

## Environmental Justice

### What is “Environmental Justice?”

According to the U. S. Environmental Protection Agency (EPA), “environmental justice [EJ] is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.”<sup>1</sup>

EPA goes on to state that EJ will be reached when all Americans attain:

- The same degree of protection from environmental and health hazards, and
- Equal access to the decision-making process to have a healthy environment in which to live, learn, and work.

Environmental justice is the opposite of environmental racism or environmental discrimination.

Executive Order (EO) 12898, “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations” (The White House, February 11, 1994), requires that federal agencies consider any disproportionately high and adverse human health or environmental effects to minority and low income populations in their decision-making and projects. In their programs and projects, federal agencies are mandated to ensure that these potential adverse effects are identified and addressed, avoiding them when possible and mitigating them when not.

In a proposed federal highway project, for example, the U.S. Department of Transportation would have to disclose whether or not the proposed route would disproportionately impact minority and/or low income neighborhoods by causing forced displacements, elevated noise and air pollution. Historically, toxic waste (“Superfund”) sites, landfills, and incinerators have been disproportionately located in the vicinity of minority or low-income communities. Mothers of East Los Angeles – a group of Latinas – was founded in the late 1980s to oppose a prison and an incinerator proposed for their community.

Professor Robert Bullard is considered by many to be the “father of environmental justice.” Beginning in the late 1970s, Bullard began to research environmental racism throughout the American South, focusing on Texas, Louisiana, and Alabama. He discovered that black residents in predominantly black areas faced increased environmental hazards and health risks compared to white residents in predominantly white areas.

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<sup>1</sup> U.S. Environmental Protection Agency. 2023. Environmental Justice. Accessed on 12-2-23 at: <https://www.epa.gov/environmentaljustice>.

In Bullard's 1990 book, *Dumping in Dixie: Race, Class, and Environmental Quality*, he wrote that the emerging grassroots environmental justice movement represented a convergence of the 1960s-era civil rights and environmental movements.

## **Environmental Justice and Immigration**

For much of the last half century, high rates of immigration – both legal and illegal – have disproportionately impacted the American working class and minorities (primarily African Americans and Hispanic Americans), harming their job prospects and putting downward pressure on their wages.

Back in the nineties, this was part of the impetus behind the bipartisan Congressional Commission on Immigration Reform initiated by Congress, chaired by civil-rights icon Barbara Jordan, a Democrat. Jordan was the first African American elected to the Texas Senate after Reconstruction as well as the first Southern African-American woman elected to the U.S. House of Representatives.

The Jordan Commission concluded that economic fairness to vulnerable Americans should be a key consideration in setting immigration policy. They recommended cutting annual legal immigration to 550,000 from the million-plus it was then running, as well as stepped-up enforcement against illegal immigration, including mandatory workplace enforcement using an electronic system (today known as E-Verify).

As economist George Borjas wrote in 2013:

For American workers, immigration is primarily a redistributive policy. Economic theory predicts that immigration will redistribute income by lowering the wages of competing American workers and increasing...profits for business owners....<sup>2</sup>

That is, redistributing income and wealth from the less affluent to the more affluent.

In a 2017 study, the National Academy of Sciences found that:

...negative impacts [of current immigrant composition and levels] are most likely to be found for prior immigrants or native-born high school dropouts.<sup>3</sup>

In his 2021 book *Back of the Hiring Line*, NumbersUSA's founder Roy Beck provided extensive historical documentation of how immigration surges were used to undermine African Americans' economic opportunities and suppress the growth of black wealth.

As a result of EO 12898 mentioned above, environmental justice is always a topic covered in federal agency environmental analyses – environmental impact statements (EISs) and environmental assessments (EAs) – conducted under the National Environmental Policy Act (NEPA). As part of their “hard look” at the effects of proposed federal actions (federal programs and projects) on the human environment, EAs and EISs also always analyze the potential

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<sup>2</sup> George Borjas. 2013. *Immigration and the American Worker: A Review of the Academic Literature*. Center for Immigration Studies. Online at: <https://cis.org/Report/Immigration-and-American-Worker>.

<sup>3</sup> National Academy of Sciences. 2017. *The Economic and Fiscal Consequences of Immigration*. Available online at: <https://www.nationalacademies.org/our-work/economic-and-fiscal-impact-of-immigration>.

socioeconomic impacts (positive and negative) of proposed actions (federal programs and projects). That is, their effects on such measures of economic wellbeing as wages and employment.

If a programmatic EIS were ever conducted on the federal government's immigration programs, environmental justice would be one of those topics subjected to analytical scrutiny. And the adverse effects of our nation's current permissive immigration policy and large and unyielding immigration flows on the most vulnerable and disadvantaged Americans would be disclosed to the American public and decision-makers.