Nikayla Jefferson (00:00):

In the summer of 2019, New York State passed one of the most ambitious climate laws we've seen so far. It's called the Climate Leadership and Community Protection Act, or the CLCPA. The CLCPA requires New York to cut emissions 40% below 1990 levels by 2030, but that's not the only time 40% is used in the law. The law also requires that 40% of the benefits of clean energy and climate investments flow towards disadvantaged communities.

(00:33):

I asked Rahwa Ghirmatzion how it felt to bring this law to life. She's the former executive director of the Buffalo housing advocacy group People United for Sustainable Housing, or PUSH Buffalo, an organization that played a pivotal role in the CLCPA.

Rahwa Ghirmatzion (00:50):

It is a historic moment as a black woman really in the fight for justice, but in particular, climate justice. This idea of centering the voices of the most impacted was only coming from environmental justice organizations. And to me it was a powerful moment because it showed that after more than a decade of black and brown organizations fighting for intersectional approaches and holistic approaches, but also centering the most marginalized voices because we often say in our movement, those who are closest to the problem or the pain have the best solutions and getting the big greens and kind of the mainstream environmental organizations to have faith and trust that we actually have the solutions for our problems was a big shift. It was a big change and it was just a given.

Nikayla Jefferson (01:49):

The work Rahwa was doing in the City of Buffalo inspired a similar approach in Washington DC. In January 2021, during his first week in office, President Joe Biden launched the Justice40 Initiative as a part of an executive order called “Tackling the Climate Crisis at Home and Abroad.” Following in the footsteps of the New York law, the federal initiative directs 40% of the benefits of federal investment to disadvantaged communities. This includes clean energy, clean transit, affordable housing, and workforce development. Rahwa sees the links between New York State and President Biden's new commitment.

Rahwa Ghirmatzion (02:28):

I feel absolutely hopeful, and let me tell you where the hope for me ignites, and that's where the fire is and that's where we have to keep that flame alive is the fact that it happened at all at the federal level soon after New York State was able to pass the CLCPA. I think that as a nation we don't often hear of the good news and the good work that's happening because there's so much distraction and so much noise. But I can tell you that this fight that happened in New York State took decades. That this fight that happened at the federal level took decades, and these wins are tremendous.

Nikayla Jefferson (03:06):

As Rahwa says, the Federal Justice40 initiative is a huge win, and yet the federal promise to benefit disadvantaged communities is still in its early days.

(03:18):

In today's episode, we dig into the details asking, "What does climate justice really look like in practice?"

Leah Stokes (03:29):

This is a Matter of Degrees, stories for the climate curious. I'm Dr. Leah Stokes.

Katharine Wilkinson (03:35):

I'm Dr. Katharine Wilkinson.

Nikayla Jefferson (03:36):

And I'm Nikayla Jefferson.

Leah Stokes (03:41):

Nikayla, it's so great to have you back on the show, to report today's story about this big policy idea that disadvantaged communities should get 40% of the pie when it comes to climate action.

Katharine Wilkinson (03:52):

We love big policy ideas on this show, and for those who haven't heard it back in season one, Nikayla was an amazing guest host on A Matter of Degrees, and you should definitely check out her episode, "The Stages of Black Climate Grief."

Nikayla Jefferson (04:06):

It's great to be back, Katharine. Since we last talked, I spent the 2020 presidential cycle working with the Sunrise Movement. We were organizing, campaigning and making a very loud scene for climate justice to be a priority for the next President of the United States. In the end, that candidate, as we now know, was Joe Biden.

Leah Stokes (04:26):

Yeah. And at the time, folks were worried about whether then-candidate Biden would actually prioritize climate justice if he became president.

Nikayla Jefferson (04:34):

Right. And I was worried about that too. But after he became the nominee, environmental justice advocates, including the Sunrise Movement, pushed him to adopt specific policies into his platform. And thankfully, these didn't just become empty promises. President Biden talked about climate justice in his inaugural address, and a few days later signed the executive order containing the so-called Justice40 Initiative.

Katharine Wilkinson (04:58):

And the Justice40 Initiative is very much what we're focused on in today's episode. So, Nikayla can you just unpack this initiative a little bit for our listeners? What does it require?

Nikayla Jefferson (05:09):

That's an excellent question. The executive order states that, and I should use quotes here, "The federal government has made it a goal that 40% of the overall benefits of certain federal investments flow to disadvantaged communities that are marginalized, underserved, and overburdened by pollution," end quote.

Leah Stokes (05:29):

I like the ring of that. It sounds pretty promising on paper.

Nikayla Jefferson (05:33):

Yes, on paper. But the real question is how is this executive order being implemented? In practice, will the initiative actually meet its goals? And what exactly is the difference between a benefit and an investment? Those are just some of the questions we're going to explore today.

Katharine Wilkinson (05:50):

I'm really excited about where you're taking us in this episode, Nikayla. So where do we start?

Nikayla Jefferson (05:55):

Our story begins in the city of Buffalo, New York. If you didn't know, Buffalo has some of the highest rates of poverty in the nation, and it's been the epicenter of a struggle for housing and environmental justice for many years now, in part because of Rahwa's leadership.

(06:11):

Rahwa's passion for justice is inseparable from her life story. She was born in Eritrea, a country in East Africa. In the aftermath of the departure of their Italian colonizers, Eritrea was entrenched in a decades-long border conflict with Ethiopia. To escape the violence, Rahwa's family walked at least 250 miles to cross the border into Sudan seeking asylum. Her family applied for immigration to the States and eventually settled in Western New York.

Rahwa Ghirmatzion (06:43):

I often tell people actually that I was born kind of like with the fist of five. Justice is very important to me. People's ability to be free and liberated was always just a part of my making. I did not appreciate being displaced from my home country and having to leave the rest of my family, in particular, my grandparents. That was really difficult for me as a child, and I did not understand it.

(07:05):

And so, you know, me working at PUSH where our theory of change is about community control and community ownership of resources, including the land that we reside on – and our major initiatives at the intersections of climate and housing – are really about development without displacement and making sure that people are able to not only stay in place, but also thrive in place.

Katharine Wilkinson (07:28):

While Rahwa's story is so powerful and you really can feel the deep motivation that took root in those early days of her life to do this work.

Nikayla Jefferson (07:39):

And as I mentioned, Rahwa is the former Executive Director of PUSH Buffalo. Founded in 2005, it's an organization fighting for affordable housing alongside racial, economic and environmental justice.

Rahwa Ghirmatzion (07:54):

We have the second oldest housing stock in the nation, meaning that these homes were built very well, great craftsmanship. Unfortunately, they were built before insulation was ever invented in a cold weather region. And because of our poverty, many of these homes have structural issues from needing new roofs, new windows. Many of them have lead an asbestos and other hazards indoors. And so we need to invest a lot of money at the intersections of housing and climate to address these issues because many of these issues are not just a housing problem, but also a climate justice problem.

Nikayla Jefferson (08:35):

To make clean housing and energy a reality for everyone, not just the wealthy, PUSH partnered with around 20 other groups to found the New York Renews Coalition. Since then, over 300 organizations have joined the effort. The coalition advocated for and helped pass New York's Climate Leadership and Community Protection Act in 2019. But the Road to victory was far from easy.

Rahwa Ghirmatzion (08:58):

We were told in New York State that our bill was too ambitious, that it was not politically feasible, that we needed to really reduce our expectations. And we forged ahead because what was really powerful about New York State is that we had thousands and thousands of New Yorkers that were being impacted now that looked at our policy, helped us co-write this policy and said, "This is what is needed right now." And I would say that the people that are being harmed and feeling the burdens currently, want these solutions.

(09:34):

Much of it was really modeled after the work that California had done. California was of course, over a decade ahead of us, where climate justice and environmental justice leaders really pushed for those provisions where 25% of all climate energy funds would be spent in frontline communities or what we call communities of color, Black, indigenous, and people of color communities, which oftentimes bear the brunt of pollution, both localized and also in our air, meaning co-pollutants.

(10:06):

And so these communities oftentimes cause the least harm as far as pollution, but unfortunately have to live with that more. So investments should be directed to repair the harm caused over generations in those communities.

(10:21):

And so, in New York State over a decade later, a coalition was born. Really, it was the effects of the People's Climate March that happened in 2015 in New York City, the largest climate march in the world at that time, following Superstorm Sandy. A few environmental justice organizations and big green organizations got together and said, "We can't let this momentum die. Now is the time to really fight for state law because the people in New York have spoken."

Nikayla Jefferson (10:51):

What do you think led to this massive shift and in the way you tell your story, you were kind of surprised by it or almost shocked that the shift had occurred. So yeah, what led up to that moment, looking back on it?

Rahwa Ghirmatzion (11:05):

I think what led up to that moment is over a decade of organizing. And I think the hard part about organizing is it's always a long arc. It's never, ever the short game. It's always the long game. And when you're so deep in it, because there are so many struggles, so many ups and downs that you go through, we're not always – can't always see the fruits of your labor, that you're making a dent and it's basically starting to crack or shatter the glass ceilings that we're confronted with. To really see that in New York state, that shift had taken place and it wasn't a fight – because we're so used to fighting – to have a seat at the table, to actually not be managed and be decision makers, not to be arm candy or a facade to fulfill someone's diversity quota, that we're not being tokenized, that we are not only being taken seriously, but we're going to have the support of everyone and that we are coming together in that way. It is a powerful moment.

Leah Stokes (12:12):

Policy change is never easy, and winning progress for disadvantaged communities is particularly hard. That makes this accomplishment even more impressive. The New York Renews Coalition was able to achieve a huge victory after years of perseverance.

Nikayla Jefferson (12:27):

In this story. The song that really comes to mind about New York, "If you can make it here, you can make it anywhere." That's how that song goes, right?

Leah Stokes (12:34):

Oh yeah. I think it goes, "New York. New York." Right? I think that's it.

Nikayla Jefferson (12:40):

Yes, exactly. Just like that.

Leah Stokes (12:44):

I mean, I think I got a future in music, don't you guys think?

(12:48):

Anyway, they did make it in New York and then they made it all the way to the federal level. So I think that song is spot on, Nikayla?

Katharine Wilkinson (12:57):

I don't know, Leah. I think maybe sticking with the policy work is a slightly better path.

Leah Stokes (13:03):

Hey, throwing shade, throwing shade.

Katharine Wilkinson (13:06):

I do love a little karaoke moment tucked into an episode, but Nikayla, after hearing some of Rahwa's story, I'm still curious, how did this really exciting idea cooked up in New York actually make it onto the federal agenda?

Nikayla Jefferson (13:21):

To understand that trajectory, we really need to go back to the beginning of this idea. And unsurprisingly, the beginning of this idea starts in California.

Katharine Wilkinson (13:32):

Now I know why you wanted to bring us this story, Nikayla.

Nikayla Jefferson (13:36):

Of course. How could I pass up an opportunity to flex about California again being a leader of the nation? Rahwa was talking about Senate Bill 535, which passed in 2012 in California, and for our state established a minimum funding level for so-called disadvantaged communities.

(13:59):

To get a bit of the background, I talked with Rachel Patterson. Rachel's a policy lead at the climate advocacy group, Evergreen Action. She walked me through the arc of this recent surge of environmental justice legislation from its origins in California, all the way to the White House.

Rachel Patterson (14:15):

Environmental justice leaders and advocates have been dreaming of something like Justice40 since before I was born. So in that sense, I am very happy that Justice40 exists, that it's a real plan that we can make into real action because it is truly a dream of everyone who's done this work before us. And I find that really exciting.

(14:37):

So, long history story made short, California started back in 2012 with this language of disadvantaged communities. And then New York builds that momentum almost a decade later by getting their own version of the bill to pass. And then essentially, people just didn't want to let the idea go. So during Biden's presidential campaign, there was a candidate, Jay Inslee, who made his whole presidential campaign about climate change, and one of those pillars was justice. When Inslee decided not to run anymore, his whole team kind of put together all these proposals that any president should follow if they care about climate. And it included essentially what became the Justice40 initiative. And so that was after the Inslee campaign had gone around really the country and talked to all these environmental justice communities and leaders and figured out what they needed, folded it up into this campaign plan, presented it to the Biden administration. And then that in addition to, like I said, all of the state level grassroots advocacy that had been happening. I think the Biden administration recognized, okay, well, we need to take this seriously. It's happening anyway in states.

Leah Stokes (15:52):

So to recap, environmental justice groups pushed for years to get dedicated funding at the state level, and then they won victories in California and New York. And finally, they got their ideas into a presidential campaign when Governor Inslee decided to run for president on a climate platform.

Katharine Wilkinson (16:09):

And I think the Biden campaign eventually sat down with environmental justice leaders as well, because it was very clear that these groups deserved a seat at the policymaking table.

Nikayla Jefferson (16:20):

Yes. And this progress began locally with activists and organizers like Rahwa working in Buffalo. Eventually it trickled up to federal policy. It was true grassroots organizing at its finest.

Leah Stokes (16:33):

So that's a synopsis of years of work by thousands of people. But Nikayla, I remember you mentioned this sticky issue of benefits versus investments. Can you explain what that's about?

Nikayla Jefferson (16:48):

Words really have power here, and it turns out that there is a big difference in saying 40% of investments, you know, like the money, and 40% of the benefits. I asked Rachel to walk me through this issue. She talked about how the federal Bipartisan Infrastructure Law from 2021, the so-called IIJA, has been the first time the Biden commitment has really been tested in practice.

Rachel Patterson (17:13):

And so the Justice40 Initiative came to be. But the issue with the language of 40% of benefits of investment is that there has to be an investment. That language means nothing if there's no money to spend. And so the first test actually, I will say of it, was the IIJA, the Infrastructure Investment and Jobs Act. That was the first time that Justice40 should have applied, and it did. I think agencies were doing what they could, but they didn't have as many tools back then. And so now the Inflation Reduction Act, this is a clear whole-scale investment in addressing climate change, which means that Justice40 has to apply.

Katharine Wilkinson (17:57):

Okay, so it seems like the key here is this 40% of benefits going to disadvantaged communities, not 40% of investments. And the other question that seems like it'll matter a lot to how this policy works in practice is how disadvantaged communities are identified.

Nikayla Jefferson (18:13):

That's one of the other key mysteries when it comes to implementing Justice40. Who will get the benefits of these laws including, for example, the Inflation Reduction Act? Which communities specifically? It turns out that the answer is really complicated and it's still emerging. Here's what Rachel told me.

Rachel Patterson (18:32):

The Council on Environmental Quality who kind of oversees Justice40 and the initiative itself, they actually came up with this mapping tool. They have all these indicators that overlay health impacts, pollution impacts and economic indicators.

So things like, classic things that we might think of as someone who's disadvantaged, like if you grew up in a single parent household or if you live super close to a toxic waste facility. So they looked at the combination of those social factors and the combination of those pollution factors. And if there is a significant overlap, they said, "Okay, you're probably a disadvantaged community."

(19:12):

There's a lot of questions that have come out about that, in particular, with the climate economic justice screening tool. There's this big question of, can you include race because you can't discriminate on the basis of race, but you also can't privilege people on the basis of race. And so I think there's a question at large about, can you just promise certain communities 40% of any money? That's unclear, especially because these are all competitive grants.

Katharine Wilkinson (19:37):

So there are some methods that are used to determine who we can consider "disadvantaged." But on the whole, this framework is starting to sound a little slippery, Nikayla.

Nikayla Jefferson (19:48):

There's a lot of vagueness to these words, benefits, disadvantaged communities. And at this point in our investigation, I think it's intentionally so. In the case of California, it was left to the state's EPA to identify and define disadvantaged communities, and they did it based on the following criteria, geography, socioeconomic status, public health status, and environmental hazard exposure. But this leaves out something really critical...if anyone could take a guess at what that may be.

Leah Stokes (20:23):

Well, I didn't hear any demographic factors, right? And specifically there's no mention of race. If we're going to have government policy that aims for environmental justice, it's pretty irresponsible to leave race completely out of the analysis.

Nikayla Jefferson (20:39):

Especially since unsurprisingly, race remains one of the best indicators for vulnerability to all sorts of pollution.

Katharine Wilkinson (20:47):

I mean, it seems like you would want to use one of the best indicators to define disadvantage as effectively as possible. So did New York do the same thing as California and leave out race?

Nikayla Jefferson (21:00):

That's a great question. And the CLCPA's definition of disadvantaged communities, New York did include the following phrase, "Members of groups that have historically experienced discrimination on the basis of race or ethnicity." But when it came to Justice40, the Biden administration followed California's precedent, not New York's. Rachel explained to me why she thinks this happened.

Rachel Patterson (21:24):

The Biden administration in other bills has attempted to provide specific benefits to people of color. So they made this attempt to specifically give money to Black farmers during Covid because they have been discriminated against in particular ways and need this money. And the court struck that down and said, "You can't just give money to Black people like that. That's unfair to everybody else." So realistically, the administration is saying like, okay, well, we don't want to include race here because even though race is unequivocally the best predictor of environmental degradation and your ability to be impacted by pollution, we don't want to put it in because we don't want conservative courts to latch onto that and take away the whole Justice40 initiative.

(22:09):

I have my own feelings about if it's really as scary of a legal risk as folks think it is, but I'm an advocate and not an administrator, so I get to be skeptical. But yeah, I will say that for myself personally, and a lot of the environmental justice leaders and community members I've talked to, are really disappointed because essentially by leaving out race, we're just looking at income as the predominant factor and income isn't as good of a predictor of whether or not you're an environmentally disadvantaged community.

Katharine Wilkinson (22:44):

So this is in part about trying to avoid getting snarled up in the courts, I guess. But what's so important to remember, I think, when we talk about these fenceline communities that are severely overburdened by polluting industry is that they don't just arise spontaneously. The placement of chemical plants or toxic waste dump sites, these are deliberate choices made by corporations, by governments, by people.

Leah Stokes (23:10):

This is something that we've seen documented in research again and again, whether it's Dr. Robert Bullard's landmark work, *Dumping in Dixie*, which is a study about whose backyard gets stuck with dirty infrastructure, or more recent statistical research that shows that the harms of pollution are placed in communities of color.

Nikayla Jefferson (23:30):

It just makes sense to me that if dirty harmful facilities are being intentionally located in communities of color, the solutions should be just as intentional in terms of fixing the problem.

Katharine Wilkinson (23:43):

That makes so much sense to me, Nikayla, and it seems particularly important with all the spending that's underway and going to be coming from the Inflation Reduction Act.

Nikayla Jefferson (23:54):

Katharine, there is this enormous sum of money with the IRA, and the Justice40 Initiative is being applied to its distribution, but making sure that money is distributed equitably along racial lines is key.

Katharine Wilkinson (24:08):

Yeah. And who decides where the money goes?

Nikayla Jefferson (24:12):

So I asked Rachel about this and here's what she said.

Rachel Patterson (24:16):

The programs that are specifically set aside for disadvantaged communities or environmental justice communities, a lot of them are grants and the majority of them are grants that nonprofits or institutions that partner with nonprofits can apply for. So what this means is that every community in the United States who thinks that they need money from the IRA to help remediate some of these environmental injustices are going to have to figure out with their local nonprofit how to apply for these massive federal grants and then how those grants are specifically going to serve their communities.

(24:52):

I know that the agencies are doing a lot of work to try to educate folks because this is so much money and it's going to take a lot of community force to be able to access this money. The bigger question is, who on staff is going to do that? Are we going to get some volunteers to write this grant? How is that going to feed into the current mission of the work that I already do? I think is going to be so much of a bigger question for these orgs.

Nikayla Jefferson (25:18):

I would imagine that the groups who are really on top of their grant game may not be the groups that need the grants the most?

Rachel Patterson (25:26):

That is often how it shakes out because like I said, if you're a well-funded organization, you can hire someone to write grants for you, and then that's easy. If you're not a well-funded organization or if you're an organization that lives in a community that really is under-resourced and a lot of times these nonprofits are a huge source of providing community needs. The most impactful organizations often are the ones who actually don't have the time because they're so busy doing the work.

Leah Stokes (25:55):

And this is tough. On the one hand, we want justice organizations to have self-determination for how this money should flow, but on the other hand, it's going to be a huge challenge to get these dollars out the door to the groups that really need them if we're relying on community-based organizations.

Nikayla Jefferson (26:13):

This need to set aside both time and resources to apply for these grants is absolutely a barrier and it's not going to be easy. But luckily, there are organizations out there working to ensure that the money makes it where it's most needed.

(26:27):

I came across a bunch of new nonprofit initiatives trying to address this challenge. For example, the Justice40 Accelerator. These sorts of efforts are aiming to give EJ organizations money and other supports so that they can access federal dollars.

Katharine Wilkinson (26:41):

Well, that's really good to hear, Nikayla, and it seems like it'll be a huge factor for the outcomes that Justice40 could achieve.

Nikayla Jefferson (26:49):

You know, I'm optimistic. Rachel is optimistic that despite its limitations and these big challenges, the Justice40 Initiative is going to shift things in a big way.

Rachel Patterson (27:02):

I think that Justice40 is an entirely new way of thinking about rectifying current and past harms and really providing benefits and investments to communities who desperately need them. I think that that's going to change the fabric of the federal government. And so I think my hope is that we take this seriously, but also it's okay if we don't get it right. It's okay if it's not perfect. What we need is the lessons from that, and I'm very hopeful that we will learn a lot in this process so that we can do it better and serve communities to the greatest extent possible, not just with the IRA but in future investments as well.

Katharine Wilkinson (27:47):

So, we've traced Justice40 back to its origins in New York and in California, from activists and organizers like Rahwa working at the state level and the local level, along the Democratic campaign trail, and finally to President Biden and the White House. And we've talked a bit about its potential blind spots.

Leah Stokes (28:06):

But now it's been more than two years, right, since this federal initiative was started. So what's happened since then, Nikayla? What does implementation of Justice40 actually look like?

Nikayla Jefferson (28:17):

I think implementation is the most important part of the story, and I've been asking myself these same questions. So I reached out to someone who is directly involved in implementing this big policy, Shalanda Baker. She directs the Office of Economic Impact and Diversity at the Federal Department of Energy and previously co-founded the Initiative for Energy Justice. I asked her how she defines energy justice.

Shalanda Baker (28:43):

So, I have to tell a little bit of a story to actually get there. I think energy justice is something that has been used a lot. It's been conflated with environmental justice, it's been conflated with climate justice. And it's really different. So, energy justice really became a part of the academic discourse, I would say probably 2012-13 and really in a big way in 2014. At that time, I was actually teaching at the University of

Hawaii in the middle of a lot of energy debates in that state. Back then Hawaii had the highest penetration of solar in the country. It was also the first state to adopt a 100% renewable portfolio standard. And as a law professor in Hawaii, I actually had the opportunity to talk to a lot of different people who were fighting for more distributed energy on the grid, a cleaner grid.

(29:35):

And I talked to utility executives, to regulators, and I would always ask where communities fit in the narratives and in the conversations on the energy transition in the state, and they would say, "Communities just care about whether the lights go on and that's all they care about." And I knew that was wrong based on my work in Oaxaca and based on the ways in which communities were so impacted by energy. I also knew it was wrong because when I looked around Hawaii, I saw majority Native Hawaiian, Black and Latinx communities, housing all the dirty generation. I knew from my research that residents of Hawaii paid around three times the national average for electricity. And of course everything was so expensive. Everything is imported into Hawaii. So that raises the cost.

(30:20):

And so I knew that communities really cared about energy and that we had an opportunity to shape the energy system to lower cost, to lower environmental and economic burdens on low-income Americans, on Native Hawaiians and people of color in the state. And so I started this organization at the law school called the Energy Justice Program.

Nikayla Jefferson (30:41):

Director Baker's Program at the University of Hawaii helped place graduates directly into policy positions. Even now in 2023, the concept of energy justice is still developing. But in the mid-2010s when she created this program, she was a pioneer doing something truly transformative and experimental.

Katharine Wilkinson (31:02):

I love hearing some of this backstory. It sounds like Director Baker was truly a key player in defining and spreading this now really widespread idea of energy justice.

Leah Stokes (31:14):

I've gotten to know Director Baker a bit over the last few years, and I've got to say, I feel like we as a nation and really as a world, we are incredibly lucky to have her in service at the Department of Energy.

Nikayla Jefferson (31:27):

Yes, and it was clear when we spoke that she sees the issues of energy and energy justice not just as policy and numbers, but as a story involving real people, and real lives. During our conversation, I asked Director Baker for her perspective on what Justice40 is and why it has the potential to be so transformative.

Shalanda Baker (31:50):

When President Biden took office in January of 2021, on day one, he issued a racial justice executive order, which was also transformative. And he said, every single federal agency needs to look at and examine their programs to see the situations in which underserved, underrepresented communities are not getting access to services. So I led that work at the Department of Energy. Again, it was a day one executive order.

(32:13):

On day seven, though, the President issued Executive Order 14008, which was the Landmark Climate Order entitled "Tackling the Climate Crisis at Home and Abroad," and embedded in that order, section 223, was the Justice40 Initiative. And so the Justice40 Initiative sets the goal that 40% of the benefits of our spending on climate and clean energy programs has to go to disadvantaged communities. And disadvantaged communities is a term used in the executive order, but we like to say underserved and overburdened communities when we talk about that because it's not accidental. This was a result of many policies over many years.

Nikayla Jefferson (32:58):

Director Baker is speaking here about the ways injustice is structural, how it's built deliberately into the systems that shape our lives.

Leah Stokes (33:06):

Right. People in power have made policy decisions sometimes that negatively impact certain people. They shape people's access to food, water, electricity, really their ability to live.

Katharine Wilkinson (33:19):

But it makes me wonder, could the opposite be true as well, right? Might we see positive impacts instigated by better policy decisions that improve the system that shapes our lives?

Nikayla Jefferson (33:31):

That's exactly what Justice40 is here to put to the test. Director Baker explains how.

Shalanda Baker (33:38):

When you think about impact, reducing energy burden, that's going to put money in people's pockets, reducing exposure to environmental hazard and harms. That's life, that's clean air, that's clean water. We can make an impact there. We think about access to EVs, we think about access to rooftop solar. Those are transformative vehicles.

(34:00):

My theory of the case is that the energy transition is actually a tool for social transformation. So it's a federal family-wide policy. It builds on the legacy of a lot of environmental justice, climate justice advocates around the country. Again, I want to highlight New York and California as really leading in that way, but it also builds on the work of people like Robert Bullard, people like Dr. Beverly Wright, Peggy Shephard, to really make sure that the voice of communities has been a part of the national debate for many years. So this is the moment. I mean, this really is a historic time, and we have at the Department of Energy a hundred billion dollars that are going to climate and clean energy. And so, to apply Justice40 to that is transformative, that hundred billion dollars will reshape our energy system. But when we think about 40% of the benefits of that spending going to frontline communities, I mean, that's mind blowing.

Katharine Wilkinson (34:57):

40% of a hundred billion dollars, that's a staggering amount of money. So does that mean 40 billion dollars will go to disadvantaged communities, however they might be defined?

Nikayla Jefferson (35:09):

No, of course not. That would be way too straightforward.

Katharine Wilkinson (35:12):

Right, right. Straightforward is way too much to ask for when it comes to policy.

Nikayla Jefferson (35:16):

Yeah, that's never how it works. Remember what we talked about earlier about the difference between a benefit and an investment? Justice40 does not say 40% of the money will go to disadvantaged communities. It says 40% of the benefits of that

investment. It's sticky language, and I couldn't get a clear answer from anyone until I asked Director Baker.

Shalanda Baker (35:37):

So this is the heart of the issue. So we know that 40% of a dollar is really clear. So this is not 40% of the spending, so it's not 40 billion out of a hundred billion at DOE, Department of Energy.

(35:50):

When I first joined the administration, I had the opportunity to speak to the White House Environmental Justice Advisory Council, what we call the WHEJAC, that is filled with luminaries from across the EJ movement. And Peggy Shephard, who is one of the mothers of EJ from New York (she is the Executive Director of WE ACT for Environmental Justice) she looks me in the eye on Zoom, so I couldn't hide. She looks at me and she says, "Shalanda, what is 40% of a benefit?" And it just, she's so smart, and it's like, yes, of course. How do you figure benefits? So there are benefits that are hard to measure, things that are over a longer time horizon, like improvements in health outcomes, right? Improvements in air quality are a little bit hard to measure. They're over a longer time horizon.

(36:40):

What we have done at the Department of Energy is really to focus on benefits that we can measure in a more compressed time period. So job creation, if you create a hundred jobs, 40% of those jobs need to be created in disadvantaged communities. We also have census tracks that we can look at from which those jobs should come. We also think about contracting with underrepresented businesses, women-owned businesses, small disadvantaged businesses, which tend to be businesses headed by people of color, and we can measure that. We already collect that kind of data. So when we think about contracting, 40% of the contracting would need to go to underrepresented businesses, and those are very concrete metrics and measures. Again, we really are honing in on the measurable benefits over a short time horizon.

Leah Stokes (37:29):

To hear Director Baker put it that way, it does start to sound pretty clear and pretty transformational.

Nikayla Jefferson (37:35):

It could be. We've never seen something like this from the federal government. Often we've actually seen the opposite. If you think back to FDR's New Deal in the 1930s, a lot

of these programs ended up further cementing racial segregation and wealth disparities.

Katharine Wilkinson (37:52):

Right because for example, Black people were excluded from the expanded welfare state, like the newly created Social Security Program.

Leah Stokes (38:01):

And the federal programs that gave housing loans, they actually increased segregation and undermined Black family's wealth.

Nikayla Jefferson (38:09):

That's the kind of negative impact that the federal government has had on racial equality. In contrast, there's so much potential here for the federal government to make a positive impact. And keep in mind, Director Baker is talking about one department, the Department of Energy. Justice40 also applies to more than a dozen other agencies.

Shalanda Baker (38:31):

Now, all of this is happening so fast, and so we're running as fast as we can to make sure that these programs are being tinkered with and tooled in order to facilitate justice. We know that these systems were never designed to produce justice, and so we're dismantling old systems of oppression as we build new systems that we hope do produce justice. And so it's a tall order, but there's so many dollars that are going to come into the world, into states, and hopefully cities and communities that I think will be transformative.

Leah Stokes (39:06):

Well, Nikayla, you've brought us a powerful and ultimately hopeful story today. We've learned about how the idea of Justice40 made its way from California to New York, and ultimately to the federal government, thanks to decades of organizing.

Katharine Wilkinson (39:20):

Yeah. This has been a really wonderful peeling back the layers of something that now lots of us are talking about – Justice40, Justice40, but we didn't know the backstory and we didn't know all the details, and I think you've done such a fantastic job of laying that out for us, Nikayla.

(39:36):

So, I'm wondering, what would you like to leave our listeners with today just in terms of closing thoughts? What should they take away from the stories of these three women that you interviewed for this episode?

Nikayla Jefferson (39:48):

I think for that, I'd like to go back to Rahwa who started today's story at the top of the show. When I asked Rahwa to tell me about what this justice funding looks like in practice, to give me an example, she told me to look at PUSH's present work in Buffalo. Her vision is about transforming her community through climate-friendly housing.

Rahwa Ghirmatzion (40:08):

And I want you to know, after two and a half, no three years of planning, including having to deal with the COVID pandemic and shutdowns, we were able to still fulfill our goal and we got a 22 million dollar project underway that we launched. It broke ground down in April of 2022. We are building 49 units of affordable housing, 12 new builds, two big major Buffalo rehabs. Also, 16 of those units or 30% are going to be supportive housing for people who are the hardest populations to house, and that is people dealing with chronic substance disorder and people that have chronic mental health issues with a partner that will provide case management over the long haul of these apartments and units.

(40:57):

They are mostly families, mostly three and four bedroom units, and I want you to know that they will be built without any fossil fuel infrastructure in Buffalo, New York. So completely net-zero.

(41:07):

Other strategies are we are training men and women in our neighborhood in these new technologies to be able to be the workforce for the next generation, and they will be working on these homes. Some of the technologies are rooftop solar, all electric appliances, geo wells, as well as air source and ground source heat pumps. And so we're building the future as we are talking about it.

Katharine Wilkinson (41:31):

This is such an exciting vision, and honestly, even though it's the dead of winter, it kind of makes me want to get up to Buffalo and check some things out.

Leah Stokes (41:39):

You know how passionate I am about fossil fuel-free new construction. Hello, this is amazing. This is the gold standard right here. I love it.

Nikayla Jefferson (41:49):

Climate policy can be so abstract, but I think Rahwa's work and Buffalo PUSH's work really shows what climate policy looks like in practice.

Katharine Wilkinson (41:59):

Yeah. It makes it so real for the day-to-day realities of people's lives.

Leah Stokes (42:04):

And it's changing people's lives, right? We're talking about housing for folks that may struggle to have some.

Nikayla Jefferson (42:10):

And that's ultimately the promise of Justice40, to change people's lives. I'm one for the long view of history, the belief that if seeds are sowed and tended well, one day they will sprout. Director Baker told me about the progress she has seen in her time working on these issues.

Shalanda Baker (42:29):

I would say that, you know, about 12 years ago when I first started this work, when I first started talking about justice in the energy transition, a lot of people thought I was crazy. A lot of people told me not to talk about it. People who said, "That has nothing to do with this energy transition, doesn't have anything to do with our models of development. It has nothing to do with averting climate change. We'll get to that later." I would say to the students who have hopes and dreams and who see injustice and can't unsee it anymore, I would say to stay the course.

(43:03):

This is the time that we've been waiting for. This is the moment for justice and equity. This president was elected on a mandate of racial justice, tackling the climate crisis and of rebuilding our economy. I am an embodiment of that promise. I'm focused on it every single day. It's what I wake up thinking about. It's what I go to bed thinking about it. Sometimes I can't sleep because I'm thinking about it.

(43:28):

And so there's so many people just like me who are in government, who were once called crazy, who were working for justice. And so I would just say to the audience, to

the students who were out there, to the young people and activists who are doing this work, don't give up and know that we're working for them every single day.

Nikayla Jefferson (43:47):

The legacy of Justice40 ultimately depends on what we do right now. Laws are only potential. It's up to us to fulfill their promise. It's true, Justice40 did set aside an enormous sum of money ready to be given to disadvantaged communities, but only to those who know how to access it. Once these progressive laws are enacted, our job is far from over. If anything, it's another beginning. It's a time to push harder because justice won't happen by itself. We've still got lots of work to do to make it a reality.

Leah Stokes (44:25):

A Matter of Degrees is co-hosted by me, Dr. Leah Stokes.

Katharine Wilkinson (44:31):

And me, Dr. Katharine Wilkinson.

Nikayla Jefferson (44:34):

And me, Nikayla Jefferson.

Leah Stokes (44:36):

We are a production made in partnership with FRQNCY Media, the 2035 Initiative at UC Santa Barbara, and the All We Can Save Project.

Katharine Wilkinson (44:44):

Thanks to our funders and supporters who make the show possible, Energy Foundation, NorthLight Foundation, McKnight Foundation, Bloomberg Philanthropies, and the 11th Hour project.

Leah Stokes (44:55):

If you're digging the show, please hop on Apple Podcasts or Spotify and give us a five star rating or leave us a review.

Katharine Wilkinson (45:03):

Jordan Rizzieri is our producer, Catherine Devine and Emily Krumberger are our associate producers. Enna Garkusha is our supervising producer, and Michelle Khouri is our executive producer.

Leah Stokes (45:15):

William Cagle, Ellie Katz and Nikayla Jefferson wrote the script. And Isabel Moncloa Daley, Becca Godwin and Jessica Olivier were script editors.

Katharine Wilkinson (45:24):

Matthew Ernest Filler is our lead audio engineer mixer and sound designer with dialogue editing and additional mixing by Claire Bidigare-Curtis and session engineering by DonTaé Hodge.

Leah Stokes (45:35):

Rose Wong designed our new show art. Sean Marquand composed our theme song. Additional music came from Blue Dot sessions.

Katharine Wilkinson (45:43):

Research, fact checking, communication and production support by Daniela Schulman, Amarachi Metu and Madeleine Jubilee Saito.

Leah Stokes (45:51):

Come back soon as we tell more stories for the climate curious.

Nikayla Jefferson (45:58):

Popcorn, paparazzi, placenta, picture, pig. I'm out of P words.

Leah Stokes (46:12):

That needs to be this bit, Easter egg, It's amazing.