



## A Summary of EPN's All-Hands Call: EPA Budget Update and Enforcement Friday, April 8, 2022

The call began with **Dave Coursen** providing an overview of the three pieces of the EPA budget, which are the Bipartisan Infrastructure Law (BIL); the FY2022 appropriation for EPA operations, which was finally approved in late March 2022; and EPA's request for funding in FY2023. The BIL gave EPA \$12B every year for five years, most of it to pass through to states. EPA has never been appropriated \$12B in any year, so it is a large sum.

The agency has faced a long-term decline in resources and needs funding to rebuild; however, the budget that recently passed didn't do that. EPA had requested a \$2B increase to \$11.2B total in its FY2022 request, but appropriators gave it only a little more than \$9.5 billion, for a 4% increase. That is less than half the inflation rate, and some of it went to areas where EPA had not requested funding. For example, the popular geographic programs, which support state actions to protect and restore important water bodies, received a small increase, and also received \$330M through BIL. The only significant increase in an area that EPA had requested was \$85 million for environmental justice programs, and even that was less than a third of the increase EPA had requested.

The FY2023 budget request includes an increase in total budget of \$2.2B, to \$11.8B. This includes an \$800M increase for Environmental Program and Management, including \$200M for environmental justice programs, with \$140M of that for grant programs; \$100M for enforcement; and \$250M for air and air quality, including climate, with \$100M specifically for an improved air monitoring network to adequately cover frontline communities. The request also includes \$65M for TSCA implementation to allow the agency to meet new requirements under amendments to the law; \$110M for Science and Technology, including \$40M for climate research; and \$1.4B for State and Tribal Assistance Grants, much of which are targeted to address lead problems in drinking water systems, excluding lead pipes, which is already covered in the BIL; and \$60M for PFAS. The request also includes an addition of 1900 FTEs, with 140 FTE specifically for TSCA implementation.

The BIL provides \$60 billion over five years, but virtually none of it will support rebuilding EPA. Congress needs to give EPA enough money to restore its ability to protect our nation's people and environment.

The call continued with **Eric Schaeffer**, **Environmental Integrity Project (EIP) Executive Director**, and one of the founders of EPN, sharing key findings from EIP's recent report on [20 years of EPA Enforcement](#), which tracked a decline in budgets and staffing that have hurt investigations and enforcement cases and meant more uncontrolled pollution—especially impacting environmental justice communities. The report compared average annual outputs from the Office of Enforcement and Compliance Assurance (OECA) from 2002-2017 against the last four years, and also looked at four-year averages to compare administrations.

The report found a sharp decline in all enforcement activity during the Trump administration compared to the previous two presidential administrations. In addition, looking at four-year averages allows you to see differences between administrations. During President George W. Bush's two terms, enforcement output was better than it was under the Trump administration. Enforcement is a bipartisan issue that polls very well across party lines when you ask people about environmental enforcement. Yet there was much more consistent performance in the Bush years. Enforcement began to decline in the second half of the second Obama administration, probably due to a decline in FTEs; the program lost 22% of its workforce during that time. While Congress was authorizing more FTEs, they weren't providing the funding for them, and this had an effect on the up-front work the agency was doing.

State agencies, which have also had their budgets cut, have all seen a lot of decline in their enforcement actions. For example, in Louisiana, a state that is exploding with oil and gas industries, they lost  $\frac{1}{3}$  of their staff from 2018 to 2019.