



March 14, 2011

The Honorable Fred Upton  
The Honorable Henry Waxman  
Committee on Energy and Commerce  
2125 Rayburn House Office Building  
Washington, DC 20515

Dear Chairman Upton and Ranking Member Waxman:

Consumers Union,<sup>1</sup> non-profit publisher of Consumer Reports®, respectfully urges you to oppose H.R. 910, the “Energy Tax Prevention Act of 2011,” which would likely wind up costing consumers money by increasing oil consumption and increasing public harm from pollution. We need to move forward on the progress made by the Clean Air Act, which has accomplished so much in improving our quality of life.

Since the Clean Air Act was enacted forty years ago and updated by the 1990 amendments, air pollution in the U.S. has dramatically decreased, while the U.S. gross domestic product has tripled. The Clean Air Act has been highly cost-effective—the benefits of cleaning up our air have exceeded the costs many times over. Decreases in smog and ozone-depleting chemicals, the phase out of lead in gasoline, and reductions in traditional pollutants such as mercury and other heavy metals and toxics have saved hundreds of thousands of lives and billions of dollars in public health costs and lost productivity.

American households account for over 70% of energy consumption and greenhouse gas emissions in the U.S. through direct and indirect energy purchases. As consumers, we pay for most of the energy consumed in the U.S. and have a significant stake in the type of energy we use and how our energy use affects public health and society as a whole. Energy production should continue to be regulated in a manner that ensures reliable energy supplies, while protecting public health and the environment. Pollution reduction is critically important in our quest to lead healthy, productive lives.

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H.R. 910 would undermine the Clean Air Act's pollution standards for both industrial sources and passenger vehicles. By stripping the Environmental Protection Agency's (EPA) future authority over vehicle emissions, H.R. 910 would increase our gasoline consumption and force consumers to pay higher fuel costs. EPA's involvement in setting tailpipe emission standards for vehicles is vitally important to ensuring consumer-friendly fuel economy standards. Collaboration and cooperation between the National Highway Traffic Safety Administration (NHTSA) and EPA, as well as the states, is much more likely to produce optimal results than would NHTSA alone.

EPA's authority under the Clean Air Act allows for long-term planning in setting fuel economy standards and promotes technological development and breakthroughs to increase fuel economy and benefit consumers. EPA can give the auto industry a long-term trajectory that promotes energy efficiency and high environmental standards and has flexibility to envision and promote changes in vehicle attributes in response to emissions standards. By fulfilling its obligation to protect the public health and welfare under the Clean Air Act, EPA is a very effective partner with NHTSA to accomplish the goal of promoting energy security and affordability through higher fuel economy.

H.R. 910 also eliminates health-based limits on carbon pollution from stationary sources, and in doing so, ignores scientifically-based risks to public health and reduces several key benefits of the Clean Air Act. The most prevalent compliance response of polluting facilities to EPA's permitting process for carbon pollution will be increasing energy efficiency of their operations. This increase in energy efficiency will significantly reduce energy demand and a variety of toxic pollutant emissions, such as mercury, lead, and arsenic. The reduced energy demand and decrease in pollution will directly benefit consumers in terms of lower energy prices and reduced negative health impacts. By stripping EPA of permitting authority over carbon pollution, H.R. 910 usurps these benefits for consumers.

Consumers Union strongly supports policies that will move us toward a cleaner, more sustainable future. Undermining the Clean Air Act will unfairly burden the public and consumers and move us in the wrong direction. We thank you for your attention to this important consumer and public health issue.

Sincerely,



Shannon Baker-Branstetter  
Consumers Union

cc: House Energy & Commerce Committee