

Testimony re: Reconsideration of 2009 Endangerment Finding

Stephanie Jones on behalf of Environmental Defense Fund

Environmental Protection Agency Hearing

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My name is Stephanie Jones and I am a senior attorney at Environmental Defense Fund. I am testifying today on behalf of our staff and our millions of members, who care deeply about stabilizing the climate. EPA's proposal to rescind the Endangerment Finding is a reckless act that has no basis in law, no basis in science, and is an attack on key protections for Americans against present and worsening climate-driven threats.

In 2007, the U.S. Supreme Court held that greenhouse gases are pollutants under the Clean Air Act, so EPA must make a science-based determination about whether this pollution endangers public health and welfare. In 2009, following the evaluation of extensive scientific evidence and public input, EPA finalized the Endangerment Finding – determining that climate pollution threatens the health and welfare of current and future generations.

Since then, courts have uniformly rejected legal challenges to the Endangerment Finding, and the already indisputable scientific evidence supporting the finding has only grown more compelling, affirming what so many Americans are experiencing firsthand. As of 2024, global average temperatures have risen about two and a half degrees Fahrenheit since the pre-industrial era – and since 1970, the continental U.S. has been warming 60% faster than this global average. 8 of the 10 hottest years on record in the U.S. have occurred since 2009. As the Earth's temperature rises, extreme weather gets more extreme, including heat waves, storms, and droughts.

The administration tried to twist these clear and undeniable facts by secretly and illegally commissioning a report by hand-picked climate skeptics, but Americans know the truth: these disasters are devastating communities across the nation and costing lives. Since 2009, 255 billion-dollar-plus weather disasters have hit the U.S., impacting every state and costing more than \$1 trillion in all.

The Endangerment Finding underpins commonsense standards that cut harmful pollution from the largest sources while saving Americans money, creating jobs, and supporting economic growth. Repealing the Endangerment Finding would drive up pollution and plunge businesses into regulatory chaos.

EPA's proposal to rescind the Endangerment Finding is manifestly inconsistent with its statutory mandate. It is a callous breach of our government's responsibility to protect the American people from the devastation of climate pollution and EDF opposes it in the strongest terms.