2019 Policy Agenda
Campaigns & Initiatives

Empowering Communities to Power Change
# TABLE OF CONTENTS

## New York City

<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Create a New York City Department of Sustainability and Climate</td>
<td>2</td>
</tr>
<tr>
<td>Solar Farm on Rikers Island</td>
<td>2</td>
</tr>
<tr>
<td>Lead Free NYC</td>
<td>3</td>
</tr>
<tr>
<td>Green Roofs/Rooftop Solar</td>
<td>4</td>
</tr>
<tr>
<td>City Retrofit Order Intro 1253</td>
<td>4</td>
</tr>
<tr>
<td>The Cooling Centers Wayfinding Act</td>
<td>5</td>
</tr>
</tbody>
</table>

## New York State

<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Protect the Environmental Protection Fund</td>
<td>7</td>
</tr>
<tr>
<td>Energy Efficiency Equity and Jobs Legislation (Needs Sponsors)</td>
<td>7</td>
</tr>
<tr>
<td>Emergency Tenant Protection Act - Major Capital Improvement Reform (S3693/A6322)</td>
<td>8</td>
</tr>
<tr>
<td>State Energy Spending Study (Needs Sponsors)</td>
<td>8</td>
</tr>
<tr>
<td>Menstrual Product Labeling (A.00164/S.02387)</td>
<td>9</td>
</tr>
<tr>
<td>Mercury in Personal Care Products (Needs Sponsors)</td>
<td>9</td>
</tr>
<tr>
<td>Lead in School Drinking Water Law (Needs Sponsors)</td>
<td>10</td>
</tr>
<tr>
<td>Solar Energy Metering Legislation (Sponsors: Assembly Members Phil Steck and Steve Englebright; Successor to S.8273/A.10474)</td>
<td>10</td>
</tr>
<tr>
<td>Climate and Communities Protection Act (S.2992/A.3876)</td>
<td>11</td>
</tr>
<tr>
<td>Child Safe Products Act (Need Sponsors)</td>
<td>11</td>
</tr>
<tr>
<td>Amendment to Reduce PFAS Chemicals in Firefighting Activities and Equipment (S.439/A.445)</td>
<td>12</td>
</tr>
<tr>
<td>Amendment to Reduce PFAS Chemicals in Food Packaging (S.2000/A.4739)</td>
<td>12</td>
</tr>
</tbody>
</table>

## Federal

<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Home Energy Assistance Program and Low-Income Home Energy Assistance Program</td>
<td>13</td>
</tr>
<tr>
<td>Ban Mercury in Skin Lightening Creams</td>
<td>13</td>
</tr>
<tr>
<td>Green New Deal</td>
<td>14</td>
</tr>
<tr>
<td>Infrastructure Bill</td>
<td>15</td>
</tr>
<tr>
<td>Environmental Justice Legislation</td>
<td>16</td>
</tr>
<tr>
<td>Ban the Box for Solar, Wind and Renewable Energy Jobs</td>
<td>16</td>
</tr>
<tr>
<td>Oppose EPA Rollbacks</td>
<td>17</td>
</tr>
</tbody>
</table>
Create a New York City Department of Sustainability and Climate
POLICY TYPE: Legislation
STATUS: Proposal

PROBLEM:
Climate change will impact New York City’s infrastructure, water supply, health, and energy demand in negative and varied ways. Without intervention, climate change will lead to worse health, death at higher rates due to weather events such as heat waves, storms, and flooding.

ENVIRONMENTAL JUSTICE FOCUS:
Climate impacts will be worse for low-income communities and communities-of-color. For instance, people of color and people from low-income communities tend to have relatively high rates of certain health conditions like heart disease, diabetes, asthma, and chronic obstructive pulmonary disease (COPD). These health conditions can be exacerbated by climate impacts like heat stress and changes in the pollen season.

SOLUTION:
WE ACT will work with the Chair of the City Council’s Environmental Committee Costa Constantinides to draft a bill founding the NYC Department of Sustainability and Climate. This Department will focus on sustainability and climate resiliency citywide. The department will launch a permanent advisory committee that will include advisors from the health, housing, and environmental justice sectors among others and will advance public awareness on sustainability and climate resiliency. Each year, this department will prepare a report to document the City’s progress toward becoming a climate resilient, sustainable city.

Solar Farm on Rikers Island
POLICY TYPE: Legislation
STATUS: Proposal

PROBLEM:
New Yorkers know that the time to switch to renewable energy is now, and the more local renewable energy generation we have, the more resilient we’ll be to threats, like Superstorm Sandy, that can knock out more centralized energy — generation plants. Further, a warming climate will increase electricity demand in New York City overall as the increase in demand to power summer cooling will outweigh the decrease in power demand for winter warming needs. The electric system will be increasingly stressed during summer heat waves. Peak loads could increase by 7-12% in the 2020s, 8-15% in the 2050s, and 11-17% in the 2080s.

One of the primary limitations on increasing local solar power production in New York City is the limited amount of space with appropriate conditions for solar.

ENVIRONMENTAL JUSTICE FOCUS:
Black men and women account for 41% and 23.9% of the male and female US prison populations respectively, despite African American people representing only 14% of the U.S. population. As a result of the systemic injustice that leads to the disproportionate incarceration of people of color in the U.S., people of color are more likely to have a criminal record.

In addition, people of color face racial bias when being considered for employment. This trend is compounded for formerly incarcerated people. One 2009 study demonstrated that African American applicants are not only more likely to face a reduced rate of callbacks compared to equally qualified white applicants (25% chance of callback for African American applicants vs. 31% for white applicants), but also the “penalty”
for African Americans with criminal records is much higher, reducing the likelihood of callback to 10% compared to 22% for white applicants with records. Currently, there are severe and growing environmental burdens in places like the Queensbridge Houses, Sunset Park, and the South Bronx due to the presence of aging power plants and other facilities. These neighborhoods have some of the lowest air quality found in New York City. Building a solar farm helps address the historic underinvestment in these communities, and reduces the adverse physical and social impacts of the dirty power plants that are currently sited there.

**SOLUTION:**
Mayor Bill de Blasio has promised to close the Rikers Island complex. WE ACT and allies like New York Communities for Change will lead the charge to transform Rikers into a solar farm. Decommissioning Rikers provides a rare opportunity to build solar at scale within the five boroughs. Further, WE ACT has trained more than 100 residents of Northern Manhattan in solar panel installation, and in 30-hour OSHA for construction, and wants to train former inmates to perform the solar installation at Rikers Island. We can help employ those who unfairly struggle to find employment while promoting climate resilience and clean air in historically disadvantaged neighborhoods. WE ACT will work with City Council’s Environmental Committee Chair Costa Constantinides to develop and draft a bill that advances this concept.

**Lead Free NYC**
**POLICY TYPE:** Legislation; Executive Policy Advocacy
**STATUS:** Ongoing

**PROBLEM:**
Lead exposure can cause damage at any age, but is particularly dangerous for young children. Though lead exposure has been declining in New York City for over a decade, in 2017, the Department of Health and Mental Hygiene identified 4,261 New York City children under the age of six who had blood lead levels of 5 mcg/dL or greater, the current CDC reference level indicating lead levels that are higher than the majority of children that age.

**ENVIRONMENTAL JUSTICE FOCUS:**
Overall, the blood lead levels of children in New York City have been declining over time, but the burden remains highest among low-income children and children of color. In 2017, Latin, Black, and Asian children represented 79% of children younger than six with blood lead levels of 15 mcg/dL or greater. Further, 63% of the children younger than 6 with blood lead levels of 15 mcg/dL or greater were from low-income neighborhoods. New Yorkers who live in older buildings are more at risk from lead exposure from lead-based paint and low-income families are more likely to live in buildings with older paint that is more likely to be lead-based.

**SOLUTION:**
WE ACT is working with our allies around New York City to fight against this continuing lead exposure crisis in our communities and city. Firstly, WE ACT is a leading member of the New York City Coalition to End Lead
Poisoning (NYCCELP), and we anchor a roundtable of the City’s leading lead advocates including Northern Manhattan Improvement Corporation, NYC League of Conservation Voters, New York Lawyers for the Public Interest, Cooper Square Committee, and Montefiore Hospital to name a few.

The advocates are working on several fronts to ensure that New Yorkers are protected from the scourge of lead poisoning — working with the City Council to improve a multitude of lead prevention bills and advocating for tougher enforcement of the existing lead poisoning prevention law, Local Law 1 of 2004. Further, WE ACT is working with the roundtable groups to draft and advance bills that improve or fill gaps in existing law.

Green Roofs/Rooftop Solar
POLICY TYPE: Bills and Resolution
STATUS: In Development

PROBLEM:
New York City is particularly susceptible to climate change related heat events. Since most of the city is made up of non-reflective impervious surfaces such as roads, parking lots, driveways, sidewalks and roofs that absorb a high percentage of incoming solar radiation, New York City's landscape is warmer than surrounding areas. Our activities like driving and running our air conditions can directly raise near-surface air temperatures, which can contribute to the formation of a layer that not only prevents rising air from cooling at the normal rate but also traps air pollution in the air we breathe.

ENVIRONMENTAL JUSTICE FOCUS:
Environmental justice communities tend to have an outsized share of power plants, waste facilities, and highway traffic — all of which cause additional local heating. And they often have less access to air conditioning as well. This creates a cycle where environmental justice communities experience additional heating, which causes additional heat stress on residents and air pollution. Additionally, as climate change progresses, the energy demand to supply air conditioning will exacerbate this process.

SOLUTION:
To promote climate resilience, reduce the heat island effect, and provide jobs for environmental justice communities, WE ACT will work to promote a variety of bills and resolutions that pave way for solar and wind installation throughout New York. Further, WE ACT will work with Councilmember Costa Constantinides to develop a bill requiring a study on advancing solar storage with an eye towards improving climate resiliency, particularly in environmental justice neighborhoods.

City Retrofit Order Intro 1253
POLICY TYPE: Legislation
STATUS: Passed

PROBLEM:
Buildings are responsible for over two-thirds of New York City's total carbon emissions. In order to meet the target of reducing emissions by 80% by 2050 set by United Nations climate scientists, New York City must improve the energy efficiency of its buildings.

ENVIRONMENTAL JUSTICE FOCUS:
Under New York State law, landlords can pass on the initial high cost of "Major Capital Improvements" (such as window replacements and boiler upgrades) on to rent-regulated tenants through permanent rent increases, even though energy efficiency upgrades pay for themselves in the long run through energy savings.

SOLUTION:
We need legislation that holds buildings to ambitious emissions reduction targets without threatening New York City's affordable housing. WE ACT is working with Councilmember Costa Constantinides and the Climate Works for All Coalition to advance Intro 1253. This bill requires large buildings over 25,000 sq. ft — the biggest source of the city’s carbon pollution — to cut their emissions 40% by 2030 and 80% by 2050. This will not only reduce New York City’s contribution to climate change but also improve our air quality.
and lower energy bills. Importantly, Intro 1253 avoids displacing residents of affordable housing by creating different requirements that do not trigger Major Capital Improvements for buildings with rent-regulated units. Retrofitting buildings is a labor-intensive process, and Intro 1253 is expected to create almost 4,000 good jobs each year in fields like construction and building maintenance.

**ENVIRONMENTAL JUSTICE FOCUS:**
On average, 100 people die each year in the city — half of them African Americans, even though they only make up a quarter of the population. Residents who have no access to a cooling environment during a heat wave are particularly at risk for heat-related illness.

**SOLUTION:**
WE ACT will work with Northern Manhattan’s City Council members to develop and draft a bill that will look at helping better direct city residents — especially low-income, seniors, and/or non-English-speaking people — to their local cooling center to assist them during a heat wave. WE ACT will also work with Council members to develop and draft a study bill to research the most effective programming methods and minimum standards for effective cooling centers.

**Enforcing Environmental Justice Laws, L.L. 60 & 64 of 2017, and the Asthma Free Homes Act, L.L. 55 of 2018**
**POLICY TYPE:** Legislation
**STATUS:** Enacted Law

**PROBLEM:**
Local Laws 60 and 64 of 2017 were created to ensure that the New York City Department of Health and Mental Hygiene study and/or aggregate existing studies of environmental justice communities and share those studies so that other city agencies could comply with the mandate under Local Law 64 to develop plans for environmental justice communities to improve environmental and public health conditions. Local Law 55 of 2018 is designed to protect those in our communities with respiratory illnesses and the broader New York City population from the serious mold epidemic fueled by poor maintenance practices of many landlords. City maps and statistics clearly demonstrate that environmental justice communities are disproportionately saddled with noxious facilities and environmental assaults, many of which may be contributing to the disproportionate negative health outcomes these communities experience. Similarly, in New York City, more than 39,000 children under the age of 15 visited the emergency room because of asthma in 2010, and many of those children live in environmental justice communities. The City has been slow to implement these three laws, allowing public

---

**The Cooling Centers Wayfinding Act**
**POLICY TYPE:** Bill
**STATUS:** In Development

**PROBLEM:**
The temperature of New York State may rise as much as 10°F by 2080 and there will be more intense and frequent heat waves throughout New York City and State as climate change progresses. Heat is the number one weather-related killer in the U.S. Last summer, New York City experienced four heat waves, including 30 days with dangerously high temperatures, which pose serious risks to human health, especially if you have asthma or diabetes. New York might see as many as 3,331 heat-related deaths annually by 2080.

When the heat index is predicted to be dangerously high, New York City opens cooling centers in air-conditioned facilities such as libraries, community centers, senior centers, and New York City Housing Authority facilities to offer people relief from the heat. However, no pedestrian wayfinding or signage exists to direct residents to relief during these high heat days, and there are no standardized resources or accommodations at the cooling sites.
health issues and environmental injustice to continue in Northern Manhattan and other environmental justice communities across the city.

**ENVIRONMENTAL JUSTICE FOCUS:**
In 2010, nearly one-third (32.3%) of the 39,000 children who made asthma-related emergency room visits were from the Bronx. Further, certain neighborhoods in the South Bronx and Northern Manhattan have much higher rates of asthma hospitalization than the rest of the city. In Hunts Point and Mott Haven in the Bronx, the asthma hospitalization rate is 12.2 per 1,000 children; in East Harlem, it’s 11.4. Both are more than double the citywide rate of 5 per 1,000 children. Though the exact causes of asthma are still unknown, mold is a known trigger of asthma attacks and residents of communities with high asthma-related emergency room visits report issues with mold at higher rates than the rest of the city.

**SOLUTION:**
WE ACT will continue to serve as a watchdog to ensure that the City fully implements these laws, which we successfully passed 2017 and 2018. We intend to mobilize our allies and membership to put pressure on New York City Council Speaker Corey Johnson to implement these essential laws in a timely manner. We intend to petition and write letters to Speaker Johnson, as well as request the creation of an oversight hearing if he does not respond, and mobilize our allies to actions at City Hall if necessary.
Protect the Environmental Protection Fund
POLICY TYPE: Budget Item
STATUS: Annual Budget Negotiation

PROBLEM:
Since New York State’s Environmental Protection Fund (EPF) was created in 1993, it has provided hundreds of millions of dollars to repair and revitalize water fronts, urban parks, and sewage treatment plants like North River in West Harlem and Wards Island in East Harlem. WE ACT fought several years ago to get funding in the EPF specifically for Environmental Justice communities and organizations in New York State to build their capacity, and $8 million was allocated to provide funding for Environmental Justice Community Impact and Community Garden grants for capital construction projects. Some elected officials have tried to reduce the amount of money in the EPF as well as reduce the allocation to environmental justice communities and organizations over the years.

ENVIRONMENTAL JUSTICE FOCUS:
People of color and low-income communities are most likely to face environmental health challenges and limited access to resources. A modest environmental justice allocation within the EPF is specifically designed to help at risk communities. Any rollback of this funding would deprive already vulnerable communities across the state of critical resources.

SOLUTION:
WE ACT will advocate for the EPF to remain funded at its current level and for the environmental justice allocations to remain at $8 million for the next fiscal year.

Energy Efficiency Equity and Jobs Legislation (Needs Sponsors)
POLICY TYPE: Legislation
STATUS: Proposal

PROBLEM:
People of color and low-income New Yorkers pay more of their income for energy, and live in disproportionately inefficient, unaffordable, and unhealthy homes. Energy use in the home is a key contributor to climate change and environmental health challenges.

ENVIRONMENTAL JUSTICE FOCUS:
Low-income families and people of color face additional burdens from excessively high energy bills and the effects of climate change compared to their fellow New Yorkers. On average, low-income households in New York pay 12.9% of their annual income on energy, compared to a statewide average of 3.4% of income and the 6% of annual income threshold that is typically considered the cut off for energy affordability. Maintaining a comfortable, functioning home therefore often competes with other health and wellness expenses, leading to poorer health and perpetuating the cycle of poverty. Further, low-income families tend to live in less efficient homes, making them disproportionately threatened by the increasingly common heat waves and cold snaps.

SOLUTION:
WE ACT is working with statewide grassroots groups and policy experts to introduce and pass the Energy Efficiency Equity and Jobs law. This bill would require that:
1. The Department of Public Service and Long Island Power Authority set cost-effective energy use reduction targets, and set a term for review and adjustment of targets;
2. Residential and small commercial energy use reduction funding be equitably allocated to Potential Environmental Justice Areas;
3. New York State Energy Research and Development Authority capture, track, and publish data regarding Non-Energy Benefits (NEBs) of home and building-scale energy efficiency spending; and
4. Proportional job training and hiring practices for state-funded efficiency work.
Emergency Tenant Protection Act: Major Capital Improvement Reform (S3693/A6322)

POLICY TYPE: Legislation
STATUS: Bill

PROBLEM & ENVIRONMENTAL JUSTICE FOCUS:
Under the current rent laws, landlords are allowed to permanently increase rents when they make improvements to their buildings. The Major Capital Improvements (MCI) program has enabled landlords to permanently and unfairly increase rents for residents of rent-regulated apartments. This program enables landlords to price their apartments out of rent control and push their low-income tenants out of their buildings in favor of higher income tenants. New York City alone has lost nearly 500,000 apartments with rent under $900/month since 2005. Further, the city lost more than 88,000 rent stabilized apartments between 2005 and 2017.

This drastic reduction in available affordable housing has been enabled by the permanent rent hikes instituted under the MCI program and presents a major challenge to the communities we represent. This challenge could be exacerbated if landlords seek to pay for energy efficiency and climate resiliency improvements through MCI increases. Low-income families stand to lose not only their homes but their ability to live in resilient and efficient housing.

SOLUTION:
The law which governs MCI — the Emergency Tenant Protection Act — is set to expire in June of this year. WE ACT is joining our housing advocate allies, the Upstate-Downstate Housing Alliance, to pass a bill that would eliminate permanent rent hikes for major capital improvements to regulated buildings. These changes would help preserve our affordable housing and allow buildings to make energy efficiency upgrades without threat of displacement. It also prevents landlords from “double dipping” by charging renters for the cost of the improvement when they use state, city, or utility efficiency program funds.

State Energy Spending Study (Needs Sponsors)

POLICY TYPE: Legislation
Status: Proposal

PROBLEM:
New Yorkers who pay energy bills contribute to the New York State Energy Research and Development Authority's (NYSERDA) total budget via a Systems Benefit Charge, which is assessed on energy bills. NYSERDA is also funded from the Regional Greenhouse Gas Initiative (RGGI), a regional carbon cap-and-trade initiative that allocates periodic carbon auction proceeds to participating states. Currently, there is no publicly available information on state energy program spending that is tracked by geographic location.

ENVIRONMENTAL JUSTICE FOCUS:
In January 2018, Governor Andrew Cuomo declared that New York State’s spending on energy programs must serve all New Yorkers, regardless of zip code. Without an understanding of where energy dollars have been allocated, funding cannot be distributed equitably to low-income communities and communities of color. Therefore, the communities most at risk from climate change may be receiving less than their fair share of state assistance for renewable energy and energy efficiency projects.
SOLUTION:
The bill would track the final geographic location of all RGGI proceeds and all NYSERDA energy program spending by adjusting the metric used to track spending by these organizations to one that ensures transparency on the geographic location of state energy spending. This adjustment would ensure that funds intended to be spent on low-income communities actually go where they are most needed.

Menstrual Product Labeling (A.00164/S.02387)
POLICY TYPE: Legislation
STATUS: Bill

PROBLEM:
Feminine hygiene products like tampons, pads, and pantyliners contain chemicals that have been linked to cancer, endocrine disruption, and reproductive harm. These products come into contact with some of the most absorbent areas of a woman's body. This means chemicals within feminine hygiene products can be easily absorbed into the entire body through the circulatory system. Further, feminine hygiene product use is expected to increase over time, exposing more women to potentially harmful chemicals. Despite these risks, the presence of potentially harmful chemicals is not disclosed to product users.

ENVIRONMENTAL JUSTICE FOCUS:
Feminine care products are widely used by women in the United States and constitute a $3 billion industry. The most popular feminine care products are tampons and menstrual pads, used by 70-85% of women. Products free of lotions, dyes, and pesticides are often more expensive, leaving people of color and low income to choose between financial and bodily health.

SOLUTION:
The bill would require manufacturers of feminine hygiene products to disclose ingredients lists, including toxic chemicals, on the packaging as well as to the State. This would ensure that consumers can check the ingredients of products they buy and make informed decisions. It also applies pressure to manufacturers to change their ways.

Mercury in Personal Care Products (Needs Sponsors)
POLICY TYPE: Legislation
STATUS: Bill

PROBLEM:
Mercury can be found in a variety of personal care products, from face and eye creams to eye makeup, cleansing products, and mascara. Exposure to mercury in high forms can cause kidney and lung damage or even death. At lower levels, mercury can cause rashes and scarring, as well as reduced resistance to bacterial and fungal infections, and mental impacts such as anxiety, depression or psychosis and peripheral neuropathy (weakness, numbness, and pain in the hands and feet). The United States Food and Drug Administration allows mercury compounds in eye area cosmetics at concentrations at or below 1 mg/kg and concentrations of 65 mg/kg for non-eye area cosmetics. Additionally, skin lightening creams with higher levels of mercury are available for purchase, and thus pose additional risk to users.

ENVIRONMENTAL JUSTICE FOCUS:
African American consumers purchase 9 times more ethnic beauty products than other demographics. Latinos are the fastest growing ethnic beauty market segment and Asian Americans spend 70% more than the national average on skin care products. Meanwhile, beauty product manufacturers and American society on the whole distribute images that idealize whiteness and encourage the sale of their skin lightening creams. These products cause disproportionate harm to women of color and must be banned.

SOLUTION:
WE ACT will work to introduce a bill that bans mercury in personal care products sold in New York State.
Lead in School Drinking Water Law (Needs Sponsors)
POLICY TYPE: Legislation
STATUS: Bill

PROBLEM:
Lead can enter drinking water when service pipes that contain lead corrode, especially where the water has characteristics that corrodes pipes and fixtures, such as high acidity or low mineral content. The U.S. Environmental Protection Agency (EPA) estimates that drinking water contaminated with lead can contribute to 20% or more of a person's total exposure to lead. Lead exposure can cause a variety of adverse effects from reduced IQ and behavioral disorders at low-level exposure to comas, convulsion, and even death at high levels of exposure. There is no level of lead exposure that is considered safe, and children are especially at risk to exposure to and injury from lead.

ENVIRONMENTAL JUSTICE FOCUS:
Given the age of infrastructure in New York, drinking water can be a source of exposure to lead and testing must be done to ensure its safety. Low-income people and people of color are more likely live in older buildings and are therefore more at risk to lead exposure through their drinking water.

SOLUTION:
WE ACT was one of five lead organizations that drafted and advocated for the 2016 law requiring all public schools in New York State to test their water systems for lead and remediate their drinking systems if any lead was found. We need to make amendments to the law to further protect children from lead exposure in their drinking water. Additionally, we would like to expand this law to cover other facilities where children spend significant amounts time, such as daycares, homeless shelters, and juvenile detention centers.

Solar Energy Metering Legislation (Sponsors: Assembly Members Phil Steck and Steve Englebright; Successor to S.8273/A.10474)
POLICY TYPE: Legislation
STATUS: Senate - In Committee (Energy and Telecommunications); Assembly - Passed

PROBLEM:
The New York State Public Service Commission has recently made new rules about the value of solar energy. This new value system protects utilities and makes it harder for people to benefit from solar power and fight climate change. Without a strong solar policy, New Yorkers lose out on the full retail credit for customer-generated solar power.

ENVIRONMENTAL JUSTICE FOCUS:
Because low-income energy consumers earn less, the overall percentage of their income devoted to energy is higher. Further, low-income families tend to live in older, less-efficient housing, mean that their overall energy use tends to be higher. As a result of these two factors, low-income households in New York State pay, on average, 12.9% of their annual income on energy, compared to a statewide average of 3.4% of income and the 6% of annual income threshold that is typically considered the cut off for energy affordability. Maintaining a comfortable, functioning home therefore often competes with other health and wellness expenses, leading to poorer health and perpetuating the cycle of poverty. Further, low-income communities
and communities of color tend to be located near fossil fuel emission hotspots like highways and power plants — causing higher temperatures and worse air quality — exacerbating the challenges these families already face. Without strong net metering, many low-income communities lose the ability to pay for community solar, and therefore all of the health and economic benefits associated with it.

**SOLUTION:**
WE ACT and our allies want to pass solar legislation which would protect the value of solar energy generation so that solar remains viable for all New Yorkers. Passing a bill would ensure a substantial price for solar power to help cover the cost of converting to solar, enabling all New Yorkers to go solar.

**Climate and Communities Protection Act (S.2992/A.3876)**
**POLICY TYPE:** Legislation  
**STATUS:** Bill  

**PROBLEM:**
Climate change poses risks to human health, wellness, and safety. The most recent report by the International Panel on Climate Change (IPCC) states that storms, floods, and droughts are very likely going to increase in frequency and intensity, and the ocean is likely to rise between 0.85 and 3 feet by 2100. The damage to industry and infrastructure alone will have a major cost to the economy. Further, human health will likely be adversely impacted from increased rates of some vector-borne diseases and heat-related diseases as heat waves increase in frequency and intensity.

**ENVIRONMENTAL JUSTICE FOCUS:**
Challenges posed by climate change will hit communities of color and low income first and worst. Further, low-income communities and people of color are more likely to live near fossil fuel emission hotspots like highways and power plants - causing higher temperatures and worse air quality in frontline neighborhoods. These communities will continue to experience the worst impacts of the fossil fuel economy.

**SOLUTION:**
The Climate and Communities Protection Act (CCPA) would cut greenhouse gas emissions from all sectors of the State’s economy, establish an equitable decision-making body and process, and invest in frontline communities. Under the CCPA, New York State would achieve net zero greenhouse gas emissions by 2050. Workers hired to help transition our economy to a green one will have assurances of fair, livable wages and benefits. Finally, New York State would be required to evaluate the impact of state plans on frontline communities.

**Child Safe Products Act (Need Sponsors)**
**POLICY TYPE:** Legislation  
**STATUS:** Bill  

**PROBLEM:**
Children are most vulnerable to the harmful impacts from exposure to toxic chemicals. Yet, there are children’s products available throughout the U.S. made with chemicals like formaldehyde BPA and phthalates, which are linked to developmental issues, cancer, reproductive disorders, genetic damage, and asthma.

**ENVIRONMENTAL JUSTICE FOCUS:**
Children in low-income communities and communities of color are disproportionately exposed to toxic chemicals due to lack of enforcement of existing regulations and the prevalence of cheaply-made products in dollar stores across our communities.

**SOLUTION:**
The Child Safe Products Act calls on the state to develop a list of chemicals that are harmful to children’s health and require manufacturers to report to the State if their children’s products (such as car...
Amendment to Reduce PFAS Chemicals in Firefighting Activities and Equipment (S.439/A.445)

POLICY TYPE: Bill
STATUS: In Committee (Finance, Senate; Governmental Operations, Assembly)

PROBLEM:
Perfluoroalkyl and Polyfluoroalkyl Substances, or PFAS, refer to a group of inorganic persistent chemicals found in many everyday products, as well as in many products used by firefighters. PFAS chemicals are persistent in the environment and bioaccumulate in human bodies. PFAS exposure has been linked to reproductive and developmental effects, liver and kidney disruption, immunological disruption, low infant birth weights, increased cholesterol, and cancer. One of the major sources of PFAS is in a variety of firefighting equipment. Fire-fighting foams that contain PFAS are particularly risky given the likelihood of accumulation of this foam in nearby water sources.

ENVIRONMENTAL JUSTICE FOCUS:
As low-income communities and communities of color are more likely to be located near industrial discharge and dumping sites as well as chemical and product manufacturers, members of these communities are likely at increased risk of exposure to these chemicals and therefore more at risk to the adverse health impacts from PFAS exposure.

SOLUTION:
WE ACT endorses the Amendment to Reduce PFAS Chemicals in Firefighting Activities and Equipment. This bill makes the discharge, manufacturing, and use of PFAS-containing firefighting foam illegal and requires manufacturers to provide written notice to the purchaser of firefighting personal equipment of possible PFAS presence. This bill will help reduce the creation and use of PFAS and thus will help limit overall PFAS exposure.

Amendment to Reduce PFAS Chemicals in Food Packaging (S.2000/A.4739)

POLICY TYPE: Bill
STATUS: In Committee (Environmental Conservation, Senate and Assembly)

PROBLEM:
Perfluoroalkyl and Polyfluoroalkyl Substances, or PFAS, refers to a group of inorganic chemicals found in many everyday products, including food packaging. PFAS chemicals are persistent in the environment and bioaccumulate in human bodies. PFAS exposure has been linked to reproductive and developmental effects, liver and kidney disruption, immunological disruption, low infant birth weights, increased cholesterol, and cancer. Most people in the United States have some level of PFAS in their bloodstream, with one study finding PFAS in 98% of tested blood samples.

ENVIRONMENTAL JUSTICE FOCUS:
Low-income communities and communities of color are more likely to be located in food deserts. As a result, these consumers have less access to fresh, healthy food and must rely more on processed and packaged food. Therefore environmental justice communities are more at risk of additional PFAS exposure and adverse health impacts.

SOLUTION:
WE ACT endorses the Amendment to Reduce PFAS Chemicals in Food Packaging. This bill would prohibit the manufacture, sale, and distribution of food packaging in which PFAS chemicals are present in any amount and will hold manufacturers accountable through compliance recertifications for any formula change. This bill, if passed, will help protect our communities from needless exposure to dangerous PFAS chemicals.
Home Energy Assistance Program and Low-Income Home Energy Assistance Program

POLICY TYPE: Budget Item
STATUS: Proposal

PROBLEM:
At the federal level, government is proposing to zero out the Low-income Home Energy Assistance Program (LIHEAP) altogether in 2020. Currently, federal dollars are given to New York State's annual budget under one pot of funding for heating and cooling costs altogether. By the time summer rolls around, these funds run low and therefore low-income residents in New York City in need of relief can't equitably benefit from this funding stream to purchase and install an air condition (A/C) during the summer months. LIHEAP cooling relief funding (as it currently stands) helps families access an A/C but is not flexible enough to assist with the operating costs low-income families must endure to power their A/C in warmer months.

ENVIRONMENTAL JUSTICE FOCUS:
It is well-known that the urban heat island effect already presents a health threat in Northern Manhattan, and that this threat will grow as climate change intensifies. Heart attacks and strokes are the most acute effects of heat waves. The threat posed by extreme heat is most dangerous to vulnerable individuals. This includes the elderly, as well as low-income individuals who may not be able to afford air-conditioning or consistent electricity. In New York City, 80% of heat stroke deaths happen due to heat exposure in unairconditioned homes. Less than half of New York City’s public housing residents have air-conditioning, and New York’s public housing developments are heavily concentrated in Northern Manhattan. Congressional District NY-13, which includes the Uptown Washington Heights/Inwood neighborhoods, has the most public housing units of any district nationwide.

SOLUTION:
We seek to understand the health impacts of heat extremes and high humidity in Northern Manhattan and develop strategies to help reduce the health consequences of heat and high humidity extremes and prevent greater morbidity and mortality. Building from our community-identified priority areas from our Northern Manhattan Climate Action plan, this budgetary cost campaign allows us to work with partners to research an equitable dollar amount to advocate for low-income households that would offset electrical costs of A/C. A companion fund for LIHEAP allows us to pay electricity for the same categories for LIHEAP. Although we’re counting on Congress to defend these critical equity funds, we see an opportunity at the state-level to include this recommendation in the Governor’s, Senate, and Assembly budget bill.

Ban Mercury in Skin Lightening Creams

POLICY TYPE: Legislation
STATUS: Proposal

PROBLEM:
Mercury is a common ingredient found in skin lightening soaps and creams. It is also found in other cosmetics, such as eye makeup cleansing products and mascara. The main harmful health effect of the inorganic mercury contained in these products is kidney damage. It may also cause skin rashes, skin discoloration and scarring, as well as a reduction in
the skin's resistance to bacterial and fungal infections. Other effects include anxiety, depression or psychosis, and peripheral neuropathy (weakness, numbness, and pain in the hands and feet). The United States Food and Drug Administration allows mercury compounds in eye area cosmetics at concentrations at or below 1 mg/kg for non-eye area use and 65 mg/kg in eye area use. Additionally, skin lightening creams with higher levels of mercury are available for purchase, and thus pose additional risk to users.

ENVIRONMENTAL JUSTICE FOCUS:
African American consumers purchase 9 times more ethnic beauty products than other groups. Latinos are the fastest growing ethnic beauty market segment and Asian Americans spend 70% more than the national average on skin care products. Meanwhile, beauty product manufacturers and American society on the whole distribute images that idealize whiteness and encourage the sale of their skin lightening creams. These products cause disproportionate harm to women of color and must be banned.

SOLUTION:
WE ACT will work with our allies in congress to introduce and pass a bill that bans mercury in skin lightening products sold in the United States.

Green New Deal
POLICY TYPE: Resolution
STATUS: Proposal

PROBLEM:
Climate change is already occurring, and the most recent science suggests that the global temperature is likely to rise to 1.5ºC above pre-industrial levels between 2030 and 2052. Should warming exceed 2ºC above pre-industrial levels before 2100, the impacts of climate change will be extensive and devastating. With increasingly frequent and intense weather catastrophes, sea level rise, and biodiversity loss, our society will be fundamentally changed, and not necessarily for the better.

ENVIRONMENTAL JUSTICE FOCUS:
Understanding the impacts of climate change cannot be done without considering historic disadvantage and current poverty, as the biggest losers from climate change are those who are already vulnerable. If we do
not address our current societal inequities, people of color and low-income communities will remain the first to experience the worst impacts of our climate disaster and climate change will only encourage greater disparity between the haves and have-nots.

**SOLUTION:**
The Green New Deal is one of the most comprehensive plans to address climate change that the federal government has ever entertained. This resolution supports not only achieving net-zero greenhouse gas emissions by 2050, but also seeks to radically restructure the economy to work for disadvantaged and oppressed communities. WE ACT endorses this resolution and will work with our allies in congress to improve the current language around environmental justice communities in order to ensure that this resolution will have maximum efficacy in supporting our communities.

**Infrastructure Bill**
**POLICY TYPE:** Budget Item  
**STATUS:** In development

**PROBLEM:**
In the most recent report by the American Society of Civil Engineers (ASCE), the U.S. earned a grade of D+. The ASCE estimates that the U.S. will have to spend approximately $4.5 trillion by 2025 to make these essential repairs. Further, the most recent report by the International Panel on Climate Change (IPCC) states that storms, floods, and droughts are very likely going to increase in frequency and intensity and the ocean is likely to rise between 0.85 and 3 feet by 2011. These factors make functioning infrastructure to transport drinking water, levees to prevent flooding, and energy efficiency absolutely essential. Further, while updating our energy infrastructure, we need to build our renewable energy economy and improve energy efficiency in order to lessen the damage done by climate change. We need to reduce the impact of our neighborhood and cities and make them resilient to the challenges that climate change poses through green infrastructure.

**ENVIRONMENTAL JUSTICE FOCUS:**
As essential as functioning infrastructure is to all Americans, it is particularly important to invest in green infrastructure in communities of color and low-income communities, as the burdens of climate change on homes and neighborhoods will overlap with existing burdens of poverty and systemic oppression. Further, these communities are most at risk from failing infrastructure and lack of government intervention, as evidenced by the water crisis in Flint, Michigan; the lack of appropriate government response to prepare residents of New Orleans for Hurricane Katrina; and countless other instances.

**SOLUTION:**
WE ACT will support an infrastructure bill that advances the construction of “green” infrastructure. New York Senator and Senate Democratic Leader Chuck Schumer has proposed expanding funding
for severe-weather resiliency in an infrastructure bill for major construction projects. WE ACT opposes any private funding schemes for infrastructure improvements as we want to avoid the privatization of public goods. Instead, WE ACT supports this bill and proposes modest increases in gas and diesel taxes and the elimination/reduction of federal subsidies to oil and gas sectors as a way to pay for this bill.

Environmental Justice Legislation
POLICY TYPE: Legislation
STATUS: Bill

PROBLEM & ENVIRONMENTAL JUSTICE FOCUS:
The biggest losers from climate change are those who are already vulnerable, meaning communities of color and low-income people. As we address the climate crisis, we must also work to reduce our current societal inequities. People of color and low-income communities will be the first to experience the worst impacts of our climate disaster and, if we do nothing, climate change will widen the gap between served and underserved communities.

SOLUTION:
Under the leadership of the New Jersey Environmental Justice Alliance, WE ACT has worked with several other environmental justice organizations and U.S. Senator Corey Booker (D-NJ) to develop an Environmental Justice bill (S. 1996) that was introduced in October 2017, which we intend to reintroduce this year. The Environmental Justice Act calls on Federal agencies to develop and enforce rules and regulations that promote environmental justice and address and eliminate the disproportionate environmental and human health impacts on communities of color, Indigenous Peoples, and low-income communities. Further, this bill requires permitting decisions to consider the combined impact of past, present, and future activities on a community’s environment and health. Finally, this bill would allow private right of action under Title VI of the Civil Rights Act of 1964 to enable individuals to challenge discriminatory practices.

Ban the Box for Solar, Wind and Renewable Energy Jobs
POLICY TYPE: Policy Enforcement
STATUS: In Development

PROBLEM:
Currently, approximately 70 million people in the United States — nearly one in three adults — are under the supervision of adult correctional systems. Having a record can severely impact one’s ability to find employment, with some studies suggesting that having a criminal record reduces the likelihood of a job callback or offer by approximately 50%.

ENVIRONMENTAL JUSTICE FOCUS:
Black and Latino males account for 41% and 16.6% of the male prison population respectively. Black and Latino females account for 23.9% and 10.6% of the female prison population respectively despite black and Latino people representing only 14% and 17.8% of the total U.S. population. As a result of the systemic injustice that leads to the disproportionate incarceration of people of color in the U.S., people of color are more likely to have a criminal record.

In addition, people of color are likely to face a battery of negative stereotypes by prospective employers that reduce their ability to establish a rapport and be considered for employment. This trend is drastically compounded when a person of color also has a record. One 2009 study demonstrated that African American applicants are not only more likely to face a reduced rate of callbacks compared to equally qualified white applicants (25% vs. 31%), the “penalty” for African Americans with criminal records is much higher, reducing the likelihood of callback to 10% compared to 22% for white applicants with records.
The disparity in job application outcome between applicants with and without records is significantly reduced when the applicant is able to interact with their potential employer in person. In the 2009 study referenced above, applicants who interacted with the hiring manager in person were four to six times more likely to receive a callback or job offer than applicants that could not interact in person. Allowing people to apply and be considered for an interview without disclosing their criminal record either at all or early in the process therefore significantly helps remove employer bias and improve the chances of people of color with criminal records to secure a job.

**SOLUTION:**
WE ACT therefore supports increased enforcement of a policy by the Equal Employment Opportunity Commission (EEOC) to “ban-the-box,” or eliminate the question on an initial application forcing applicants to disclose their criminal history. To encourage the enforcement of this guideline, WE ACT will conduct research on how well the EEOC’s “ban-the-box” guidelines are being enforced in the solar, wind, and other renewable energy sectors. We intend to collect this information in a report to be send to the EEOC and refer any violators to the EEOC for prosecution.

**Oppose EPA Rollbacks**

POLICY TYPE: Legal/Regulatory Action

STATUS: Ongoing

**PROBLEM:**
The Trump administration has systematically rolled back the efforts of the Environmental Protection Agency (EPA) to defend the environment and public health since President Trump’s inauguration in 2017. Thus far, the administration has targeted 78 environmental protections for elimination. If successful, the loss of these protections could lead to 80,000 additional deaths and respiratory problems for an additional 1 million people over the next decade. Many of the proposed or successful rollbacks enable the perpetuation of greenhouse gas emissions and thus pose a grave threat to all Americans due to climate change.

**ENVIRONMENTAL JUSTICE FOCUS:**
Communities of color and low-income communities are most at risk from environmental health hazards and thus will experience the greatest burden from the removal of these essential protections. The Trump administration intends to remove protections such as limitation on toxic emissions from major industrial polluters and directed agencies to stop accounting for the social cost of carbon emissions in government plans. The administration also repealed water pollution regulations for fracking on Indigenous land and announced its intent to stop payments to the Green Climate Fund, a United Nations program to help poorer countries reduce carbon emissions. Rollbacks such as these will seriously impact people of color, particularly Indigenous Peoples, as well as low-income communities in the United States and abroad.

**SOLUTION:**
WE ACT intends to fight the Trump administration at every step. With the support of EarthJustice, a public interest non-profit dedicated to litigating environmental issues, WE ACT has filed several lawsuits against the administration and the EPA for:

1. Failing to update the ozone standards, which could have dangerous implications for respiratory health in our communities;
2. Failing to update the lead dust hazard standard;
3. Failing to provide information to the public under the Freedom of Information Act; and
4. Failing to continue to implement the reformed Frank R. Launtenberg Chemical Safety Act for the 21st Century.

WE ACT will continue to fight the rollbacks and the administration’s attack on the EPA by using the courts where appropriate.