

116TH CONGRESS  
1ST SESSION

# H. R. 5221

To declare a national goal that the United States achieve a 100 percent clean economy by not later than 2050, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 21, 2019

Mr. MCEACHIN (for himself, Ms. HAALAND, Mrs. DINGELL, Mr. BLUMENAUER, Mr. TONKO, Ms. PINGREE, Mr. PALLONE, Mr. GRIJALVA, Mr. DEFAZIO, Mr. SCOTT of Virginia, Mr. ENGEL, Mrs. LOWEY, Mr. NADLER, Mr. SMITH of Washington, Ms. WATERS, Mr. THOMPSON of Mississippi, Ms. LOFGREN, Ms. VELÁZQUEZ, Mr. MCGOVERN, Mr. SCHIFF, Mr. TAKANO, Mr. RUSH, Ms. ADAMS, Mr. AGUILAR, Ms. BARRAGÁN, Ms. BASS, Mrs. BEATTY, Mr. BERA, Mr. BEYER, Mr. BISHOP of Georgia, Ms. BLUNT ROCHESTER, Ms. BONAMICI, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. BROWNLEY of California, Mr. CARBAJAL, Mr. CARSON of Indiana, Mr. CARTWRIGHT, Mr. CASTRO of Texas, Ms. JUDY CHU of California, Mr. CISNEROS, Ms. CLARK of Massachusetts, Ms. CLARKE of New York, Mr. CLAY, Mr. CLEAVER, Mr. COHEN, Mr. CONNOLLY, Mr. COOPER, Mr. CRIST, Mr. CROW, Mr. CUNNINGHAM, Mrs. DAVIS of California, Ms. DEAN, Ms. DEGETTE, Ms. DELAURO, Ms. DELBENE, Mr. DESAULNIER, Mr. DOGGETT, Mr. MICHAEL F. DOYLE of Pennsylvania, Ms. ESCOBAR, Ms. ESHOO, Mr. ESPAILLAT, Mr. EVANS, Ms. FRANKEL, Mr. GALLEGO, Mr. GARAMENDI, Mr. GARCÍA of Illinois, Mr. HASTINGS, Mrs. HAYES, Mr. HECK, Mr. HIMES, Ms. HOULAHAN, Mr. HUFFMAN, Ms. JAYAPAL, Mr. JEFFRIES, Mr. JOHNSON of Georgia, Mr. KEATING, Ms. KELLY of Illinois, Mr. KENNEDY, Mr. KILDEE, Mr. KILMER, Mrs. KIRKPATRICK, Ms. KUSTER of New Hampshire, Mr. LANGEVIN, Mr. LARSEN of Washington, Mr. LARSON of Connecticut, Mrs. LAWRENCE, Ms. LEE of California, Mr. LEVIN of Michigan, Mr. LEVIN of California, Mr. TED LIEU of California, Mr. LIPINSKI, Mr. LOWENTHAL, Mr. LUJÁN, Mrs. LURIA, Mr. MALINOWSKI, Ms. MATSUI, Ms. MCCOLLUM, Mr. MCNERNEY, Mr. MEEKS, Ms. MENG, Mr. MORELLE, Mr. MOULTON, Ms. MUCARSEL-POWELL, Mrs. NAPOLITANO, Mr. NEGUSE, Ms. NORTON, Mr. PANETTA, Mr. PAPPAS, Mr. PAYNE, Mr. PERLMUTTER, Mr. PETERS, Mr. PHILLIPS, Mr. POCAN, Ms. PORTER, Mr. PRICE of North Carolina, Mr. QUIGLEY, Mr. RASKIN, Ms. ROYBAL-ALLARD, Mr. RUIZ, Mr. RYAN, Mr. SABLAN, Ms. SÁNCHEZ, Mr. SARBANES, Ms. SCANLON, Ms. SCHAKOWSKY, Mr. SCHNEIDER, Mr. SCHRADER, Ms. SCHRIER, Mr. SERRANO, Ms. SHALALA, Ms. SHERRILL, Ms. SLOTKIN, Mr. SOTO, Ms.

SPANBERGER, Ms. SPEIER, Mr. STANTON, Ms. STEVENS, Mr. SUOZZI, Mr. THOMPSON of California, Mr. TRONE, Ms. UNDERWOOD, Mr. VAN DREW, Mr. VARGAS, Mr. VEASEY, Ms. WASSERMAN SCHULTZ, Mrs. WATSON COLEMAN, Mr. WELCH, Ms. WEXTON, Ms. WILD, Ms. WILSON of Florida, Mr. SWALWELL of California, Mrs. TRAHAN, Mr. KHANNA, Mr. CICILLINE, Mr. HORSFORD, and Mr. LYNCH) introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To declare a national goal that the United States achieve a 100 percent clean economy by not later than 2050, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “100% Clean Economy  
5 Act of 2019”.

6 **SEC. 2. NATIONAL GOAL.**

7 It is hereby declared that it is the national goal for  
8 the United States to achieve a 100 percent clean economy  
9 by not later than 2050.

10 **SEC. 3. FINDINGS.**

11 Congress makes the following findings:

12 (1) In 2018, the United Nations Intergovern-  
13 mental Panel on Climate Change released a report  
14 which projected that the global mean surface tem-  
15 perature of the Earth could rise 1.5 °C above

1 preindustrial levels as early as 2030. Increases be-  
2 yond this threshold would likely have devastating ef-  
3 fects on our society.

4 (2) The 2018 report indicates that to prevent  
5 1.5 °C of warming above preindustrial levels, emis-  
6 sions from human sources must be reduced by 40 to  
7 60 percent from 2010 levels by 2030, and to net  
8 zero emissions by 2050.

9 (3) The Federal Government can and must play  
10 a leading role in global efforts to minimize climate  
11 change and to mitigate its worst effects. By achiev-  
12 ing a 100 percent clean economy by 2050, the  
13 United States can take a critical step toward meet-  
14 ing that obligation.

15 (4) Greenhouse gas pollution, like many other  
16 forms of pollution, adversely affects human beings  
17 on both local and global scales. These effects are  
18 intersectional and accretive, and the cumulative im-  
19 pact of past and present pollution has fallen dis-  
20 proportionately upon already-vulnerable and  
21 -marginalized communities, including communities of  
22 color, Tribal and indigenous communities, low-in-  
23 come communities, and rural communities. Current  
24 and future effects of climate change, including ad-  
25 verse health effects and other harms, are being and

1 will likely continue to be felt first and most severely  
2 in many of these same vulnerable communities.

3 (5) Governmental action to correct environ-  
4 mental injustice is morally imperative and necessary  
5 for public health. Federal policy can and should ac-  
6 knowledge, and make use of, the intersections be-  
7 tween the interlinked challenges of correcting envi-  
8 ronmental injustice and reducing greenhouse gas  
9 pollution.

10 (6) At the same time, American workers and  
11 communities are also suffering from economic in-  
12 equality and wages are not keeping up with the cost  
13 of living for healthcare and other necessities. The  
14 trend downward in union representation and the  
15 bargaining power that provides for workers has cor-  
16 responded with an increase in income going to the  
17 top 10 percent of earners. Federal climate policy can  
18 and should be shaped to diminish economic inequal-  
19 ity and expand the rights of workers.

20 (7) All people deserve clean air, clean water, a  
21 life free from toxic pollution that endanger public  
22 health or welfare, and to share in the benefits of a  
23 100 percent clean economy.

24 (8) Sound climate policies to achieve a 100 per-  
25 cent clean economy will spur the development and

1 manufacturing of new technologies, the construction  
2 and repair of infrastructure, the restoration of nat-  
3 ural systems for resilience and carbon sequestration,  
4 and the creation of new high-quality jobs. These in-  
5 vestments can help ensure the competitiveness of the  
6 United States in the global economy.

7 (9) As the Federal Government seeks to combat  
8 climate change, these new resources and opportuni-  
9 ties should be concentrated, as quickly as possible  
10 and to the greatest extent practicable, in commu-  
11 nities that are currently experiencing or potentially  
12 face disproportionate harm from pollution, and that  
13 face greater challenges in the transition to a 100  
14 percent clean economy.

15 **SEC. 4. FEDERAL AGENCY PLANS.**

16 (a) PLAN DEVELOPMENT.—The head of each Federal  
17 agency shall, in accordance with this section, develop a  
18 plan for actions to be taken by the Federal agency, con-  
19 sistent with the Federal agency’s mission and exclusively  
20 through authorities vested in the Federal agency by provi-  
21 sions of law other than this Act, to achieve, in combination  
22 with the other Federal agencies, the national goal declared  
23 by section 2. Each Federal agency’s plan shall include ac-  
24 tions that will—

1           (1) make significant and rapid progress toward  
2 meeting such national goal; and

3           (2) constitute a substantial change from busi-  
4 ness-as-usual policies and practices of such Federal  
5 agency.

6           (b) ACTIONS TO MEET GOALS.—

7           (1) IN GENERAL.—Actions selected by the head  
8 of a Federal agency to include in a plan developed  
9 under subsection (a) may include issuing regula-  
10 tions, providing incentives, carrying out research and  
11 development programs, reducing the greenhouse gas  
12 emissions of such Federal agency itself, and any  
13 other action the head of the Federal agency deter-  
14 mines appropriate to achieve the national goal de-  
15 clared by section 2.

16           (2) SELECTION.—In selecting actions to include  
17 in a plan developed under subsection (a), the head  
18 of each Federal agency shall select actions designed  
19 to—

20           (A) improve public health, resilience, and  
21 environmental outcomes, especially for rural  
22 and low-income households, communities of  
23 color, Tribal and indigenous communities,  
24 deindustrialized communities, and communities

1 that are disproportionately vulnerable to the im-  
2 pacts of climate change and other pollution;

3 (B) provide benefits for consumers, small  
4 businesses, farmers and ranchers, and rural  
5 communities;

6 (C) prioritize infrastructure investment  
7 that reduces emissions of greenhouse gases and  
8 other pollutants, creates quality jobs, and  
9 makes communities more resilient to the effects  
10 of climate change;

11 (D) enhance quality job creation and raise  
12 labor standards across the United States econ-  
13 omy, including removing policy barriers to labor  
14 union organizing, protecting labor agreements,  
15 applying prevailing wage, safety and health pro-  
16 tections, domestic content, and other provisions;

17 (E) lead in clean and emerging technology  
18 production and manufacturing across the sup-  
19 ply chain and align policies to ensure United  
20 States companies retain their competitive edge  
21 in a clean economy;

22 (F) ensure fairness and equity for workers  
23 and communities affected by the transition to a  
24 100 percent clean economy; and

1           (G) prepare communities for climate  
2           change impacts and risks.

3           (c) PROPOSED PLAN.—

4           (1) PUBLIC COMMENT.—Not later than 6  
5           months after the date of enactment of this Act, the  
6           head of each Federal agency shall make the pro-  
7           posed plan of the Federal agency developed under  
8           subsection (a) available for public comment.

9           (2) INTERAGENCY REVIEW.—Not later than 9  
10          months after the date of enactment of this Act, the  
11          head of a Federal agency, after considering public  
12          comments and revising a proposed plan developed  
13          under subsection (a), as appropriate, shall submit  
14          the proposed plan to the Administrator for review  
15          and comment. The Administrator, in consultation  
16          with the Secretary where appropriate, shall—

17                 (A) evaluate the sufficiency of each such  
18                 proposed plan individually, and in combination  
19                 with the proposed plans of other Federal agen-  
20                 cies, to achieve the national goal declared by  
21                 section 2; and

22                 (B) provide, not later than 90 days after  
23                 receiving the proposed plan of a Federal agen-  
24                 cy, written recommendations to such Federal  
25                 agency to ensure that the plan is individually,

1           and in combination with the proposed plans of  
2           other Federal agencies, sufficient to achieve the  
3           national goal declared by section 2 and advance  
4           the objectives listed in subsection (b)(2).

5           (d) SUBMISSION.—Not later than 15 months after  
6 the date of enactment of this Act, the head of each Federal  
7 agency shall make public and submit to Congress—

8           (1) a plan developed under subsection (a) that  
9           incorporates revisions to the proposed plan, as ap-  
10          propriate, to address the recommendations provided  
11          by the Administrator under subsection (c);

12          (2) the recommendations provided by the Ad-  
13          ministrator under subsection (c); and

14          (3) recommendations of the Federal agency on  
15          additional authority for the Federal agency, if any,  
16          that would be helpful for such Federal agency, in  
17          combination with the other Federal agencies, to  
18          achieve the national goal declared by section 2.

19          (e) TECHNICAL ASSISTANCE.—The Administrator, in  
20 consultation with the Secretary as appropriate, shall pro-  
21 vide technical assistance upon request by any Federal  
22 agency in developing or revising a plan under this section.

23          (f) IMPLEMENTATION.—Beginning not later than 15  
24 months after the date of enactment of this Act, the head  
25 of each Federal agency shall implement the plan of the

1 Federal agency developed under subsection (a) and sub-  
2 mitted to Congress under subsection (d).

3 (g) REVISIONS.—Not less frequently than every 24  
4 months after the head of a Federal agency submits to  
5 Congress the Federal agency’s plan under subsection (d),  
6 the head of such Federal agency, in consultation with the  
7 Administrator, shall review and revise the plan to ensure  
8 it is sufficient to achieve, in combination with the plans  
9 of the other Federal agencies, the national goal declared  
10 by section 2. The head of each Federal agency shall in-  
11 clude the conclusion of each such review and any revised  
12 plan resulting from such review in the next annual report  
13 required under subsection (h).

14 (h) ANNUAL REPORT.—Not later than March 31 of  
15 the calendar year after the calendar year in which each  
16 Federal agency is required to submit to Congress a plan  
17 under subsection (d), and not later than March 31 of each  
18 year thereafter, the head of each Federal agency shall  
19 issue a public report on the plan of such Federal agency  
20 (including any revisions to such plan), actions taken by  
21 the Federal agency pursuant to such plan, and the effects  
22 of such actions, during the preceding calendar year.

23 **SEC. 5. ACCOUNTABILITY.**

24 (a) EPA REVIEW AND REPORTS.—The Adminis-  
25 trator shall—

1           (1) monitor the overall progress of the United  
2 States in reducing greenhouse gas emissions and to-  
3 ward achieving the national goal declared by section  
4 2; and

5           (2) not later than September 30 of the calendar  
6 year after the calendar year in which each Federal  
7 agency is required to submit to Congress a plan  
8 under section 4(d), and not later than September 30  
9 of each year thereafter, submit to Congress and pub-  
10 lish a report on such progress that includes—

11                   (A) a review of how such greenhouse gas  
12 emissions reductions relate to the international  
13 commitments of the United States; and

14                   (B) recommendations developed under sub-  
15 section (b).

16       (b) RECOMMENDATIONS.—The Administrator shall  
17 include—

18           (1) in each annual report submitted under sub-  
19 section (a), as appropriate, after consulting with the  
20 Secretary and considering any recommendations of  
21 the Advisory Committee, recommendations regarding  
22 the rate of progress of the United States toward  
23 achieving the national goal declared by section 2;  
24 and

1           (2) in an appendix to each such annual report,  
2           the recommendations of the Advisory Committee.

3 **SEC. 6. CLEAN ECONOMY FEDERAL ADVISORY COMMITTEE.**

4           (a) ESTABLISHMENT.—Not later than 3 months after  
5 the date of enactment of this Act, the Administrator  
6 shall—

7           (1) establish an advisory committee, to be  
8           known as the Clean Economy Federal Advisory  
9           Committee, to make recommendations described in  
10          subsection (c); and

11          (2) appoint the following members to the Advi-  
12          sory Committee that reflect diversity in gender, age,  
13          race, and geography:

14                (A) Two members who are State officials  
15                from different States, including at least 1 offi-  
16                cial from a State that has adopted greenhouse  
17                gas reduction targets.

18                (B) Two members who are local govern-  
19                ment officials from different States than the  
20                States represented by the members appointed  
21                pursuant to subparagraph (A), including—

22                    (i) 1 official from a city or county  
23                    that has adopted greenhouse gas reduction  
24                    targets; and

1                   (ii) 1 official from a city or county  
2                   that is impacted by the transition away  
3                   from fossil energy.

4                   (C) One member who represents an envi-  
5                   ronmental nonprofit organization with expertise  
6                   in mitigation of greenhouse gas emissions.

7                   (D) Two members who are members of en-  
8                   vironmental justice organizations representing  
9                   environmental justice communities.

10                  (E) Two members who are members of cli-  
11                  mate justice organizations representing commu-  
12                  nities on the front lines of climate change.

13                  (F) Two members who are representatives  
14                  of Tribal communities, including—

15                       (i) 1 member from a community im-  
16                       pacted by pollution from the fossil fuel in-  
17                       dustry; and

18                       (ii) 1 member from a community im-  
19                       pacted by the transition away from fossil  
20                       energy.

21                  (G) Two members who are members of the  
22                  National Academy of Sciences and have exper-  
23                  tise in climate science.

24                  (H) Four members who are employed by  
25                  organized labor unions, including—

1 (i) 1 member from a utility sector  
2 union;

3 (ii) 1 member from a transportation  
4 sector union;

5 (iii) 1 member from a manufacturing  
6 union; and

7 (iv) 1 member from a building trades  
8 union.

9 (I) Two members who are employed by the  
10 power sector, including at least 1 member from  
11 a business in the clean energy industry.

12 (J) Two members of the agriculture indus-  
13 try, including 1 member who is a farmer or  
14 rancher and 1 member who represents an orga-  
15 nization that represents family farms.

16 (K) Two members from the transportation  
17 sector, including at least 1 member who is a  
18 representative of a public transit industry.

19 (L) Two members from the manufacturing  
20 sector, including at least 1 member who is from  
21 a business that has committed to net-zero  
22 greenhouse gas emissions.

23 (M) Two members from the commercial  
24 and residential building sector, including at  
25 least 1 member who is from a business that has

1 committed to improving energy efficiency in  
2 commercial or residential buildings.

3 (N) One member with expertise in public  
4 health.

5 (O) One member who is a young person  
6 who is associated with a climate and environ-  
7 mental organization.

8 (b) ORGANIZATION; TERMINATION.—

9 (1) SUBCOMMITTEES.—The Advisory Com-  
10 mittee may, as the Advisory Committee determines  
11 appropriate, establish subcommittees to provide ad-  
12 vice to the full Advisory Committee on matters with-  
13 in the respective subcommittee’s area of expertise.  
14 At a minimum, the Advisory Committee shall con-  
15 sider establishing subcommittees on—

16 (A) environmental justice;

17 (B) climate justice;

18 (C) fairness and equity for workers; and

19 (D) the transition of communities depend-  
20 ent upon fossil fuels.

21 (2) MEETINGS.—The Advisory Committee shall  
22 meet not less frequently than 3 times in the first  
23 year after it is established, and at least annually  
24 thereafter.

1           (3) TERMS.—A member of the Advisory Com-  
2           mittee shall be appointed for a term of 2 years and  
3           the Administrator may reappoint members for no  
4           more than 3 consecutive terms.

5           (4) VACANCIES.—Any vacancy in the Advisory  
6           Committee shall be filled by the Administrator in the  
7           same manner as the original appointment and not  
8           later than 180 days after the occurrence of the va-  
9           cancy.

10          (5) CHAIR.—The Advisory Committee shall ap-  
11          point a chair from among the members of the Advi-  
12          sory Committee by a majority of those voting, if a  
13          quorum is present.

14          (6) QUORUM.—A  $\frac{2}{3}$  majority of members of  
15          the full Advisory Committee shall constitute a  
16          quorum.

17          (7) APPLICABILITY OF FACCA.—The Advisory  
18          Committee shall be subject to the Federal Advisory  
19          Committee Act (5 U.S.C. App.).

20          (8) TERMINATION.—The Advisory Committee  
21          shall terminate on December 31, 2050.

22          (c) RECOMMENDATIONS.—

23                 (1) INTERIM GOALS.—Not later than 15  
24                 months after the date of enactment of this Act, and  
25                 upon the request of the Administrator thereafter,

1 the Advisory Committee shall submit to the Admin-  
2 istrator recommendations on one or more interim  
3 greenhouse gas emissions reduction goals for the  
4 United States to achieve before achieving the na-  
5 tional goal declared by section 2.

6 (2) ANNUAL REVIEW.—Not later than June 30  
7 of the calendar year after the calendar year in which  
8 each Federal agency is required to submit to Con-  
9 gress a plan under section 4(d), and not later than  
10 June 30 of each year thereafter, and upon the re-  
11 quest of the Administrator, the Advisory Committee  
12 may provide recommendations for the Administrator  
13 to consider in developing recommendations to in-  
14 clude in the annual report required under section 5.

15 (3) OTHER MATTERS.—Upon the request of the  
16 Administrator, or upon the Advisory Committee’s  
17 initiative, the Advisory Committee may provide rec-  
18 ommendations for the Administrator to consider re-  
19 garding any of the matters addressed by this Act.

20 **SEC. 7. RECOMMENDATIONS FOR INTERIM GOALS.**

21 (a) IN GENERAL.—Not later than 18 months after  
22 the date of enactment of this Act, the Administrator shall,  
23 after consulting with the Secretary and obtaining the rec-  
24 ommendations of the Advisory Committee, recommend to  
25 Congress one or more interim greenhouse gas emissions

1 reduction goals for the United States to achieve before  
2 achieving the national goal declared by section 2. In select-  
3 ing one or more such interim goals to recommend to Con-  
4 gress, the Administrator shall consider—

5           (1) the best available science on the needed  
6           pace of reducing greenhouse gas emissions to limit  
7           global warming to 1.5 °C;

8           (2) the international commitments by the  
9           United States to address climate change, so as to  
10          ensure that any interim goal is, at a minimum, con-  
11          sistent with such commitments; and

12          (3) the degree of progress considered necessary  
13          by a given date to maximize the likelihood that there  
14          is an economically and technically feasible path for-  
15          ward from such date to achieve the national goal de-  
16          clared by section 2.

17          (b) UPDATES.—Upon request of Congress, or any  
18          new international commitment by the United States to ad-  
19          dress climate change, the Administrator may recommend  
20          to Congress revised or additional interim goals.

21 **SEC. 8. DEFINITIONS.**

22          For purposes of this Act:

23           (1) ADVISORY COMMITTEE.—The term “Advi-  
24          sory Committee” means the Clean Economy Federal

1 Advisory Committee established pursuant to section  
2 6.

3 (2) ADMINISTRATOR.—The term “Adminis-  
4 trator” means the Administrator of the Environ-  
5 mental Protection Agency.

6 (3) FEDERAL AGENCY.—The term “Federal  
7 agency” has the meaning given the term “agency”  
8 in section 551 of title 5, United States Code.

9 (4) GREENHOUSE GAS.—The term “greenhouse  
10 gas” means the heat-trapping gases for which the  
11 anthropogenic emissions are estimated and reported  
12 in the most recently issued “Inventory of U.S.  
13 Greenhouse Gas Emissions and Sinks” prepared an-  
14 nually by the Environmental Protection Agency in  
15 accordance with the commitments of the United  
16 States under the United Nations Framework Con-  
17 vention on Climate Change.

18 (5) 100 PERCENT CLEAN ECONOMY.—The term  
19 “100 percent clean economy” means, with respect to  
20 the United States, economy-wide, net-zero green-  
21 house gas emissions, or negative greenhouse gas  
22 emissions, after annual accounting for sources and  
23 sinks of anthropogenic greenhouse gas emissions  
24 consistent with the coverage of emissions reported by

1 the United States under the United Nations Frame-  
2 work Convention on Climate Change.

3 (6) SECRETARY.—The term “Secretary” means  
4 the Secretary of Energy.

○