

# Race, Poverty & the Environment

A newsletter for social and environmental justice

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A Special RPE Reportback on the People of Color Environmental Leadership Summit, Washington, DC, October 24-27, 1991

## The Summit

### Building Community

by Baldemar Velasquez

*Baldemar Velasquez is the president of the Farm Labor Organizing Committee in Ohio. The following is an edited transcript of his speech to the delegates at the Summit...*

When I was a boy, I worked in the cotton fields. I remember the first time I got out there with my grandfather, smelling the sweat mixed with the cotton and the soil. He gave me a big bag to put the cotton in. I got out there and I began putting all that cotton into that bag. Well pretty soon, the other workers were all way ahead of me. And pretty soon my bag got bigger and fuller. and, because I was so little, I couldn't drag that bag anymore. Those bags weigh well over 100 pounds when they're full. I couldn't drag it anymore and I was left behind.

I wasted my whole morning with things going through my head like "I can't do the things I wanted to do by coming out here." You know what I really wanted to do? In the labor camp (we were being housed in an old abandoned school house — we were some of the first homeless people, and they put us in anything they found), in that camp we had a little tradition among the crew that whoever felt they did very well in the picking

>> *m* COMMUNITY, page 20

### Transforming a Movement

by Dana Alston

*Dana Alston of the Panos Institute was a member of the Summit planning committee. Here is her reportback...*

Rarely do people get the opportunity to participate in historic events. But each of the 300 African, Latino, Native and Asian Americans from all 50 states who gathered for the first National People of Color Environmental Leadership Summit in late October must have left with a sense that the atmosphere in which environmental issues are debated and resolved is changed for good. And for the better.

Joined by delegates from Puerto Rico, Canada, Central and South America, and the Marshall Islands, those present at the October 24-27 meeting in Washington, DC set in a motion a process of redefining environmental issues in their own terms.

People of color gathered not in reaction to the environmental movement, but rather to reaffirm their traditional connection to and respect for the natural world, and to speak for themselves on some of the most critical issues of our times.

For people of color, the environment is woven into an overall framework and understanding of social, racial and economic justice. The definitions that emerge from the environmental justice move-

\*\* *m* MOVEMENT, page 28

**"Come Sunday morning, there's going to be a new environmental movement!"**

**- The Rev. Ben Chavis,**

**kicking off the Summit, October 24, 1991**

#### INSIDE:

- Summit News & Aftermath
  - Environmental Racism
  - Kettleman City Victory
  - Reportbacks & Resources
- Other News from the Movement

"Come Sunday morning, there's going to be a new environmental movement!" With these words, Dr. Benjamin Chavis of the United Church of Christ charged the delegates, participants and observers at the First National People of Color Environmental Leadership Summit with an awesome task. We, as people of color, had gathered to reclaim and define current environmental and social issues in our own words and experiences. The search for solutions would begin in earnest

Yet at the core of the discussions, dialogues and debates, the twin evils of racism and classism were always

present. When one sector of a society uses its wherewithal to exploit others, the cure is not solely the responsibility of another, more benevolent sector of the dominant group. Those directly affected must have a voice in designing the repair. Even though the disenfranchised were not architects of the initial pollution, they are the recipients. However unintentional, racism and classism can and will pervert the most noble of goals. Acknowledging this fact was possibly one of the most difficult realizations for representatives of traditional environmental groups.

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The traditional environmental movement has been fairly comfortable addressing issues in a more analytical or "preservationist" bent: an endangered species or wetland, an entity or entities that have no sentient voice. While these efforts are crucial, the amount of resources and time spent on these concerns has been viewed by people of color and low income people to have little or no regard for their more immediate needs. The activities of a Sierra Club or Audubon Society were

»» see EDKORSNOTES, page 17

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*Race, Poverty & the  
Distribution of  
Environmental Hazards:*

**Reviewing  
the**

**Evidence**

**by Paul Mohai & Bunyan Bryant**

Americans have tended to assume that pollution is a problem faced equally by everyone in our society. But awareness (and concern) about inequities in the distribution of environmental hazards has been steadily increasing. The first event to focus national attention on environmental injustice occurred in 1982, when officials decided to locate a PCB landfill in predominantly black Warren County, North Carolina. Protests similar to those of the civil rights movement of the 1960s erupted. The protests led to an investigation the following year by the U.S. General Accounting Office concerning the socioeconomic and racial composition of communities surrounding the 4 major hazardous waste landfills in the South. The GAO report found that 3 of the 4 were located in communities that were predominantly black.

The Warren County incident and the findings of the GAO report led the United Church of Christ's Commission for Racial Justice — a participant in the Warren County protests — in 1987 to **sponsor** a nation-wide study, employing systematic and statistically **analyzable** data, of the distribution of hazardous waste sites to determine whether the pattern of disproportionate location of commercial hazardous waste facilities in communities of people of color fit the pattern found in the South. The study found that it did. Specifically, it found **that** the proportion of residents who are people of color in communities that have commercial hazardous waste facilities is about double the proportion of people of color in communities without such facilities. Where two or more such facilities are located, the proportion of residents who are people of color is more than triple. In addition, using sophisticated statistical techniques, the UCC study found that race is the single best predictor of where **uncontrolled** hazardous waste facilities **are** located, even when other socioeconomic characteristics such as household income or home values are taken into account. The UCC report concluded **that** it is "virtually impossible" **that** the nation's commercial hazardous waste facilities **are** distributed disproportionately in communities of people of color merely by chance, and that the underlying factors related to race, therefore, in **all** likelihood play a role in the location of these facilities. At the time the report was released, Dr. Benjamin F. Chavis, Jr., Executive Director of the **UCC's** Commission for Racial Justice, termed the racial biases in the location of toxic facilities "environmental racism." Because of its national **scope** and unequivocal findings, the publication of UCC report was a turning point in raising public awareness about the disproportionate burden of environmental hazards borne by people of color.

The striking findings of the United Church of Christ study led us to investigate whether other studies existed which used systematic **data** to examine the social distribution of pollution and to determine whether the evidence from these studies, taken together, demonstrates a consistent pattern of environmental inequity based on socioeconomic and racial factors.

# Woman-Power at the Summit

by **Ellie Goodwin**

The First National People of Color Environmental Leadership Summit was an incredible opportunity to be on hand for the next step in the environmental movement that will take us into the 21st century — the recognition of the social justice component. Women were represented in **crucial** positions during the planning and coordinating process, as well as multiple Summit workshops. This level of involvement represents our redefining the model for environmental and social justice organizations. Our women must be acknowledged for their contributions and roles as collective "midwives" to this movement.



From the opening invocation by Rose Auger, the Spiritual Elder of the Cree Nation to **stirring** presentations by **Mililani Trask**, Governor of the nation of **Kai' Aina, Hawai'i**, **Wilma Mankiller**, Principal Chief, Cherokee Nation of Oklahoma, and Hazel Johnson, Director of People for Community Recovery (just to name a few), the case studies of exploitation were appalling, the opportunities for action inspiring. Sister Auger brought the whole discussion into focus with her spiritual request for alleviation of the pain of Mother Earth and healing for all her children. I wept to hear this Elder for all of us asking the Creator for direction for Her "foolish children." I realized at that moment how much I missed the connections to my other relations and how proud and happy I was to be among them now.

Women have been on the **frontlines** of the environmental justice movement for years. Since we are most often the caregivers and homemakers who are first aware of contaminants in our homes and neighborhoods, we ultimately become the first line of defense and struggle. Our "activist" tendency, to not compromise when it comes to the health and well-being of our families and loved ones, has prepared us for this work as nothing else can.

Drawing on the professional and **grassroots** strength and expertise of community women, the Summit was imbued with a sense of power and courage not soon to be forgotten. In my opinion, this was embodied in the amazing presentation by Dana Alston, Senior Program Officer at the **Panos** Institute. Ms. **Alston's** analysis of the paternalistic dynamic that has motivated the traditional environmental movement was nothing short of awesome.

I felt proud listening to Ms. Alston break it down for the plenary body: her chilling statistics of pollution exported to non-white countries; of peace and anti-nuclear movements, as well as other socially conscious movements, which turn their

>> see WOMAN POWER, page 23

# Education & Youth

## Reportback from the Summit

by **Nindakin:**

**People of Color for the Environment**

Youth have historically played a **crucial** role in movements for social change and now carry the responsibility for the long-term success of the environmental justice movement. As a source of fresh and creative approaches, they must be an integral part of the leadership of the movement today. Throughout the Leadership Summit, the need for education and outreach to youth became apparent. The Education and Youth **Strategy** Workshop and an impromptu youth caucus explored the issues of education, involvement and leadership of youth in the environmental justice movement.

The 50 conference attendees to the Education and Youth workshop discussed the challenges of **integrating** young people into environmental struggles and organizations. Bunyan Bryant, professor of environmental advocacy at the University of Michigan, and Laurie **Weahkie**, of the **Tonantzin** Land Institute, were facilitators.

The discussion touched on drugs, violence, and teenage pregnancy not only as barriers to involving youth in our struggles but also as pressing environmental problems. The workshop members broke into groups to formulate strategies for youth empowerment such as encouraging and **supporting** youth in their own efforts, teaching environmental values and developing internships. The discussion focused on **grassroots strategies** for influencing the education of our youth with the ultimate intent of educating the whole nation.

Additionally, an impromptu youth caucus raised awareness of the role of youth in the environmental justice movement. The youth talked about their **particular** struggles and proposed ways to involve and support youth efforts. Members of the youth caucus discussed the critical need for youth leadership for the continuation of the environmental justice movement. The youth submitted a statement to the Summit leadership emphasizing the importance of youth in **grassroots** struggles and calling for the increased participation of youth in all levels of environmental justice organizations.

Attendees of both the youth caucus and the workshop acknowledged that the learning of environmental values is a fundamental part of personal development. Running Grass, founder of the Three Circles Multi-Cultural Environmental Education Center broadened the **traditional** view of environmental education, stating that "Environmental Justice calls for an environmental education that **links**, conceptually and experientially, social justice issues with an appreciation of diverse cultural perspectives and a through understanding of natural systems." We challenge educators to integrate environmental and social justice **concerns** into their curricula and programs, and in recognition of the important contributions of youth to the movement we challenge environmental justice organizations at all levels to develop critical thinking and action in youth through ongoing dialogue.

# Rev. Chavis Blasts Feds Lead Poisoning Inaction

*The following is the February 25, 1992 testimony of Dr. Benjamin F. Chavis, Jr. before the Subcommittee on Health and Environment. Congressman Henry A. Waxman (D-CA) convened a hearing of the Subcommittee in response to the February 24, 1992 release of the Environmental Protection Agency's Environmental Equity Report.*

Mr. Chairman and members of the Subcommittee on Health and the Environment of the Committee on Energy and Commerce, I am pleased to have this opportunity to give testimony on the impact of lead poisoning on people of color and low income communities in the United States of

America. I am speaking today on behalf of the Commission for Racial Justice of the 1.6 million-member United Church of Christ. Our national office is located in Cleveland, Ohio, with other offices in New York, North Carolina, and here in Washington, D.C.

Human exposure to lead poisoning is an urgent and important issue for all persons who live in the United States. In particular for African American, Hispanic American, Native American, and Asian American communities, the issue of lead poisoning, like other environmental issues, is an issue of life and death.

We sponsored the First National People of Color Environmental Leadership Summit on Capitol Hill, October 24-27, 1991. At this Summit meeting, we heard numerous accounts of the devastating impact of lead poisoning in the children of people of color communities. That same month, the Centers for Disease Control (CDC) issued a statement that called for lowering the acceptable level of lead in blood from

25 micrograms per deciliter to 10. This action by CDC is the result of new medical evidence documenting the fact that serious negative health effects are caused by far lower levels of lead in blood than previously assumed.

Yet, numerous studies have confirmed that children from people of color communities in the United States have some of the highest levels of lead in their blood as a result of being in communities that have been disproportionately impacted by a wide range of environmental hazards. For example, it is reported that 70% of urban African American and Hispanic children have a dangerous level of lead in their blood,

**Lead poisoning should not be viewed as an isolated phenomenon in people of color communities - it is directly related to issues of racism, socioeconomic circumstances and disproportionate exposure to other environmental hazards.**

as opposed to 35% of white children in similar circumstances. The high level of lead poisoning in urban people of color communities is integrally

connected to patterns of residential segregation based on race. The greatest source of lead poisoning among children is lead based paint chips found in the inadequate housing common in these communities. It is generally known that lead poisoning causes decreased intelligence, learning disabilities, anemia, convulsions, hypertension, kidney disease and cancer.

The high level of lead contamination in people of color communities, I believe, should be viewed in the broader context of overall environmental degradation in these communities. In other words, lead poisoning should not be viewed as an isolated phenomenon in people of color communities. Rather, the high level of lead poisoning in these

>> see LEAD, page 18

## The Real Story Behind EPA's "Environmental Equity" Report

The Environmental Protection Agency released its long-awaited report on "environmental equity" on February 24, 1992. Environmental equity refers to the disproportionate impact of pollution on people of color populations. The ostensible purpose of the report is to increase the priority that EPA gives to issues of environmental equity. According to internal EPA memoranda released by Cong. Henry A. Waxman (D-CA), top EPA officials fear that environmental fairness could become "one of the most politically explosive environmental issues yet to emerge." What follows is the Staff Report from Cong. Waxman's office.

This report summarizes important internal agency documents that address the equity report. These documents show 1) that the confidential EPA "communication plan" for the report promotes an agenda that conflicts with the stated objectives of the report; 2) that the equity report is "less than candid about EPA's track record"; 3) that people of color members of the environmental equity workgroup filed a dissenting opinion that has been suppressed by EPA, and 4) that EPA has opposed initiatives to address proven instances of disproportionate impact.

The agency's communication plan for the equity report is described in a confidential memorandum from Lewis Crampton, EPA's Associate Administrator for Communications, to Gordon Binder, Administrator Reilly's Chief of Staff.

As set forth in the memorandum, the goal of the "environmental equity communication plan" is not to promote understanding of, and responses to, the environmental problems faced by people of color communities. Instead, the goal is to defuse political pressure for action by driving a wedge between

>> see EPA, page 18

# REPORTBACK...

**California Communities Against Toxics Conference. Sacramento, CA, July 27-28, 1991.**

## Grassroots Groups Unite

Last July 27 and 28 over 100 environmental activists from all over the state of California gathered in Sacramento for the third annual California Communities Against Toxics Conference. Priorities for the conference included networking, education and strategizing about the present and future goals of CCAT.

Participants ranged from the Silicon Valley Toxics Coalition which is organizing in predominantly Latino communities in San Jose around high tech industries which are polluting the groundwater, to residents of **Dunsmuir** who came bringing stories of the environmental devastation experienced in their town because of the Southern Pacific railroad spill, to El Pueblo para el **Aire y Agua Limpio** (People for Clean Air and Water) from **Kettleman City**. Several anti-toxics activists from Arizona were also present.

A celebration of victories was **first** on the agenda, with tribute paid to the successful efforts of the Mothers of East LA to fight a toxic waste incinerator proposed for Vernon; the closing of a toxic waste dump in **Casmalia** through the efforts of **Casmalia** residents; and the rejection of a garbage dump by the **Los Coyote**. Band of Mission Indians and the Coalition for Indian Rights, which together organized to invalidate a lease allegedly **entered** into with the Chambers Development **Corp.** by the Tribal Chairman (**see** 2 RPE 8 (Summer 1991)).

Workshop topics included information about tactics on how to fight contamination sites in local communities, the medical effects of toxics, toxic **threats** to Indian lands, how to build and maintain a community group without

burning out, how to lobby elected officials, and evaluating Environmental Impact Reports and Health Risk Assessments. The workshops generally focused on specific tactics and information to help in concrete issue areas, although the group discussions **Sunday** morning on such topics as The Fight Against Environmental Racism and The Pesticide Spill and its Consequences led to an interchange of ideas among participants that reflected the breadth of perspectives and experience represented at the conference.

Part of the mandate of the conference was to poll the **participants** regarding whether or not there was a need to establish more regular communication and structure among CCAT

communication among environmental activists if we are to build a movement for environmental justice, and **that** communication must be diverse to include people of color and also groups dealing with questions of labor in the production of toxics. By pulling in people of color, who are often most affected by contamination, and labor, which is decidedly affected **first** and worst at the point of production of toxics, solutions of how to clean up the environment can more fully reflect social justice and economic concerns of affected communities.

For the more than 100 activists attending, the CCAT conference provided a valuable opportunity to gauge the breadth of environmental

**By pulling in people of color, who are often most affected by contamination, and labor, which is decidedly affected first and worst at the point of production of toxics, solutions of how to clean up the environment can more fully reflect social justice and economic concerns of affected communities.**

participants. Results showed that there was interest in establishing some kind of more solid structure, and a committee of people was established to follow-up on that task by seeking the input of participants of the conference and other potentially interested groups and establishing the mechanisms of communication.

Discussion with some participants indicated that there is a need for regular interchange and strengthening of

struggles throughout the state of California, gather important information that can be used in local struggles, and meet other activists who were all too happy to provide support and resources.

— **Lisa Duran**  
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**Facing Free Trade Together Conference.**  
Berkeley, CA, February 21-22, 1992

## Activists Meet to Discuss "Free" Trade Agreement Issues and Strategize

The large and enthusiastic turn-out of over 700 people at the Coalition for Fair Trade and Social Justice Conference in

Berkeley on February 21-22

showed that trade policy is now recognized as an issue that hits very close to home for a broad spectrum of communities throughout North

America. From Cuauhtemoc Cardenas' opening address, through plenaries and workshops ranging from global economic restructuring to particular local organizing experiences, a wealth of information and experiences were shared. Perhaps

most exciting was the sense of common purpose which emerged, cutting across borders and the hazy lines which divide us into workers, consumers, environmentalists, immigrants, farmers, and so on.

Of course we still have a long way to go. Dozens of proposals dealing with the tasks ahead came out of the conference workshops. These included long-,

medium- and short-term proposals, and fell into three broad categories.

- First, trade policy and legislative work includes exposing the true costs of free trade and the proposed agreements,

setting baseline conditions for any agreements, promoting alternatives which foster equitable and ecologically sound development, and building mass political pressure.

- Second, cross-border links between organizations in Canada,

informed and organized through the Coalition.

There are currently great opportunities for more individuals and organizations to get involved with the Coalition, and hook up with each other. We are setting up a speakers bureau, a research team, a strategy to use the California primaries to raise free trade issue. We are also planning a tour for Berta Lujan, a leader of the independent Mexican trade union federation and Mexican

Action Network, for fall.

Conference summaries are now available from the Coalition, which is a project of Global Exchange and the Plant Closures Project. To order a copy of the summary, please send \$3.00 to the Coalition for Fair Trade and Social Justice, 518 17th Street, #200, Oakland, CA 94612. 510/763-6584.

— Coalition for  
**Fair**  
Trade and  
Social Justice

Trade policy is now recognized as an issue that hits close to home for a broad spectrum of communities throughout North America. From Cuauhtemoc Cardenas' opening address, through plenaries and workshops, a wealth of information and experiences were shared. Perhaps most exciting was the sense of common purpose which emerged, cutting across borders and the hazy lines which divide us into workers, consumers, environmentalists, immigrants, farmers, and so on.

Mexico and the U.S. are needed for the long haul, which build on existing networks, improve information sharing and cross-cultural understanding, and facilitate new common strategies and organizing projects.

- Third, Northern California outreach, education and media work proposals addressed how more individuals and organizations can become

**We want to hear from you --  
send news of your latest event to  
RPE Reportbacks, CRLAF, 2111  
Mission Street, Suite 401, San  
Francisco, CA 94110, or fax them  
to 415/626-4925.**

# El Pueblo of Kettleman City Beat Chem Waste in Round One

In a major victory in their four year campaign to block a toxic waste incinerator near their small town, Kettleman City residents heard on New Year's Eve that a Sacramento Superior Court judge had ruled in their favor in a legal challenge to the incinerator. Judge **Jeffrey Gunther** ruled that Kings County failed to follow California law when it prepared an **environmental** impact report on the incinerator project and rushed approval through the Board of Supervisors. "The Court finds that the Final Subsequent EIR on **CWM's** proposed **incinerator** project was inadequate," wrote Gunther in a strongly worded opinion **that** took the County to task for failing to properly analyze the air quality impacts, agricultural impacts and cumulative impacts of the proposed toxic incinerator. The Court also ruled that the **EIR's** analysis of alternative sites for the incinerator was "**flawed** and premature." The ruling stops the incinerator dead in its tracks for what could be years.

In a significant victory for Kettleman residents, the Court also held that the County had excluded Spanish-speaking residents from the EIR process. According to Judge Gunther, "The residents of Kettleman City, **almost** 40 percent of whom were monolingual in Spanish, expressed continuous and strong interest in participating in the **CEQA** review process for the incinerator project at **CWM's** Kettleman Hills Facility, just four miles from their homes. Their meaningful involvement in the CEQA review process **was** effectively precluded by the absence of Spanish translation." This is the **first** time in California history that a judge has ordered the translation of environmental review documents.

"I'm so happy, I'm speechless," said Mary Lou Mares, a farmworker and leader of the local community group El Pueblo para el Aire y **Agua Limpio** (People for Clean Air and Water), which brought the suit in February of 1991. "This just goes to show that Latino **farmworkers** can be heard."

"I knew we were right — I'm glad someone **finally** listened to us," said Espy Maya, another leader of El Pueblo. "I'm happy for the people of Kettleman City that we won't be poisoned by the incinerator." Hundreds of Kettleman City residents had joined in continuing protests against the proposed facility, which would burn over **200** million pounds of toxic substances each year.

The toxic waste incinerator, proposed by Chemical Waste Management, Inc. as an addition to their giant toxic waste dump near Kettleman City, had been approved by the Kings

County Board of Supervisors on January 3,

1991. The year by El Pueblo project back to the County to do the environmental review again. "The County didn't ever listen to us," said Joe Maya, a **family** farmer who cultivates 2,700 acres near the proposed incinerator site. "We had to take them to court.

We're not scientists, but we knew there were errors in the EIR."

The lawsuit was filed by the statewide anti-poverty law firms of California Rural Legal Assistance and the CRLA Foundation. Luke Cole, an environmental-poverty attorney with CRLAF who has represented the community group for the past two years, said, "The inclusion of Spanish **speaking** people is fundamental to any adequate review of the **incinerator**. The people who have to live with a decision should be the people making the decision."

Cole and leaders of El Pueblo also questioned the siting of the incinerator near the 95 percent Latino community. According to Espy Maya of Kettleman City, "They put these incinerators in here because we're Mexican — look at Chem Waste's three other incinerators, all in neighborhoods where black people live," said Maya, referring to **Chem Waste's** existing toxic waste incinerators in Chicago, IL, Saugnet, IL and Port Arthur, TX. According to Cole and Maya, each of the three communities is more than 75 percent black. "It's no coincidence

that Chem Waste now wants an incinerator in Kettleman City — their incinerators are only in communities where people of color live."

Ralph Abascal, CRLA's General Counsel, explained the significance of the Judge's ruling. "The County must go back and do the **Environmental** Impact Report all over,

this time following the law. This could take years." The incinerator also still needs three **permits** — from EPA, the state and the local air pollution control **district**.

The David-and-Goliath struggle waged by low-income farmworkers in Kettleman City against the largest toxic waste dumping company in the country has received national attention, with the Rev. Jesse Jackson addressing an October 12 rally in Kettleman City that drew over 1,000 people from six states. Kettleman residents have vowed to fight the incinerator in every **forum**. "We're going to keep fighting until Chem Waste packs up and goes home," said the jubilant Maya. Kettleman residents stressed that they **are** not "**NIMBYs**" — or Not in My Back Yard. "We don't want the incinerator in Kettleman, or anywhere else," said community leader Mary Lou **Mares**. "If we had serious toxics use reduction, we wouldn't need an incinerator anywhere."

**"The residents of Kettleman City... expressed continuous and strong interest in participating in the [incinerator] review process... Their meaningful involvement in the process was effectively precluded by the absence of Spanish translation."  
-- Judge Jeffrey Gunther**

# Wangari Maathai Arrested

Wangari Maathai, 1991 winner of the prestigious **Goldman Environmental Award** for her work to protect and restore the environment of Kenya, was arrested by Kenyan authorities at her home in Nairobi on January 13, 1992 (see *RPE* Winter 1991 for a story on Dr. **Maathai's** activities as an environmental activist). Dr. Maathai, a prominent member of Kenya's newly formed opposition party, was one of four opposition party members charged with "spreading malicious rumors" about President Daniel **arap** Moi and his administration. After more than 100 police barricaded her house over the weekend, police broke in Monday afternoon and pulled her through a window.

Concerned for her safety, Wangari's many friends and supporters immediately alerted the international news media, called key members of Congress, and deluged the Kenyan Embassy in Washington, DC with calls expressing their outrage.

She was held in prison overnight, and perhaps due in part to the instantaneous international outrage over the arrest, was released on a **100,000 shilling** (\$3,500) bond the next day. Upon her release, Wangari was taken to the hospital, where she remained for nearly two weeks with back trouble, due to having slept on the bare concrete floor.

In addition to keeping in close contact with her friends and family, the **Goldman Environmental Foundation** alerted many members of the media concerning Wangari's situation. **As** a result, the story aired on **CNN's FutureWatch** and was covered in *Time* magazine. The **Goldman Foundation** led in the effort to get twenty-three directors of environmental organizations to sign a letter protesting Maathai's arrest.

Following a court appearance on **January 27**, a trial date of **May 27** was set for Wangari Maathai and ten others who participated in an opposition party press conference.

*Information supplied by the Goldman Foundation.*

## Another Reason Not to Let Polluters Open Shop in Your Community

The U.S. General Accounting Office has **confirmed** what grassroots environmentalists have long suspected: it pays to pollute. In a report to Congress issued last June, the **GAO** found that despite an EPA policy to levy penalties that are at least as great as a company's economic benefit from the violation, in nearly two thirds of the cases examined EPA had not calculated the economic benefit of the violation and thus had not matched the fine to the violation. The amounts of the penalties assessed by EPA "show little relationship to the economic benefits of the violations," according to the GAO.

As the GAO report concluded, "**The** widespread absence of documentation makes it impossible to calculate the amount the agency actually should have collected at a minimum. State and local enforcement authorities — who are responsible for more than 70% of all environmental enforcement actions — do not regularly recover economic benefit in penalties, according to previous GAO and EPA Inspector General Reports. Moreover, in cases that we and others have reported on, repeated violations have occurred in the absence of penalties." In 1990 alone, EPA had no data on the economic benefit to the polluting company in 65% of the violations; even when economic benefits were calculated, in 15% of the cases EPA still levied a fine below the amount of the benefit.

The report followed 10 other program reviews by GAO between 1988 and 1990, which documented numerous cases in which EPA regional offices and states did not follow the agency's penalty policy and assessed low penalties, or none at

all, for significant violations of RCRA, the Clean Water Act and the Clean Air Act. The GAO has also found that in the two regions they studied, "fewer than half of the authorized state programs have adopted such a penalty policy, and in the absence of a federal requirement, others are unlikely to do so."

In a review of state enforcement actions under the Clean Air Act, the GAO found that over half of the more than **1,100** significant violators that states and localities identified in 1988 and 1989 had paid no cash penalties at all. In one case, a company that failed to install pollution **control** equipment — and thus had **emitted** excess pollution — for six years was assessed a penalty of **\$15,000**, although EPA's Enforcement Office later found that the economic benefit of the violation was more than **\$231,000**, or about 15 times the penalty.

The report lists other **horror** stories as well. One of the most dramatic examples was the case of Avtex Fibers in Virginia, which violated its wastewater discharge permit at least **1,600 times** over a 9-year period. EPA and the State of Virginia also cited the company for contaminating groundwater and emitting into the air **770 times** the allowed levels per hour of carbon **disulfide**. **Yet** according to the EPA, Avtex never paid a fine.

For a **free** copy of the report, contact GAO and request *Environmental Enforcement: Penalties May Not Recover Economic Benefits Gained by Violators*, GAO/RCED-91-166 (June 1991), USGAO, PO Box 6015, Gaithersburg, MD 20877, or call **202/275-6241**.

# Resources

## Organizations

Minority Environmental Association. The Minority Environmental Association was established in order to improve awareness of environmental risk and advocate opportunities related to environmental issues, including job opportunities. Contact Ms. Deborah A. Saunders, President, Minority Environmental Association, P.O. Box 2097, Sandusky, OH 44871. 4191625-3230.

Wolf Mountain Press. Wolf Mountain Press is a documentary program focusing on Native lands and indigenous peoples throughout the world. The Press maintains a news library for networking with Native and international movements. Contact: Oannes Arthur Pritzer, Director, Wolf Mountain Press, P.O. Box 7573, Naples, FL 33941. 8131353-2164.

## Directories

The *1992 Directory of People of Color Environmental Groups* is now available from the Department of Sociology, University of California, Riverside, CA 92521. 714/787-5444 or fax 714/787-3330. Cost is \$10.

*Comprehensive Listing of State Legislators of Color.* Names, addresses, and phone numbers of every state legislator of color as of October 24, 1991. Contact: Angela Park and Darryl Haddock, researchers, Center for Policy Alternatives, 1875 Connecticut Ave NW, # 710, Washington, DC 20009. 202/387-6030.

## General Articles and Publications of Interest

*Energy Policy and the Urban Predicament.* An Urban Habitat Program study that probes the connections between current energy policy, the public discourse and social justice issues as they relate to urban communities, particularly communities of color and working and low-income people. Contact: Henry Holmes, Policy Analyst, Urban Habitat Program, 300 Broadway #28, San Francisco, CA 94133. 415/788-3666.

"Environmental Disaster in South Korea." A one-page fact sheet that describes the destruction of the rural ecosystems as a result of South Korea's export-oriented industrialization program. Contact: Korea Information and Resource Center, 1314 14th St. NW, #5, Washington, DC 20005. 202/387-2551.

*Environmental Equity: Reducing Risk for All Communities.* A report to the United States Environmental Protection Agency (EPA) Administrator from the EPA Environmental

Equity Workgroup. The draft report reviews and evaluates the evidence that racial minority and low-income people bear a environmentally disproportionate risk burden. Recommendations are offered as to how the EPA might better serve low-income and minority communities. Contact: Robert Wolcott, Chairman, Environmental Equity Workgroup, US EPA, Washington, DC 20460.

*Environmental Priorities and Concerns of State Legislators of Color.* Survey identified environmental issues and concerns of State Legislators of Color. The respondents identified areas of interest on both traditional and social justice environmental issues. Contact: Charles Lee, United Church of Christ Commission for Racial Justice, 475 Riverside Dr., #1948, New York, NY 10115, 2121870-2077 or Jeffrey Tryens, Center for Policy Alternatives, 1875 Connecticut Ave NW, #710, Washington, DC 20009. 2021387-6030.

*Environmental Racism: Issues and Dilemmas.* A compendium of essays from the University of Michigan Symposium on environmental racism, January 1990, by such leading figures in the movement as Richard Moore and Bob Bullard. The book presents eloquently that the systematic policy decisions of government and private sector threatens the health and culture of people of color. Contact the editors: Professor Bunyan Bryant and Paul Mohai, School of Natural Resources, University of Michigan, Ann Arbor, MI 48109.

"Land Rights, Human Rights and Genocide: The Effects of the Alaska Native Claims Settlement Act (ANCSA)." Fact-sheet concerning land rights and U.S. colonial intrusion on Native lands. Good overview of the social, economic, and political consequences of the ANCSA. Contact: The Sovereignty Network Legal Rights Office, HCO4 Box 9880, Palmer, AK 99645. 907/745-0505.

"Towards A New Vision of Community Economic Development" A critique of current community development models identifying their strengths and weaknesses. The paper advocates building a labor/community coalition as the foundation for a new community development strategy. The paper was written by Dan Swinney, Midwest Center for Labor Research; Miguel Vasquez, Center for Community Change; and Howard Engelskirchen, University of California, Riverside. Contact: Dan Swinney, Midwest Center for Labor Research, 3411 W. Diversey Ave., Room 10, Chicago, IL 60647. 312/278-5418.

*Toxic Waste in an African Community.* Pamphlet explores the struggle of residents in East Palo Alto, CA to stop the siting of a hazardous waste facility in their community. Good reference for those interested in toxic racism. Contact: UJIMA Security Council, 337 Lilac Lane, East Palo Alto, CA 94303. 415/853-1857.

Be the First on Your Block...  
**The First National People of Color  
 Environmental Leadership Summit  
 Video Available**

Native American, African America, Latino American and Asian Pacific American leaders build for the first time a unified voice and agenda for environmental justice action. The process, dialogue, and key questions, including-how to impact public policy in the interest of environmental justice. The video was created to help you carry out the process beyond the event.

The video costs \$30.00 plus shipping and handling. To order by phone, call 1-800-325-7061. Ask for "Summit Highlights CRJV-010." You may also mail in your order. Make your check payable to United Church Resources, and mail to 800 North Third Street, Suite 202, St Louis, MO 63102-2138.

**Hearing Latino Voices on the  
 Environment:  
 The Cornell University Conference on  
 Environment and  
 Latino Imaginations**

April 30-May 2, 1992

"Amid the clamor surrounding environmental issues from garbage to global warming, the voices of U.S. Latinos are strangely muted. This silence prevents recognition of Latinos' environmental concerns by mainstream activists and policy makers and deprives U.S. environmental discourse of concepts and perspectives that could make it more globally relevant. Practically, the absence of Latino perspectives from environmental curricula means a continuing dearth of resource stewards who can address environmental needs expressed in other idioms, who can learn from others whose ways of knowing are different from their own."

*Sessions On: The Ideal Landscape • Latino Understandings of Decline and Degradation • Peoples at Risk • Environment, Ethnicity and Nationalism • Reconquest of the Urban Landscape*

To receive information write: Hispanic American Studies Program, 211 Sage Hall, Cornell University, Ithaca, N.Y. 14853

**Protecting Mother Earth  
 Conference**

The Indigenous Environmental Network (IEN) is now planning and organizing for our third annual meeting, the "Protecting Mother Earth" Conference on June 4-7, 1992, to be hosted by Klickitat Chief Wilbur Slockish, Sr., Chief John Jackson, Chief Howard Jim, and the Indigenous people of the Columbia River.

Indigenous communities across the country, as elsewhere, are faced with significant threats to our environments and indeed our survival. Whether uranium and coal mining, hydro-electric dams, oil exploitation, toxic waste dumps, garbage dumps, nuclear waste dumps or monitored retrievable storage sites, or other environmentally dangerous projects, many Indigenous communities have found themselves on the front lines of the environmental movement

Although not labelled environmentalists, our way of life since our creation on our Mother Earth has been about maintaining a healthy environment. These teachings and beliefs have enabled small Indigenous grassroots groups to take on huge multi-national corporations, against seemingly insurmountable odds and successfully stop projects. Although there have been many victories, there are many Indigenous grassroots groups who are in dire need of support.

IEN was formally created by over 500 delegates from Indigenous grassroots groups at the 1991 "Protecting Mother Earth: The Toxic Threat to Indian Lands" Conference held near Bear Butte, SD. The conference is designed to end the isolation and vulnerability of Indigenous grassroots groups by serving as a gathering place to share organizing skills, information, and refining a national agenda to bring to the mainstream environmental movement and society as a whole.

For more information, call Paul Rodarte at 5191652-5674 or Wilbur Slockish, Jr. at 509/748-2043.

**Job Announcement**

**Transportation Policy Analyst**

The Labor/Community Strategy Center is a multi-racial economic and social justice organization in Los Angeles County attempting to generate high-visibility, test-case, grassroots campaigns that directly advocate policy changes and that have national applicability.

The Transportation Policy Analyst will serve as the staff person for the WATCHDOG Transportation Policy Group, helping to develop an overall analysis of public transportation issues in Los Angeles County. Qualifications include strong verbal and written skills, previous background working with community groups, and experience working in a collective context. Verbal and written fluency in Spanish helpful. Please send a resume, a writing sample, and cover letter with your thoughts on why you feel the objectives of the Strategy Center are compatible with your own, to George Hayashi, LL CSC, 14540 Haynes Street, Suite 200, Van Nuys, CA 91411.

# World Bank Dumps on Third World Again

Washington, DC, February 7. Following the leak of a World Bank internal memo advocating the transfer of "dirty industries" and pollution to developing nations, **Greenpeace** this week called for the immediate dismissal of its author, Bank vice president and chief economist Lawrence Summers. "This memo is just one more indication that the Bank is working to ignore and undermine the **environmental** concerns of Third World countries," said **Greenpeace's** David Batker. "It reveals a crass, racist and environmentally-destructive attitude that has no place in international policy making." In his December 12 memo to Bank colleagues, Summers wrote, "Shouldn't the World Bank be encouraging more migration of the dirty industries to the LDCs (less developed countries)?"

Summers also proposes that the Bank encourage the dumping of toxic waste in Africa and other "vastly under-

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**"Shouldn't the World Bank be encouraging more migration of the dirty industries to the LDCs (less developed countries)?" writes World Bank vice president and chief economist Lawrence Summers.**

**Summers also proposes that the Bank encourage the dumping of toxic waste in Africa and other "vastly under-polluted" countries. "I think the economic logic behind dumping a load of toxic waste in the lowest wage country is impeccable. . ."**

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polluted" countries. "I think the economic logic behind dumping a **load** of toxic waste in the lowest wage country is impeccable and we should face up to that," Summers wrote.

After some World Bank employees **strongly** objected to the memo, Summers issued a statement claiming his remarks were intended "as a sardonic counter-point, an effort to sharpen the analysis." On February 6, once the memo had been leaked to the press, the Bank also issued a statement saying it "**deeply** regretted the memo which it said "does not represent the position of the World Bank."

"These disclaimers cannot hide the **fact** that Summers issued his memo on World Bank **letterhead** and that his proposals represent an option being seriously argued by at least some World Bank officials," Batker said.

-- Greenpeace News

## Resources for the Legally-Minded

Three recently published or about-to-be-published articles may be of interest to lawyers and environmental justice advocates:

Regina Austin and Michael Schill, "Black, Brown, Poor and Poisoned: Minority Grassroots Environmentalism and the Quest for Eco-Justice," 1 Kansas Journal of Law & Public Policy 69 (Summer 1991).

Rachel Godsil, "Remedying Environmental Racism," 90 Michigan Law Review 394 (November 1991).

Luke Cole, "Remedies for Environmental Racism: A View from the Field," 90 Michigan Law Review \_\_ (June 1992)(forthcoming).

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Coming Soon from  
Westview Press...

### **Race and the Incidence of Environmental Hazards: A Time for Discourse**

Edited by Bunyan Bryant and Paul Mohai

This compendium is an outgrowth of the now-historic Michigan Conference on Race and the Incidence of Environmental Hazards held in January 1990. It collects many of the scholarly works done in the environmental racism field in the past few years, including the **groundbreaking** Mohai and Bryant piece Environmental Racism: Reviewing the Evidence, which we have excerpted on page three. For ordering information, contact Bunyan Bryant, School of Natural Resources, University of Michigan, Ann Arbor, MI 48109.

# BACK ISSUES OF RPE...

**Order those you may have missed: Send \$2.00 each to RPE, Earth Island Institute, 300 Broadway, #300, San Francisco, CA 94133.**

## **Issue #1 -- April 1990 Earth Day Issue**

- David Brower on the Need for New Coalitions
- Cynthia Hamilton on Women, Home & Community
- Why African Americans Should be Environmentalists, by Carl Anthony
- A Challenge to the Environmental Movement
- Freeways, Community and "Environmental Racism"
- Resources for Grassroots Environmental Groups
- No Deposit, No Return: How the Politics of Race Defeated the DC Bottle Bill
- Resources
- Our first issue!

## **Issue #2 -- July 1990 Summer Issue**

- Winona **LaDuke** on the Struggle for Cultural Diversity
- Inner Cities Join Ecology Debate
- Bob **Bullard** and Beverly Wright on the Quest for Environmental Equity: Mobilizing the Black Community for Social Change
- Urban **Barnraising**: Building Community Through Environment
- Blacks and Greens
- People of Color form Action Network
- Reportbacks: Berkeley, LA, Austin and Albuquerque
- Resources

## **Issue #3 -- September 1990 Special Issue on Children**

- The Iraq War: Young People on the Front
- Lead Poisoning Still Strikes Inner City Youth
- People of Color and the Environmental Job Market
- EPA Focuses on People of Color
- Billboards: Teaching Kids to Smoke
- Reportbacks: Kettleman City, Berkeley, Washington, DC, **Dilkon, AZ**
- Resources
- Environmental Career Conference
- Children **and** the Environment: Some Facts

## **Issue #4 -- Winter 1991 Focus on Women of Color**

- Women in the Movement
- Forest Service Prepares for the 21st Century
- PUEBLO is the People
- The Environmental Support Center: A Resource for the Environmental Justice Movement
- RPE Profile: Cora Tucker
- Hunter College to Fight **Environmental Racism**
- Reportbacks: Washington, DC, Champaign-Urbana, Oakland and Atlanta
- Women in the News
- Summit Planned to Address "Environmental Racism"
- We Speak For Ourselves: Social Justice, Race & Environment
- Traditional Culture, New Agriculture
- Women and the Environment: A Global Perspective
- Civil **Rights** Suit Filed to Block Toxic Waste Incinerator

***Subscribe Today!***

# Air Force Report Dismisses Native American Concerns

Although the problem over low-level and supersonic overflights affects many communities in rural America, the population upon which it has had the greatest impact is that of the American Indian. Indeed, American Indians — many of whom live on isolated reservations apart from white and other minority communities — experience military overflights and sonic booms far out of proportion to their numbers. The threat posed by this military activity touches a variety of issues: health and safety, sovereignty rights, and environmental concerns.

**by Grace Bukowski**

With the release of the Generic Environmental Impact Statement (GEIS), the US Air Force has now put its policy regarding tribal sovereignty over airspace in print.

Military aircraft training activities regularly extend to within 100 feet of the ground FAA regulations raise the floor of overflights to 500 feet, but, as even majority white populations in rural areas will testify, these regulations are violated with regularity and without recourse.

Many Native nations, however, reject the 500 foot limitation and claim tribal sovereignty into the skies. It is this point that the GEIS attempts to belittle. According to the military, it is only a **political quirk** of tribal leadership which can, and should be acknowledged and handled.

"The ability of tribal leaders to deal with complaints about flights and be involved in the decisions processes associated with airspace planning may influence their effectiveness as leaders," the GEIS says. ***Although low altitude flying activity does not represent a direct challenge to tribal sovereignty,*** the absence of informative discussion and feedback sessions between Air Force and Indian representatives may undermine the political credibility of tribal leadership ...

"Flights may cause Indian families' quality of life to be degraded if aircraft disrupt the solitude of the family, especially by causing stress to the elderly, or by affecting family lifestyles. These concerns may be aggravated by perceptions that the military is withholding information and that flights are

conducted unnecessarily over Indian villages or households (emphasis added)."

After describing the strong role the family has in tribal organization, "coupled with a strong sense that a hurt to one is a hurt to all," the GEIS suggested that the overall issue is one of management:

"Tribal grievances regarding airspace use have thus taken the form of nuisance complaints, and possible litigation of these complaints requires careful scrutiny on a case by case basis."

Although the GEIS discussed native rights to some extent, it also acknowledged it didn't really know what it was talking about. The case studies avoided reservation boundaries. The report nevertheless came to a conclusion of the issue: "The probability of disrupting tribal economy and family-based subsistence activities for the 12 case study airspaces was assessed to be low."

The sovereignty of airspace over Indian lands presents the US government with a profound challenge. The GEIS could have recognized those issues in a sensitive way and begun a discussion without a blanket rejection of Native values, beliefs and culture. It chose not to.

*Grace Bukowski is the Skyguard program Co-Director for the Rural Alliance for Military Accountability.*

# Toxic Threat to Indian Lands: Updates from Around North America

by the  
Indigenous  
Environmental  
Network

➔ Ignoring the wishes of the Los Coyotes Band, Chambers Development Corporation has returned to that San Diego-area reservation pushing their proposed solid waste landfill. Los Coyotes tribal members repeatedly voted against the waste dump last year, winning what appeared to be the final victory against Chambers. But Chambers refused to respect the Band's sovereignty and democratic process, and instead used a stacked tribal meeting to renew their project and so-called environmental review. Los Coyotes tribal members, including the newly formed California Indians for Cultural and Environmental Protection, are organizing fellow tribal members to defeat the landfill once again.

➔ Chambers Development isn't the only waste company to refuse to respect the wishes of tribal members. RSW, front company of O&G, recently returned to the Rosebud Sioux Reservation shortly after the new tribal chairman took over. Former tribal chairman Ralph Moran was unseated in the tribal primary election last year, due in large part to Moran's support for the RSW garbage dump plan. The Lakota people at Rosebud, led by the Good Road Coalition, then convinced the tribal council to cancel the "agreement" with RSW. But RSW ignored the vote of the tribal council, and tried again this year by submitting a new offer to the tribe. After tribal members spoke out against the new RSW proposal, the project has again been stopped by the tribal council.

➔ The Draft Environmental Impact Report on the proposed solid waste landfill at the Campo Reservation is out, prepared by Scientific Applications International Corporation — SAIC recently was found to have falsified data in another project.

➔ Navajo people are organizing to stop a proposed asbestos dump adjacent to the reservation. Dine Citizens Against Ruining our Environment (CARE) is leading tribal members in their effort to reverse State of New Mexico approval of the waste dump, which will poison Indian land and people.

➔ Campaign for Sovereignty has set up an office in Oklahoma to work on sovereignty and environmental issues. They can be reached there at 405/528-8203.

➔ There will be a meeting for concerned Indigenous people from the Upper Woodlands/Plains region May 9 in Minnesota — contact Tom Goldtooth from the Red Lake Band of Chippewa, 2181679-3959.

➔ Mississippi Choctaw have decided not to proceed with the nuclear waste facility proposal! The Sac and Fox Nation dropped the nuke proposal also, following a vote of the people. And the people of the Mesa Grande Reservation have impeached their tribal chairman for supporting a nuke site, but the Bureau of Indian Affairs is refusing to recognize the vote.

*See also the announcement of the Indigenous Environmental Network's annual Protecting Mother Earth conference in the Resources section.*

## Cuomo stops James Bay Project

On March 27, New York Governor Mario Cuomo abruptly canceled the state's contract with Hydro-Quebec, the utility which had been planning on building a massive hydroelectric project known as James Bay. James Bay has come to international attention because the project would flood the ancestral

homeland of the Cree Indians.

If the whole project had been built, James Bay would have been the world's largest hydro-electric facility, flooding an area roughly the size of California. Cuomo's decision effectively stops two-thirds of the project because James Bay was designed not to meet Quebec's energy needs but to sell the power to outside users.

## Fellowship in Environmental Law for People of Color

Three New York-area law students have been awarded the first Minority Fellowships in Environmental Law, as part of an effort to increase the number of minority attorneys practicing in the field. The fellowship program is a joint project of the environmental law committees of the New York State Bar Association and the Association of the Bar of the City of New York.

The three fellowship winners are:

- **Michael Henningburg, Jr.**, a first-year student at Boston College Law School and a member of its Black Law Students Association. He formerly worked as an associate underwriter with the Chubb Group of Insurance Companies, and he served as a second lieutenant in the US Army. He holds a B.S. in finance from **Hampton University**.

- **Ricardo Soto-Lopez**, a first-year student at Rutgers School of Law. Between 1983 and 1991 he worked for the New York City Department of City Planning, primarily as a planner in the Bronx Division. He holds a B.S. in Urban and Regional Planning from the State University of New York at Old **Westbury** and a Master of Urban Planning from Hunter College, and he has also studied at the University of Tennessee Graduate School of Planning and the New York University Real Estate Institute.

- **Arlene R. Yang**, a first-year student at New York University School of Law. She has had internships with the Massachusetts Department of Environmental Protection, the Environmental and Occupational Health Sciences Institute of Rutgers University, the Environmental Defense Fund and other organizations. She holds a B.S. in chemistry from the Massachusetts Institute of Technology.

"The Fellowship emerged from a conference on minorities and the environment held by the State Bar

Association in **January** 1991. A clear finding of the conference is that minority communities are disproportionately affected by many environmental hazards, but that exceedingly few minority lawyers practice in the environmental field," said Michael B. **Gerrard**, a Manhattan attorney who is coordinating the fellowship for the State Bar Association.

"We were very pleased by the large number, and even more pleased by the high quality, of the applicants. This indicates a great deal of interest in environmental law among the most outstanding minority law students," said Gail Port, a Manhattan lawyer who chairs the City Bar's Environmental Law Committee.

Law students of color were eligible for the fellowship if they were either enrolled in a law school in New York State, or were permanent residents of the state and were enrolled in a law school in an adjoining state. The three fellowship winners will each receive a stipend of \$5,000 to spend the summer of 1992 working on environmental causes for a governmental or non-profit

A clear finding of the State Bar conference is that communities of color are disproportionately affected by many environmental hazards, but that exceedingly few lawyers of color practice in the environmental field.

law **office**. The winners will have a choice of working in these **offices**, all of which have expressed an interest in placing them — the New York City regional offices of the US Environmental Protection Agency and the New York State Department of Environmental Conservation; the environmental units of the New York State Department of Law and the New **York** City Department of Law; the Environmental Defense Fund; and the Natural Resources Defense Council.

## Lead Poisoning Hits People of Color Hardest, NRDC Testifies

The Natural Resources Defense Council excoriated the Bush Administration at a February hearing in Washington for ignoring the disproportionate impact of lead poisoning in the U.S., and called for a vigorous lead poisoning prevention law that would address the needs of communities most at risk of lead poisoning—communities of color.

"There can be no discrimination in environmental protection," stated John Adams, Executive Director of **NRDC**, which has fought to eliminate lead in the environment for years. Adams cited study after study which document the disproportionate impact of lead on people of color, particularly children, during his testimony before the House Energy and Commerce Subcommittee on Health and Environment.

Adams criticized an EPA report on environmental equity released the day before the hearing, saying that it "soft peddles the problem and inflates beyond recognition **EPA's** meager efforts to address environmental discrimination.

"When I joined **NRDC** twenty years ago, lead poisoning was already recognized by health experts a serious problem. Today, despite some progress in controlling it, the lead threat is still with us," Adams stated.

"The government's slow response to this crisis unjustly threatens the health of minority children. I urge politicians to act in the name of environmental justice: recognize the problem and develop a relevant solution," Adams added.

"Congress and the White House must create a national response to this threat that is relevant to communities of color."

Adams sharply attacked "Those who **seek** to drive a wedge between the civil rights and environmental communities. The environmental and civil rights communities are in harmony: the scourge of lead poisoning must end, and powerful medicine is needed to achieve this goal," he concluded.

## Two More Incinerators Beaten by Grassroots Efforts

Chemical Waste Management must wonder what hit them. In a three month period, three of their incinerator projects were postponed indefinitely. Aside from the Kettleman City incinerator case (see story on page 8), Chem Waste was also beaten back by a combination of grassroots activism and regulatory action in Chicago, Illinois, and Tijuana, Mexico.

Chem Waste's Chicago incinerator had been in operation for years until it was shut down last February by a kiln explosion. Bowing to public pressure brought by a number of local citizens groups in the surrounding community — which is over 80 percent people of color — the Illinois Environmental Protection Agency forced the burner to remain shut down while Chem Waste pursued permits from the agency. In March 1992, Chem Waste, facing the imminent denial of its permit application by the state agency, agreed to voluntarily moth-ball the incinerator for the indefinite future. This leaves the company with just two other operating incinerators, both in communities that are overwhelmingly made up of African Americans and Latinos — Port Arthur, Texas, and Sauget, Illinois.

Chem Waste's second setback came in early April when their incinerator plant in Tijuana, Mexico, had its permits denied by the Mexican government following a test burn. Chem Waste was unable to meet the Mexican government's standards for burning toxic waste during the tests. The denial of the permits is seen as the result of significant pressure put on the Mexican government by Tijuana residents. The plant, which is already built, has encountered widespread opposition from Mexican environmental activists, who staged a massive cross-border protest along the 2000-mile U.S.-Mexican border on March 21. Earlier in March, a delegation of 40 activists from seven grassroots groups journeyed from Tijuana to Kettleman City, CA, to share strategies and trade information.



<< from EDITORS NOTES, page 2

viewed as efforts of the privileged class. They seem not relate to the concerns of populations who grapple daily with the effects of pollution or social policies that lead to more pollution which has an adverse impact on them. It is the struggle to work towards that point of mutual understanding that is at the center of the new environmental movement.

At RPE we are proud to be able to share some of the comments and testimonies that came from the Summit. Paul Mohai and Bunyan Bryant, of the University of Michigan, provide an historical and sociological examination of the subject environmental racism. Their documentation of previous studies of inequities in the distribution of pollution reveals this issue is not a recent phenomenon. Dana Alston of the Panos Institute gives her view of the Summit and how it is altering the environmental movement. Environmental equity has also gained the attention of legislators. In February, Representative Henry Waxman of Los Angeles heard the testimony of numerous individuals including Dr.

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**And the beat goes on. The circle has expanded exponentially. Those new to this struggle are encouraged and see strength in the ones who have been hard at work for their communities for years. The seasoned advocates have regained a measure of faith in the future.**

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Benjamin Chavis and John Adams, Executive Director of the Natural Resources Defense Council. This hearing was convened to discuss the release of the Environmental Protection Agency's Environmental Equity Workgroup Report. The articles inside show why this Workgroup Report is a hot topic.

And the beat goes on. The circle has expanded exponentially. Those new to this struggle are encouraged and see strength in the ones who have been hard at work for their communities for years. The seasoned advocates have regained a measure of faith in the future. All of us ultimately will benefit, but we must not let the momentum falter.

This issue has taken an extra amount of production assistance and time. As managing editor, I would like to thank all the contributors and staff for their efforts. I hope you, our readers and subscribers, will find it worth the wait.

For environmental justice,

Ellie Goodwin

<< from LEAD, page 5

communities is directly related to issues of racism, socioeconomic circumstances and disproportionate exposure to other environmental hazards, e.g., large concentration of air, water and land pollutants; toxic waste facilities; petrochemical plants; pesticide exposures; radioactive facilities and uranium mill tailings.

All federal agencies that have statutory and regulatory responsibilities in the areas of public health, environment, and housing need to address the issue of lead poisoning in a more timely and forthright manner. For example, although the U.S. Environmental Protection Agency (EPA) has identified the fact that "a significantly higher percentage of Black children compared to White children have unacceptable blood lead levels," the EPA has not effectively responded to this problem.

We take exception to the release of the EPA Environmental Equity Report because it failed to provide conclusive findings concerning the multiple effects of environmental racism on people of color communities throughout the United States. While the report mentioned lead poisoning in regard to African American children, the data presented was woefully inadequate.

For the record, the Commission for Racial Justice supports the enactment of H.R. 2840, the Lead Contamination Control Act. It is our hope that the passage of this legislation will help to prevent lead poisoning in all persons and in all communities. In particular, we hope that the passage of this legislation will enable people of color communities in the United States to actively participate in resolving this critical problem. I was pleased to see the names of Congressmen Dymally, Torres, Espy, Ford, Wheat, and Owens as co-sponsors of this bill.

I am attaching to my testimony a concept paper for a proposed Environmental Justice Act of 1992. As I mentioned above, I believe that the issue of lead poisoning particularly in people of color communities in the United States should be viewed within the broader context of the multiple

effects of environmental contamination on these communities. There is in fact massive environmental inequity based upon racial discrimination in environmental policy making at the federal, regional, state, and local levels.

The purpose of the proposed Environmental Justice Act of 1992 is to identify more comprehensively those communities bearing the greatest contamination and pollution burden and provide them with needed relief.

**The EPA internal memorandum asserts that "long-simmering resentment in the people of color and Native American communities about environmental fairness could soon be one of the most politically explosive environmental issues yet to emerge."**

The Subcommittee on Health and the Environment has in the past given considerable effort to the issues of clean air, water, and land as well as to the issue of lead contamination. It is my belief that a number of current environmental regulations and laws need to be correlated comprehensively and the concept of the proposed Environmental Justice Act of 1992 seeks to achieve this.

I appeal to all members of the Congress of the United States to join in a bipartisan and collective effort to make the passage of the Environmental Justice Act of 1992 a reality in this session of Congress.

<< from EPA, page 5

activist groups and traditional civil rights groups. The memorandum states, "our goal is to make the agency's substantial investment in environmental equity and cultural diversity an unmistakable matter of record with mainstream groups before activists enlist them in a campaign that could add the agency...as a potential target"

The memorandum asserts that "long-

simmering resentment in the people of color and Native American communities about environmental fairness could soon be one of the most politically explosive environmental issues yet to emerge." The memorandum then urges action to "win recognition" before "the people of color fairness issue reached the 'flashpoint' — that state in an emotionally charged public controversy when activists groups finally succeed in persuading the more influential main-

stream groups (civil rights organizations, unions, churches) to take ill-advised actions."

The memorandum states that "we must act now," because "at this stage, we can still expect the churches, unions, civil rights community and environmentalists — although skeptical — to listen to a reason-

able presentation of the evidence." The memorandum characterizes the activist groups as seeking "recognition and visibility" and as "not receptive to a straightforward presentation of evidence." The memorandum does not assess the extent to which the activist groups raise legitimate grievances against EPA.

The memorandum proceeds to outline a detailed 13-point campaign for the news media and a 16-point campaign for "constituent outreach." Steps in the campaign are "draft targeted op-ed's," "develop select list of top people of color media outlets...to consider for Administrator interviews," and "draft list of mainstream leaders for Administrator's personal briefing."

There are marginal notations in the memorandum by EPA Chief of Staff Binder. Check marks by Binder appear to indicate his endorsement of nearly all the concrete steps proposed by Associate Administrator Crampton.

The "message" identified in the November 15, 1991 communication plan is that "the agency is committed to

>> see EPA, page 19

<< from EPA, page 18

assuring fair treatment in environmental decision-making." However, in a

December 1991 memorandum, Ed Hanley, a Deputy Assistant Administrator for Administration and Human Resources, directly criticizes this message. The

Hanley memorandum states that the message is "less than candid about EPA's track record."

According to the Hanley memorandum, "it is more than a bit ingenuous [sic] to say that 'EPA managers and staff have a strong commitment to environmental equity.' Despite the laudable efforts of a very few, EPA's record on this issue shows exactly the opposite." Hanley argues that the list of initiatives in the environmental equity report "serves only to document the meagerness of our efforts."

On February 20, 1992 the National Federation of Federal Employees, on behalf of members of EPA's environmental equity workgroup and other EPA professionals, filed a dissenting option to the equity report. The dissenting opinion opposed issuance of the report on the grounds that the environmental equity report "does not include any input from outside organizations which have been active in indentifying the issue of environmental equity."

The dissenting option was not released on February 24, 1992 with the equity report. Instead of releasing the dissenting opinion as the NFFE requested, EPA merely replaced the cover sheet of the report, changing the title from a "final" report to a "draft" report.

EPA's official policy is that "the consequences of environmental pollution should not be borne disproportionately by any segment of the population." However, EPA has opposed legislation to address the one instance of disproportionate impact that it recognizes.

On January 17, 1992, EPA prepared

a draft of the environmental equity report. This draft found one clear area of inequity: "A significantly higher

**One EPA staffer wrote that the Report is "less than candid about EPA's track record," and that the list of EPA's actions in it "serves only to document the meagerness of our efforts."**

percentage of Black children compared to White children have unacceptable blood

lead levels." In fact, in some inner city communities, one out of every two Black children may be lead poisoned.

Nevertheless, despite its recognition of the adverse impacts of lead poisoning

on people of color children, EPA opposes legislation (H.R. 2840) that would establish a minimal federal program to protect people of color and other children from lead hazards. Among the provisions opposed by EPA are the following:

- A requirement that renters and home buyers be warned of lead hazards.
- A requirement that schools and day care centers be inspected for lead hazards.
- Federal regulations that define safe methods of abating lead hazards.
- Acceleration of the 20-year schedule in current EPA regulations for elimination of lead in drinking water.

## EPA Report: A Dissent

*Conspicuously absent from the EPA's Environmental Equity Report were the opinions and comments of members of the workgroup who happen to be people of color. Dwight A. Welch, President of the National Federal of Federal Employees addresses this oversight in a letter to Gordon Binder, Chief of Staff at EPA. Below we reprint the text of both Mr. Welch's letter and the dissenting opinion from these individuals detailing their concerns about the report.*

Feb. 20, 1992

Dear Mr. Binder:

I am writing on behalf of a number of EPA professionals who are members of the Environmental Equity Workgroup, and other EPA professionals who are concerned about the Environmental Equity Report. Many of these employees who have expressed concern are also members of minority employee associations including Blacks in Government, the Hispanic Advisory Counsel, and the Asian Pacific American Community.

On behalf of these professionals, I request that you include the attached Dissenting Opinion in the Environmental Equity Report.

Sincerely,

Dwight A. Welch, President, NFFE

### Dissenting Opinion

A number of the members of the Environmental Equity Workgroup dissent from this Report, in that it does not include any input from outside organizations which have been active in identifying the issue of environmental equity.

The original meeting with the Administrator and the charter for our Workgroup included the understanding that outside organizations would have the opportunity for input and comment on the Report. Indeed, one of the main findings and recommendations of the Report is that "Great opportunities exist for EPA and other government agencies to improve communication..." and "EPA should expand and improve the level and form with which it communicates with racial minority and low-income communities and should increase efforts to involve them in environmental policy-making."

We believe that the Agency should not issue this Report without considering the comments by racial and low-income organizations which are involved in this issue.

**-- Submitted by the National Federal of Federal Employees, Local 2050, on behalf of concerned members of the Environmental Equity Workgroup and other concerned EPA professionals.**

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for that day, they would buy pop or soft drinks for the whole crew. I said, "I want to buy the soft drinks. I want to make good money -- work good today so that I can buy soft drinks for the whole crew." It was the mark of a full-fledged worker. I wanted to be a worker, I wanted to be part of this

sharecropping. You know, when they freed the slaves, the plantation owners had to figure out a way to keep the slaves on the plantations and not call them slaves. So they called them "sharecroppers." And so, today, the modern day agricultural establishment has taken that old system and brought it to the farmworkers of Northwest Ohio.

they don't get on their corn, wheat or soybeans. So off the sweat of our backs we are contributing a major factor to saving the family farm. But then the family farmer would tell us, "Well I can't pay you any more money because I've got a contract with Campbell Soup. I've got a contract with Vlasic Pickles and this is what they pay for so many pounds of pickles. They have to give us more so we can give you more."

So we go to the company, and the company tells us "We're not the employer. Go back to the farmer. He's the one you work for." Now, it don't take a fool to figure out that if you're going to negotiate an agreement to help the people out there (remember about *community*, help them form *community*) that you have to **talk** to all of them. Because they all make the decisions that affect my life personally. I don't care if they're not the employer. In our case, nobody is the employer, because we are "independent contractors."

So in 1978, after they would not listen to us, we said "we will drop our tomato hampers and walk out of the fields." We walked out of the fields and stayed out of the fields for eight years. That's how long that strike lasted. I can't count the number of people that were arrested. Our attorney, an Irish fellow from Cleveland, came down. The sheriff very promptly tried to arrest him on a traffic violation, take him into custody. Beat him up in front of over 50 witnesses, sat on top of him banging his head on a pavement. He suffered cranial nerve damage. To this day that lawyer is disabled.

(When the sheriff couldn't break the strike, they brought in the **Ku Klux Klan** of Northwest Ohio. They burned crosses in **front** of our field headquarters. They shot the glass out of the windows of our field office.)

Our major demand was we wanted a three-party collective bargaining agreement, with the workers, the farmers and the company. So we launched a boycott of Campbell's Soup, which many of you participated in. We were told by the experts, the legal

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## When they freed the slaves, the plantation owners had to figure out a way to keep the slaves on the plantations and not call them slaves. So they called them "sharecroppers." Today, the modern day agricultural establishment has taken that old system and brought it to the farmworkers of Northwest Ohio.

community. So as I was doing work in the field, that was my job. My job wasn't picking cotton, my job was making community. Because that's what nourishes us — that's what makes life.

While I was out in that field — I was stuck out in that field — I got up and I waved my arms and my aunt **Amalia** came to my rescue. A little short woman. She picked up that bag, took it to the scales, weighed it in, and stuck beside me the rest of the day. But that night we went home, and she told me "Come over here and bring me your bag." She cut it in half and sewed the end. So I could no longer fill that bag beyond my ability to drag it out of the field. She helped me do my job. She helped me be part of that community. The next day I didn't waste a whole lot of time being stuck out in the field, and I was able to buy soft drinks for the whole crew.

In Ohio, we had a different problem making community. There we experienced one of the archaic economic institutions that have been around since the days of the Civil War. We call

We're technically sharecroppers in Ohio. And I'll tell you what the scam is: if you're a sharecropper, you're an "independent contractor" and you're self-employed — you are not employed by the company. Now, the few laws that exist to protect farmworkers don't apply to independent contractors. Like the Fair Labor Standards Act, or any of the other laws that apply to "employees." And the companies and the agricultural industry save their share of the Social Security, they don't have to pay workers' compensation, they don't have to pay unemployment compensation. They are taking food out of the people's mouths. And they can do with us what they want, because we're "independent contractors."

So we hied to hold them accountable. The growers, now these are small family farmers — the guys that Willie Nelson sings for all the time. The **rednecks** that exploited our people. They grow mostly corn, wheat and soybeans. But pickles and tomatoes are a good cash crop. And they get a return on that investment to help them balance out the farm economy, the bad prices

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expert., that it couldn't be done. The leadership of America's unions told us we couldn't get done what we were asking because Campbell's Soup would never sign an agreement with a group of people who were not their employees.

There was nothing in history that said that it could be done. But there was another organizer that we learned from — Jesse Jackson talked about him last night — another labor organizer, and his name was Moses. God didn't call him out of the fields in south Texas, he called him out of the desert in Sinai and said, "Moses, I want you to go back to Egypt and I want you to unionize all those bricklayers over there." And Moses said, "but God, I can't do that. I can't speak, I can't do nothing." God said, "Well, just go."

When Moses went back over there to Egypt and started organizing those people, he went to Pharaoh and said, "Let my people go." Well, Pharaoh came up with all kinds of excuses, there was some debate. And it reminded me what all those labor officials were telling me, "Baldemar that cannot be done." Well no sooner had Moses led the people out of Egypt after God got done with Pharaoh, than the people started complaining and whining right away. "Why did you rake us out of there?" No sooner had they got out there than they saw Pharaoh with his chariots following them and they were trapped against the Red Sea. And you know what happened there? God saved them again. No sooner had they crossed the other side than they got to the episode of the snakes. Moses yelled at God and God said, "Keep your eyes high and don't look down at the snakes." So when these folks are telling me "Baldemar that can't be done," I heard the message: don't look down at the snakes.

We were able to do the boycott with the help of many good friends at the National Council of Churches, and many communities of color throughout the United States — that was where our support was. It didn't come from the big unions. It didn't come from the

major organized establishments. It didn't come from the great established white organizations, however liberal they might have been. They asked me to speak afterwards at some of these conferences and I always remind them that they missed the boat.

But enough pressure was brought on Campbell's Soup that in 1986 they did what they said they'd never do: they signed a three party collective bargaining agreement. I'll never forget the day we signed that agreement. Because we had great numbers of heated discussions when they saw the writing on the wall. One of our folks happened to be in the bathroom when the other side all walked in there together, complaining to each other because the last item on the table was you have to sign the agreement and you have to bring your growers in an organized fashion to sign it as a unit. And a guy from the company says, "we spent all these years keeping these growers from organizing against us, now we got to organize them to please these so-and-so Mexicans."

politician I spent time working for was Jesse Jackson, because he wasn't a politician.) This commission is our response to collective bargaining legislation. Because we're not going to get laws that are going to protect us in the established political system in this country right now as it is. Understand who it is that's running the country.

Now let's make no mistake about this. When I went to a shareholder meeting of the Campbell's Soup company during the boycott campaign, it shocked me to see who was running Campbell Soup. It wasn't a family operation — it was some of the world's biggest financial outfits. JP Morgan, Morgan Guaranty Trust, Financial Insurance Company, the Philadelphia National Bank, they all sat up there in their light blue suits like somebody cloned them, made from the same stuff. Ford Motor Company, you name it. I said, what do all these people have to do with tomatoes?

It was the beginning of my education about what it was that we were fighting.

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I went to a shareholder meeting of the Campbell's Soup company during the boycott campaign, it shocked me to see who was running Campbell Soup. It wasn't a family operation — it was some of the world's biggest financial outfits. . .

We weren't fighting a tomato war, we were fighting a financial war.

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The next day they signed that agreement -- three parties. We didn't stop at getting the agreement signed until we had them recognize this independent commission that we had formed to mediate the negotiations. (Now this goes with my point about legislation and politicians — which I'm sorry to say I never got too excited about. I find it very difficult to get excited about politicians. The only

We weren't fighting a tomato war, we were fighting a financial war. So when we negotiated this agreement, we said, we have to change our focus as to what it is that we're really fighting, what it is we're really organizing. Because the same people who were running Campbell's Soup were also trying to stop other movements of people of color.

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We did this campaign with Campbell's because of that revelation. We found out that the Philadelphia National Bank, to give you one example, held 2.2 million shares of stock in the Campbell Soup company, held it in trust for one of the board's family members who is one of the major stockholders of the Campbell Soup company. The president of Campbell

American. And that's alright. We went down there and I was ready to answer two questions: What do you want? and, What's in it for you? My answer was, we want your people to have a better contract with Campbell's Soup, and what's in it for us is that it's going to put us in a better negotiating position with Campbell's Soup up north. Because frankly they're telling us that you guys work too cheap. So if you

northeast Ohio and Southeast Michigan. Last week we signed the whole kit and caboodle.

Dean Foods signed the agreement and it will be announced in a couple of weeks. With Campbell's we had a three-party agreement. With Dean Foods we had a five-party collective bargaining agreement. We had them all at the table, all signing one agreement. They all made the decisions that impact our lives. And we should insist on **talking** with those people and creating these kinds of agreements, whether they're our employers or not. That doesn't matter. You use the power of the people and do a boycott and do what you have to do to get them to the table, and once you get them to the table, ask them for everything. Because everything they have we had a hand in **making**.

Vlasic and Dean's have the two biggest market shares of pickles in North America, and they grow pickles in three states and in Mexico. So we signed an agreement with the sister union in Mexico calling for an agricultural commission to oversee the organization of the negotiations of workers who work for **the** company in both counmes. The reason for that is we are less and less the citizens of the country in which we are born and more and more the citizens of the company for whom we work. And as long as they can divide us country by country, they're going to use us against each other.

Let's get this straight about citizenship: I didn't have any say where they put that border. There's no debate in my heart as to what is Mexico and what is the U.S.A. Go back to the beginning: there were other people in the world who did this same sort of thing when they encountered the Native American people of this country. Now **Hitler** did something like that. And if you read our history books, they called it a "vicious dictatorship." The Japanese did something like that, and our history books called it "imperialism." Now when they came to the U.S.A. they

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We are less and less the citizens of the country in which we are born and more and more the citizens of the company for whom we work. And as long as they can divide us country by country, they're going to use us against each other.

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sat on the board of the Philadelphia National Bank. And we saw how they invested in the oppression of other people of color as well. They are a major seller of krugerrands from South Africa. So we made an alliance with the anti-apartheid movement because we're fighting the same people. We began to see a pattern in how this industry is organized, and in their investments in other parts of the country.

And no sooner had we signed this agreement than we were told that we made it too expensive to harvest tomatoes in Ohio and Michigan and they'd just bring more from Mexico. So I turned to my **co-conspirator**, and I said, "Fernando, we have to go to Mexico. Down there they **talk** our language." So we went to Mexico. We found out where **the Campbell** Soup tomatoes were being grown. We realized that we had to answer some questions going down there because those brothers down there are naturally going to be suspicious of any North

work too cheap, don't work **too** cheap. Ask them for more. We'll be on your side asking for more.

Within a year and a half, they negotiated the best agreement that they had ever negotiated in the history of the union: 15 percent over Mexico government senior wages. So when it came to be our turn to negotiate our contract with Campbell's again, we didn't hear a word about Mexico. But it's the same financial investors in Mexico as it was up here.

We've been trying to unify and organize the entire pickle industry in Ohio. We signed Vlasic pickles, we signed Heinz, and the only company outside the bargaining was Dean Foods. Now they're a mammoth corporation. Dean's owns Kate's Pickles, based in North Carolina, and they own Green Bay Foods based in Green Bay, Wisconsin. Green Bay Foods operates two grain stations in northeast Ohio that contract with 35 growers in Ohio and Michigan. They also own MJ Pickles that contracts with about 25 growers in

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called it "manifest destiny."

Now make no mistake what the real ambition is. You see, it was always about the investment of money, and slowly capturing the land so they can use it and abuse it. And use the people of color to do the dirty work. Why do you think our foreign policy is one of propping up favorable dictators from Mexico south to Guatemala, El Salvador, Nicaragua, the Caribbean? They would create safe haven for the investment of dollars to rape the land, to rape the people, so they can bring that money back into their coffers. Who do you think they are? They're the same financial centers that sit on the board of Campbell Soup. They sit on the same boards of the multinational corporations. Because to them, that's the vehicle that they use to put money in and get money out.

*Baldemar Velasquez is the president of the Farm Labor Organizing Committee in Toledo, Ohio.*

<< from *WOMAN POWER*, page 4

backs on requests for assistance from domestic, non-white communities struggling with pollution as devastating as any on the planet. Ms. Alston spoke directly to mainstream representatives at the Summit about many of the key issues that brought us to Washington, D.C. The affirmation of her courage to speak out echoed through the audience: "It takes a woman!"

In this society and culture, language is one of the tools we use to convey our symbols and beliefs. During the march on the Capitol to protest the proposed drilling in the Arctic National Wildlife Refuge, delegates demonstrated solidarity

with our Native American relations. Using the language of this society, we delegates were greeted with the cry, "Welcome friends, welcome brothers!" The use of language should be inclusive of **all** participants in this movement. Language is one method of relaying the thought, care and respect we feel for each other.

The community-led environmental justice movement is uniquely positioned to redefine the environmental **agenda**. It must be ready to recognize the degree to which women (particularly women of color) have been instrumental to its progress, and are key to its continued growth and success.

## Peace & Environmental Groups Challenge Uranium Plan

Tri-Valley CARES, a Livermore, California-based peace and environmental group, along with attorneys from the Western States Legal Foundation, will sue the Department of Energy in Federal Court this month over the operation of a full scale demonstration plant to enrich uranium at the Lawrence Livermore National Laboratory. The Lab would like to undertake this project without public disclosure, public hearings, or comprehensive environmental review. The project, called Uranium-Atomic Vapor Isotope Separation (U-AVLIS), proposes to superheat and vaporize uranium ore, shooting specially tuned laser beams through the vapor cloud to selectively ionize out (enrich) the fissile U-235 isotope from the bulk of the uranium ore. U-235 is **useable** in nuclear power plants and, when highly enriched, in nuclear bombs.

The project poses risks from accidents, spills, leaks, fires, etc — Livermore Lab is already a **Superfund** site. It will produce massive amounts of toxic and radioactive waste, will emit freon, TCE and

uranium particles into the air, **and** is a nuclear proliferation nightmare. The Department of Energy has already announced plans to sell (**push**) this enriched uranium to foreign countries. And, once the bugs are worked out here in Livermore, the laser technology itself will become attractive to countries that want to produce nuclear bombs, because it is compact, uses less energy than other bomb-production techniques, and is hard to detect.

Additionally, the basic AVLIS process can be used to enrich plutonium, too. In 1989, Tri-Valley CARES and Western States Legal Foundation were involved in a successful effort to stop Livermore Lab from **operating** a similar demonstration plant to enrich plutonium.

The lawsuit will demand that an Environmental Impact Statement be prepared, and that the public hearings be held before this project continues full speed ahead. We are interested in working with other groups on this important issue. Contact Tri-Valley CARES at 510/443-7148 for more details.

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As part of this effort, we also conducted a study of our own to examine inequities in the distribution of commercial hazardous waste facilities in the Detroit metropolitan area (for details, see P. Mohai and B. Bryant, "Environmental Racism: Reviewing the Evidence," in B. Bryant and P. Mohai, eds., *Race and the Incidence of Environmental Hazards: A Time for Discourse* (Westview Press, 1992)). In order to uncover more information and focus greater attention on this issue, we also convened the Michigan Conference on Race and the Incidence of Environmental Hazards held at the University of Michigan's School of Natural Resources in January 1990, where scholars from around the country working in this areas presented and discussed their ideas and latest findings.

A question often raised is whether the racial bias in the distribution of environmental hazards is simply a function of poverty. That is, rather than *race per se*, is it not poverty that affects the distribution of environmental hazards? And are not people of color disproportionately impacted simply because they are disproportionately poor (although one has to ask why people of color are disproportionately poor in the first place)? Classical

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Information about environmental inequities has been available for some time. Rather than being a recent discovery, documentation of environmental injustices stretches back two decades.

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economic theory would predict that poverty plays a role. Because of limited income and wealth, **poor** people do not have the financial means to buy out of polluted neighborhoods and into

environmentally more desirable ones. Also, land values tend to be cheaper in poor neighborhoods and are thus attractive to polluting industries that seek to reduce the costs of doing business. However, housing discrimination, amply demonstrated by researchers to be no insignificant factor, further restricts the mobility of people of color. Also, because noxious sites are unwanted (the "NIMBY" syndrome) and because industries tend to take the path of least resistance, communities with little political clout are often targeted for such facilities. These communities tend to be where residents are unaware of the policy decision affecting them and are unorganized and lack resources (such as time, money, contacts and knowledge of the political system) for taking political action. Communities of color are at a disadvantage not only in terms of availability of resources but also because of underrepresentation on governing bodies when location decisions are made. Underrepresentation translates into limited access to policy makers and lack of advocates for people of color's interests.

Taken together, these factors suggest that race has an additional impact on the distribution of environmental hazards, independent of income. Thus, as part of our investigation we were also interested in assessing the relative influence of income and race on the distribution of pollution. We did so by examining the results of those empirical studies which have analyzed the distribution of environmental hazards by both income and race. We also assessed the relative importance of the relationship of income and race in the distribution of commercial hazardous waste facilities in our Detroit area study.

From our investigation, we found 15 studies that, like the United Church of Christ study, provide objective and systematic information about the social distribution of environmental hazards (see Table 1). A number of interesting and important facts emerge from an examination of these studies. First, an

inspection of the publication dates reveals that information about environmental inequities has been available for some time. Rather than being a recent discovery, documentation of environmental injustices stretches back two decades. In fact, information about inequities in the distribution of environmental hazards was first published in 1971 in the annual report of the Council on Environmental Quality. This was only one year after the U.S. Environmental Protection Agency was created,

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Race has an additional impact on the distribution of environmental hazards, independent of income.

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one year after the National Environmental Policy Act was signed into law, and only one year after the first Earth Day was held — an event viewed by many as a major turning point in public awareness about environmental issues. **There** were nine other such studies published in the 1970s. Clearly, it has taken some time for public awareness to catch up to the issues of environmental injustice.

It is also worth noting that most of the studies that have been conducted in the past **two** decades have focused on the distribution of air pollution and hazardous waste. Clearly, systematic studies of the social distribution of other types of environmental hazards, such as water pollution, pesticide exposure, asbestos exposure, and other hazards **are** needed. Also worth noting is that these studies vary considerably in terms of their scope — some focus on a single urban area, such as Washington, DC, New York or Houston, others have examined a collection of urban areas, while still others have been national in scope. This point is important in that it reveals that the pattern of findings is not

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**TABLE 1:  
Studies Providing Systematic Empirical Evidence  
Regarding the Burden of Environmental Hazards  
by Income and Race**

Study	Hazard	Focus of Study	Distribution Inequitable by Income	Distribution Inequitable by Race?	Income or Race More Important?
CEQ (1971)	Air Pollution	Urban areas	Yes	NA	NA*
Freeman (1972)	Air Pollution	Urban areas	Yes	Yes	Race
Harrison (1975)	Air Pollution	Urban areas Nation	Yes No	NA NA	NA NA
Kruvant (1975)	Air Pollution	Urban area	Yes	Yes	Income
Zupan (1975)	Air Pollution	Urban area	Yes	NA	NA
Burch (1976)	Air Pollution	Urban area	Yes	No	Income
Berry, <i>et al.</i> (1977)	Air Pollution	Urban areas	Yes	Yes	NA
	Solid Waste	Urban areas	Yes	Yes	NA
	Noise	Urban areas	Yes	Yes	NA
	Pesticide Poisoning	Urban areas	Yes	Yes	NA
	Rat Bite Risk	Urban areas	Yes	Yes	NA
Handy (1977)	Air Pollution	Urban area	Yes	NA	NA
Asch & Seneca (1978)	Air Pollution	Urban areas	Yes	Yes	Income
Gianessi, <i>et al.</i> (1979)	Air Pollution	Nation	No	Yes	Race
Bullard (1983)	Solid Waste	Urban area	NA	Yes	NA
U.S. GAO (1983)	Hazardous Waste	Southern U.S.	Yes	Yes	NA
United Church of Christ (1987)	Hazardous Waste	Nation	Yes	Yes	Race
Gelobter (1988; 1992)	Air Pollution	Urban Areas Nation	Yes No	Yes Yes	Race Race
West, <i>et al.</i> (1992)	Toxic Fish Consumption	State	No	Yes	Race
Mohai & Bryant (1992)	Haz. Waste	Urban area	Yes	Yes	Race

\*Not applicable

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simply an artifact of the samples used. Regardless of the scope of the analyses (or methodologies employed), the findings point to a consistent pattern.

In nearly every case, the distribution of pollution has been found to be inequitable by income. And with only one exception, the distribution of pollution has been found to be inequitable by race. Where the distribution of pollution has been analyzed by both income and race (and where it is possible to weigh the relative importance of each), in most cases (five out of eight) race has been found to be more strongly related to the incidence of pollution than has income. Also noteworthy is the fact that all three studies which have been national in scope and which have provided both income and race information have found race to be more importantly related to the distribution of environmental hazards than income.

In our own Detroit area study, we

found that people of color in the metropolitan area are four times more likely than white residents to live within one mile of a commercial hazardous

poverty, the results also appear to support the argument that race has an additional effect on the distribution of environmental hazards independent of

Ultimately, knowing whether race or class has a more important effect on the distribution of environmental hazards may be less relevant than understanding the conditions associated with race and class that appear to consistently, if not inevitably, lead to inequitable exposure to environmental hazards.

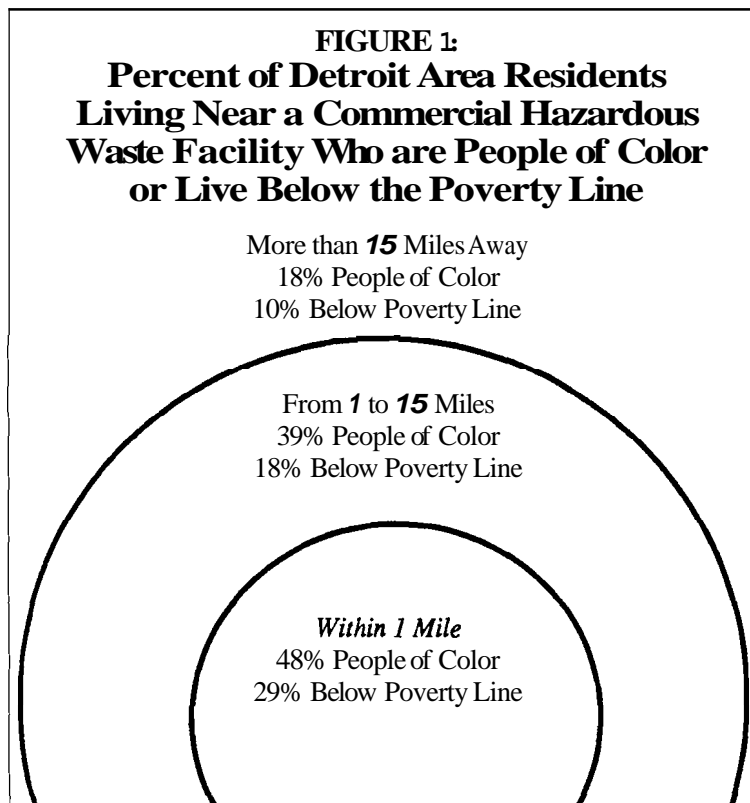
waste facility. We also found that race was a better predictor of residents' proximity to such facilities than income.

class. Indeed, the racial biases found in these studies have tended to be greater than the class biases.

(See the results at Figure 1) Taken together, the findings from these studies indicate clear and unequivocal class and racial biases in the distribution of environmental hazards. And important to the debate concerning whether the racial biases are primarily a function of

Ultimately, knowing whether race or class has a more important effect on the distribution of environmental hazards may be less relevant than understanding the conditions associated with race and class that appear to consistently, if not inevitably, lead to inequitable exposure to environmental hazards. Of paramount importance are understanding how these conditions can be addressed and how inequities in the distribution of environmental quality can be remedied. Currently, there are no public policies in place which require monitoring equity in the distribution of environmental quality. Hence, policy makers have little knowledge about what the equity consequences are of the programs designed to control pollution in this country. Are some groups receiving fewer environmental and health remedies than others from existing programs. Have the risks to some actually increased as a result? If the social, economic and political disadvan-

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tages face by the poor and people of color that lead to environmental inequities are unlikely to be compensated any time soon, then it is clear that active government policies will be needed to address this issue. In the future, inequities in the distribution of environmental hazards will need to be monitored; existing policies and programs adjusted; and new programs designed in which enhancing environmental equity is a criterion for adoption.

A quarter of a century ago, the Kemer Commission warned that, "To continue present policies is to make permanent the division of our country into two societies: one largely Negro and poor, located in the central cities, the other predominantly white and affluent, located in the suburbs and in outlying areas." At the time that that warning was made, the EPA had not yet been created nor the nation's major environmental legislation yet passed. The terms "environmental racism" and "environmental justice" were unheard of. Results of our study and those of others indicate current environmental policies have allowed for separate societies differing in the quality of their respective environments. To know that these inequities exist but to do nothing about them is to perpetuate separate societies and will continue to leave the poor, blacks and other people of color vulnerable to current and future environmental policy decisions.

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This article is excerpted from their forthcoming book, *Race and the Incidence of Environmental Hazards: A Time for Discourse* (Westview Press, Boulder, CO). See page 12 for more information on this important work.

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ment led by people of color are deeply rooted in culture and spirituality, and encompass all aspects of daily life — where we live, work and play.

This broad understanding of the environment is a context within which to address a variety of questions about militarism and defense, religious freedom and cultural survival, energy and sustainable development, transportation and housing, land and sovereignty rights, self-determination, and employment

For instance, it has been known that communities of color are systematically targeted for the disposal of toxic wastes

Even armed with this knowledge, delegates were shaken by the reports of widespread poisoning, oppression, and devastation that communities of color are experiencing — including water, air, and land contamination which cause cancers, leukemia, birth defects, and miscarriages.

All present were moved by the testimonies of communities such as Reveilletown, Louisiana, a 100-year-old African-American community that was forced to relocate in 1989 due to poisoning from neighboring industries. Even more disturbing were the accounts of the Carver Terrace subdivision in Texarkana, Texas, and the farm worker

back. Among the stories told were those of the Havasupai Nation of Arizona and its organizing against uranium mining in the Grand Canyon; of Native Americans for a Clean Environment's efforts to close Sequoyah Fuels' nuclear conversion and weapons plant in Oklahoma; and of the Western Shoshone's civil disobedience aimed at stopping the US government's underground nuclear testing on their ancestral lands in Nevada.

These struggles, some of them more than 15 years old, dispel the myth that people of color are not interested in or active on issues of the environment.

On the second day of the Leadership Summit, delegates were joined by another 250 participants and observers from environmental, civil rights, population, health, community development, and church organizations. In addition, academic institutions, labor unions, legal defense funds, and policy makers were represented. Some came to learn, others came seeking partnerships and strategies for coalition building.

The issues of partnerships between people of color and the environmental movement was a major topic of discussion during the summit. So-called mainstream environmental organizations are now in a flurry to diversify by actively recruiting African, Latino, Native and Asian Americans to sit on their boards and to staff their offices. Many delegates feel that the push towards inclusion is a result of the challenges brought by people of color, in particular a series of ground-breaking letters sent in early 1990 to the national environmental and conservation organizations by the Gulf Coast Tenants Organization and the Southwest Network for Environmental and Economic Justice.

These letters and the publicity that followed outlined what is perceived as the racist practices of the green movement — which is generally viewed as white, middle and upper class, and

Summit delegates who are engaged in life and death struggles with Waste Management were hard-pressed to understand why such a corporation is represented on the board of directors of one of the largest and most influential environmental organizations, the National Wildlife Federation.

and the placement of this country's most hazardous industries — a practice known as "environmental racism." Three out of five black and Hispanic Americans live in communities with uncontrolled toxic waste sites, while about half of all Asian/Pacific Islanders and Native Americans live in such areas. Government, church, and academic research has confirmed that race is the strongest determining factor (among all variables tested) in the location of commercial hazardous waste facilities.

housing project in McFarland, California, that were built on top of abandoned chemical dump sites.

Economic constraints make it difficult for residents of these communities to "vote with their feet" by moving away from the contamination. Demands for relocation assistance from the government have gone unheeded.

Delegates despaired at learning how Native Americans die at each stage of the development of nuclear energy and nuclear weapons, but were energized by hearing how reservations are fighting

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insensitive to the needs and agendas of people of color. The letters point out that diversification of boards and staffs alone does not guarantee accountability.

Delegates detailed numerous examples where the unilateral policies, activities, and decision-making practices of environmental organizations have had a negative impact on the social, economic and and cultural survival of communities of color in the United States and around the world. A particularly telling example is the controversy between Ganados del Valle, a Chicano rural development organization in Los Ojos, New Mexico, and the Nature Conservancy, the self-styled multimillion-dollar "real estate arm of the conservation movement." The Conservancy purchased 22,000 acres of land in 1975 to preserve biological diversity, ignoring the good land stewardship practiced by traditional communities. Ganados members had used that land for decades to graze sheep for cooperative ventures and preserve an age-old link between culture and land for Chicanos and Native Americans.

Delegates also raised questions about the leadership of the National Wildlife Federation, whose board members include Dean **Buntrock** of Waste Management, Inc., the nation's largest toxic waste disposal company. Waste Management's subsidiary Chemical Waste Management has been continually charged with perpetrating environmental racism by locating hazardous waste facilities near communities of color. Chicago's South Side (72 percent black, 11 percent Latino), **Sauget**, Illinois (73 percent black), and Port Arthur, Texas (70 percent black and Latino) are home to Waste Management's major toxic waste incinerators.

Presently the company is trying to locate another huge incinerator in Kettleman City, California (95 percent Latino). And Emelle, Alabama (90 percent black), is the site of a Chem

Waste hazardous waste landfill – the nation's largest. Summit delegates who are engaged in life and death struggles with Waste Management were hard-pressed to understand why such a corporation is represented on the board of directors of one of the largest and most influential environmental organizations.

For people of color, environmental issues are not just a matter of preserving ancient forests or defending whales. While the importance of saving endangered species is recognized, it is also clear that adults and children living in communities of color are endangered species too. Environmental issues are immediate survival issues.

The clear message from delegates is that if there is to be a partnership made with the environmental movement, it must be based on equity, mutual respect, and justice. The environmental justice movement of people of color rejects a partnership based on paternalism.

Discussions at the leadership summit were not limited solely to reciting a litany of problems. Solutions and processes for developing solutions were an important outcome. For instance, strategy and policy groups convened to create action plans and formulate policy recommendations that would guide future organizing. An international policy group was formed in recognition of the global nature of the environmental crisis and the need for international cooperation to achieve solutions.

It was also decided that the policy recommendations growing out of this session would be presented at the United Nations Conference on Environment and Development (UNCED),

scheduled for June 1992 in Brazil. Policy recommendations include statements on the ecological impact of war, underground nuclear testing, the international waste trade, and US foreign aid and trade policies. Statements related to paternalistic and oppressive behavior toward developing countries by some northern environmental organizations were also in-

On the second day of the Summit, delegates were joined by another 250 participants and observers. Some came to learn, others came seeking partnerships and strategies for coalition building.

cluded.

In addition to the strategy and policy work groups, summit delegates went through the painstaking process of formulating the Principles of Environmental Justice. Final agreement on the preamble and accompanying 17 principles was arrived at by consensus building. Collectively, delegates surmounted the barriers that have historically divided us – regionalism, culture, gender, language and class. Most important, this victory was achieved in a society that has used racism to pit one group against the other in an attempt to control the whole. By the end of the summit, those gathered spoke with one voice as part of a movement "to eradicate environmental racism and bring into being true social justice and self determination."

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In addition to the Principles of Environmental Justice, reprinted in this issue, the Leadership Summit also produced **A Call To Action**. This document is the agreed upon action plan of the Summit's delegates to prompt and promote present and future steps in the struggle for environmental harmony and equity.

# **A Call to Action**

The First National People of Color Environmental Leadership Summit  
Washington, DC  
October 24-27, 1991

This week at the First National People of Color Environmental Leadership Summit in Washington DC, a new international movement of indigenous and grassroots peoples was born. It is a multiracial, multicultural convergence of existing local and regional grassroots movements and struggles which are already underway by people of color which are actively resisting various forms of environmental genocide against them throughout the world. We have come from all states of the United States, Central and Latin America, Puerto Rico, Hawaii, Alaska, Marshall Islands and Canada.

We are a new movement which raises the life and death struggles of indigenous and grassroots communities of color to an unprecedented multinational integrated level. The fight against the disproportionately harmful impact of environmental degradation upon peoples of color is not new. We have always been in this struggle, we have always known what is at stake. This movement addresses every aspect of our quality of life. Unlike traditional mainstream environmental and social justice organizations, this multi-

racial, multicultural movement of peoples of color is evolving from the bottom up and not the top down. It seeks a global vision based on grassroots realities.

We call for an immediate end to the systematic murder of peoples of color through global environmental genocide.

We refuse to accept the deliberate targeting of communities of color and the lands of indigenous peoples as dumping grounds for hazardous wastes and radioactive materials, and the production of pollutants.

We call on the president of the U.S., the congress, and all federal, state, and local agencies to discontinue all policies and practices of environmental racism and to properly enforce existing environmental protection laws and policies.

We call for a ban on the export of hazardous waste and radioactive materials that are devastating the world, particularly the lands of peoples of color.

We demand full reparations for all past injustices and further demand an immediate halt to all schemes that degrade the lives and lands of peoples of color with harmful development and

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hazardous waste disposal.

We call for a restructuring of the traditional relationships of mainstream environmental organizations and activists to communities of color and grassroots and indigenous peoples.

We demand the right to live in healthy communities, free of the illnesses and disease spawned by environmental degradation which affects our children, youth and families.

We call for the embodiment of our ratified Principles of Environmental Justice in grassroots social and political work within communities of color.

We call for an end to war, violence and militarism, because these are among the most environmentally and ecologically destructive phenomenon known to humankind, and millions of people of color have perished due to war.

We are here. We are united. We are strong. We are one! We have come together speaking out of our cultural diversity to our common oppression, as many members of one family—Asians and Asian Americans, Pacific Islanders and Pacific Americans,

Native Peoples and Alaskans, Latinos and Canadians, Latin Americans and Central Americans, Africans and African Americans. In our collective unity, there is great strength. We have come together around many issues in many lands to unleash the power of our united will in a common struggle for a new environmental movement—a movement to eradicate environmental racism and bring into being true social justice and self-determination.

As peoples of color, we have not chosen our struggles; they have chosen us. We suffer disproportionate victimization by environmental degradation and a host of other forms of social, economic and political violence. We have no choice but to come together to overcome our common barriers and resist our common foes. Only in the diversity of our oppression are we able to clearly see the pervasive pattern of genocidal environmental racism. We gathered to speak for ourselves and to define the issues in our own way.

*Adopted October 27, 1991  
The First National People of  
Color Environmental Leadership  
Summit  
Washington, DC*

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environmental injustice a violation of international law, the Universal Declaration On Human Rights, and the United Nations Convention on Genocide.

11. Environmental Justice must recognize a special legal and natural relationship of Native Peoples to the U.S. government through treaties, agreements, compacts, and covenants affirming sovereignty and self-determination.

12. Environmental Justice affirms the need for an urban and rural ecological policies to clean up and rebuild our cities and rural areas in balance with nature, honoring the cultural integrity of all our communities, and providing fair access for all to the full range of resources.

13. Environmental Justice calls for the strict enforcement of principles of informed consent, and a halt to the testing of experimental reproductive and medical procedures and vaccinations on people of color.

14. Environmental Justice opposes the destructive operations of multinational corporations.

15. Environmental Justice opposes military occupation, repression and exploitation of **lands**, peoples and cultures, and other life forms.

16. Environmental Justice calls for the education of present and future generations which emphasizes social and environmental issues, based on our experience and an appreciation of our diverse cultural perspectives.

17. Environmental Justice requires that we, as individuals, make personal and consumer choices to consume as little of Mother Earth's resources and to produce as little waste as possible; and make the conscious decision to challenge and **reprioritize** our lifestyles to insure the health of the natural world for present and future generations.

*Adopted, October 27, 1991.  
The First National People of Color  
Environmental Leadership Summit  
Washington, DC*

# The First National People of Color Environmental Leadership Summit

## Principles of

# Environmental Justice

### PREAMBLE

We, The People of Color, gathered together at this multinational People of Color Environmental Leadership Summit, to begin to build a national and international movement of all peoples of color to fight the **destruction** and taking of our lands and communities, do hereby re-establish our spiritual interdependence to the sacredness of our Mother Earth; to respect and celebrate each of our cultures, languages and beliefs about the natural world and our roles in healing ourselves; to insure environmental justice; to promote economic alternatives which would contribute to the development of environmentally safe livelihoods; and, to secure our political, economic and cultural liberation that has been denied for over 500 years of colonization and oppression, resulting in the poisoning of our communities and land and the genocide of our peoples, do **affirm** and adopt these Principles of Environmental Justice:

1. Environmental Justice affirms the sacredness of Mother Earth, ecological unity and the interdependence of all species, and the right to be free from ecological destruction.
2. Environmental Justice demands that public policy be based on mutual respect and justice for all peoples, free from any form of discrimination or bias.
3. Environmental Justice mandates the right to ethical, balanced and responsible uses of land and renewable resources in the interest of a sustainable planet for humans and other living things.

4. Environmental Justice calls for universal protection from nuclear testing, extraction, production and disposal of **toxic/hazardous** wastes and poisons and nuclear testing that threaten the fundamental right to clean air, land, water, and food.

5. Environmental Justice **affirms** the fundamental right to political, economic, cultural and environmental self-determination of all peoples.

6. Environmental Justice demands the cessation of the production of all toxins, hazardous wastes, and radioactive materials, and that all past and current producers be held strictly accountable to the people for detoxification and the containment at the point of production.

7. Environmental Justice demands the right to participate as equal partners at every level of decision-making including needs assessment, planning, implementation, enforcement and evaluation.

8. Environmental Justice **affirms** the right of all workers to a safe and healthy work environment, without being forced to choose between an unsafe livelihood and unemployment. It also **affirms** the right of those who work at home to be **free** from environmental hazards.

9. Environmental Justice protects the right of victims of environmental injustice to receive full compensation and reparations for damages as well as quality health care.

10. Environmental Justice considers governmental acts of

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