

Congress of the United States

Washington, DC 20515

August 24, 2023

The Honorable Kevin McCarthy
Speaker of the House
United States House of Representatives
Washington, DC 20515

The Honorable Hakeem Jeffries
Minority Leader
United States House of Representatives
Washington, DC 20515

Dear Speaker McCarthy and Leader Jeffries:

We write with deep concern about the impacts of this summer's relentless heat wave that endangers the lives of millions of people across our country without access to electricity, water, and other basic utility services. We have a duty to take decisive action that achieves both short-term relief and addresses systemic causes of the climate emergency fueling the heat waves. For this reason, we urge Congress to pass an emergency relief package that (1) implements a nationwide, heat-based moratorium on the shutoffs of electricity, water and other utilities, and provide increased funding for low-income household assistance, and (2) establishes cooling centers and drinking water facilities for at-risk populations and workers. Congress must tackle the systemic reasons driving these extreme climate-driven weather events and utility injustice: (1) phase out fossil fuels, the driver of the climate emergency; (2) permanently ban utility shutoffs year-round; and (3) fund distributed renewable energy systems and climate-resilient, affordable public water systems.

The extreme heat emergency pummeling the country has resulted in widespread public health impacts, from heat stroke to respiratory distress and even death. Recently, a farmworker and father of two young children died after working several days in over 110 degree weather.¹ This same extreme heat killed 10 people in Laredo, Texas weeks earlier because they could not cool their homes.² New research shows that in major U.S. cities, roughly 1 in 4 residents lives on a heat island where temperatures are at least 8 degrees warmer than in other areas.³ In urban cities like St. Louis, New York City, and Detroit, city infrastructure is largely made up of asphalt, concrete and metal—materials which trap heat and create the “urban heat island” effect. The danger of extreme heat cannot be overstated; just in the past 30 years, heat exposure has killed more people in the U.S. than any other weather-related event, including floods, cold weather, and hurricanes combined.⁴

Alarming, these heat waves disproportionately harm people without homes; low-income households; disabled individuals; and Black, Brown, Indigenous, and other marginalized communities. The legacy of racist redlining has not only concentrated these groups in housing that is costlier to cool and provide water to, due to leakier

1 Daniel Gonzalez, “Yuma worker and father of 2 dies amid record heat wave,” Arizona Republic, (July 24, 2023), <https://www.azcentral.com/story/news/local/arizona/2023/07/24/yuma-farmworker-dies-arizona-heat-wave/70457694007/>.

2 J. David Goodman, “In a Texas City, Heat Proved Deadly Even for Those Long Used to It,” New York Times, (July 13, 2023), <https://www.nytimes.com/2023/07/13/us/texas-heat-deaths-webb-county.html>.

3 Daniel Cusick, “Millions of Americans bake on urban 'heat islands' — research,” E&E News, (July 26, 2023), <https://subscriber.politicopro.com/article/eenews/2023/07/26/millions-of-americans-bake-on-urban-heat-islands-research-00108093>.

4 Jordan Clark, Ashley Ward, “Defining Extreme Heat as a Hazard: A Review of Current State Hazard Mitigation Plans”, Duke Nicholas Institute for Energy, Environment, and Sustainability. (2023), https://nicholasinstitute.duke.edu/sites/default/files/publications/defining-extreme-heat-hazard-review-current-state-hazard-mitigation-plans_0.pdf.

plumbing and outdated fixtures, but redlining has also deprived these neighborhoods of tree cover, green space, public water fountains, and other public sources of relief from extreme heat. These communities are more likely to suffer from elevated levels of illness that extreme heat and dehydration can exacerbate, like heart and respiratory diseases.

We applaud President Biden’s recent announcement of actions his Administration is taking to address immediate relief during the heat emergency, but there is more that must be done to protect communities.⁵ We therefore urge Congress to take immediate action to address extreme heat and the climate emergency. As a threshold matter, these heat waves are a direct result of the climate emergency and fossil fuels. A recent study found that the heat waves currently sweeping the United States, Europe, and China are a direct result of human-caused climate change and will become only more intense and more frequent unless humans halt the burning of fossil fuels that warm the planet.⁶ The commonsense long-term solution to future heat waves is halting new fossil fuel development and phasing out existing fossil fuel production and combustion.

In the short term, first, we request Congress pass a robust nationwide moratorium on electricity, water, and broadband shutoffs during months of extreme heat, reinstate disconnected services, waive late-payment fees, and forgive all utility debt for low-wealth households, and increase funding for the Low-Income Household Energy Assistance Program (LIHEAP) and the Low-Income Household Water Assistance Program (LIHWAP). Last year, Representatives Bush, Tlaib and Bowman introduced a resolution that recognizes access to electricity, water, broadband and other utility services as a human right.⁷ Despite this and the increasingly precarious and often fatal consequences of disconnections during heat waves, only 20 jurisdictions offer heat-based moratoria on electricity disconnections compared to the 41 that do so for cold temperatures.⁸ Alarming, seven states still lack any weather-based protections.⁹ Worse, these protections generally do not apply to water or broadband utilities. Even fewer states offer protections for particularly vulnerable customers, like households with young children, seniors, and people with disabilities. Nothing short of an immediate nationwide ban on shutoffs during these high-temperature months can resolve the existing patchwork of moratoria and provide the life-saving protection all communities need and deserve, especially during an emergency heat wave.

Importantly, the ban must be complemented by the elimination of late-payment fees, reconnection of all households whose services have already been cut, and forgiveness of the debt accrued by low-wealth customers. These measures will safeguard struggling families from the lingering avenues to energy and water insecurity that would otherwise persist in the wake of a ban on utility shutoffs. Congress should also provide emergency

5 See President Biden Announces New Actions to Protect Workers and Communities from Extreme Heat, (July 27, 2023), <https://www.whitehouse.gov/briefing-room/statements-releases/2023/07/27/fact-sheet-president-biden-to-announce-new-actions-to-protect-workers-and-communities-from-extreme-heat/>.

6 World Weather Attribution, *Extreme heat in North America, Europe, and China in July 2023 made much more likely by climate change*, July 25, 2023, <https://www.worldweatherattribution.org/extreme-heat-in-north-america-europe-and-china-in-july-2023-made-much-more-likely-by-climate-change/>.

7 House Resolution recognizing access to water, sanitation, electricity, heating, cooling, broadband communications, and public transportation as basic human rights, introduced by Bush, Tlaib, and Bowman (June 29, 2022), <https://bush.house.gov/imo/media/doc/utilitieshumanrightresolutionfinal.pdf>.

8 Sanya Carley et. al., “Electric Utility Disconnections: Legal Protections & Policy Recommendations”, Energy Justice Lab, Indiana University, (June 2023), <https://utilitydisconnections.org/doc/electric-utility-disconnections-legal-protections-and-policy-recommendations.pdf>.

9 Id.

funding to LIHEAP and LIHWAP to cover the costs of unaffordable utility bills for low-income households,¹⁰ as well as increase funding for the Cooling Assistance Program for historically cold-weather states that currently have little to no funding.

Second, Congress should immediately establish accessible cooling centers and expand drinking water refill stations or public drinking water fountains for at-risk populations, especially unhoused populations, laborers (including farmworkers, construction workers, delivery and postal workers), migrants, elderly and low-wealth communities. Cooling centers are a life-saving measure for many, especially those who work outside, lack access to or cannot afford air conditioning, or are at-risk of serious and fatal heat-related health impacts. Despite how important these centers are, they are often inaccessible especially for populations that need it most. Further, only about half of parks are reported to have drinking water fountains in the United States,¹¹ with access to reliable public water fountains on the decline for the last decade.¹² A recent study in the *International Journal of Environmental Research and Public Health* found that across 25 cities only 10.3 percent of people were within walking distance of a cooling center.¹³ In cities where the current heat wave is most severe—such as Phoenix and San Jose—less than 5 percent of cooling centers were within walking distance. Other access barriers include lack of staffing at cooling centers, unaffordable public transportation to reach these centers, and many centers do not stay open long enough. Congress should expand cooling center hours and unlock federal funds for these centers and other critical heat relief measures, which could be accomplished by immediately passing H.R. 3965, the *Extreme Heat Emergency Act*.

In addition to prioritizing the passage of these emergency measures, Congress must also work to address the systemic issues driving deadly heat waves, including by phasing out fossil fuels and investing in utility justice for our residents and communities.

Thank you for your consideration of this important request. We look forward to working together to pass critical legislation to tackle these crises head on.

Sincerely,

Sincerely,

Rashida Tlaib
Member of Congress

Cori Bush
Member of Congress

Jamaal Bowman, Ed.D.
Member of Congress

¹⁰ Representatives Grijalva, Stanton & Gallego Call for Emergency Low-Income Utility Assistance. See <https://grijalva.house.gov/amid-record-breaking-heat-wave-grijalva-stanton-gallego-call-for-emergency-low-income-utility-assistance/>.

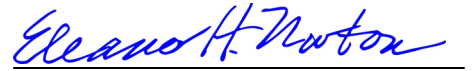
¹¹ Park, Sohyun et al. “Use of parks or playgrounds: reported access to drinking water fountains among US adults, 2009.” *Journal of Public Health*, Volume 34, Issue 1, March 2012, Pages 65–72.

¹² Pierre-Louis. “We don’t trust drinking fountains anymore, and that’s bad for our health.” *Washington Post*. July 8, 2015.

¹³ Kyusik Kim, Jihoon Jung, “A Comparative Assessment of Cooling Center Preparedness across Twelve U.S. Cities”, *Int J Environ Res Public Health*, vol. 18, 9 4801, (Apr. 30, 2021), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8125005/>.



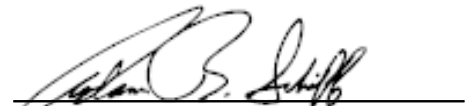
Shri Thanedar
Member of Congress



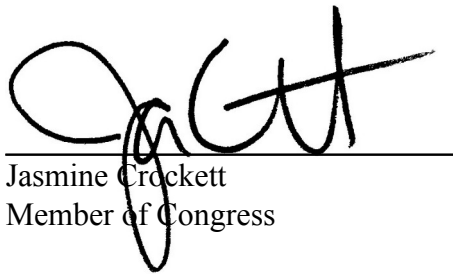
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Member of Congress



Henry C. "Hank" Johnson, Jr.
Member of Congress



Adam B. Schiff
Member of Congress



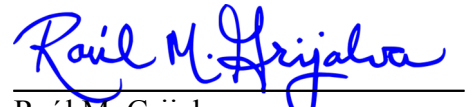
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Member of Congress



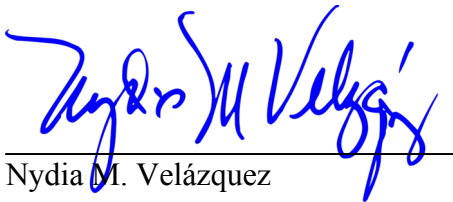
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Member of Congress



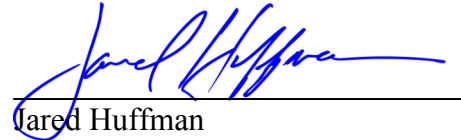
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Jared Huffman
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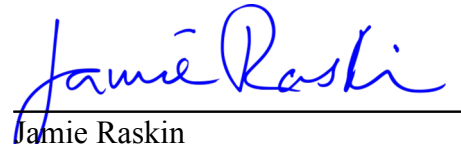
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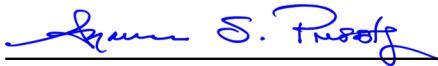
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Jamie Raskin
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Ayanna Pressley
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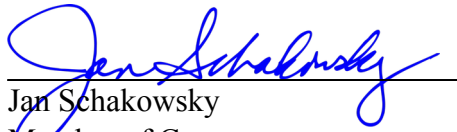
Veronica Escobar
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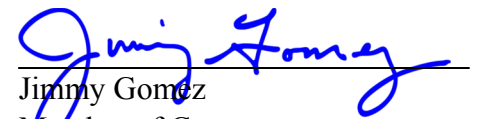
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