

January 5, 2011

Dear Colleague,

There has been a great deal of debate about the best way to reduce greenhouse gas pollution. The most remarkable aspect of this debate is the utter misrepresentation of facts by some who support repealing part of the Clean Air Act. We have heard claims that the Clean Air Act was not intended to regulate greenhouse gas emissions. As our constituents say to us, “Read the bill!”

The Clean Air Act of 1970 explicitly permitted the EPA Administrator to consider climate change when adding pollutants to its list of 6 criteria pollutants. When adding pollutants, Congress directed the Administrator to consider “emissions of which, in his judgment, cause or contribute to air pollution which may reasonably be anticipated to endanger public health or welfare.” Congress’ definition of “welfare” included weather and climate impacts: “All language referring to effects on welfare includes, but is not limited to, effects on soils, water, crops, vegetation, manmade materials, animals, wildlife, weather, visibility, and climate, damage to and deterioration of property, and hazards to transportation, as well as effects on economic values and on personal comfort and well-being, whether caused by transformation, conversion, or combination with other air pollutants.” [42 U.S.C. 7602(h)]

Congressional debate about the 1970 Clean Air Act included debate about climate change:

- Senator Caleb Boggs (R-DE) inserted a White House report into the record, which stated, “Air pollution alters climate and may produce global changes in temperature. . . . [T]he addition of particulates and carbon dioxide in the atmosphere could have dramatic and long-term effects on world climate,” into the record.
- Representative Hastings Keith (R-MA) noted that vehicle emissions are one of the primary sources of carbon dioxide *pollution*: More than 60 percent of our national air pollution problem is caused by automobiles. This is particularly acute in areas of high population density which receives a concentrated dosage of carbon monoxide and carbon dioxide emissions from automobiles.”
- House hearings included discussion of climate change, including this testimony from the Administrator of the Consumer Protection and Environmental Health Service: “There are two schools of thought on whether or not we are going to heat up the atmosphere so that we melt the ice caps and have flooding of our land or whether we are going to do the reverse in terms of holding out radiant energy”

Congress even debated climate change when debating the 1965 Clean Air Act amendments, which the 1970 Clean Air Act amended; Congressman Heltoski of New Jersey noted in floor testimony: “It has been predicted that by the year 2000, the amount of atmospheric carbon dioxide may have increased by about 50 percent; and many believe that this will have a considerable effect on the world’s climate, but nobody has been able to make a convincing guess about just what that effect will be.”

Many of us continue to believe that a legislative solution would be preferable to Administration-driven regulation of greenhouse gas emissions. Ironically, the same special interests which now complain loudly about regulation were opposed to legislation too. They can’t have it both ways: Either we’re going to get off Middle Eastern oil or we’re not. If the Senate can’t pass energy legislation then we’ll have to rely partially on the Clean Air Act, which has a forty year

track record of success. Repealing portions of the Clean Air Act would keep us addicted to foreign oil and endanger our coastal cities, public health, and agricultural production.

Sincerely,

Gerald E. Connolly