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Select Members of the House of Representatives
House Offices
Washington, DC 20515

February 28, 2020

To: Frank Pallone, Jr.; Bobby L. Rush; Kathy Castor; Paul Tonko; and Debra A. Haaland

Cc: Eliot L. Engel; Michael F. Doyle; Janice D. Schakowsky; G. K. Butterfield; John P. Sarbanes; Jerry McNerney; Peter Welch; Yvette D. Clarke; Kurt Schrader; Joseph P. Kennedy; Tony Cárdenas; Raul Ruiz; Scott H. Peters; Marc A. Veasey; Robin L. Kelly; Nanette Diaz Barragán; Tom O'Halleran; Lisa Blunt Rochester; Debbie Dingell; Seth Moulton; Ruben Gallego; Julia Brownley; Steve Cohen; Debbie Wasserman Schultz; Eleanor Holmes Norton; John R. Curtis

Attachment: Extinguishing the Social License to Burn Fossils Act (ELBA) of 2021

Dear Chairmen and Chairwomen,

I am writing to ask you to consider the attached bill because my representative, John Curtis, will not. If necessary, I hope to introduce this legislation myself in the 117th Congress.

As you are well aware, we must transition to 100% clean, safe energy to end reliance on fossil carbons as fuel. I recognize the limited carbon budget that responsible accounting clearly demonstrates is compatible with a limit of 1.5°C. That budget and the principle of equity together clearly indicate that the U.S. must reach net zero emissions by 2030. Existing products, equipment, and infrastructure that burn fossil hydrocarbons must be replaced and retired before their end of useful life.[1] There are only around 340 $GtCO_2$—or 8 years of current emissions—remaining, that can be emitted before the world passes 1.5°C warming,[2] and my daughter will live in a 1.5°C warmer world before graduating college.

Fossil Era Profiteers are destroying the planet because it is profitable to do so. Until this economic reality is addressed, they will continue to do so.

I have bills to pay. I need health care, a home, and food for my family. I recognize that, at this moment, I'm more fortunate than most; I manage a large enough cash flow that I've saved for a rainy day and could pay my bills for a few months without income; but I need a job just as much as most anyone does.

And that means I need to get to work. My employer's office is located between an oil refinery and a medical waste incinerator, near no regularly running commuter train or bus stops. My options are to raise my children in the hazardous vicinity or drive to work. I'm fortunate enough to be able to choose the later; and that means I have a carbon footprint.

[1] See https://www.carbonbrief.org/unep-1-5c-climate-target-slipping-out-of-reach.
[2] See the IPCC Special Report on 1.5°C, https://www.ipcc.ch/sr15/.

The winters here are cold and the summers are hot, so my home has an AC and a furnace; and a carbon footprint.

Most of my food isn't grown locally; there aren't farms in this valley like there used to be. My food supply has a carbon footprint.

We have some choices. I spend little on entertainment, toys, and vacations so I can afford solar panels and electric vehicles; I have a garden; but I still have a carbon footprint. That's the only option they have provided me.

Who is they? They are business owners, innovators, city planners, utilities, builders, engineers, politicians, entrepreneurs and investors. THE PROBLEM is that they are burning fossils as fuel and the global economy they have built does not permit them to stop.

The result is global heating, melting ice, rising seas, changing climates, and extreme weather—including extreme droughts, extreme flooding, extreme hurricanes, extreme ice storms, and extreme heat. These extreme "natural" disasters are manmade disasters. The crime is that this has been known and unaddressed since before I was born. The crisis is that the holocaust, with over 17 million deaths, pales in comparison to the loss of life we will witness if we don't solve THE PROBLEM now.

The climate science is clear, every new gasoline car they build today means your car, all gasoline cars, must be scrapped sooner. Every new gas furnace they install means we will need to pay for an electric replacement sooner. We need them to throw money at new choices now—not in 10 years.

The climate science is clear, current policies of allowing fossils to burn will warm the world 1.5° by 2030. It also shows that if we will stay below 2° we need economy changing reductions in greenhouse gas emissions by 2030. The UN published a report in November 2019 stating carbon emissions need to be reduced over 7.5 percent a year throughout the 2020s. Solar and wind are cheap today—we don't need a technology breakthrough, we need a moral one.

The oil and gas extraction companies are generating obscene profits for their investors. They will not stop. There's too much money to be made. And the chief executives have a legal responsibility to maximize profits—it's called a fiduciary responsibility—to push oil and gas sales, to destroy our planet and most life on it. The global economy they have built requires, legally, the sacrifice of humanity on the altar of greed. But these rules are manmade, they're not immutable. We can change them. It is immoral that they profit off the waning economic necessity you and I have to burn fossils, or to delay a transition away from still-profitable extraction of fossils. Delay and denial stuffs cash in wealthy pockets and pounds nails in the coffin of a free society. While many billionaires and some millionaires may survive the 4° warmer world they are creating, a free society and most of the humble multitude of humanity will not.

To fix THE PROBLEM the rules need to be changed. They, the fossil era profiteers, don't need to be villainized. They are just playing the game—where greed is good, life is disposable, death is collateral—the game that man has made legal. We don't need to villainize them, we know what evils common men are capable of, we just need to change the rules.

To fix THE PROBLEM we need to educate. Personally, I was duped. I am an independent voter, I have been for 16 years; I even considered myself a good environmental steward. But up until 2014, I swallowed two big lies sold by Exxon, hook line and sinker: 1) does carbon dioxide really cause warming? And 2) how accurate are climate models, really?

With my science chops as a 17-year-old freshman at Brigham Young University, I would have been easily corrected 14 years earlier had the curriculum tried: 1) any middle school student can quickly set up an experiment in the kitchen to prove that carbon dioxide is a greenhouse gas; this was first done in 1856 by women's rights activist Eunice Foote, age 37. And 2) new research shows climate models have been correct since literally 1970.[3] They knowingly duped me and millions more to get away with it.

So, I wrote ELBA—the Extinguishing the Social License to Burn Fossils Act—which will impose an additional 20% tax on taxable income of all Fossil Era Profiteers (like Exxon) until they divest fully from carbon emitting products. That additional tax on profits escalates to 80% by 2026 and 94% in 2030. Importantly, ELBA doesn't impose an excise tax on fossils (a carbon tax) because that would be a regressive tax, disproportionately impacting frontline and vulnerable communities, exacerbating systemic injustices, while also leaving intact the moral hazard of their profiting off our economic necessity to burn fossils.

What ELBA manages to do is incentivize fossil era profiteers to invest aggressively in safe energy sources, adapting to the new rules by transforming their business plans, ending all investment in fossil extraction. The market supply of fossils will gradually drop as safe energy options flood the market. No taxes will be added at the pump or to utility bills, keeping prices low. ELBA also imposes steep import and export duties on coal, oil, and natural gas over the 2020s decade to keep fossils grounded. The import and export duties keep fossils local, preventing profiteers from outsourcing a profitable extraction or sale of fossils to international markets. This is a business-centering, market-based policy that addresses THE PROBLEM head on.

Introduce this bill, debate it in committee, amend it as you see fit; please. I am willing to testify in a committee hearing, though I have no special platform or knowledge other than reading the IPCC's summaries for policy makers and reading the pleas of scientists and activists, especially the children, frontline and vulnerable communities, Indigenous peoples, and people of color.

With decades of data and research from as early as the 1960s, Exxon knew that global heating was a severe threat 30 years ago, when the average U.S. Senator of today was my age. In those 30 years, Fossil Era Profiteers knowingly added as much carbon dioxide to the atmosphere as they did in the previous 200 years. One third of fossil burning emissions in all human history have polluted our air in just the last 16 years. We don't have 30 more years.

Business as usual is genocide. Business as usual has no tomorrow.

In solidarity,

Russ Fugal

[3] See `https://twitter.com/emorwee/status/1202237721793777664`.

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