

An Open Letter to the Members of Congress

Toxic Wastes and Race at Twenty, 1987-2007: Grassroots Struggles to Dismantle Environmental Racism in the United States

July 20, 2007

Dear Members of Congress:

We the undersigned offer this letter on behalf of more than one hundred Environmental Justice Network leaders, environmental and conservation organizations, civil rights and human rights advocates, environmental educators, and health allies who represent millions of Americans from around the nation. Our government has a special role to protect all Americans. Environmental injustice in people of color communities is as much or more prevalent today than 20 years ago, according to a follow-up study to the landmark 1987 United Church of Christ *Toxic Wastes and Race in the United States* report that put the environmental justice movement on the map two decades ago.

We urge you to take immediate steps to end environmental injustice and toxic racism in low-income and people of color communities as clearly documented in the new study, *Toxic Wastes and Race at Twenty: 1987-2007*, released March 2007.

The new report finds that people of color make up the majority (56%) of the residents living in neighborhoods within two miles of the nation's commercial hazardous waste facilities, nearly double the percentage in areas beyond two miles (30%). They also make up more than two-thirds (69%) of the residents in neighborhoods with clustered facilities. Percentages of African Americans, Hispanics/Latinos, and Asians/Pacific Islanders in host neighborhoods are 1.7, 2.3, and 1.8 times greater in host neighborhoods than non-host areas (20% vs. 12%, 27% vs. 12%, and 6.7% vs. 3.6%), respectively.

Forty of 44 states (90%) with hazardous waste facilities have disproportionately high percentages of people of color in host neighborhoods— on average about two times greater than the percentages in non-host areas (44% vs. 23%). Nine out of ten EPA regions have racial disparities in the location of hazardous waste facilities.

We strongly endorse and support the report's several dozen policy recommendations for action at the Congressional, state, and local levels to help eliminate environmental and health disparities. Based on these disturbing findings, we along with other environmental justice, civil rights and human rights, and health allies are calling for steps to reverse this downward spiral, including:

1. Hold Congressional Hearings on EPA Response to Contamination in EJ Communities;
2. Pass a *National Environmental Justice Act* Codifying the Environmental Justice Executive Order 12898;

3. Provide a Legislative “Fix” for Title VI of the Civil Rights Act of 1964 that was gutted by the 2001 *Alexander v. Sandoval* U.S. Supreme Court decision that requires intent, rather than disparate impact, to prove discrimination;
4. Require Assessments of Cumulative Pollution Burdens in Facility Permitting;
5. Require Safety Buffers in Facility Permitting;
6. Protect and Enhance Community and Worker Right-to-Know;
7. Enact Legislation Promoting Clean Production and Waste Reduction;
8. Adopt Green Procurement Policies and Clean Production Tax Policies;
9. Reinstate the Superfund tax.
10. Establish Tax Increment Finance (TIP) Funds to Promote Environmental Justice-Driven Community Development

Getting government to respond to the needs of low-income and people of color communities was sluggish decades before the world witnessed the disastrous Hurricane Katrina response nearly two years ago. The time to act is now. Our communities cannot wait another twenty years.

Signed,

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