

Oppose the Upton-Inhofe Bill

H.R. 910 Guts the Clean Air Act, Threatens Public Health

The Upton-Inhofe bill, H.R. 910, is based on the unsubstantiated premise that scientists are all wrong that carbon pollution threatens public health and the environment. First, H.R. 910 legislatively repeals a scientific finding by the Environmental Protection Agency that greenhouse gases endanger public health and welfare. Second, the Upton-Inhofe bill would broadly eliminate EPA's authority to address emissions of greenhouse gases and the danger of climate change. This is an unprecedented action by members of Congress to substitute their opinions for a scientific finding that EPA made based on the best available scientific research and understanding.

The Upton-Inhofe bill would:

- Overturn the Supreme Court's opinion finding that EPA has the authority to regulate greenhouse gases under the Clean Air Act.
- Overturn EPA's scientific determination that greenhouse gases endanger human health and the environment.
- Prohibit EPA from requiring stationary sources to reduce greenhouse gas emissions.
- Prohibit EPA from further reducing greenhouse gas emissions from motor vehicles and securing ancillary energy security benefits from reducing demand for oil.
- Repeal California's authority to regulate greenhouse gas emissions from motor vehicles and repeal other states' authority to adopt such standards.
- Prohibit EPA from requiring reductions of greenhouse gas emissions from other mobile sources, such as planes, trains, boats, and large construction equipment and securing ancillary energy security benefits from reducing demand for oil.
- Prohibit EPA from enforcing existing greenhouse gas reporting requirements.
- Interfere with EPA's implementation of Title VI of the Clean Air Act, which addresses ozone-depleting chemicals and substitutes for such chemicals.
- Undermine Administration negotiating positions under the Montreal Protocol on Substances that Deplete the Ozone Layer.
- Create legal uncertainty about the status of the recent motor vehicle standards adopted by EPA as well as proposed standards for heavy duty vehicles.
- Call into question EPA's authority to implement voluntary programs to reduce greenhouse gas emissions.

Prepared by Committee on Energy and Commerce, Democratic Staff

- Create new litigation opportunities for opponents of regulation of conventional pollutants.

This legislation conflicts with the consensus of climate scientists and the world's most authoritative scientific organizations, including:

- The National Academy of Sciences, which reported in 2010: “Climate change is occurring, is caused largely by human activities, and poses significant risks for—and in many cases is already affecting—a broad range of human and natural systems.”
- The premier scientific institutions of all of the world’s major economies (including the United States, the United Kingdom, France, Germany, Russia, Japan, China, Brazil, and India), which have warned that “[t]he need for urgent action to address climate change is now indisputable.”
- The American Association for the Advancement of Science, the American Geophysical Union, and the American Meteorological Society, along with 15 other leading scientific organizations, which have stated: “If we are to avoid the most severe impacts of climate change, emissions of greenhouse gases must be dramatically reduced.”
- Thirteen federal departments and agencies, including NASA, the National Science Foundation, and the Department of Defense, which reported in 2009 that global warming is “unequivocal and primarily human-induced” and that “widespread climate-related impacts are occurring now and are expected to increase.”
- The Intergovernmental Panel on Climate Change (IPCC), which has reported: “Warming of the climate system is unequivocal, as is now evident from observations of increases in global average air and ocean temperatures, widespread melting of snow and ice and rising global average sea level.”

H.R. 910 is opposed by: American Lung Association, American Public Health Association, American Thoracic Society; Asthma and Allergy Foundation of America; Physicians for Social Responsibility; Trust for America’s Health; 1,882 doctors, nurses and other medical professionals; retired high-ranking U.S. military officers; 2,505 scientists; Natural Resources Defense Council; League of Conservation Voters; Center for Biological Diversity; Environment America; Conservation Law Foundation; National Audubon Society; The Wilderness Society; Earthjustice; U.S. Climate Action Network; Center for American Progress Action Fund; American Rivers; Sierra Club; Defenders of Wildlife; Environmental Defense Fund; and Union of Concerned Scientists, among others.

In addition, last year 120 public health associations stated their opposition to “any efforts to weaken, delay or block the EPA from protecting the public’s health” from risks from climate change, and 255 members of the National Academy of Sciences affirmed the threat from climate change and called for action to reduce it.