

**Congress of the United States**  
**Washington, DC 20515**

November 24, 2008

The Honorable Stephen L. Johnson  
Administrator U.S. Environmental Protection Agency  
Ariel Rios Building  
1200 Pennsylvania Avenue, N.W.  
Washington, DC 20460

Dear Administrator Johnson,

The federal government, through the Environmental Protection Agency (EPA), has the authority and responsibility to protect the public health and welfare of the United States from the effects of climate change caused by greenhouse gas emissions. Rapid climate change in the Arctic and elsewhere provides clear evidence of the threat to the public health and welfare of the United States. We agree with the April 2007 US Supreme Court decision in *Massachusetts v. EPA* that greenhouse gases (GHG) are air pollutants and that EPA needs to exercise the authority granted to it by the Clean Air Act to regulate these emissions. To fulfill the EPA's outstanding legal obligations, as required by this landmark court ruling, we strongly encourage you to:

1. Issue a formal "endangerment finding" recognizing that greenhouse gases may reasonably be anticipated to endanger the public health and welfare and that emissions from mobile and stationary sources cause or contribute to this air pollution; and
2. Promptly develop and issue regulations to reduce greenhouse gas emissions from mobile and stationary sources using existing Clean Air Act authority.

The effects of global warming are already evident and continue to grow worse with each passing year. Climate change is exacerbating already severe water scarcity and water quality problems in the United States and abroad. Melting glaciers in Greenland and Antarctica could lead to catastrophic global sea-level rise, threatening coastal economies and low-lying island communities. Increasing carbon dioxide emissions is causing ocean acidification, which in conjunctions with warmer ocean temperatures, contribute to the ongoing ecologic collapse of coral reefs, alter the structure of food webs, and threaten global fisheries.

We are already seeing an increased occurrence of severe weather events, more frequent wildfires and ecological changes that threaten endangered species' habitat. Add to this the public health risks associated with diminished air quality and the increased frequency of heat-waves, plus the various national security threats that are worsened by degraded environmental conditions, and the need for immediate action to reduce the global warming threat becomes undeniable.

The rapid climate change in the Arctic region is an important indicator of what lies ahead. In addition, this region plays a vital role in the planet's climate system. The Arctic is warming at twice the rate of the rest of the planet. This warming is having immediate, negative effects on Arctic people and ecosystems, including coastal erosion, thawing permafrost, and loss of important habitat. The most dramatic of these impacts is the incredible loss of Arctic sea ice. In 2007, sea ice fell to an all-time low, and according to the National Snow and Ice Data Center.

Sea ice plays a vital role in regulating the world's climate. The loss of sea ice accelerates global warming by opening areas of darker ocean, which absorbs solar radiation rather than reflecting it. This increased warming alters weather and climate patterns in the northern hemisphere, releases additional greenhouse gases from Arctic permafrost, and may accelerate the disintegration of the Greenland ice sheet. These changes create the potential for devastating global consequences.

The only way to ensure the planet does not pass a climatic tipping point is to reduce human-caused emissions of greenhouse gases. As the Intergovernmental Panel on Climate Change concluded, "[w]arming of the climate system is unequivocal, and most of the observed increase in global average temperatures since the mid-20th century is very likely due to the observed increase in anthropogenic greenhouse gas concentrations."<sup>1</sup> The Bush Administration has recognized explicitly that "climate change is a serious global challenge"<sup>2</sup> and that observations of increases in global average air and ocean temperatures, widespread melting of snow and ice, and rising global average sea level make global warming evident.

Science suggests that "[i]f humanity wishes to preserve a planet similar to that on which civilization developed and to which life on Earth is adapted," we must reduce the atmospheric concentration of carbon dioxide from the current 385 parts per million concentration to at least 350 parts per million.<sup>3</sup> The United States must become a world leader in the effort to reduce atmospheric greenhouse gas concentrations to a level that stabilizes the global climate in order to protect public health and welfare of the Arctic, the United States, and the world.

Recently, EPA released an Advanced Notice of Proposed Rulemaking (ANPR) seeking public comment regarding the regulation of greenhouse gas emissions under the Clean Air Act. The ANPR was issued in response to the Supreme Court's decision in *Massachusetts v. EPA*. This ANPR is not sufficient. Rather than seeking more general comments, EPA should immediately recognize the threat of global warming poses to the health and welfare of the United States and promptly issue regulations that will reduce GHG emissions in order to protect the United States from the further and more disastrous climate change impacts.

Taking these actions is a necessary first step for the United States becoming a world leader in the effort to stabilize our global climate system. We need to act, and act quickly to protect the Arctic, the public health and welfare of the United States, and life on Earth as we know it.

Sincerely,



Sam Farr  
Member of Congress



Rush Holt  
Member of Congress

<sup>1</sup> IPCC. 2007. Climate Change 2007: The Physical Science Basis. Contribution of Working Group I to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change [Solomon, S., D. Qin, M. Manning, Z. Chen, M. Marquis, K.B. Averyt, M. Tignor and H.L. Miller (eds.)]. Cambridge University Press, Cambridge, United Kingdom and New York, NY, USA.

<sup>2</sup> Regulating Greenhouse Gas Emissions Under The Clean Air Act; Proposed Rule, 73 Fed. Reg. 44354 (July 30, 2008) at 44396.

<sup>3</sup> Hansen, J., M. Sato, P. Kharecha, D. Beerling, V. Masson-Delmotte, M. Pagani, M. Raymo, D. L. Royer, and J. C. Zachos. 2008. Target atmospheric CO<sub>2</sub>: where should humanity aim? available at:<http://arxiv.org/abs/0804.1126> and <http://arxiv.org/abs/0804.1135>.

Jan Schukinsky

Paul Blumauer

Luis Capps

Lynn Woolsey

Luetta Sanchez

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Mirvan Holl

Bob Fulmer

Pete Fungo

Barbara Lee

Niki Soyas

Pete Hunt

Howard L. Berman

Jim McJannet

Margie K. Hiroso