

ONE HUNDRED TWELFTH CONGRESS  
**Congress of the United States**  
**House of Representatives**  
COMMITTEE ON ENERGY AND COMMERCE  
2125 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-6115

Majority (202) 225-2927  
Minority (202) 225-3641

February 8, 2011

The Honorable Fred Upton  
Chairman  
Committee on Energy and Commerce  
U.S. House of Representatives  
2125 Rayburn House Office Building  
Washington, D.C. 20515

Dear Chairman Upton:

I am writing you to share with you a letter that has an important bearing on tomorrow's hearing on your legislation to overturn EPA's scientific determination that carbon emissions endanger public health and welfare.

The letter is a private letter that former EPA Administrator Stephen L. Johnson wrote to President Bush on January 31, 2008. It addresses the same issue as your legislation: whether carbon emissions endanger the public.

Administrator Johnson wrote: "the latest science of climate change requires the Agency to propose a positive endangerment finding, as was agreed to at the Cabinet-level meeting in November." According to Mr. Johnson, "the latest climate change science does not permit a negative finding, nor does it permit a credible finding that we need to wait for more research."

Administrator Johnson also wrote: "A robust interagency policy process involving principal meetings over the past eight months has enabled me to formulate a plan that is prudent and cautious yet forward thinking. ... [I]t ... creates a framework for responsible, cost-effective and practical actions." He added that actions to reduce carbon emissions "should spur both private sector investment in developing new, cost-effective technologies and private sector deployment of these technologies at a large scale."

Administrator Johnson released an advanced notice of proposed rulemaking in July 2008, which solicited public comment on an endangerment finding. The final endangerment finding was made by Administrator Lisa Jackson in December 2009.

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As Administrator Johnson's letter makes clear, both Republican and Democratic Administrations have had the same view of the science: carbon emissions are a serious threat to our nation's welfare. I urge you to leave the science to scientists and drop your effort to use legislation to overturn EPA's endangerment finding.

Sincerely,



Henry A. Waxman  
Ranking Member

Enclosure