November 30, 2021

Hon. Ronald Wyden
Chair, Senate Finance Committee
219 Dirksen Senate Office Building
Washington, DC 20510-6200

Dear Senator Wyden and Members of the Finance Committee,

We are writing to urge you to remove the $35 billion nuclear production tax credit (nuclear PTC) from the Build Back Better Act (H.R. 5376). This particularly wasteful and counterproductive provision contradicts and undermines the purpose and intent of Build Back Better, which we enthusiastically support. The funds that would accrue to the owners of existing nuclear power plants through the nuclear PTC should be reallocated to real solutions for climate and environmental justice.

BBBA is supposed to deliver transformative investments to lift up American families, create jobs, and solve the climate crisis by transitioning the country to renewable energy and off of fossil fuels by 2035. Yet the bill approved by the House includes this extraordinarily expensive and ineffective corporate bailout that will do nothing to reduce emissions, advance environmental justice, create jobs, or make communities more resilient against the ravages of climate disruption. There is nothing transformative about giving yet another federal subsidy to the same nuclear power plants that have benefited from decades of direct and indirect public subsidies.

In August, 248 organizations called on Congress and the White House to cancel the nuclear PTC in the BBBA, because nuclear power has severe environmental justice impacts, violating the commitments of the Biden Administration and Congressional leadership. For these very reasons, the White House Environmental Justice Advisory Council included nuclear energy on a list of investments that DO NOT benefit communities. Wasting the next decade subsidizing aging, increasingly uneconomical nuclear power plants will incentivize environmental racism and obstruct real solutions to the climate crisis. The Nuclear PTC would simply provide massive windfalls to corporations that own existing nuclear power plants, the vast majority of which will remain profitable without them.

As detailed in the enclosed memorandum, amendments adopted in the bill extended the program to six years (from five) and would make utility-owned reactors eligible for the credit. We project the cost of the Nuclear PTC at $35.3 billion. This tax subsidy would be both duplicative and doubly unjustified, as there is already $6 billion in Civil Nuclear Credits in the bipartisan infrastructure bill, which would directly subsidize unprofitable nuclear reactors whose closure would impact emissions targets. The Civil Nuclear Credits would be adequate to subsidize 12-14 reactors at levels comparable to those state legislatures are already providing--far more than would be likely to close before 2030 without such support.

There is, in fact, no public policy justification or climate rationale for a nuclear subsidy in the Build Back Better Act. The Nuclear PTC will not create a single new job. It will not deliver any investments to environmental justice communities, while adding to the environmental health and justice burdens of Indigenous, Black, and Latina/o/x communities. And it will preclude the creation of tens of thousands of
new jobs in renewables, efficiency, and zero-emissions solutions to modernizing our electricity system. Redirecting the same $35 billion to these new energy resources would create tens of thousands of new jobs, while accelerating emissions reductions nationwide.

By contrast, the nuclear PTC would not only be one of the most inequitable taxpayer subsidies ever, it would reward unethical corporate behavior. The two largest beneficiaries would be Exelon ($13.5 billion) and Energy Harbor ($3.0 billion)—both of which are at the center of federal corruption cases over state-level nuclear subsidy bills enacted in Illinois and Ohio in 2016 and 2018.

Extending eligibility for the Nuclear PTC to regulated utility companies will enable highly profitable investor-owned corporations to claim the tax credit, even though they already recover their costs and a hefty profit margin for their nuclear power plants (typically a 10% rate of return on investment) through state-approved electricity rates. There is no justification for granting a 6-year subsidy for existing nuclear power plants that already earn such generous profits and will continue operating regardless of a gratuitous tax break.

To expend billions of dollars of the limited BBBA budget on a wasteful nuclear bailout would be a gross policy failure. This is especially so, because it would be on top of the $6 billion for Civil Nuclear Credits in the bipartisan infrastructure bill. The Nuclear PTC is no substitute for the now-canceled Clean Energy Performance Program (CEPP) proposal. CEPP was projected to achieve 80% emissions-free electricity by 2030, at a cost of $150 billion. If allocated to renewable energy, the funding dedicated to the nuclear PTC would fund tax credits for more than enough wind and solar generation to replace aging, unprofitable nuclear power plants with safe, clean, sustainable, carbon-free, renewable energy.

We urge the Senate Finance Committee to prevent this scandal in the making. Please cancel the Nuclear PTC and direct the funding to measures in BBBA that provide real solutions to climate, jobs, and justice.

With deep regard,

Timothy Judson
Executive Director
Nuclear Information and Resource Service
Takoma Park, Maryland

Food & Water Watch
Mitch Jones, Policy Director
Washington, D.C.

Indigenous Environmental Network
Tom BK Goldtooth, Executive Director
Bemidji, Minnesota

Friends of the Earth
Lukas Ross, Program Manager
Washington, D.C.

Physicians for Social Responsibility
Barbara Gottlieb, Program Director, Environment & Health
Washington, D.C.
Public Citizen, Inc.
Tyson Slocum, Energy Program Director
Washington, D.C.

Beyond Nuclear
Kevin Kamps, Radioactive Waste Specialist
Takoma Park, Maryland

Committee to Bridge the Gap
Haakon Williams, Deputy Director
Ben Lomond, California

Rachel Carson Council
Robert K. Musil, Ph.D., M.P.H., President & CEO
Bethesda, Maryland

Institute for Policy Studies Climate Policy Program
Basav Sen, Climate Policy Director
Washington, D.C.

Nevada Nuclear Waste Task Force
Judy Treichel, Executive Director
Las Vegas, Nevada

Coalition Against Nukes
Priscilla Star, Founder and Director
Sag Harbor, New York

Grassroots Environmental Education
Patti Wood, Executive Director
Port Washington, New York

A Call to Actions
Bobby Vaughn Jr., Investigative Journalist
Westlake, Ohio

National Nuclear Workers for Justice (NNWJ)
Vina Colley, Co-Founder
P.O.Box 137, Ohio

Nukewatch
John LaForge and Kelly Lundeen, Co-Directors
Luck, Wisconsin

Natural Capitalism Solutions
Hunter Lovins, President
Longmont, Colorado

Anthropocene Alliance
Harriet Festing, Executive Director
Micanopy, Florida

PEAC Institute
Steve Leeper, Executive Director
Atlanta, Georgia

Unitarian Universalists for a Just Economic Community
Terry Lowman, Co-chair
Ames, Iowa

Gulf Coast Center for Law & Policy
Kendall Dix, Policy Lead
Slidell, Louisiana

Global Network Against Weapons & Nuclear Power in Space
Bruce Gagnon, Coordinator
Bath, Maine

SUN DAY Campaign
Kenneth Bosson, Executive Director
Takoma Park, Maryland

On Behalf Of Planet Earth
Sheila Parks, Founder
Watertown, Massachusetts
Arizona Chapter of Physicians for Social Responsibility
David Spence, President, Board of Directors
Flagstaff, Arizona

Don't Waste Arizona
Stephen Brittle, President
Phoenix, Arizona

Grandmothers for Peace International
Ordell Nelson, Volunteer
Prescott, Arizona

Green Party of Yavapai County
Haryaksha Knauer, Chairperson
Chino Valley, Arizona

www.SafeEnergyAnalyst.org
Russell Lowes, Research Director
Tucson, Arizona

350 Conejo / San Fernando Valley
Alan Weiner, Chapter Lead
Agoura Hills, California

Ecological Options Network
Mary Beth Brangan, Co-Director
Bolinas, California

Extinction Rebellion San Francisco Bay Area
Leah Redwood, Action Strategy and Planning Coordinator
Berkeley, California

Los Angeles Alliance for Survival
Bruce Campbell, Director
Santa Monica, California

Movetoamend.org East Bay Affiliate
Lawrence Abbott, Chairperson
San Leandro, California

Physicians for Social Responsibility Los Angeles
Denise Duffield, Associate Director
Los Angeles, California

Physicians for Social Responsibility Sacramento
Harry Wang, MD, President
Sacramento, California

Public Watchdogs
Charles Langley, Executive Director
La Mesa, California

San Francisco Bay Physicians for Social Responsibility
Robert Gould, MD, President
San Francisco, California

San Luis Obispo Mothers for Peace
Jill ZamEk, Board Member
Arroyo Grande, California

SanOnofreSafety.org
Donna Gilmore
Monterey, California

SoCal 350 Climate Action
Jack Eidt, Co-Founder
Los Angeles, California

Sunflower Alliance
Jean Tepperman, Co-Coordinator
Berkeley, California

Tri-Valley CAREs (Communities Against a Radioactive Environment)
Marylia Kelley, Executive Director
Livermore, California
Physicians for Social Responsibility Colorado
Tracy Koller, Nurse Practitioner, Secretary Elect
Superior, Colorado

350 CT
Nancy Bowden, Treasurer
Bloomfield, Connecticut

Connecticut Coalition Against Millstone
Nancy Burton, Director
Redding, Connecticut

Green Party of Connecticut
Barbara Barry, Retired Registered Nurse
Wethersfield, Connecticut

New London Green Town Committee
Ronna Stuller, Records Chair
New London, Connecticut

Accents Away
Marcia Hoodwin, Owner
Sarasota, Florida

Concerned Citizens of Cook County
Treva Gear, Chair
Adel, Georgia

Georgia WAND
Cee' Cee' Anderson, Research Scientist
Atlanta, Georgia

Women Changing The World
Cee' Cee' Anderson, Research Scientist
Atlanta, Georgia

Nuclear Watch South
Glenn Carroll, Coordinator
Atlanta, Georgia

Snake River Alliance
Leigh Ford, Executive Director
Boise, Idaho

Chicago Area Peace Action
Marcia Bernsten, Board Member
Evanston, Illinois

Citizens Against Ruining the Environment
Ellen Rendulich, President
Lockport, Illinois

Frack Free IL
Lora Chamberlain, Lead Organizer
Chicago, Illinois

Nuclear Energy Information Service (NEIS)
Dave Kraft, Director
Chicago, Illinois

Green State Solutions
Mike Carberry, Founding Director
Iowa City, Iowa

Augusta Women in Black
Roger Leisner
Augusta, Maine

Peace Action Maine
Martha Spiess, Chair
Portland, Maine

PeaceWorks of Greater Brunswick
Rosalie Paul, Coordinator
Brunswick, Maine

Chesapeake Physicians for Social Responsibility
Gwen DuBois, President
Baltimore, Maryland

Cape Downwinders
Diane Turco, Director
Harwich, Massachusetts

Going Beyond Sustainability
Shel Horowitz, Transformpreneur
Hadley, Massachusetts
Greater Boston Physicians for Social Responsibility
Anna Linakis Baker, Executive Director
Brookline, Massachusetts

Western MA Science for the People
Kimberly Medeiros, Organizer
Amherst, Massachusetts

Citizens Resistance At Fermi Two (CRAFT)
Jesse Deer In Water, Community Organizer, and
Jessie Collins, Co-Chair
Redford, Michigan

Coalition for a Nuclear Free Great Lakes
Michael Keegan, Chair
Monroe, Michigan

Don't Waste Michigan
Alice Hirt, Co-Chair
Holland, Michigan

Middle of the Mitten Greens
Robin Laurain, Co-Chair
Lansing, Michigan

Northern Michigan Environmental Action Council
Linda Dunigan, Board Member
Traverse City, Michigan

North American Water Office
Lea Foushee, Environmental Justice Director
Lake Elmo, Minnesota

Mid-Missouri Peaceworks
Mark Haim, Director
Columbia, Missouri

Women's International League for Peace and Justice - St. Louis
Lynn Sableman, Board Member
St. Louis, Missouri

Seacoast Anti-Pollution League
Doug Bogen, Executive Director
Exeter, New Hampshire

GRAMMES (Grandmothers, Mother’s, and More for Energy Safety)
Janet Tauro, Founding Member
Brick, New Jersey

Occupy Bergen County
Sally Jane Gellert
Woodcliff Lake, New Jersey

Citizen Action New Mexico
Dave McCoy, Executive Director
Albuquerque, New Mexico

Concerned Citizens for Nuclear Safety (CCNS)
Joni Aremds, Co-Founder and Executive Director
Santa Fe, New Mexico

Multicultural Alliance for a Safe Environment
Susan Gordon, Coordinator
Albuquerque, New Mexico

Alliance for a Green Economy
Jessica Azulay, Executive Director
Syracuse, New York

Broome Tioga Green Party
Rick Sprout, Chair
Endwell, New York

Citizens' Environmental Coalition
Barbara Warren, Director
Cuddebackville, New York

Hudson River Sloop Clearwater
Manna Jo Greene, Environmental Director
Beacon, New York
LEAF of Hudson Valley  
Suzan Hillary, Director  
Suffern, New York

Manhattan Local of the Green Party  
Thomas Siracuse, Secretary  
New York, New York

Manhattan Project for a Nuclear-Free World  
Mari Inoue, Co-founding member  
New York, New York

North American Climate, Conservation and Environment (NACCE)  
Jerry Rivers, Environmental Scientist  
Roosevelt, New York

Peace Action New York State  
Emily Rubino, Executive Director  
New York, New York

Resist Spectra  
Marie Inserra, Coordinator  
Peekskill, New York

Rockland Environmental Group  
Susan Shapiro, Attorney  
Nanuet, New York

Shut Down Indian Point NOW! (SDIPN!)  
Paul Corell, Vice Chairman  
New York City, New York

Stop the Algonquin Pipeline Expansion (SAPE)  
Suzannah Glidden, Co-founder  
North Salem, New York

United For Clean Energy  
Tina Volz-Bongar, Community organizer  
Peekskill, New York

Yoga For Peace, Justice, Harmony With the Planet  
Amy Harlib, Artistic Director  
New York, New York

Women's International League for Peace and Freedom of the Triangle  
Emily Keel, Steering Committee Member  
Chapel Hill, North Carolina

Ohio Nuclear Free Network  
Patricia Marida, Coordinator  
Columbus, Ohio

Portsmouth/Piketon Residents for Environmental Safety and Security  
Vina Colley, President  
Portsmouth, Ohio

Protect Biodiversity in Public Forests  
Gwen Marshall, Network coordinator  
Cincinnati, Ohio

The Committee to Elect Joe Manchik  
Joe Manchik, Green Party candidate for the U.S. House of Representatives in Ohio's 12th Congressional District  
Etna, Ohio

350 Eugene  
Patricia Hine, President  
Eugene, Oregon

350PDX  
Dineen O'Rourke, Campaign Manager  
Portland, Oregon

Cedar Action  
Marian Fish, Retired physician  
Portland, Oregon
Extinction Rebellion PDX
Diane Meisenhelter
Portland, Oregon

Northwest Environmental Advocates
Nina Bell, Executive Director
Portland, Oregon

Oregon Conservancy Foundation
Cathryn Chudy, Board of Directors
Boring, Oregon

Oregon Physicians for Social Responsibility
Kelly Campbell, Executive Director
Portland, Oregon

Southern Oregon Climate Action Now
Alan Journet, Co-facilitator
Jacksonville, Oregon

Stop Nuclear WorkGroup of CedarAction
Bonnie McKinlay, Core Team Member
Portland, Oregon

Touching Earth Sangha
Satya Vayu, Spiritual Director
Portland, Oregon

Citizen Power, Inc
David Hughes, President
Pittsburgh, Pennsylvania

Concerned Citizens for SNEC Safety
Ernest Fuller, Vice-Chairman
Saxton, Pennsylvania

Physicians for Social Responsibility
Pennsylvania
Tonyehn Verkitus, Executive Director
Philadelphia, Pennsylvania

Hilton Head for Peace
Dr. F. Taylor, Coordinator
Hilton Head, South Carolina

The Imani Group Inc
Brendolyn Jenkins Boseman, Executive Director
Aiken, South Carolina

Black Hills Clean Water Alliance
Lilias Jarding, President
Rapid City, South Dakota

Blue Ridge Environmental Defense League
Jenn Galler, Community Organizer
Knoxville, Tennessee

Tennessee Environmental Council
Jeffrey Barrie, CEO and Don Safer, Policy Committee Co-Chair
Nashville, Tennessee

Alamo Group of the Sierra Club
Alan Montemayor, Chairman
San Antonio, Texas

Energía Mia
Alice CanestaroGarcia, Volunteer
San Antonio, Texas

Dallas Peace and Justice Center
(Nuclear Free World Committee)
Hon. Lon Burnam, Co-chair
Dallas, Texas

Peace Farm
Mavis Belisle
Dallas, Texas

War Resisters League
Mavis Belisle
Dallas, Texas

Healthy Environment Alliance of Utah (HEAL Utah)
Scott Williams, Executive Director
Salt Lake City, Utah
Malach Consulting
Steven Emerman, Owner
Spanish Fork, Utah

Parallax Perspectives
Glen Anderson, Founder and Organizer
Lacey, Washington

Seattle Fellowship of Reconciliation
Mary Hanson, Chair
Seattle, Washington

Waste Action Project
Greg Wingard, Executive Director
Covington, Washington

Peace Action WI
Pamela Richard, Office Manager
Milwaukee, Wisconsin