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EPA'S REVERSAL ON THE ENDANGERMENT FINDING AND MOTOR VEHICLE STANDARDS CONTRADICTS OVERWHELMING SCIENTIFIC EVIDENCE AND ESTABLISHED LAW

Today, the U.S. Environmental Protection Agency (EPA) is expected to propose to reverse its finding that greenhouse gas emissions endanger public health and welfare and to rescind its greenhouse gas emission standards for motor vehicles.

EPA's previous finding that greenhouse gas emissions from motor vehicles contribute to dangerous climate change rests on a solid legal and factual foundation. A new report from the Institute for Policy Integrity shows how EPA has repeatedly recognized the danger to public health from much smaller contributions to pollution problems and regulated those emissions. The report explains how this approach is consistent with the Clean Air Act's text, legislative history, and court decisions.

Other new analysis from the Institute for Policy Integrity shows that each year the U.S. transportation sector contributes enough greenhouse gas emissions to cause thousands of U.S. deaths and billions of dollars in economic costs from future climate damages. The United States has been by far the world's largest emitter of vehicle-based greenhouse gas emissions from 1970 onwards, having emitted more than the next nine countries combined.

The Trump Administration has previously suggested that the costs of EPA's greenhouse gas emissions standards for vehicles would justify review of the endangerment finding. However, as a recent report from the Institute for Policy Integrity explains, EPA's own previous analyses showed that its most recent suite of standards for light- and medium-duty vehicles produced over $2 trillion in *net* benefits.

The Trump Administration has also suggested that EPA should have assessed regulatory costs and benefits at the time it made its initial endangerment finding. As our report further demonstrates, that position is legally untenable and conflicts with EPA's past practice of properly considering regulatory costs and benefits as part of issuing these vehicle standards, not in the threshold endangerment finding.

Richard Revesz, faculty director at the Institute for Policy Integrity and AnBryce Professor of Law and Dean Emeritus at New York University School of Law, who served as Administrator of the Office of Information and Regulatory Affairs from January 2023 to January 2025, released the following statement:

"EPA's 2009 endangerment finding rests on a rock-solid legal and scientific foundation. Greenhouse gas emissions are unquestionably within EPA's authority—and responsibility—to regulate under the

Clean Air Act, which the Supreme Court confirmed years ago. The 2009 endangerment finding has survived legal challenge, and in 2021, the Trump Administration itself rejected petitions to revisit the endangerment finding."

"Revoking the 2009 endangerment finding will jeopardize EPA regulations that cost-effectively reduce greenhouse gas emissions and, in so doing, provide extensive public health and welfare benefits for the American people. Such an action will face significant legal hurdles in the courts."

"EPA's vehicle emissions standards are enormously beneficial for Americans. The agency's most recent light- and medium-duty standards, finalized last year, are projected to save consumers over $800 billion in fuel costs over the next thirty years and reduce climate-change damages by more than $1.5 trillion. Rescinding these standards will cost consumers at the pump, weaken our nation's energy security, make us more vulnerable to price shocks, and increase dangerous pollution."

Professor Revesz and other experts at the Institute for Policy Integrity are available for interviews on these issues. Revesz has written extensively on the Clean Air Act, including how the statutory text and legislative materials underlying its enactment confirm the Act's application to greenhouse gas emissions and show that Congress intended the Act to apply to climate effects.

The Institute for Policy Integrity has also published analyses of the economic and legal foundations of EPA vehicle emissions standards.

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The Institute for Policy Integrity *at New York University School of Law is a non-partisan think tank dedicated to improving the quality of government decisionmaking. The institute produces original scholarly research in the fields of economics, law, and regulatory policy; and advocates for reform before courts, legislatures, and executive agencies.*