

117TH CONGRESS
1ST SESSION

H. RES. 457

Expressing that the United States must establish electricity as a basic human right and public good, and eradicate the reliance on monopolized, profit-driven utility corporations and providers and the flawed regulatory regime that has failed to regulate these utilities in the public interest.

IN THE HOUSE OF REPRESENTATIVES

JUNE 4, 2021

Ms. BUSH (for herself, Mr. BOWMAN, Ms. OCASIO-CORTEZ, Ms. TLAIB, Ms. NEWMAN, Mr. JONES, Ms. PRESSLEY, Ms. OMAR, and Mr. GRIJALVA) submitted the following resolution; which was referred to the Committee on Energy and Commerce

RESOLUTION

Expressing that the United States must establish electricity as a basic human right and public good, and eradicate the reliance on monopolized, profit-driven utility corporations and providers and the flawed regulatory regime that has failed to regulate these utilities in the public interest.

Whereas scientists globally have determined that the human-caused climate emergency is bringing widespread harms, including deadly heat waves and drought, severe flooding and storm events, threats to public health and safety, limited and inconsistent water and energy access, and rampant biodiversity loss;

Whereas energy, water, broadband, and other utilities are basic needs for survival and good health and should be publicly owned and accessible to all;

Whereas the current energy system reflects historically entrenched, structural racism, whereby Black, Brown, Indigenous, and other communities of color face disproportionately high energy burdens, the threat of and actual disconnection from service, and local air and water pollution from fossil fuel energy generation;

Whereas, one-third of people in the United States struggle annually to pay their electricity bills, with Black, Brown, Indigenous, and people of color hit the hardest of 25,000,000 households that have had to forgo food or medicine to pay utilities bills, 7,000,000 said they had to make that decision every month;

Whereas pollution from gas infrastructure, often owned by the private energy industry, has increased the risk of cancer for 1,000,000 Black Americans, and Black communities have 1.54 times the exposure to particulate matter compared to the overall American population;

Whereas the status quo energy system threatens to bring the planet past climate tipping points that cannot be reversed, which threaten more catastrophic impacts;

Whereas to mitigate the climate emergency and maintain a chance of meeting the 1.5 degree Celsius global warming target, United States greenhouse gas emissions must decline to zero by 2030;

Whereas the United States is the world's largest historic emitter of greenhouse gas pollution, responsible for approximately 25 percent of cumulative carbon dioxide emissions since 1870;

Whereas the electricity sector, along with the building and transportation sectors, is the leading source of United States greenhouse gas emissions, and with the transition off gas and petroleum products, there will be a substantial need to expand electrification;

Whereas scientists have highlighted the importance of immediately halting all new fossil fuel infrastructure projects in the United States to meet 1.5 degree Celsius targets;

Whereas major investor-owned utilities are not on track to meet national decarbonization goals and currently rely heavily on fossil fuels;

Whereas the utilities crisis in Texas in 2021, grid failures in California, annual Atlantic hurricanes, Midwest heat waves, and West Coast wildfires act as potent examples of the failures of an investor-owned and heavily marketized system to ensure reliability and resilience to climate catastrophes;

Whereas renewable energy resources, particularly solar plus-storage, microgrids, and other distributed sources provide climate and economic resilience benefits to communities;

Whereas investor-owned utilities and the State utility commissions tasked to regulate them are failing to meet their collective mandates to serve the public interest and provide customers with just and reasonable electricity rates;

Whereas in 2020 nearly 4,800,000 low-income households in the United States live in a state of energy insecurity in which they were unable to afford their energy bill;

Whereas there is a fundamental conflict when shareholder gains determine the prices and accessibility of fundamental public goods;

Whereas there are limited avenues for legitimate public participation, transparency, and community wealth-building from existing investor-owned utility business models and regulations;

Whereas private monopolies and market-centric models have proven incapable of managing the transition to renewable energy at the pace and scale necessary to address the climate crisis, and without intention to repair harms of the fossil fueled system to Black, indigenous, people of color, and low-wealth communities;

Whereas investor-owned utilities, fossil fuel energy companies, and their industry associations fund and coordinate obstruction of renewable energy policies and programs, including rooftop and community solar requirements and incentives;

Whereas many investor-owned utilities have a history of abusing relationships with legislators and regulators and promoting disinformation to maintain the status quo fossil fuel system and protect profits;

Whereas investor-owned utilities and fossil fuel energy companies valuations are based evaluating fossil fuel infrastructure over time frames incompatible with planetary survival;

Whereas some existing public and cooperative utilities have serious yet resolvable issues related to governance, regulation, legacy debt, and climate impacts that must be acknowledged and overcome to develop an effective and 100-percent renewable public utility system; and

Whereas truly public ownership of utilities would allow for improved oversight, accountability, high-road labor stand-

ards, and public participation in renewable energy procurement and deployment: Now, therefore, be it

1 *Resolved*, That it is the sense of the House of Rep-
2 resentatives that—

3 (1) the United States must establish electricity
4 as a basic human right and public good, and eradicate
5 the reliance on monopolized, profit-driven utility
6 corporations and providers and the flawed regulatory
7 regime that has failed to regulate these utilities in
8 the public interest, and it must reimagine its power
9 system to be just, equitable, antiracist, and climate-
10 and disaster-resilient through establishing a publicly
11 and community-owned power system, which should
12 include principles such as—

13 (A) public accountability over the system’s
14 energy choices and funding for community-led
15 program design;

16 (B) a commitment to 100-percent renew-
17 able energy for newly established systems and
18 prompt transition to 100-percent renewable en-
19 ergy by no later than 2030 for existing public
20 and cooperative power systems;

21 (C) equitable and transparent planning
22 systems that include robust public involvement
23 and are based in the public interest, with par-
24 ticular attention to repairing legacies of harm

1 and pollution in environmental justice commu-
2 nities;

3 (D) wide-scale deployment of weatheriza-
4 tion and energy efficiency technologies to re-
5 duce energy consumption, boost resilience of
6 poorly insulated homes, and fight energy pov-
7 erty, prioritizing communities of color and low-
8 wealth communities first;

9 (E) energy affordability to address egre-
10 gious energy burdens and energy poverty that
11 disproportionately penalize rural communities
12 and communities of color; and

13 (F) a guarantee that the public power sys-
14 tem infrastructure and installed technologies
15 are built with unionized labor and in a manner
16 that upholds Buy America and Buy Clean
17 standards, pays prevailing wages, honors
18 project labor agreements, uses Department of
19 Labor-registered apprenticeship programs, ad-
20 heres to local and equitable hiring standards,
21 and maintains high environmental standards;

22 (2) in pursuit of the above principles, the
23 House of Representatives should strive to—

24 (A) transition away from investor-owned
25 utilities and marketized energy systems that

1 have collectively failed to meet climate and jus-
2 tice requirements, by acquiring them through
3 the Federal Government and transitioning them
4 to State, local, Tribal, or other appropriate
5 scales of public ownership or alternatively
6 transitioning them to community or cooperative
7 ownership with the support of public dollars,
8 and expand public investment and support for
9 retraining and relocation to ensure comparable
10 qualities of life and prevailing wages for com-
11 munities and workers currently dependent on
12 the fossil fuel industry;

13 (B) create an advisory body to assess op-
14 tions and plans for consistency with the prin-
15 ciples and objectives outlined in this resolution;

16 (C) establish participation by worker rep-
17 resentatives from relevant industries, represent-
18 atives of affected communities, technical ex-
19 perts, advocacy groups, and others as appro-
20 priate, in order to ensure that concrete tech-
21 nologies, ownership structures, and administra-
22 tive and contractual arrangements are con-
23 sistent with the objectives articulated above;

24 (D) assert Federal control and ownership
25 over the transmission and associated grid assets

1 and make substantial investments in the grid's
2 resilience, health, weatherization, and capacity
3 to allow for wide-scale distributed energy re-
4 sources to come online;

5 (E) allocate Federal grants, loans, loan
6 guarantees, and other financial instruments to
7 municipal utilities and rural electric coopera-
8 tives to replace existing and planned fossil fuel
9 infrastructure with distributed, cooperative re-
10 newable energy and these grants should be used
11 to buy out stranded fossil fuel assets in ex-
12 change for these utilities to deploy 100-percent
13 clean, renewable energy generation by 2030, the
14 process which should include transparency
15 mechanisms to ensure payments are reasonable
16 in subtracting cleanup and other costs from the
17 value of infrastructure, and federally fund
18 State, local, and Tribal government procure-
19 ment of new renewable generation and trans-
20 mission infrastructure;

21 (F) require all Federal public power pro-
22 viders, including the Tennessee Valley Author-
23 ity and power marketing agencies, to evaluate
24 current procedural justice concerns to redefine
25 a gold standard for accountable public and re-

1 newable power utilities’ active accountability
2 and participation, and to act as catalysts for
3 the widespread development of climate-resilient
4 renewable energy generation, in which signifi-
5 cant investments are made to ramp up solar
6 and storage microgrids, which can be achieved
7 through—

8 (i) a 100-percent clean and renewable
9 energy portfolio by 2030 at the latest, with
10 a significant carveout for distributed solar
11 and storage resources, and an immediate
12 phaseout of fossil power;

13 (ii) robust accountability and trans-
14 parency mechanisms to ensure a just and
15 equitable transition and accountable man-
16 agement;

17 (iii) an accountable Board for the
18 Tennessee Valley Authority and systems of
19 input for power marketing agencies under
20 the Department of Energy that allow for
21 transparency and public participation to
22 help ensure just and equitable power
23 choices and outcomes;

1 (iv) strict requirements to remediate
2 pollution from leaks and spills and clean
3 up existing fossil fuel infrastructure; and

4 (v) prioritization of union jobs with
5 high-road labor standards that pay pre-
6 vailing wages;

7 (G) facilitate the development of commu-
8 nity owned and controlled clean energy re-
9 sources by directing—

10 (i) expansion of distributed energy re-
11 sources, including community and rooftop
12 solar, microgrid technology, and storage, to
13 boost climate and disaster resilience and
14 ecological protection and restoration,
15 prioritizing such systems for communities
16 of color and low-wealth communities first;

17 (ii) investment, including grants,
18 loans, and other financial instruments, and
19 technical support into community owned
20 and controlled renewable generation re-
21 sources such as rooftop and community
22 solar and storage as well as efficiency
23 measures, including weatherization;

24 (iii) additional direct investments,
25 grants, and reparations to Black and In-

1 digenous communities whose land was sto-
2 len, to support efforts, as determined by
3 communities, for building out community-
4 controlled renewable energy infrastructure
5 (generation and distribution) in rural and
6 disinvested communities; and

7 (iv) complete electrification and en-
8 hanced efficiency of residential, commer-
9 cial, and industrial energy systems while
10 taking explicit steps toward ensuring ra-
11 cial, environmental, and economic justice
12 in the process;

13 (H) empower energy democracy by expand-
14 ing engagement with the energy system toward
15 building collective power;

16 (I) create a Federal energy democracy
17 screening tool that creates a process for identi-
18 fying and characterizing community energy
19 problems and responding with climate justice
20 energy solutions;

21 (J) create transparent and equitable sys-
22 tems for public participation and cultivate proc-
23 esses for community governance over energy
24 production, distribution, and procurement deci-
25 sions;

1 (K) create Federal guidelines and incen-
2 tives that enable communities and workers to
3 have the power to hold public, cooperative, and
4 investor-owned utilities accountable;

5 (L) enact a universal ban on disconnec-
6 tions of electricity for nonpayment and enforce
7 progressive residential electricity rate regula-
8 tions, including a cap on energy burdens and
9 energy debt for low-wealth households; and

10 (M) create Federal programs for reusing,
11 recycling, and equitable and proper disposal of
12 parts of panels, batteries, turbines, and other
13 components at the end of life to prevent fur-
14 thering environmental injustice, pollution,
15 waste, or international waste.

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