

ONE HUNDRED TWELFTH CONGRESS
Congress of the United States
House of Representatives
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Statement of Rep. Henry A. Waxman
Ranking Member, Committee on Energy and Commerce
“H.R. ____, the Energy Tax Prevention Act of 2011”
Subcommittee on Energy and Power
February 9, 2011

Today we hold a hearing on legislation that would rollback the Clean Air Act and block the Environmental Protection Agency (EPA) from regulating dangerous carbon emissions from power plants, oil refineries, and other large polluters.

The underlying premise of this bill is that climate change is a hoax. That’s the view of the chief Senate sponsor of this bill.

And that’s the foundation of this bill. This legislation says that carbon emissions do not endanger public health and welfare.

Mr. Chairman, you and the new Republican majority have a lot of power to write our nation’s laws, but you do not have the power to rewrite the laws of nature.

And that is the fundamental problem with this proposal.

In 2009, EPA found that carbon emissions endanger public health and the environment. That was a scientific conclusion that is supported by the National Academy of Sciences and the premier scientific organizations of all the world’s major economies.

This legislation would overturn EPA’s endangerment finding.

This won’t stop carbon pollution from building up in the atmosphere. It won’t stop the droughts and floods that are spreading like an epidemic across the globe. It won’t protect the air quality of our cities when summer temperatures soar to record levels. And it won’t stop the strange weather patterns that have locked much our nation in a deep freeze this winter.

What it will do, though, is gut the Clean Air Act and prevent EPA from addressing this enormous threat to public health and welfare.

Protecting public health and preventing climate change should not be a partisan issue. In January 2008, Stephen Johnson, the former EPA Administrator, sent a private letter to President Bush. Administrator Johnson wrote “the latest science of climate change requires the Agency to propose a positive endangerment finding. ... [It] does not permit ... a credible finding that we need to wait for more research.” And he said that the Bush cabinet agreed with this position.

The science hasn't changed in the last two years; in fact, it's only gotten stronger. Yet somehow belief in science has become another partisan battleground.

This legislation is called the “Energy Tax Prevention Act.” This title is nonsense because EPA has no authority to levy energy taxes.

What this bill should be called is the “Big Polluter Protection Act.” The only beneficiaries of this legislation are the nation's largest polluters. The biggest backer of this bill is Koch Industries, an oil company that spent millions of dollars to elect Republicans to Congress.

Members can have different ideas about how to reduce carbon pollution. I believe the steps that EPA Administrator Lisa Jackson is proposing under the Clean Air Act are moderate and appropriate. They are also remarkably similar to the measures that former Administrator Johnson recommended to President Bush. But I understand that members could reasonably have different views. Indeed, I preferred the market-based approach recommended by utilities and manufacturers that was the basis for the House-passed clean energy legislation last Congress.

But what doesn't make sense is the extreme approach in this bill. It will repeal the only authority the Administration has to protect our health and the environment without providing any alternative. That will only make the problem worse.

History will not judge this Committee kindly if we become the last bastion of the polluter and the science-denier. When carbon emissions rise to record levels and our weather system goes haywire, the American people will ask why we acted so irresponsibly.

I hope we will be able to tell them that we stood up for science and public health and rejected this extreme proposal.