

## EPA Greenhouse Gases Endangerment Finding

### *Obama Administration Arrogantly Pursuing Backdoor Cap and Trade Policy*

#### Background

On December 7, 2009, the Environmental Protection Agency (EPA) formally declared greenhouse gases a danger to public health and welfare, and should therefore be regulated under the Clean Air Act. The endangerment finding paves the way for the EPA to circumvent Congress and unilaterally regulate emissions from stationary sources including power plants, refineries and factories. The effects of which would be devastating to American agriculture producers and the customers they serve. In response, there has been broad bipartisan support in both chambers of Congress to take legislative steps that would prevent the EPA from moving forward with their burdensome regulations. On March 2, 2010, Agriculture Committee Ranking Member Frank Lucas joined over 100 of his Republican colleagues in the House to cosponsor a disapproval resolution ([H.J. Res. 77](#)) that would nullify the EPA's endangerment finding. A similar resolution ([H.J. Res. 76](#)) sponsored by Rep. Ike Skelton and cosponsored by Agriculture Committee Chairman Collin Peterson has also been introduced in the House, which has the [backing](#) of 175 agriculture groups. In addition Senator Lisa Murkowski (R-AK) has introduced a resolution in the Senate.

#### What They're Saying

**“The Chamber believes that the right way to reduce greenhouse gas emissions in the atmosphere is through bipartisan legislation and comprehensive international agreements. The wrong way is through the EPA's endangerment finding.”**

*Steven Law, General Counsel of the U.S. Chamber of Commerce*

**“The Administration's decision to trump Congress and unilaterally regulate greenhouse gas emissions will stifle U.S. economic growth and development. EPA's finding lacks scientific justification. Before jeopardizing the ability of the U.S. to remain competitive in the global marketplace, we're asking the courts to re-examine the science behind EPA's claims.”**

*Gary Voogt, President of the National Cattlemen's Beef Association*

**“We firmly believe any regulations dealing with global warming that could negatively affect our ability to produce food and fiber for our nation and the world should come through the legislative process.”**

*Bob Stallman, President of the American Farm Bureau Federation*

## **The Facts: What the EPA isn't Telling You**

**Backdoor Cap and Trade Bill:** The EPA endangerment finding is a thinly veiled attempt by the Obama Administration to blackmail Congress and unilaterally implement radical environmental policy. With this finding, the Obama Administration is arrogantly telling members of Congress—those who are elected to serve the American people—to either pass cap and trade legislation or the EPA will do it for you. Contrary to the beliefs of the Obama Administration, the EPA is supposed to do what the American people want, not what the EPA wants. A public policy question of this magnitude—that will have such a profound impact on our way of life, our economy and our future—should not be decided by unelected government bureaucrats with no accountability to the American people.

**EPA's Flawed Analysis:** Rather than conducting its own independent analysis of the supposed dangers of greenhouse gases to the health and welfare of the American public, the EPA relied on exaggerated reports from the United Nation's Intergovernmental Panel on Climate Change (IPCC). As was on display over the last year, the IPCC is hardly a credible source on the issue of climate change, having been caught manipulating the data and methodology it used to reach its conclusions. As a federal government agency, the EPA should base its rulemaking on credible, scientific-based evidence; not flawed reports that have been intentionally distorted to advance an ideology at the expense of our economy.

**Regulations Threaten Rural Economies:** The EPA's decision to regulate greenhouse gases under the Clean Air Act would represent an unprecedented move by the federal government to expand its authority over American agriculture and leave the door open to even more costly regulation down the road. Further government regulation by the EPA will stifle economic growth in rural economies and lead to massive job losses, as farmers and ranchers try to cope with the costs of burdensome government regulation. Already operating with exceedingly low profit margins, increasing expensive compliance costs to conform to new regulations under the Clean Air Act would be a death pill for America's farmers and ranchers that will inevitably lead to higher prices for consumers.

**Competitive Disadvantage:** Unilateral action by the U.S. to limit the amount of greenhouse gases in the air would have zero impact on the environment without a robust international agreement by all industrialized countries to reduce emissions. Without such an agreement, the EPA's endangerment finding would only further damage the already shaky U.S. economy. With the U.S. economy struggling to pull itself out of a recession, now is not the time to handcuff American agriculture producers to costly government regulations that will reduce their foothold in the global marketplace and put them at a disadvantage to international competitors.