

117TH CONGRESS  
2D SESSION

# H. RES. 1364

Recognizing access to water, sanitation, electricity, heating, cooling, broadband communications, and public transportation as basic human rights and public services that must be accessible, safe, acceptable, sufficient, affordable, climate resilient, and reliable for every person.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 19, 2022

Ms. BUSH (for herself, Ms. TLAIB, Mr. BOWMAN, Mr. GARCÍA of Illinois, Ms. OCASIO-CORTEZ, Mrs. CAROLYN B. MALONEY of New York, Ms. PRESSLEY, Ms. LEE of California, Ms. SCHAKOWSKY, Mr. CARSON, and Ms. OMAR) submitted the following resolution; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on Transportation and Infrastructure, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## RESOLUTION

Recognizing access to water, sanitation, electricity, heating, cooling, broadband communications, and public transportation as basic human rights and public services that must be accessible, safe, acceptable, sufficient, affordable, climate resilient, and reliable for every person.

Whereas every person requires access to water, sanitation, electricity, heating, cooling, public transportation, and broadband to survive and live a life with dignity;

Whereas decades-old infrastructure systems, including centralized utilities as well as disconnected wells, septic systems, uniped systems, the electric grid, power lines, and related power infrastructure, have reached their breaking points in safety and reliability in the midst of compounding crises of the climate emergency and fossil fuel-driven climate disasters, the COVID–19 pandemic, worsening racial injustices, deteriorating investments in existing systems, and deepening economic inequities which endanger the public’s health and safety;

Whereas these crises are exacerbated by privatization of public goods and utilities by for-profit corporations that prioritize earnings and shareholders over the welfare of people, the planet, and public health, all while readily accepting public funding from the Federal relief, recovery, and infrastructure packages;

Whereas millions of households have accrued billions of dollars of utility debt before and during the COVID–19 pandemic, as utility bills continue to grow faster than household incomes, including broadband prices that have risen far faster than the rate of inflation for years, and utility services have become profoundly unaffordable for millions of people, causing 33 percent of low-income households served by the Weatherization Assistance Program to skip prescription medicines and food purchases to pay utility bills and 18 percent of low-income households to use high interest, short-term loans to pay their energy bills;

Whereas utilities are engaging in punitive residential customer payment collection practices including mass-scale service shutoffs even during the pandemic, shutting off water service to an estimated 15,000,000 people in a typ-

ical year and electricity service to households well over 3,600,000 times between 2020 and 2021;

Whereas many utilities send overdue utility bills, particularly water bills, to tax authorities to impose liens that can be sold at tax sales, contributing to property foreclosures that can evict people from their homes and lead to bankruptcy;

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

Whereas utilities often rely on predatory collection agencies to pursue payment on unaffordable bills and debts that damage credit scores and cause long-term harm to households' ability to access affordable credit;

Whereas utility shutoffs and unaffordable bills have led to increasing numbers of vulnerable people dying from uncontrollable household temperatures and inaccessible water and sanitation after being denied access to utility services that pose substantial threats to general public and community health, as exemplified in a paper from Duke University researchers that found a nationwide utility shutoff moratorium could have prevented 15 percent of COVID-19 deaths in 2020, with similar findings in a published study from Cornell University;

Whereas disconnection from water, sanitation, electricity, heating, cooling, and broadband services increases housing and utility insecurity and exposure to eviction, homelessness, and resulting incarceration because of the criminalization of being houseless;

Whereas disconnection from water, sanitation, electricity, heating, cooling, and broadband services can expose families to State-enforced separation due to conditioning parental or guardian's ability to care for minor children or incapacitated adults on ensuring access to these essential services while, contradictorily, still allowing these services to be disconnected from people living in poverty;

Whereas the United States is the largest historical contributor to global greenhouse gas pollution, responsible for approximately 25 percent of cumulative carbon dioxide emissions since 1870, which is accelerating climate disasters and destabilizing ecosystems;

Whereas the climate emergency is causing widespread harm and acts as a multiplier of harmful exposures, and it has already begun to generate more intense storms that place greater demand and cause significant harm to the aging infrastructure in places where Black, brown, and Indigenous people live, particularly among low-income communities and other groups who are economically vulnerable;

Whereas the need for cooling and air filtration will increase due to the climate emergency, accelerating the need to assist vulnerable people during heat waves, drought, extreme wildfire, and other heat- and air quality-related emergencies;

Whereas environmental justice-seeking communities experience disparate and cumulative health impacts from climate change, air pollution, soil contamination, unsafe drinking water sources (including lead service lines or contaminated wells), and inadequate sanitation systems;

Whereas fossil fuel energy primarily delivered by centralized utilities is driving the climate crisis and polluting;

Whereas increased electricity rates and dirty electricity sources have disproportionately impacted communities of color; and

Whereas clean, renewable energy and storage present nonpolluting, affordable, climate-resilient energy and opportunities for energy democracy: Now, therefore, be it

1       *Resolved*, That the House of Representatives—

2               (1) recognizes access to water, sanitation, elec-  
3       tricity, heating, cooling, broadband communications,  
4       and public transportation as basic human rights and  
5       public services that must be accessible, safe, justly  
6       sourced and sustainable, acceptable, sufficient, af-  
7       fordable, climate resilient, and reliable for every per-  
8       son;

9               (2) affirms that access to utility services should  
10      be guaranteed for all people and should not be de-  
11      nied to any person based on ability to pay, housing  
12      status, immigration status, race, ethnicity, religion,  
13      age, gender, sexual orientation or identity,  
14      (dis)ability, employment status, credit history, or in-  
15      carceration status or history, and affirms that all  
16      agencies must enforce antidiscrimination language in  
17      existing laws and ensure language access through  
18      translation and interpretation to provide adequate  
19      communication with people in the language they  
20      speak at home;

1           (3) affirms that utilities should be held under  
2       public control, with equitable and transparent asset  
3       management planning systems with robust public in-  
4       volvement and meaningful community engagement,  
5       based in the public interest, repairing legacies of  
6       harm and pollution in environmental justice commu-  
7       nities;

8           (4) calls for a full ban on water privatization,  
9       support for exiting privatization contracts and  
10      municipalizing privatized systems, and the elimi-  
11      nation of Federal funding and subsidies for private  
12      water corporations;

13          (5) calls for the development and expansion of  
14      accountable Federal public power providers, munici-  
15      palities, cooperatives, and communities to produce,  
16      procure, and deliver clean, renewable energy, stor-  
17      age, and energy efficiency, and meaningful public ac-  
18      countability over any remaining private utilities to  
19      deliver the same package of climate-resilient energy;

20          (6) calls for public municipalities, cooperatives,  
21      and smaller broadband providers to explore public  
22      ownership options and other means to provide bet-  
23      ter, more equitable and affordable choices than giant  
24      incumbent for-profit companies alone provide;

1           (7) affirms that utility services must be afford-  
2           able for every person based on their ability to pay;

3           (8) calls for a full ban on all punitive collection  
4           practices for unpaid household utility bills includ-  
5           ing—

6                   (A) disconnections of water, electricity,  
7                   heating, cooling, and broadband service;

8                   (B) the use of property or tax foreclosures;

9                   (C) the sale of any uncollected household  
10           debt to collection agencies; and

11                   (D) the filing of an adverse report with a  
12           credit reporting agency;

13           (9) commits to provide and prioritize direct  
14           payments to environmental justice and impacted  
15           frontline communities for water, sanitation, distrib-  
16           uted solar, and broadband projects;

17           (10) commits to eliminate policies that crim-  
18           inalize a person's inability to afford utility services,  
19           including unauthorized utility reconnections and a  
20           person's inability to improve home septic systems  
21           and other utility infrastructure;

22           (11) commits to provide utility access to  
23           unhoused people for a basic level of service for the  
24           public good including water for drinking, bathing,  
25           and sanitation, shelter from inclement weather, as

1 well as wildfire and floods, access to public transpor-  
2 tation, and access to internet communication;

3 (12) affirms that utility services should be safe  
4 for all people, providing high-quality drinking water  
5 free from lead, arsenic, perfluoroalkyl and  
6 polyfluoroalkyl substances, and other contaminants,  
7 safe heating and cooling sources that do not rely on  
8 dangerous methane gas, and safe situating of lines  
9 and infrastructure that protects workers and com-  
10 munities;

11 (13) affirms that policies facilitating the  
12 commodification of water resources, services, and  
13 systems such as private water bottling, diversions,  
14 and futures trading should be banned;

15 (14) recognizes that, while short-term water ac-  
16 cess must be maintained in instances of public  
17 health risk, including through the distribution of  
18 prepackaged water, it is neither a long-term or sus-  
19 tainable solution to infrastructure-related public  
20 health crises;

21 (15) calls for the scaling up of publicly con-  
22 trolled and environmentally sustainable capabilities  
23 to provide utility services such as clean drinking  
24 water;



1           (16) recognizes the climate emergency poses a  
2           substantial threat to critical utility infrastructure,  
3           requiring climate adaptation planning to reduce risk  
4           and cost burden on taxpayers and climate-resilient  
5           utility solutions including—

6                   (A) enhanced clean, renewable energy and  
7                   energy efficiency technologies (e.g., rooftop and  
8                   community solar, storage, microgrids, weather-  
9                   ization technologies, heat pumps, and other effi-  
10                  cient cooling and heating technologies); and

11                  (B) updated indoor air quality standards  
12                  and expanded water conservation measures (in-  
13                  cluding green infrastructure and stormwater  
14                  management);

15           (17) affirms that investments in new and exist-  
16           ing infrastructure should prioritize local, responsibly  
17           sourced, and clean, renewable energy while divesting  
18           from all global extractive and fossil fuel processes  
19           that harm local communities, economies, and cul-  
20           tures in the United States, in the Global South, and  
21           across Tribal communities, which disproportionately  
22           bear the climate burdens and consequences of ex-  
23           tractive capitalism of Western nations;

24           (18) commits to provide direct grant invest-  
25           ments in environmental justice and frontline commu-

1 nities that have been historically burdened to in-  
2 crease the availability, affordability, safety, reli-  
3 ability, and accessibility of electricity, broadband,  
4 water, sanitation, heating, and cooling needs, while  
5 supporting high-quality, family-sustaining union jobs  
6 and requiring local hiring and job training for resi-  
7 dents in affected communities, project labor agree-  
8 ments, labor peace agreements, and living wages;

9 (19) commits to upholding Tribal treaties for  
10 self-governance and self-determination;

11 (20) commits to creating a Federal database  
12 that requires utilities to regularly report all dis-  
13 connections, and includes data on length of dis-  
14 connections, amount of arrearages, demographics,  
15 and income levels of affected communities; and

16 (21) calls for congressional hearings on the sub-  
17 ject matter of this resolution.

