a goal that we could set, this will definitely be sustainable for future generations and yet reduce the ability to maintain and operate it to a minimum that it sustains itself. I do hope I answered your question.

Senator Markey. Thank you, Mr. Rexford. If you could, my time is about to expire, Professor Pulido, Ms. Flowers, would you have any quick insights that you would like to give to the committee as to how to make sure that funding does go to environmental justice communities?

Ms. Flowers. First of all, we should have a scorecard to make sure that it does in fact go to those communities. Guardrails should be put in place to make sure that the business opportunities that are created will be created for people that live in those communities as well.

Senator Markey. Beautiful. Great. Ms. Pulido?

Ms. Pulido. One of the things I would say is by working directly with already existing community organizations, groups doing environmental justice work, that would be a really good kind of conduit [indiscernible] that are oftentimes already doing it, like weatherization projects and things like that.

Senator Markey. Beautiful. Thank you. Thank you all for your contributions. Thank you, Mr. Chairman.

Senator Merkley. Thank you very much, Senator Markey, and to my colleagues for the variety of questions exploring this issue of economic justice and economic injustice.

There was a gathering back in 1991, and this gathering was a significant landmark in the national discussion about environmental justice. There was a four-day summit attended by over 1,000 individuals from all 50 States. It was sponsored by the Commission for Racial Justice and the United Church of Christ.

Out of that came a set of four principles for environmental justice that have continued to reverberate through the last three decades. One is that public policy must be based on mutual respect and justice for all people. Second, that the environmental justice communities have the right to participate as equal partners in decision making, including needs assessment, implementation, enforcement, and evaluation. That is the seat at the table.

The third is the use of land and renewable resources must be ethical, balanced, and responsible in the interest of a sustainable planet for both humans and other living things. And fourth, it is important to consider the cumulative impact of every source of pollution in a community rather than looking at each source in isolation.

So I wanted to close with those thoughts, as I am sure we will be continuing the conversation about environmental justice. It is so important to make sure that we do.

Now, some thank yous, to Professor Pulido, Ms. Coleman Flowers, Ms. Harden, Mr. Rexford, for your contributions based on the experiences and knowledge you have accumulated through a lifetime.

I would like to ask unanimous consent to submit for the record a number of reports and articles related to today's hearing. Hearing no objection, thank you.

[The referenced information follows:]

Senator Merkley. Additionally, Senators will be allowed to submit questions for the record through the close of business on August 5th. We will compile those questions; we will send them out to our witnesses and ask our witnesses to reply by August 19th. So if we have questions for you all, in addition from other members, or members who are here today, we will get those to you. We would appreciate your sending us the answers back, and we will make them part of the record.

With that, the hearing is adjourned.

[Whereupon, at 11:56 a.m., the hearing was adjourned.]